

Report Item No: 1

APPLICATION No:	EPF/1763/08
SITE ADDRESS:	Brook House Cottage High Road Chigwell Essex IG7 6PX
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mrs Margaret Mackenzie
DESCRIPTION OF PROPOSAL:	TPO/EPF/39/88 T1 Horse Chestnut - Remove
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 Insufficient information has been has been provided to justify the felling of this tree which is in a Conservation Area, contrary to policy LL9 and HC6 of the Council's Adopted Local Plan and Alterations.

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. Horse chestnut. **Fell and replace.**

Description of Site:

This 16 metre tall tree stands in front of a converted stable block domestic dwelling at a distance of approximately 3 metres from the corner of the building. It is surrounded on two sides by a dividing brick wall to the side, which encloses a courtyard beyond and the front boundary wall to Chigwell High Road. The area surrounding the tree is made up of gravel and forms the open drive and parking area for both the cottage and Brook House; a listed building within the Chigwell Conservation Area. This large spreading tree contributes significantly to the green character of this locality and stands out as the most important mature chestnut tree within the immediate vicinity.

Relevant History:

TPO/EPF/39/88 was served following an official notice given by the tree owner of his intention to fell a tree within a Conservation Area. The Order was confirmed despite an objection from the tree owner, who felt the tree had out grown its position and had caused cracking to both his garage floor and the yard by its roots.

In 1988, the water supply authority investigated the cause of the saturated condition of the areas of the yard of Brook House Cottage, previously thought to be due to leaking drains. The investigation discovered a leaking water main valve, which discounted the tree's action on drains on that occasion.

TRE/EPF/23/95 was granted permission to reduce the tree by up to 50% in order that the overhanging branch problem, given as reasons for the works, was substantially alleviated.

TRE/EPF/1104/03 allowed repeat reduction works and a 60% thinning out of the crown.

Repairs to part of the existing drainage system were undertaken in 2004. These repairs consisted of relining the old pipes between the manhole cover in the courtyard and the man hole in the front of the main grounds, where root infestation was present. Root pruning to remove a large surface root was also carried out at around this time.

Relevant Policies:

LL9: The Council will not give consent to fell a tree protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree.

Issues and Considerations:

Introduction

The application is made on the basis that the tree is said to be damaging the drain running beneath the tree and an inspection chamber at the junction of two drain pipes for storm water and foul drainage respectively.

The issue is whether or not the tree's removal is justified and necessary due to the alleged damage caused to the drains and inspection chamber.

Considerations

- Evidence to support the proposal.

The allegation of root damage to the drains around the tree that has been submitted with this application is not supported by any clear technical evidence to show the tree as the primary cause of damage to the drains and subsequent wetting and softening of the soil around and below the property foundations.

There has been a history of drain related problems associated with the roots of this tree; described above. On previous occasions the council's response has aimed to balance the problems caused by the tree against its high amenity value. The view is that repairs to pipelines and inspection chambers would be necessary to drain systems of this age with or without the tree present. Old drains do become cracked and prone to leaks over time, which attracts roots to the area. No information has been put forward to show that the four inch diameter salt glazed pipeline is a new system and this has been penetrated by the tree roots. Therefore, unless it can be demonstrated that all other means of repairs are to be discounted it is reasonable to expect that technical solutions remain available without the need to remove the tree.

- Tree condition, life expectancy and

The tree appears to be in generally good condition with a life expectancy of at least 20 years. The applicant's agent understands that the tree is suffering from 'Bleeding Canker' but does not

support this claim with any form of a professional report. There is evidence of staining on some branches within the crown, which indicates the presence of a pathogen. This, however, frequently occurs on this species and, in this instance, does not present an immediate threat to the tree's long term health. A more detailed tree inspection to quantify the risk presented by such staining would need to be produced before more weight can be given to this issue.

- Amenity value and Article 5 certification.

The tree stands prominently at the front corner of the property and complements the Brook House; a Grade II listed building and the buildings associated with it. It has an attractive open form and stands out as a very significant tree on this site. It forms part of a varied line of mature trees, which occupy dominant positions at the front boundaries of the houses along this main road. Its removal would be a great loss in terms of public landscape amenity.

Should members agree to refuse permission for the removal of this tree the reasons for issuing an Article 5 Certificate would be given as:

1. The tree's outstanding dominant and well shaped form.
2. The positive contribution it makes to the Street Scene of this, the Chigwell Conservation Area along the High Road.
3. The important presence it has in relation to the Grade II listed building, Brook House and the surrounding buildings on the site.

Conclusion:

The tree is vigorous and highly prominent in the Conservation Area. Details of the damage caused are unsupported in the application and could be resolved by repairs normally expected for drain systems of this age. The tree's landscape importance outweighs the problems encountered in the application. Therefore, the felling of the tree is not considered justified or necessary.

It is recommended to refuse permission to this application on the grounds that the problems suffered do not justify the need to remove the tree. The proposal therefore runs contrary to Local Plan Landscape Policy LL9.

It is recommended that an a certificate under article 5 is issued with the refusal notice.

It is recommended that, in the event of members granting permission to fell this tree, a condition be attached requiring the replanting of a suitable replacement at an agreed location on the site.

SUMMARY OF REPRESENTATIONS:

CHIGWELL PARISH COUNCIL commented that it would take the advice of the council tree officer to the application.

COLIN GAME OF MILLARD & PARTNERS: CONSULTING STRUCTURAL ENGINEERS produced a short report supporting the application to remove the tree. He expresses concerns about 'the damage being repeatedly caused to the drain runs immediately adjacent to the property by the growth and penetration of roots from the Horse Chestnut tree.' In his opinion, the repeated damage 'will eventually cause a softening/ contamination of the soil around and below the existing property foundations, which will quite possibly lead to settlement of the foundations and damage to the property.'

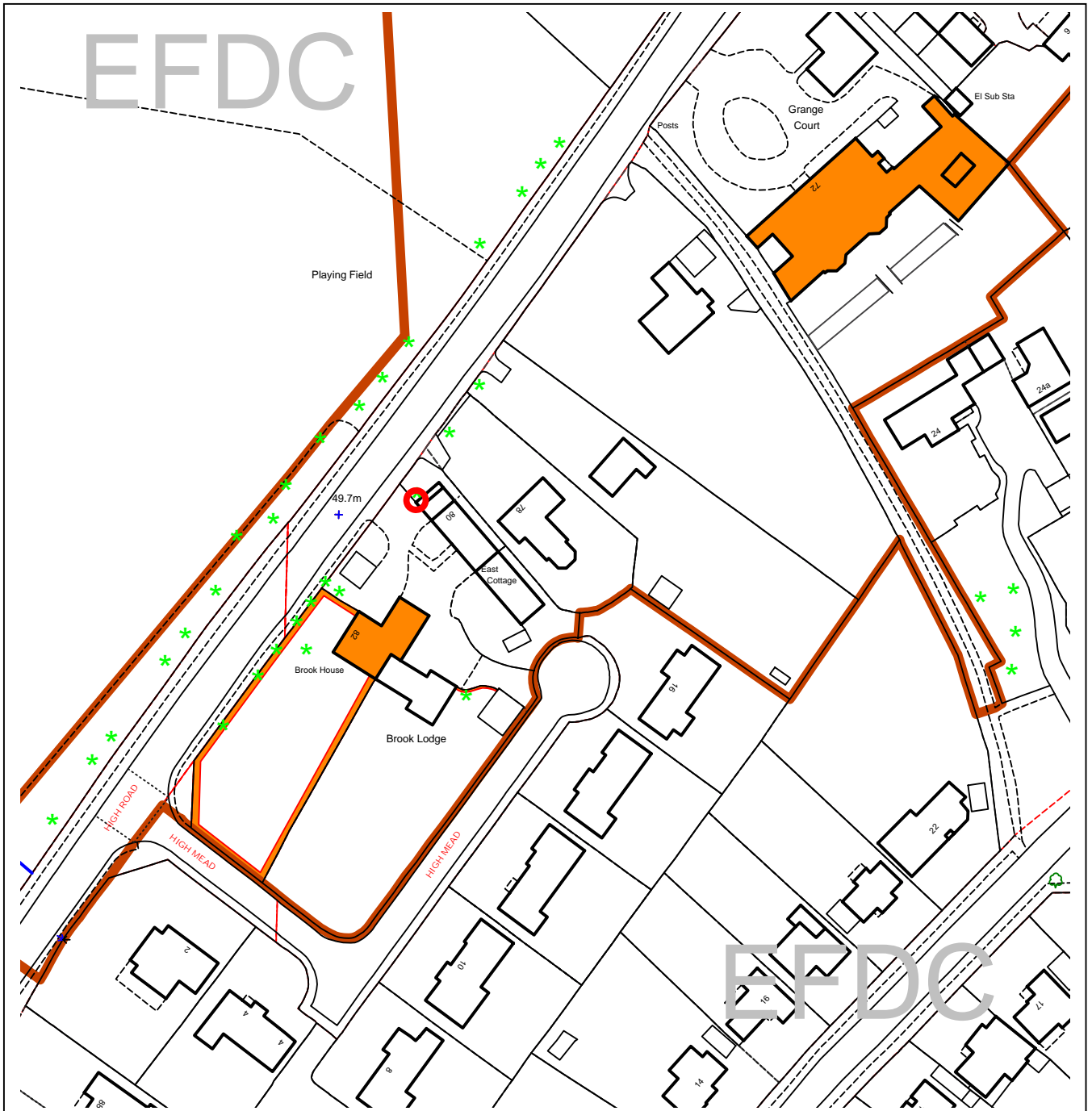
MR A. CONNOLLY OF ARDENE PROPERTY CONSULTANTS wrote a letter supporting the application on behalf of a Mr. and Mrs. Stevenson of Farthings, 78 High Road, whose

neighbouring property has linked drain runs. He cited a drain record on DVD, showing root infestation. It was not made clear whether these roots had been identified as those from the Horse Chestnut or a preserved Pine tree on their own land. This photographic evidence has not been made available.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	1
Application Number:	EPF/1763/08
Site Name:	Brook House Cottage, High Road Chigwell IG7 6PX
Scale of Plot:	1:2500

Report Item No: 2

APPLICATION No:	EPF/1794/08
SITE ADDRESS:	Highview Court 20 High Road Loughton Essex IG10 4QZ
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Philip Macaree
DESCRIPTION OF PROPOSAL:	TPO/EPF/24/88/A1 T1 Sycamore - Fell to ground level
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the works are carried out in a satisfactory manner, and that the Local Planning Authority is given sufficient notice to supervise the work.

