

Report Item No: 1

APPLICATION No:	EPF/0075/09
SITE ADDRESS:	30a Stag Lane Buckhurst Hill Essex IG9 5TD
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Sanjay Patel
DESCRIPTION OF PROPOSAL:	TPO/EPF/15/98 T4 Horse Chestnut - Fell T5 Horse Chestnut - Repollard T6 Lime - Repollard
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.
- 2 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 3 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 4 The crown reduction authorised by this consent shall consist of pruning to 100mm above previous growth points.
- 5 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.

This application is before this Committee since it includes the felling of a preserved tree and is recommended for approval (pursuant to Section P4, (3) of the Council's delegated functions)

Description of Proposal:

TPO/EPF/15/98

T4 Horse Chestnut – fell

T5 Horse Chestnut – Repollard

T6 Lime - Repollard

Description of Site:

These three ivy clad trees stand prominently on the front boundary of the property which is within a Victorian residential street with generally small front gardens. Over the years the front gardens have given way to gravel drives for parking.

Relevant History:

There are no records of pruning to these trees.

Relevant Policies:

LL8 Pruning of preserved trees

LL9 Felling of preserved trees

Summary of Representations

1 neighbour was