- 2 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.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the existing tree or trees is maintained by the provision of adequate replacement.

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.Sycamore. Fell and replace.

Description of Site:

The tree stands close to the side boundary fence of this site, opposite the main entrance of the eastern apartment block, which forms part of a pair of mid rise residential flat blocks fronting onto the High Road. The site has an area of closely mown grass, which extends to the front boundary between the flats and car parking. This forms the landscaped garden area and is populated by ornamental flowering trees and shrubs.

Relevant History:

There are no records on file of pruning operations to this tree, which was included as part of the area designated as A1, listed as 'various trees of whatever species' in TPO/EPF/24/88. The Order forms a protective crescent around Richmond Court and Highview Court.

Policies Applied:

Epping Forest District Local Plan and Alterations: LL9 Felling of preserved trees

Issues and Considerations:

The main reasons put forward with this application are the following:

- Poor location of the tree.
- Potential risk of structural failure from old pruning points.

The main planning considerations are:

- Visual amenity of the tree
- Planning issues

Location of the tree:

The applicant lists the position of the tree as problematic. It stands next to a bin store at a narrowed point, where the access drive passes beside the building.

Some lower limbs have been crudely removed to alleviate the pressure on vehicles passing this point. In its current form it does not extend excessively into the path of vehicles or against the building. However, the relationship between the tree and its immediate surroundings : the tarmac drive, kerb line, bin store and flat block is not a complementary one. The kerb stones and the tarmac surfacing have become cracked and distorted. The tree dominates the flat block entrance and litters it with honeydew sap, leaf debris and small deadwood fragments.

A tree of this species would normally need a considerable amount of space to be allowed to grow to its natural size. Historically, there have been repeated reduction works to the tree to contain its development in its constrained surroundings. The conifer hedge is beginning to outgrow the tree and performs a more effective screening function than the tree.

Potential risk of branch failure:

The tree has many vertical, regrown stems from about 5 metres in height, which have developed following heavy pruning. The applicant states that there is a risk of these congested, regenerated stems to fail. Decay is visible on two stems at this height. The poorly structured multi-stemmed base has several trunks growing closely to each other. These will exert pressure on each other as

they continue to thicken with age. The scarring visible from previous lower stem pruning shows pockets of stem decay. This could result in whole stem failure with more serious consequences. A risk does exist of branch drop.

Visual amenity

This tree stands close to a line of conifers, which partially obscures views of the tree. The flat block also obstructs views of the tree. It can be seen when standing in the road directly opposite the drive. Its amenity value is modest and its loss would be barely noticed.

Planning issues

The tree was protected as part of an area order of boundary trees, good and bad around Highview and Richmond Court, to conceal views of the new development at Nafferton Rise. The tree would not merit preservation on the grounds of its poor form and low visual amenity.

The removal of this poorly sited, self sown tree will provide a good opportunity to secure a more appropriate tree in a prominent position within the front garden area of the site. This would provide long term landscape benefits to the street scene of the High Road.

Conclusion:

The tree is a poor example with low public amenity. It could be replaced with a better tree in a more visible location. While it might not be strictly necessary to remove the tree, a landscape gain can be achieved with new planting and therefore it appears that felling is justifiable, in this case.

It is recommended to grant permission to this application on the grounds that the tree is of poor quality and low visual amenity, which justify its removal. 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:

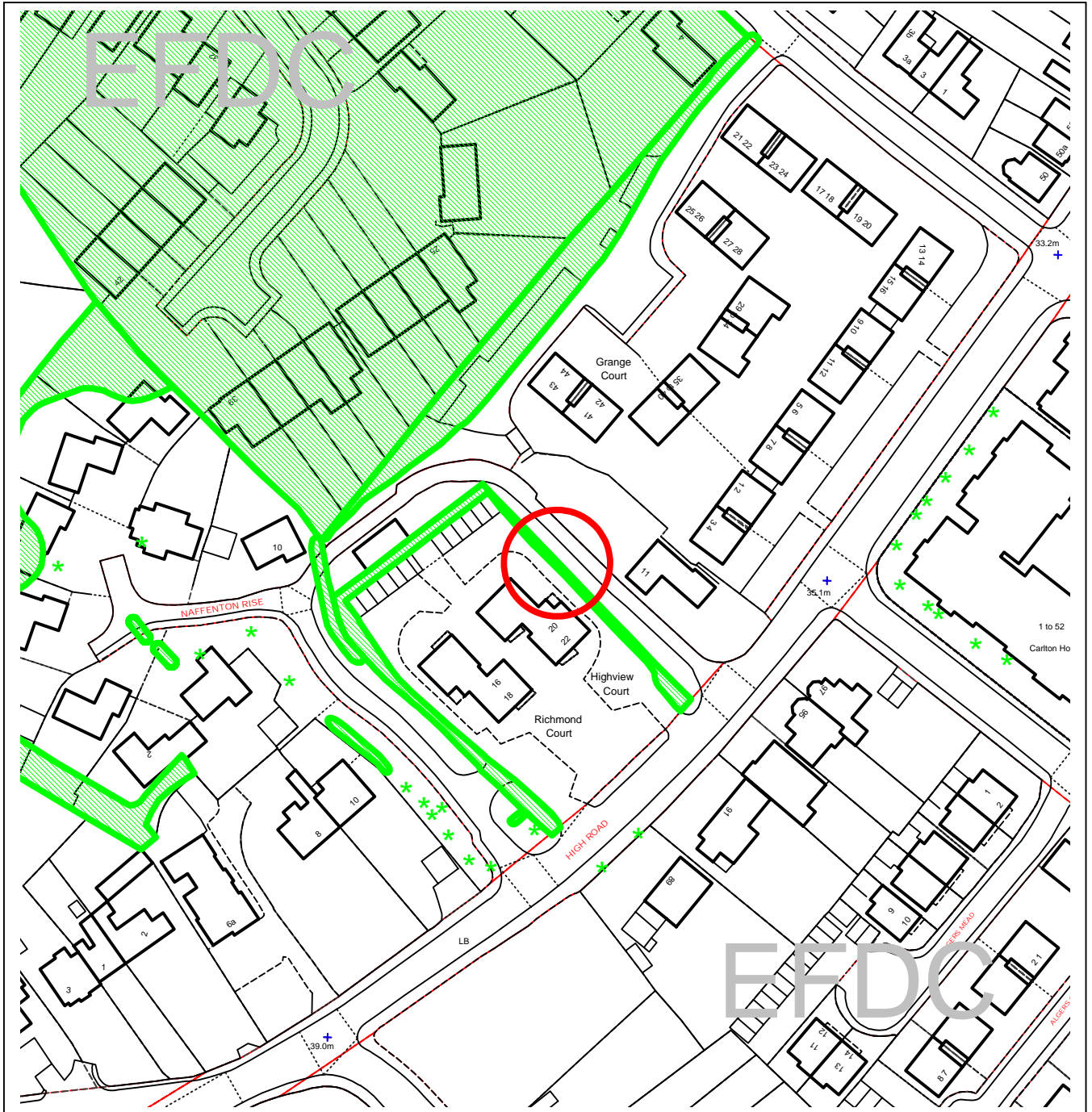
Loughton Town Council objected to the application.

Loughton Residents Association objected on the grounds that there seems no justification in the planning application.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	2
Application Number:	EPF/1794/08
Site Name:	Highview Court, 20 High Road Loughton IG10 4QZ
Scale of Plot:	1:1250

Report Item No 3

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

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

- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Reason:- To safeguard the visual amenities of the locality.

This item was deferred at the last meeting of this Committee held on 24 September 2008 as there was a concern that not all representations had been reported. Officers have since checked all representations received and at the time of preparing this agenda, no more than the two representations summarised at the end of this report were received.

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:

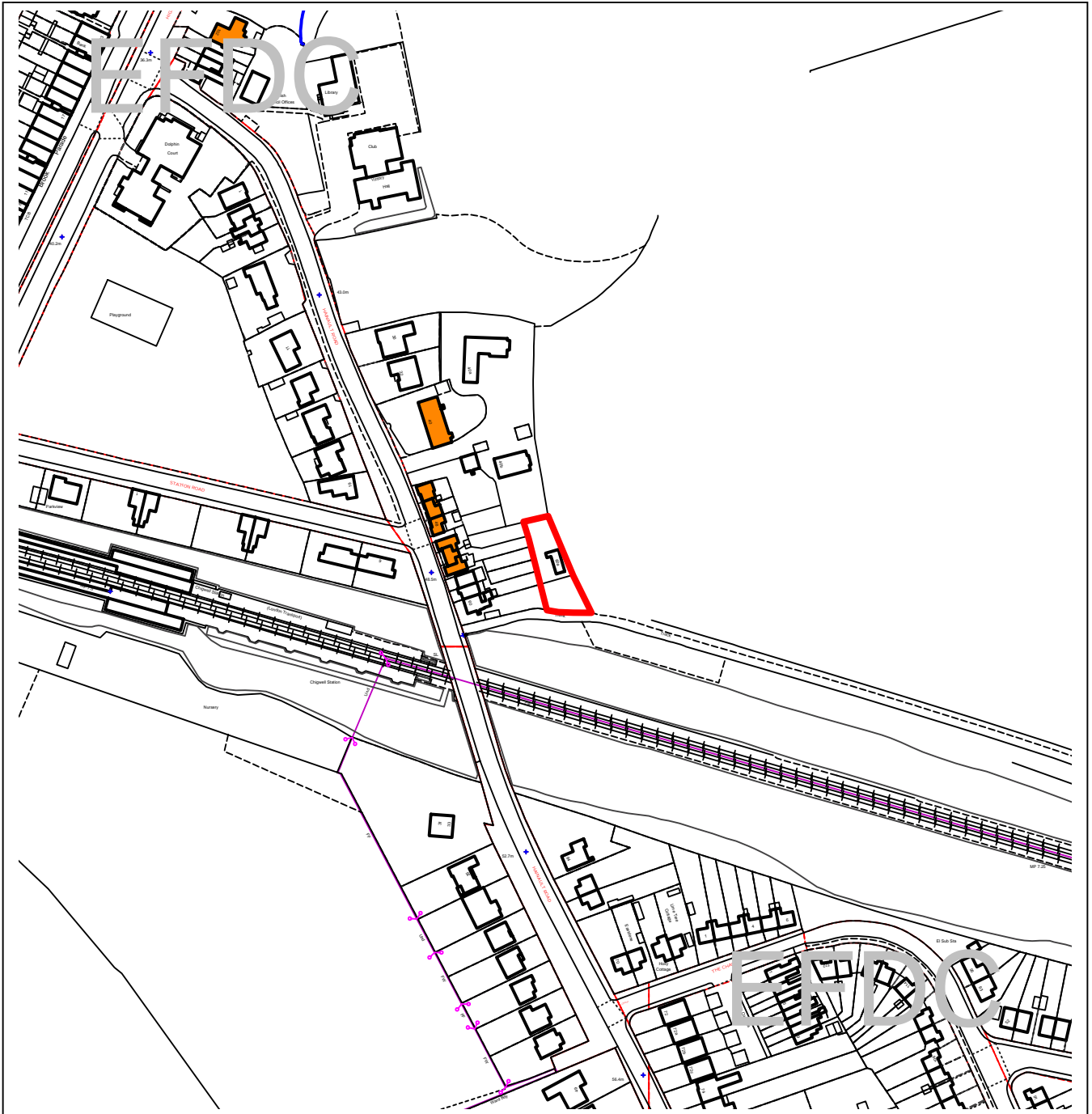
CHIGWELL TOWN COUNCIL: Objection. Cause loss of amenity to No54 and original application recognised the need for strict control on this site.

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



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	3
Application Number:	EPF/1647/08
Site Name:	The Stables, 60A Hainault Road Chigwell, IG7 6QX
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/1650/08
SITE ADDRESS:	M11 Motorway Service Area Roding Lane Chigwell Essex IG7
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Olympic Delivery Authority
DESCRIPTION OF PROPOSAL:	Construction of a compound for the undertaking of security checks on, and controlling the movement of, heavy goods vehicles. Works to include change levels, construction of a drainage pond, hard surfacing, perimeter fencing, and associated structures.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 Unless otherwise stated in the Remediation Strategy in para.4.2 of the ODA Planning Statement dated August 2008 for the site and as indicated on drawing no. A12095-C-116 Rev.C, all buildings and structures hereby permitted shall be demolished and the materials removed from site before 1 July 2014. Materials removed shall include the excavated top soil on the western part of the site, as shown on drawing no. A12095-C-103, to be returned to and spread on the eastern part of the site in two 150mm layers.

Reason: For the avoidance of doubt.

- 2 The use hereby permitted shall be discontinued on or before the 31st December 2013.

Reason: A temporary permission is granted due to the short term need for the Logistics Centre for the delivery of the Olympic and Paralympic Games.

- 3 A scheme for the restoration of the site, which includes methodology and seed specification, shall be submitted to and approved by the local planning authority before the use hereby permitted ceases; this scheme shall be implemented before 1 July 2014.

Reason: To achieve a satisfactory standard of restoration in the interests of amenity to conserve and enhance natural features, the character of the area and to mitigate environmental losses due to the development.

- 4 All construction / demolition works and ancillary operations (which includes deliveries and other commercial vehicles movements to and from the site) shall take

please on site between the hours of 06.00 to 20.00 hours on weekdays and Saturdays, and at no time during Sundays and Bank Holidays unless prior agreement has been obtained in writing from the local planning authority.

Reason: To safeguard the local area from undue noise and disturbance.

- 5 No burning of materials shall take place on site throughout the demolition and construction phases of the development.

Reason: In the interest of the amenities of neighbouring properties and pollution prevention.

- 6 All reasonable steps to minimise dust emissions from the site shall be employed throughout the demolition and construction phase of the development.

Reason: In the interest of the amenities of neighbouring properties and pollution prevention.

- 7 Wheel washing or other cleaning facilities for vehicles leaving the site during demolition and construction works shall be installed in accordance with details which shall be submitted and agreed in writing by the local planning authority. The facilities shall be installed prior to commencement of any works on the site and shall be used to by all vehicles leaving the site during site preparation and construction works.

Reason: In the interest of highway safety

- 8 Development shall be in accordance with details of the surface water drainage works shown in drawing no A12095-C-105 unless otherwise submitted to and approved in writing by the Local Authority.

Reason: To ensure proper drainage of the site.

- 9 The development shall not be brought into use unless / until, the merge, diverge and weaving length arrangements serving the development directly to and from M11 have been completed in accordance with the approved in principle outline Option 2 layout in Pell Frischmann report R10295T11-A 'Departure from Standard Mitigation proposals' and constructed to the specification of the Highways Agency and to the satisfaction of the Local Planning Authority in consultation with the Highways Agency and open to traffic, unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Agency.

Reason: In the interest of highway safety

- 10 No traffic from the development (including construction traffic) is to use M11 J5 until a traffic signal scheme for the M11 J5 / Chigwell Lane junction as shown in outline on drawing no D12095T521 has been constructed and open to traffic and a Stage 3 Completion Certificate is obtained, unless otherwise agreed in writing by the Local Planning Authority in consultation with Essex County Council and the Highways Agency. Before the traffic light signal scheme operates it shall be linked via MOVA (Microscopic Optimised Vehicle Actuation) to the existing Langston Road signalised junction, to the north.

Reason: In the interest of highway safety

- 11 The screen (A) shown on plan number A12095-C-102 dated 07.08.08 titled 'ODA logistics centre 1 - M11 Perimeter Barrier Layout' shall be erected in accordance with detail outlined in the construction management plan clm-d0601-pln 0004 or any subsequent agreed plan before commencement of the use of the site. The fence will be maintained in accordance with the standard requirements.

Reason: In the interest of highway safety

- 12 Before commencement of the development hereby approved, measures to secure restorative improvements to Andrews Pond at Roding Valley Meadow Nature Reserve, located in the vicinity of the west part of the site, shall be agreed by the Local Planning Authority.

Reason: To improve the ecology of the area and reduce existing surface run-off from the motorway.

- 13 Details of any lighting on the western half of the site, west of the M11 motorway, shall be submitted and agreed in writing by the Local Planning Authority before work commences on site. Should lighting be necessary it shall only be implemented on site in accordance with the agreed details.

Reason: To reduce impact on habitat in areas of woodland and river valley habitat, west of this part of the site.

This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions).

Description of Proposal:

The construction of a temporary Logistics Centre is required to facilitate the 2012 Olympic and Paralympic Games. The development comprises the construction of a compound for the undertaking of security checks on and controlling the movement of Heavy Goods Vehicles.

Works are to include: change in levels; hard surfacing; construction of administration building and structure for security equipment; storage of topsoil (west of M11); erection of perimeter fencing; erection of lighting columns; construction of drainage works; erection of signage; and associated works and a remediation strategy comprising of site restoration works following the cessation of operation at the site.

The use is for a temporary period ceasing on the 31st December 2013.

Description of Site:

The total area of the application site is 8.17 ha; divided, more or less centrally, by the M11 into two sub areas. The sub area to the east of the M11 is approximately 3.5 ha and the sub area to the west of the M11 (which will remain largely undeveloped) is approximately 4.5 ha.

Access to the site is currently controlled by perimeter fencing, and is gained via restricted slip roads from the north bound and south bound M11 only. The site is owned by and has remained in use by the Highways Agency since the construction of the M11.

Currently the site is predominantly vacant grassland and scrub with the exception of an Essex Police Control Centre located on the northern boundary of the western sub area; it has been agreed that police operations from this Control Centre should not be affected by the Logistics Centre. In addition to this there is a small area utilised as a compound by the Highways Agency on the western sub-section.

Relevant History:

The site was earmarked as a potential location for a Motorway Service Area (MSA) during the construction of the M11 motorway when it was expected that the M11 was to extend further into central London. However the proposed section of the M11 from Hackney Wick to South Woodford through Leyton, Leytonstone and Snaresbrook was never built as part of the M11 and the motorway consequently starts at junction 4. This negated the need for an MSA in this location at that time. The site has remained under the land ownership of the Highways Agency since the construction of the M11.

Policies Applied:

National Policy

PPS1: Delivering Sustainable Communities (2005)
PPS25: Development and Flood-risk (2006)
PPG13: Transport (2001)
PPS9: Biodiversity and Geological Conservation (2005)
PPS7: Sustainable Development in Rural Areas (2004)
PPG2: Green Belt (1995)

East of England Plan

T1: Regional Transport Strategy Objectives and Outcomes
T6: Strategic and Regional Road Networks
SS1: Achieving Sustainable Development
SS7: Green Belt

Epping Forest Local Plan and Alterations

Policy NC1 – Sites of Special Scientific Interest (SSSIs)
Policy NC4 – Established Features of Local Interest
Policy DBE9 – Protection of the Enjoyment of Dwellings and their Amenity Spaces
Policy GB2A – Development in the Green Belt
Policy GB7A – Conspicuous Development
Policy LL1 – Protection of the Rural Landscapes
Policy LL2 – Planning Permission for Development in the countryside
Policy LL3 – Developments on the Edges of Settlements
Policy LL10 – Landscaping - protecting existing features

Issues and Considerations:

The main issues that arise with this application are deemed to be the following:
Greenbelt, Flood-risk, Ecology, Amenity and Highways.

1. Green Belt - Principle of Development

The carrying out of development, including engineering and other operations and the making of material changes in the use of land, is considered to be inappropriate development, except in very special circumstances, unless it maintains the openness of land and does not conflict with the purposes of including land in the Green Belt. The applicants demonstrate within the application

material the very special circumstances that apply to this development in the Green Belt, how the circumstances outweigh the harm and, therefore, why the development should be permitted.

The benefits of the M11 Chigwell site are its capability to control the movement of delivery vehicles close to the Olympic Site and its locational advantages of proximity to the Motorway, proximity to the Olympic Site, good road links from other parts of the country to the Olympic Site, location outside the urban area and its minimal impact on local communities and other road users.

The Olympic Delivery Authority (ODA) had declared a target of 50% of materials and equipment (by weight) to be delivered by sustainable transport methods, (rail and water) to reduce the impact on the environment. Even with the target of 50% of materials being delivered by rail or water, the expectation is for up to 600 road delivery vehicles per day. The strategy is to smooth the flow through the day thus reducing peaks and to avoid vehicles reaching the Olympic Site that are not authorised to enter.

It is considered that there is both a need to provide the facility and that the application site represents the most appropriate option. The proposed development of the logistics facilities is both critical and essential for the delivery of 2012 Olympic and Paralympic Games and therefore the development of the Logistics Centre (the subject of this application) is considered to be of national importance and the reason that very special circumstances apply.

2. Green Belt - Visual Impact

In terms of visual impact upon the greenbelt, the treed bank around the site is to be retained and this provides an effective and natural visual barrier, even to the proposed 20m high lighting columns proposed for the site. This part of the M11 is generally not lit, but lighting along the centre of a motorway is not uncommon close to urban areas and therefore is acceptable for the duration of the planning permission. The proposed development has been designed using sympathetic materials and colours. The proposed use of green Paladin Fencing for the external perimeter of the Logistics Centre will ensure that this has limited prominence and will not be an incongruous feature within this area of countryside.

Furthermore, the grassed earth bunds which separate the site from the wider landscape and the presence of the perimeter tree belts ensure that there is limited intervisibility with the local settlements, Chigwell Conservation Area or the recreational routes which pass through the area. Much of the land that adjoins the site is at a higher level and used for outdoor recreational purposes, even from Roding Lane to the south of the main site there is limited visibility, owing to the heavy screening around the site.

There are no objections raised with regard to the application site falling within the greenbelt, or the potential visual impact of the scheme, that would be limited to the M11 road.

3. Flood-risk

The surface water system incorporates attenuation storage and interceptors; and foul water sewage will be addressed through a self contained water treatment system. The Environment Agency (EA) has no objections with regard to drainage into the River Roding. The site is downstream from the Roding Valley Meadows SSSI site and is shown to have no negative impact upon this.

The EA's original objections to the scheme have been satisfactorily addressed through the submission of an addendum to the Flood Risk Assessment (FRA). The amended drainage solution which now forms part of this planning application provides attenuation via a dry pond to be located on the North West side of the M11. Legacy arrangements include the retention of the dry pond subject to agreement by the landowners. Topsoil will replace the concrete hard standing and

drains will be infilled; the gradients on the southeast part of the site will be reduced compared to current gradients, so that some betterment to surface runoff rates will be retained, whether the pond is retained or not. The FRA (with the addendum) meets the requirements of Government advice in PPS25.

4. Ecology

Whilst the site itself is not covered by any statutory or non-statutory wildlife designation, that part of the site west of the M11 adjoins a Local Nature Reserve (Roding Valley Meadows), the northern part of which is designated as a Site of Special Scientific Interest (SSSI). The basis to the designation is its species rich grassland comprising traditionally managed hay meadows, flood meadows and marsh.

In terms of impact upon the environment, the treed bank around the site is to be retained and this provides an effective and natural visual barrier. The site will be returned to a natural state after cessation of the operation in December 2013 in accordance with the remediation strategy. This will involve the removal of structures, break up and disposal of the concrete surfacing and seeding the eastern part of the site with wildflower/grass seed mix of British Seed Houses type WFG 6 or approved equivalent.

Natural England raises no objections in respect of either statutorily designated sites or legally protected species, nor does the Council's landscape officer. As a precaution scrub clearance on the site will be scheduled for outside the breeding season.

With regard to deer, it is not considered that the development of the site will have any effect on deer crossing the motorway. At present any crossings are likely to be either across the motorway or using the slip road as although the culvert could be crossed (i.e. muntjac can swim) its enclosed nature would probably deter most individuals. It is unlikely that muntjac deer are present in large numbers. It is likely that the deer using the area are mainly centred within the woodland that is to the north and west of the site venturing onto the proposed development area occasionally to feed. It is unlikely that muntjac cross the motorway with any frequency as they are a relatively shy species and the habitat to the east of the M11 is not of particularly high quality for this species.

Essex Wildlife Trust raised no objections to the application, furthermore the ODA are considering a contribution towards restorative works to Andrews Pond at Roding Valley. Works include replacing the dam, which is leaking badly and causing erosion, de-silting and improving the existing pond area and enlarging the inlet ditch to be able to plant a reedbed, with the hope of cleaning some of the oil from the road run-off before it reaches the pond and subsequently the River Roding. The pond is a valuable resource for school groups visiting the site.

5. Amenity

The nearby properties and conservation area at Roding Lane are screened by tall hedgerows and trees lining the road. The few viewpoints out of the road are impeded by the mature treebelt bordering the proposed site. The tree belt and hedgerows consist of coniferous and deciduous species and are deemed to provide screening throughout the year.

The construction phase is likely to be of significant duration and whilst some distance away on higher ground, it is close enough to neighbouring residential premises to warrant the inclusion of a number of conditions to control any disturbance. Conditions to restrict bonfires and hours of operation, and require wheel-cleaning are to be added to any permission during the construction stage to ensure amenity is protected.

Views available to the limited range and number of potential visual receptors located along Roding Lane are short range, being restricted and framed by the mature and tall roadside hedgerows and

hedgerow trees. Where rare opportunities for views across or through the adjacent vegetation cover exist, views westwards are restricted by built form and woodland belts within the intervening area. As such, the proposed Logistics Centre would not be visible from any point along the lane, and the proposed development would not alter the existing visual context. Views into the site from the motorway will be limited to the 20m lighting columns, owing to the provision of a 3m high timber fence along the western elevation.

No objections have been received regarding amenity.

6. Highways

The Logistics Centre, operated for goods/delivery vehicles, has little traffic impact on the surrounding highway network. In 2011, it is predicted that traffic congestion is likely to exist at Junction 5 M11/Chigwell Lane in the PM peak but this is largely as a result of the growth in background traffic rather than the Logistics Centre traffic.

The submitted Transport Assessment indicates that 20% of the HGV movements to the proposed site will originate from the south. This means that some HGV's will travel northbound on the M11 to junction 5 where they will cross Chigwell Lane and rejoin the M11 to go southbound. The existing priority junction here has a central reservation of approximately 4m width which is inadequate to allow HGV's to safely wait to cross the dual carriageway of Chigwell Lane and then turn right before driving onto the loop slip road and rejoin the M11 southbound.

Junction improvements at Chigwell Lane (signals at the junction to control the northbound slip road and to facilitate heavy goods vehicles leaving the slip road) will offset this and are to be provided by the ODA in conjunction with the Langston Road traffic light signalling improvements paid for from highway contributions gained from planning permissions granted in Langston Road by this Committee over the last 4 years. Implementation of new traffic signals will require limited physical works and provide acceptable traffic operational conditions.

The fence that runs along side the M11 will be a 3m high solid wooden fence in line with the Highways Agency's requirements. Check-gates are proposed at the entrance together with bollards, kerbs and other traffic controlling measures. They have been kept to a minimum to ensure safe and efficient flows into the site.

Conclusion:

The Olympic development is a project of national importance and the proposed Logistics facility is integral to its delivery. It will help aid sustainable economic development and accords with the aims of sustainable transport. The impact on landscape and environment is deemed to be negligible. There will be no significant impact on wildlife and nature conservation, nor cultural heritage.

The development accords with the aims and objectives of PPS1, PPG2, PPS7, PPG13, PPG16, and PPS25 which are significant material considerations that weigh in its favour.

It is considered there are significant material considerations that weigh in favour of the development and that the application proposals comply with Government Guidance and policies in the East of England Plan and the Local Plan.

The local benefits are that firstly, there will be a traffic light signalised junction at the end of the slip road off the M11 to control traffic crossing the central reservation of Chigwell Lane, which currently relies on traffic waiting for breaks in the two-way cross movement of vehicles along Chigwell Lane and then there is only room for one vehicle at a time in the central reservation. Secondly, the ODA

will provide a contribution towards restorative works to Andrews Pond at Roding Valley for the Essex Wildlife Trust.

It is for these reasons that the application is recommended for approval subject to conditions.

SUMMARY OF REPRESENTATIONS:

CHIGWELL PARISH COUNCIL. No objections

ENVIRONMENT AGENCY. No objections. The Environment Agency originally expressed objections, objecting on the grounds of an absence of acceptable Flood Risk Assessment (FRA.) They advised that, in order to resolve this, the FRA must show how SUDS will be maximised on site, with any obstacle to their use clearly justified. It should also show how it would be feasible to balance surface water runoff to the Greenfield run off rate for all events up to the 1 in 100 year storm. Following the submission of 'Olympic Delivery Authority – M11 Logistics Centre Flood Risk Assessment – Addendum Report' dated October 2008 the EA has since withdrawn their objection. The drainage solution provides attenuation via a dry pond to be located on the North West side of the M11.

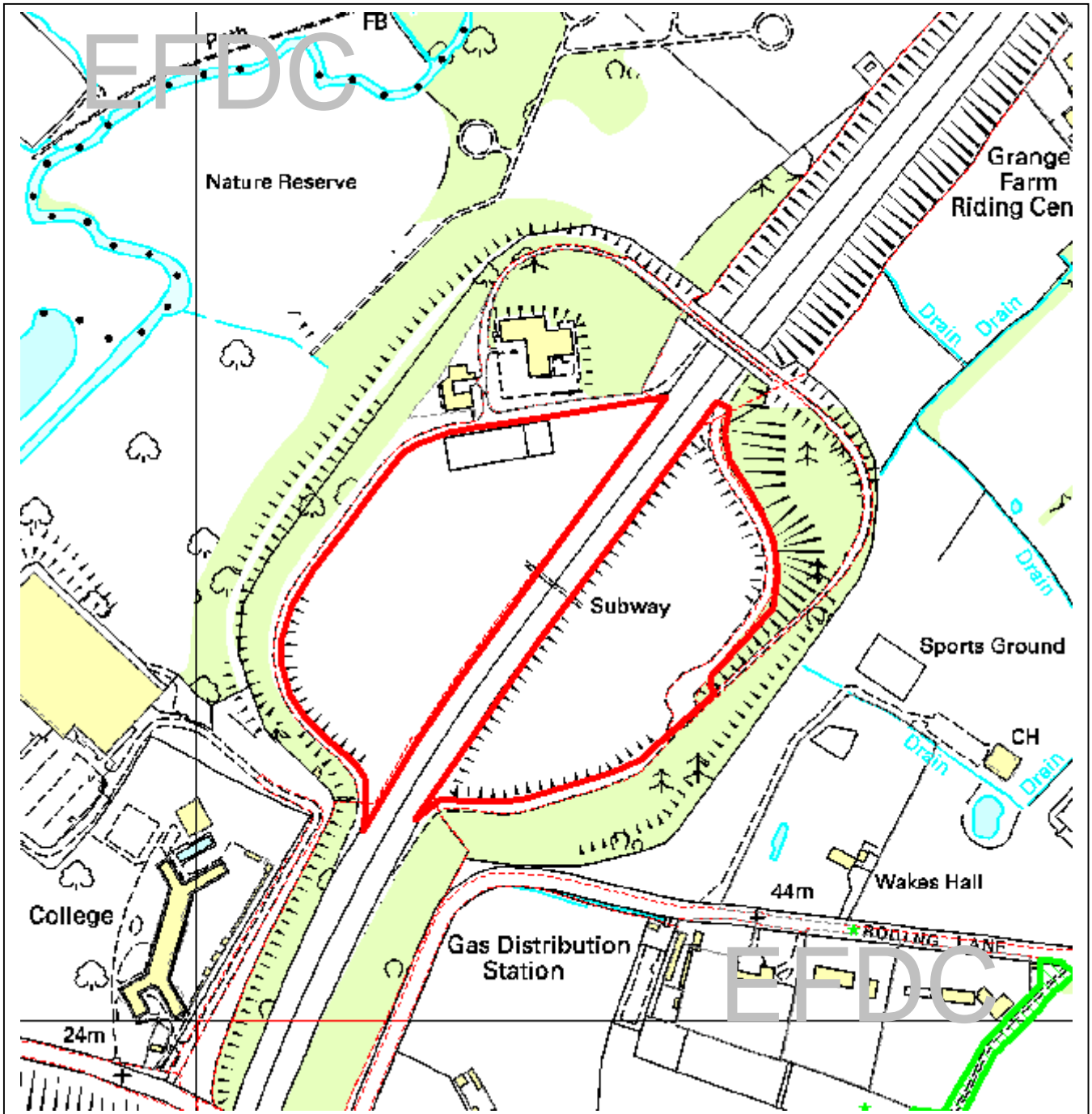
NATURAL ENGLAND. No objections in respect of either statutorily designated sites or legally protected species. Natural England advises that, potential impacts to breeding birds will need to be countered by scrub clearance being scheduled for outside the breeding season (Mar-Aug inclusive). As the western side of the site is close to areas of woodland and river valley habitat, they also strongly advise that lighting be kept to a bare minimum to reduce impacts on bat foraging in this area. With reference to the River Roding, Natural England advises that it is a very clean river with good quality habitat along its banks. The issue of drainage into the river will require Environment Agency consent to discharge into the river as set out in the flood-risk assessment.

ESSEX POLICE. No objections. Highlights the opportunity to “design out crime, and design in community safety.” Also emphasise the additional strains pressures the London Olympics will place on the police. A further letter was received from Essex Police, confirming that all concerns have been addressed.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	4
Application Number:	EPF/1650/08
Site Name:	M11 Motorway Service Area, Roding Lane, Chigwell, Essex IG7
Scale of Plot:	1:5000

Report Item No: 5

APPLICATION No:	EPF/1750/08
SITE ADDRESS:	29 Retreat Way Chigwell Essex IG7 6EL
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mrs J Delve
DESCRIPTION OF PROPOSAL:	Two storey rear extension. (Revised application)
RECOMMENDED DECISION:	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.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Reason:- To safeguard the visual amenities of the locality.
- 3 Prior to commencement of the works hereby permitted, a plan view clearly showing the location of two off street parking spaces at the property shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be built in accordance with the approved plan and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that there is adequate provision of off street parking, with regard to Policy ST6 of the adopted Local Plan and Alterations.

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:

Two storey rear extension. It would be located behind an existing first floor link, and measure 3.7m deep, 2.5m wide and 6.5m high to the ridge at the rear.

Description of Site:

Rear of a two storey property at the end of a cul de sac in a new estate that is linked at first floor level with number 30 Retreat Way.

Relevant History:

EPF/1431/08 Two storey rear extension Withdrawn

Policies Applied:

Local Plan:

Policy DBE2 – Effect on neighbouring properties

Policy DBE6 – Car Parking in New Development

Policy DBE9 – Excessive loss of amenity to neighbouring properties

Policy DBE10 – Design of Residential Extensions

Policy ST4 – Road Safety

Policy ST6 – Vehicle Parking

Issues and Considerations:

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

- Design considerations
- Residential Amenity
- Vehicle parking

Design Considerations

The extension would be located to the rear of the existing first floor link, and as such would not be prominent in the streetscene as there is limited visibility. Furthermore, it is located at the end of a cul-de-sac with limited views from neighbouring houses. In design terms, it would have a low ridged, pitch roof and materials to match, complying with policy DBE10. There would be no significant impacts upon the wider area.

Residential Amenity

The proposed extension would be set off by 0.5m from the open shared boundary with number 30.

The 0.5m set back from the boundary helps to reduce any harm to this neighbours outlook and would not be so overbearing. Whilst there will be a noticeable visual impact, it will not be to the detriment of their light or outlook from the side of their house.

The extension would not project beyond the rear wall of the property and would not be directly visible when viewed from any principal window of the neighbouring property as it is only the side elevation that would be facing it. The proposal therefore complies with policies DBE2 and 9.

A proposed first floor window would be rear facing but set away from the side boundary by a metre; any overlooking would be at an oblique angle towards number 30 and therefore there would be a limited impact on privacy.

The level of loss of light at the rear of their property would not be excessive, as the extension is relatively small and as it is located to the Northeast of number 30, thereby not impacting on sunlight.

Vehicle Parking

The extension removes an off street parking space. The extension would enlarge an existing bedroom, but it would remain a three bedroom house. The area is not particularly well served by public transport and a maximum provision of two spaces would be a normal requirement. Whilst only indicated on the proposed drawing, any displaced parking could take place on the front drive. This would put the front part of the car on the pavement, but at the time of the Officers site visit, the objector's car was parked in this way. Clearly in highway grounds this is not desirable, but these pair of houses are at the end of a cul-de-sac where there is unlikely to be pedestrian movement other than by these residents. The off-road one parking space is therefore acceptable.

The 0.5m gap to the boundary maintains space for number 30 to park alongside the extension but still have room to open the car door to get in and out. On the withdrawn application, the wall would have sat on the boundary and made this difficult to achieve.

Conclusion:

This is a modest addition, leaving the rear garden unchanged, such that there is no harm to the density of the plot, the appearance of this or the neighbouring house, or the streetscene. The amenities of the neighbour will not be unduly harmed. Whilst the parking situation is not ideal, there is only low threat to highway safety. The proposal is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: Objection. Loss of one car parking space, and overlooking.

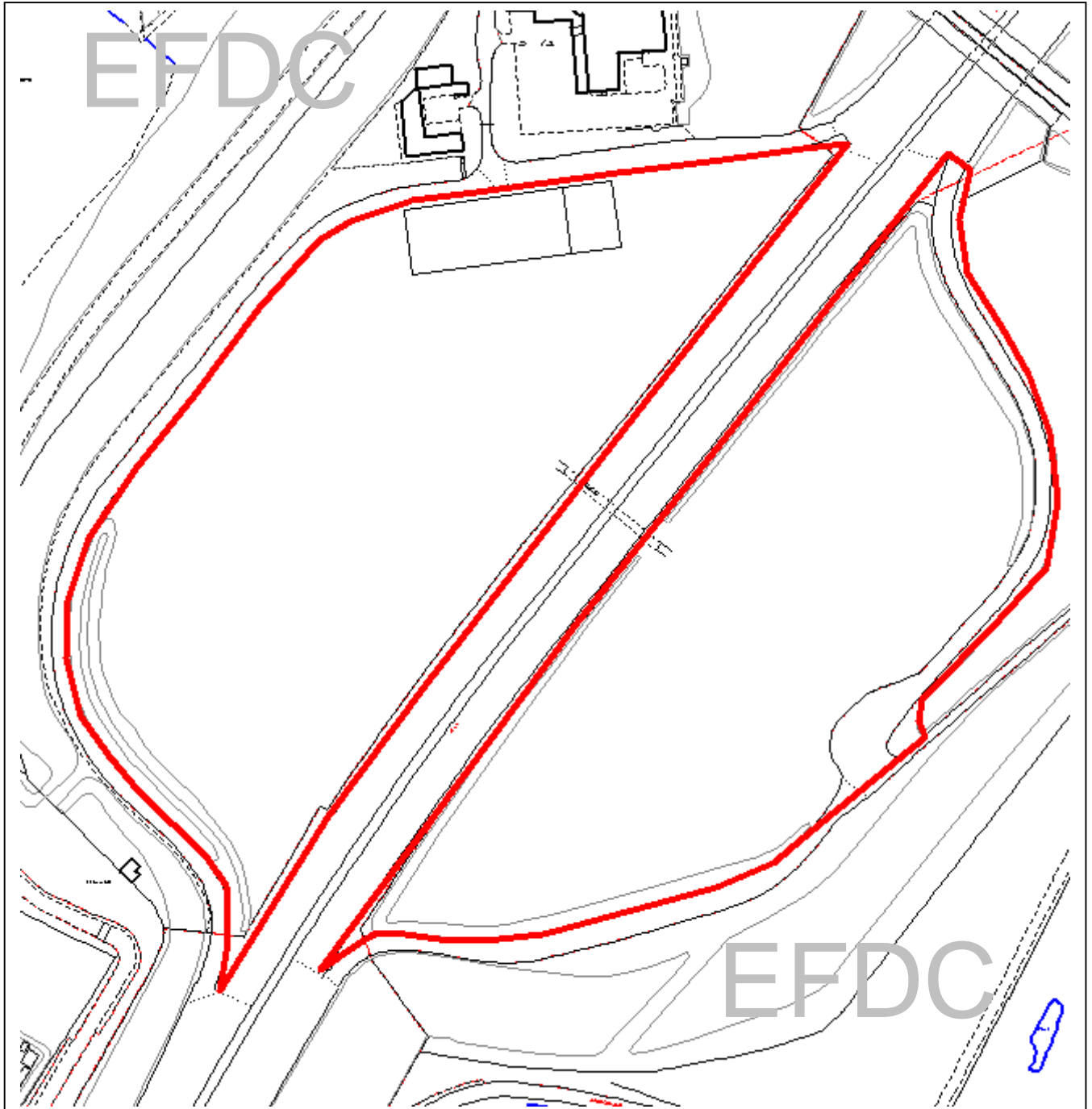
30 RETREAT WAY: Objected on following grounds:

- Increased density.
- Loss of light.
- Loss of privacy.
- Obstruct semi-rural views.
- Unsightly.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	5
Application Number:	EPF/1650/08
Site Name:	M11 Motorway Service Area Roding Lane, Chigwell
Scale of Plot:	1:5000

Report Item No 6

APPLICATION No:	EPF/1780/08
SITE ADDRESS:	45 Hillcrest Road Loughton Essex IG10 4QH
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr David Faud
DESCRIPTION OF PROPOSAL:	Two storey side extension, single storey rear extension one front, two rear and two side dormers to replace existing side dormers and rear dormer and single storey front extension.
RECOMMENDED DECISION:	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.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Prior to first occupation of the building hereby approved the proposed window openings in the East and West side elevations at first floor level and in the proposed side dormers shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.

Reason:- To prevent the overlooking of neighbouring properties.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Reason:- To safeguard the visual amenities of the locality.
- 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 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.

Reason:- To safeguard the privacy of adjacent properties.
- 5 Prior to the development hereby approved first being brought into use, full details of the proposed boundary treatment on the East side boundary are to be submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment is to be erected prior to the development hereby approved first being

brought into use, and retained as such thereafter, unless otherwise agreed in writing with 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:

Two storey side extensions and single storey front and rear extensions, two rear dormers, one front dormer and two side dormers.

The property would be extended at ground floor level to the rear by 4.5m over a 9m width, and by 6.5m over a 4.4m wide section to the side/rear, replacing an existing detached garage.

The proposed two storey side extension measures 3.0m wide with the front 2.5m section set in slightly, to leave 1.15m to the side boundary. The single storey front extension would be 6m wide by 1m deep.

All the extended elements would have pitched/hipped roofs and be of matching materials to the existing.

Description of Site:

A two-storey detached house on a rectangular plot. The area consists of large detached properties. The site slopes down to the east across the site. The property to the east at number 47 is a chalet bungalow.

Relevant History:

EPF/0467/08 Single storey rear and front extensions, two storey side extension, front, rear and side dormers - Refused:

Reason: "The proposed two storey side extension would be built within 1m of the site boundary, to a height of two storeys, and create a terracing effect and have an adverse impact on the character and appearance of the streetscene, contrary to policy DBE 10 of the adopted Local Plan and Alterations."

EPF1044/08 Single storey rear and front extensions, two storey side extension, alterations to roof with front, rear and side dormers. (Revised application) - Withdrawn. (This application showed a revised boundary line, including land purchased from the neighbouring resident to enlarge the gap to the side boundary, and thus overcome the previous reason for refusal. However, this strip of land did not come into the ownership of the applicant.)

Policies Applied:

East of England Plan (Regional Spatial Strategy)

Policy LA1 – London Arc

Epping Forest District Local Plan and Alterations

CP 2 Protecting the quality of the rural and built environment

DBE 9 Excessive Loss of amenities for neighbours

DBE 10 Design of residential extensions

Issues and Considerations:

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

- Impact on the streetscene
- Impact on neighbouring amenity

Particular attention must be given to ascertain the previous reason for refusal has been successfully overcome.

Impact on the streetscene

- The scheme will see the erection of a significant extension on the east flank, raising the height of the existing ridgeline by 0.5m.
- The existing property has an unattractive rear dormer and a large flat roofed garage on the east flank, which is of no visual merit.
- The existing gaps between the existing house to the boundary are 1m to the west (which would be maintained) and 3.2m to the east; a single storey detached garage is built to the East boundary, but set back some 10m from the front elevation, behind the main wall of the house.
- The proposed rear single storey extension has an 'L' shaped plan, and is a maximum of 6.5m deep from the existing rear elevation, replacing the garage and a small rear addition.
- The proposed dormers are all pitched roofed, small in scale and are not out of place within the street scene. They replace similarly sized dormers.
- The proposed side extension would be set a minimum of 0.5m away from the East side boundary at ground floor level, and a minimum of 1.15m away from the boundary at the front at first floor level. There will thus be no terracing effect.
- The previous proposal was refused due to a lack of a 1m distance from the two storey extension to the site boundary and thus creating a terracing effect, and having an adverse impact on the character and appearance of the streetscene.
- However, with the setback at first floor level, this revised proposal successfully overcomes the previous reason for refusal, and avoids a harmful terracing effect and is considered acceptable in the streetscene.

Impact on neighbouring amenity

- The rear single storey extension will be no deeper than the existing garage which it would replace, on the side to number 47, and therefore it would have no greater impact.
- Obscure glazing the side dormers will safeguard the privacy of neighbours.
- There will be no adverse loss of sunlight/daylight to No 43 Hillcrest to the west.
- The side extension will have no significant effect on the sunlight/daylight to the rear elevation of No 47 to the east, and the rear extension will have no greater impact than the existing garage on the amenities of this property.
- Clearly, the side extension results in the resultant house being nearer to the side of number 47, but this impact is lessened by an existing 3m high hedge and their own garage, with their bungalow being about 5m away.
- The neighbouring resident expressed concern that the side wall would be removed, and that the applicant had not undergone the correct procedure with regard to the Party Wall Act.
- Whilst matters relating to the Party Wall Act are not material planning considerations, it is considered necessary to add a condition requiring details of the proposed boundary treatment on the East side boundary. This is so as to ensure that there is no severe loss of

privacy due to overlooking from the proposed ground floor side windows, and also to ensure that there is no unacceptably overbearing boundary treatment.

Conclusion:

The set back at first floor level successfully overcomes the previous reason for refusal, and avoids a harmful terracing effect, and is considered acceptable in the streetscene.

The height difference between the extended house and the chalet bungalow at number 47 will be more noticeable with a closer separation distance, but not to the extent that it will appear overbearing.

There would be no unacceptable effects from the proposed extensions upon the amenities of neighbouring residents. The proposal complies with policies DBE9 and DBE10 and is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL: Noted the proposed two storey side extension would be built 1150mm away from the site boundary but reiterated its previous objection which was:

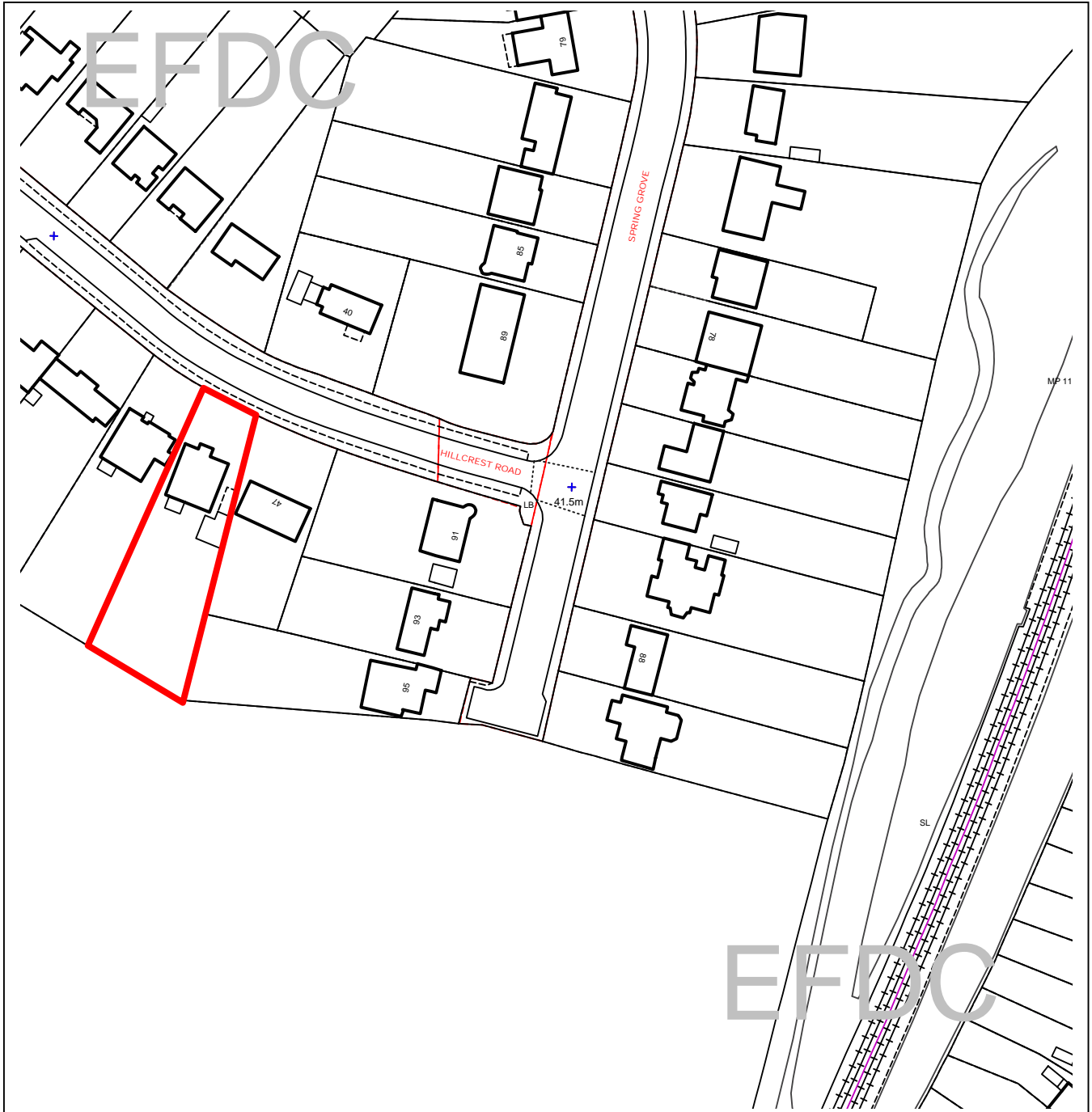
Object, contrary to policies DBE9 (i) and (iii) and DBE10 (ii) and (a) of the local plan due to the side extension being built close to the boundary, which could cause a terracing effect, also the rear extension is out of proportion and may adversely affect the neighbouring properties.

47 HILLCREST ROAD, LOUGHTON: Expressed concern that the applicant has not provided a certificate relating to the removal of the party wall.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	6
Application Number:	EPF/1780/08
Site Name:	45 Hillcrest Road Loughton IG10 4QH
Scale of Plot:	1:1250

Report Item No: 7

APPLICATION No:	EPF/1807/08
SITE ADDRESS:	122 High Road Loughton Essex IG10 4HJ
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Mahendra Patel
DESCRIPTION OF PROPOSAL:	Change of Use from A1 (Retail) to D1 (Dental Surgery)
RECOMMENDED DECISION:	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.

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

- 2 The layout of the premises shall be in accordance with the approved drawing No. 702/01 and no part of the dental surgery or waiting room shall extend into the area described as 'Retail shop for dental goods' on this plan unless otherwise agreed in writing by the LPA.

Reason: To ensure the use of the premises is an appropriate town centre use and in the interest of the appearance of the street scene.

- 3 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The scheme as agreed shall be carried out on site before the use commences and maintained thereafter.

Reason: In order to protect the amenity of the area.

- 4 A shop window display of retail products in conjunction with the dental use shall be maintained at all times and no solid obstruction or blinds shall cover the front or side windows or anywhere within 1.0metre of the windows, unless otherwise agreed in writing by the LPA.

Reason: In the interest of visual amenity and to maintain the vitality and viability of the town centre.

- 5 The premises shall be used solely for dental surgery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in

any Statutory Instrument revoking or re-enacting that Order.

Reason:- To control other D1 uses, which may be detrimental to the viability and vitality of the town centre.

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:

Permission is sought for the change of use of the existing ground floor Retail use A1 to D1 (Dental Surgery) use.

Description of Site:

The subject site is a ground floor A1 retail unit with residential flats at the upper floors. The site itself is situated within Loughton Town Centre, but outside the defined key frontage shopping area. There is a residential block Connaught Mews, behind to the west and together with the application site has been built within the last 5 years. Access into the rear of the site is directly from the High Road, under a void area to the side of the application premises, under the upper floors.

Relevant History:

- EPF/0127/02: Demolition of existing building and erection of a 3 storey building comprising car park and sales area to ground floor and office space to first and second floors together with the removal and replacement of the protected tree (whole site) Approved/ conditions
- EPF/2130/02: Demolition of existing buildings and erection of 3 storey residential building with 4 no. flats and 1 no. A1 commercial unit; and 3 storey residential building comprising 6 no. flats with parking (whole site) Approved/ conditions

Polices Applied:

Local Plan Policies
E4A – Protection of employment sites
TC1 – Town centre hierarchy
TC3 – Town centre function
TC4 – Non-retail frontage

Issues and Considerations:

The main concerns are the effect of loss of retail within the town centre location and whether it would harm the vitality and viability of the centre.

Loss of retail unit within town centre frontage

The proposal is to convert the ground floor retail use A1 of a vacant shop premises to a dental surgery, D1 use.

The building has a floor area of some 60m² and the submitted plans show access into the surgery from a side existing door directly off the pavement, with the front of the building onto the High Street retaining a small section of some 10m² as retail use for the sale of dental goods served by another existing door. Despite this, the layout implies a dental surgery rather than part A1 retail use.

There are restrictions on non-retail uses in the Town Centre, which are primarily reserved to key retail frontages where policy T4 requires a percentage threshold of 30% must not be exceeded and safeguards against 'dead' frontage of non-retail. This is not a retail frontage as defined in the local plan and in accordance with policy T1 and T3; the dental surgery would be an appropriate town centre use. In this location, on a corner where there is a considerable separation distance to the next drinking establishment to the north at 126 High Road, the proposal would not adversely effect Loughton town centre's position within the town centre hierarchy for the district.

The A1 unit is vacant, although Council records show it used as a clothes shop in October 2007 and therefore not vacant for two years as stated by the applicant however; it is considered that the proposed change would bring this vacant unit back into use, and provide a daytime use and pedestrian movement similar to an A1 use or combined with trips to other A1 uses in the town centre complying with TC3. The use proposed is for a functional service within a sustainable location in terms of accessibility to vehicles and arriving to the site by way of public means of transportation.

In terms of neighbours' amenity, any potential noise from the use of the premises, delivery and means of refuse storage can be covered by condition, but in any case is unlikely to result in more harm or disturbance than a retail use.

The use of the premises as a dentist will provide some employment use, while it will also serve the needs of local residents, supported by the NHS West Primary Care Trust. With appropriate conditions, there will be no excessive environmental harm or harm to the amenities of surrounding properties, this complies with CF2.

Conclusion:

The proposal would bring the currently vacant site into an appropriate use, resulting in an additional service use within the town centre location to serve the local population and support local businesses and shops. The loss of the retail use in this case therefore appears to have policy support, but it is appropriate to seek a shop window display. This would contribute to the vitality and viability, without adversely affecting the town centre hierarchy and as such this scheme complies with the relevant local plan policies and is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL Object: The Committee noted the contents of a letter objection. The Committee objected to the change of use and the loss of another retail outlet in the town.

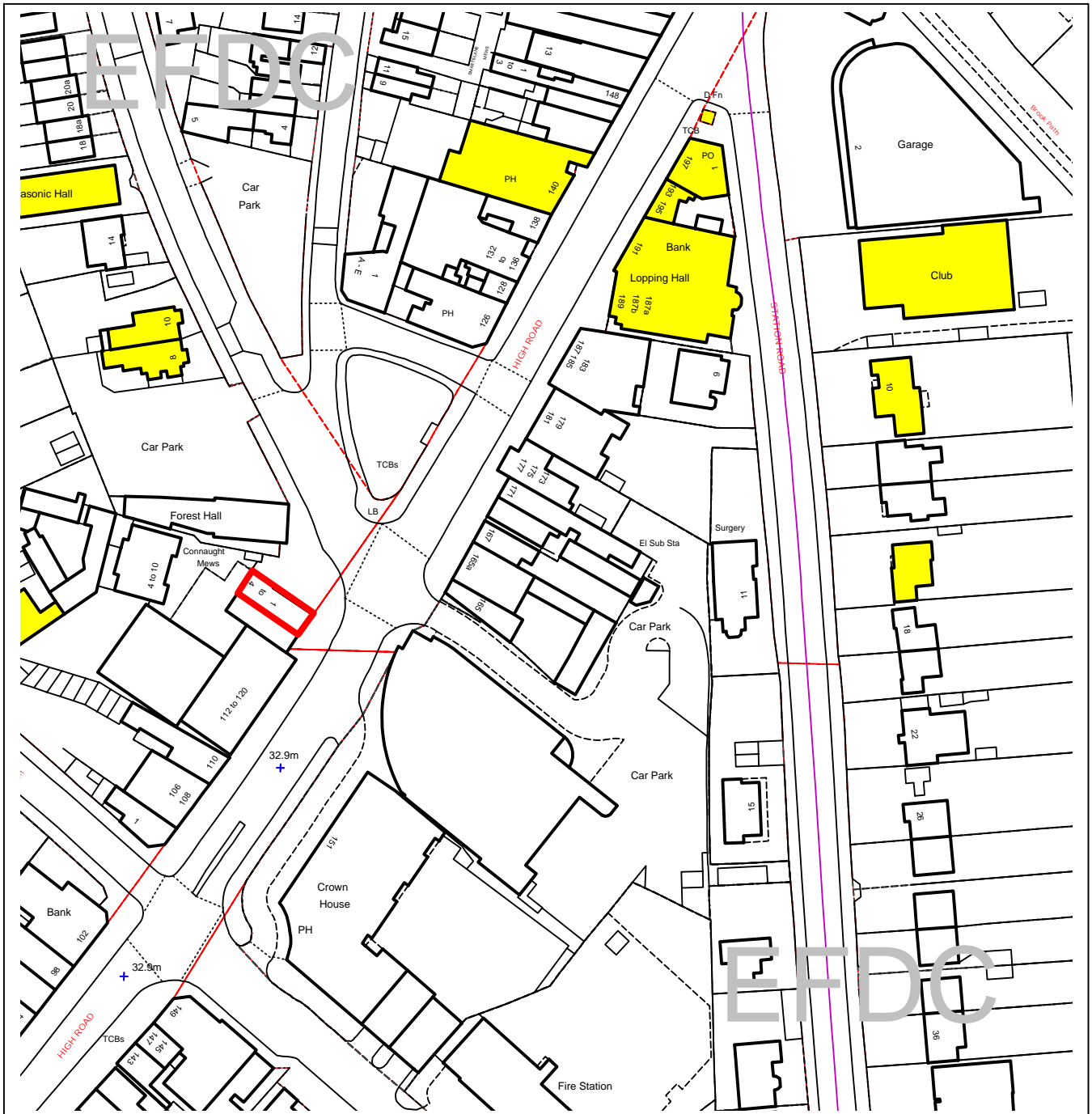
LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP Object: Local plan specifies 30% non-retail frontage in area of key retail frontage. Limit has already been closely approached or even exceeded. Would set an unfortunate precedent. Suitable premises can and should be found outside key retail areas.

WEST ESSEX NHS PRIMARY CARE TRUST No objection: The NHS Trust supports this application as it is line with aims to improve access to NHS dentistry for local residents as it will enhance the health and well-being of the local population



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	7
Application Number:	EPF/1807/08
Site Name:	122 High Road, Loughton IG10 4HJ
Scale of Plot:	1:1250

Report Item No: 8

APPLICATION No:	EPF/1884/08
SITE ADDRESS:	T11 Site Langston Road Loughton Essex IG10 3TH
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Polofind Ltd and Pioneer Technology Ltd
DESCRIPTION OF PROPOSAL:	Reserved matters application for proposed Data Centre. (Mixed B1/ B8) - Details of access, appearance, layout and scale (Revised application)
RECOMMENDED DECISION:	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.

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

- 2 No development shall be commenced until a detailed drainage design report to demonstrate how the proposed development will control the discharge and attenuation of surface water run-off from the site, has been submitted to and approved by the Local Planning Authority. The discharge rate must be acceptable to the Local Planning Authority.

Reason: To prevent the increased risk of flooding to third parties, to the site itself, to improve water quality and to enhance biodiversity.

- 3 The provision of suitable access arrangements to the application site in connection with the demolition/construction operations, to include wheel washing facilities, turning and off loading facilities for delivery /construction vehicles within the limits of the site together with an adequate parking area for those employed in developing the site. Details to be submitted to and agreed in writing with the Local Planning Authority in consultation with the Highway Authority prior to commencement of development.

Reason: In the interests of highway safety during construction/demolition in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006/2011 and refreshed by Cabinet Member decision on the 19/10/07 and Policy ST4 - Road Safety of the Epping Forest District Adopted Local Plan 1998, amended 2006.

- 4 No occupation until such time that the developer has provided the highway works shown in principle on drawings H080094/01 rev D and H080094/07 rev D. To include a 90m x 4.5m x 90m visibility splay, junction radii, and 2m footway extending the entire frontage of the site to connect with the existing footway at either end. Details to be submitted to and agreed in writing with the Local Planning Authority in consultation with the Highway Authority prior to commencement of development.

Reason: In the interests of highway and pedestrian safety in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006-2011 and refreshed by Cabinet Member decision on the 19/10/07 and Policy ST4 - Road Safety of the Epping Forest District Adopted Local Plan 1998, amended 2006.

- 5 The development, including site clearance, must not commence until a scheme of hard and soft 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.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development.

This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A © of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for the erection of a building to house a data centre. Data centres house large numbers of IT equipment, which contains electronic data that enables business transactions to take place. The applicant advises that in order to perform the function of simultaneous transactions, the site needs to be located within 40 miles of the City of London, which enables electronic transactions to take place almost simultaneously, which is critical given valuations of transactions fluctuate by the second. It is considered that the use does not neatly fit

into any one use class and instead comprises a number of different uses, primarily B1 and B8 (storage and distribution). Accordingly, it is considered that the Council should consider the proposed use as being *sui generis*.

With regard to the physical development of the site, the proposed building would have a footprint of approximately 5400 square metres. It would have a flat roof, with a height of approximately 10 metres.

38 car parking spaces are provided, including the provision of six disabled bays to the front of the site. The main access to the site would be from Langston Road, to the front of the proposed data centre building. A potential future access road to land at the rear of the site is shown on the plans, but not included within the application red line area and whilst in the same ownership, it is a separate matter for any future planning application.

Description of Site:

Part vacant, part temporary car park site of 1.1 ha located on the south-east side of the road, within Langston Road Business Park. The site is bordered by small business units at Loughton Seedbed Centre to the north-east and council depot to the south-west. Vacant land within the Metropolitan Green Belt is to the south-east with the M11 motorway just beyond. The estate is east of Chigwell Lane, and in walking distance of The Broadway shops and Debden Underground Station.

The site has an outline planning approval for any combination of B1/B2/B8 uses.

Relevant History:

EPF/1450/06. Outline application to develop the land for mixed B1, B2 or B8 uses. Approved 12/10/06.

EPF/1230/08 – reserved matter application for proposed data centre – Withdrawn by the applicant before expiry of the application in order to overcome concerns raised by Essex CC Highway Officers and The Environment Agency.

Policies Applied:

East of England Plan

T1: Regional Transport Strategy Objectives and Outcomes

T4: Urban Transport

EN7: Quality in the built Environment

Adopted Local Plan and Alterations

DBE1 – Design of new buildings

E2 – Redevelopment of Existing Premises for Business and General Industrial Uses

E3 – Warehousing in respect of E2

GB7A – Conspicuous Development

ST2 – Accessibility of Development

ST4 – Road safety

ST6 – Vehicle parking

CP4 – Energy Conservation

CP5 – Sustainable Building

I1A – Planning Obligations

Issues and Considerations:

The main issues in this case are:

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

1. The acceptability of the use

The site is in an area designated in the local plan for employment purposes. Policy E2 states that the Council will grant planning permission for the redevelopment or extension of existing premises for business and general industrial uses. Policy E3 states that in employment areas the Council may grant planning permission for warehousing or distribution uses, provided that the firm can demonstrate that there is a particular need to locate there because of its existing or potential trading links locally and there are no suitable alternative sites available. In this instance, it is considered that the proposed use, which would mainly comprise elements of B1 and some B8 use, would comply with both these policies.

There is planning permission for a similar development further along to the west on this side of the road within this business park, granted by this Committee earlier this year, so the principle has been accepted and the use is appropriate to the area. Furthermore, whilst the proposed use would be sui generis, it would comprise elements of business and storage uses which would be compatible with the outline planning permission.

2. Impact on character and appearance

The proposed building would have a large mass. However, its elevations would be broken by its design and the use of varying materials; metal and glass panels and metal louvers adding elevational interest. Having regard to this and to the siting of the building within an employment area, it is considered that the finished appearance of the building would be appropriate. It is considered that the presently vacant site would be visually enhanced by the development.

3. Impact on the green belt

Policy GB7A of the local plan states that the Council will refuse planning permission for development conspicuous from within or beyond the green belt which would have an excessive adverse impact of the openness, rural character or visual amenities of the green belt. In this instance, having regard to the design of the building and the location of the area of Green Belt land in question, situated between the motorway and Langston Road, it is not considered that the development would appear overly conspicuous to the extent that it would have an excessively adverse impact on the green belt.

4. Flood risk

Negotiations have taken place between the applicant and the Environment Agency (EA) and the latter are now satisfied with the submitted Flood Risk Assessment (FRA) and withdraw their previous objection, subject to the inclusion of a condition requiring a further detailed drainage report to demonstrate how the development will control surface water run-off to prevent the risk of flooding and improve water quality. The FRA satisfied the EA that, despite

not raising objections at the Outline planning application stage, there would not be flood risk downstream.

5. Site landscaping

Areas of land around the perimeter of the site have been designated for landscaping. There is sufficient area at the front between the access road and the proposed perimeter fence to provide a suitable scheme that would soften the hard-surfaced areas and car parking. This can be achieved by a further condition for landscaping.

6. Highway and parking matters

The County Council Highways section commented on the outline application and required a financial contribution because of the likely traffic generation that a mix of B1, B2 and B8 uses were likely to generate. A Unilateral Undertaking was entered into confirming that a transport contribution sum be paid, worked out by a formula, dependant on a final mix of B1, B2 and B8 use, as well as Priority Junction Works be undertaken. A data centre will generate only a small amount of traffic compatible with local highway and traffic conditions and only 40 spaces are required. This is because the staff works on shifts of about 15 up to a maximum of 50 people at any one time, inclusive of visitors, to cater for the overlap in staff while employees change shift. Highway Officers do not consider that a contribution is justified for a data centre where traffic movement will be low, but foregoing the financial contribution should be compensated by a requirement for other necessary highway works to be carried out. In this case, and directly related to the development, the site has no pavement in this part of Langston road. The highway ownership ends at kerb level and therefore a new pavement can be formed, which is in the application site and provided for by the applicant at their cost. This will link with the existing footways either side at the Council depot and the Seed-Bed Centre and would be welcomed. Should the data centre not go ahead and another reserved matter application be submitted in line with the outline permission, then the contribution would still be required.

This satisfies policy ST4 and ensures that the development is well related to the road a pedestrian safety is improved along this part of Langston road as well as encouraging walking and use of public transport as opposed to using the motor car.

Other Matters

With regard to policy I1A of the Local Plan, it is considered that the proposed development would result in increased use of The Broadway local shops, but in any case the outline permission requires a financial contribution to the Loughton Broadway Enhancement Scheme.

Conclusion:

In light of the above appraisal, it is considered that the proposed use and the physical development proposed would be acceptable. Previous outstanding matters relating to flood risk and highways have been addressed. The data centre represents an appropriate use of the site and supports employment use without adding significantly to traffic movements at the Langston Road/ Chigwell junction. Accordingly, it is recommended that planning permission be Granted.

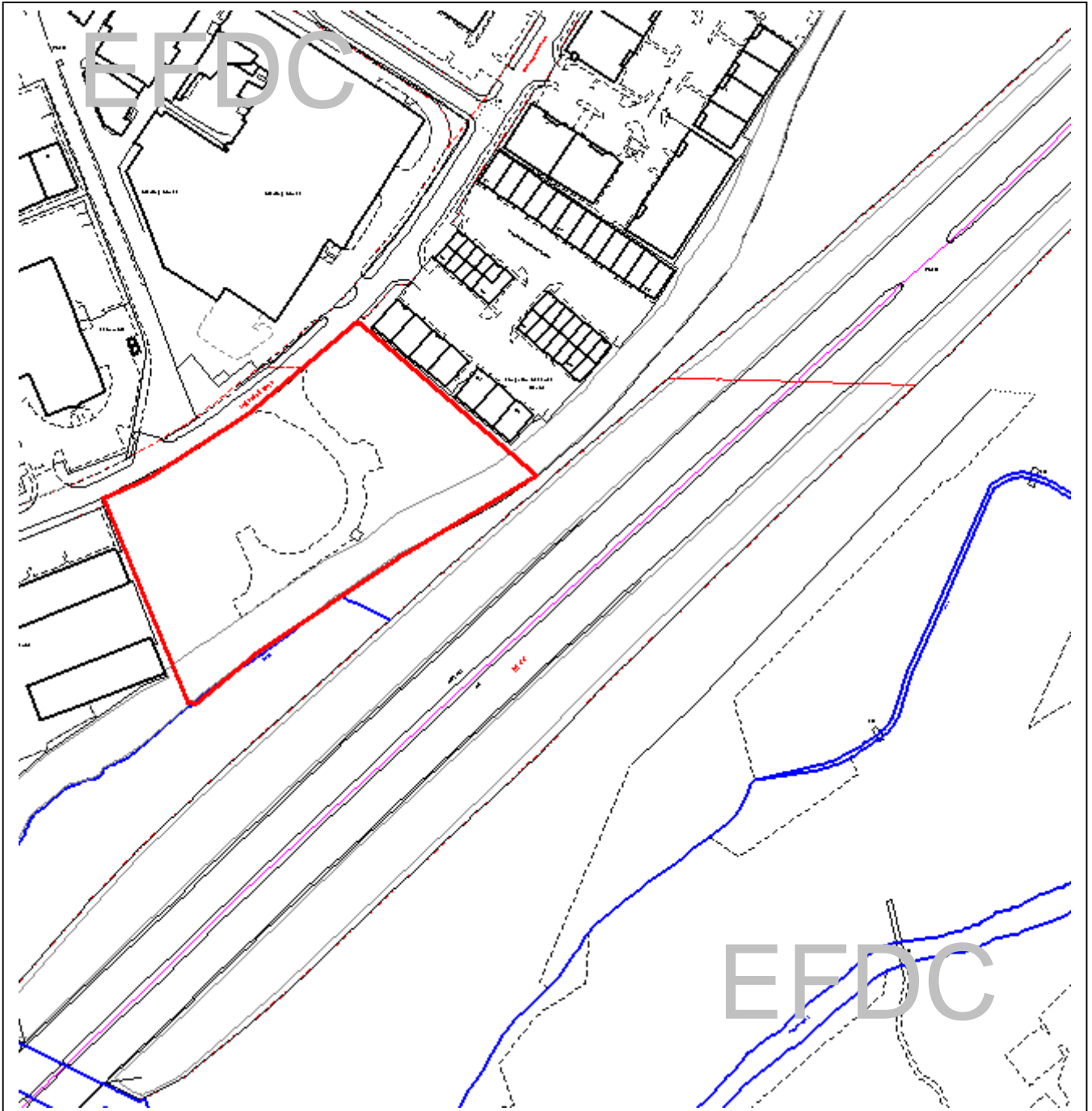
SUMMARY OF REPRESENTATIONS:

LOUGHTON TOWN COUNCIL. No objection.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	8
Application Number:	EPF/1884/08
Site Name:	T11 Site Langston Road, Loughton IG10 3TH
Scale of Plot:	1:5000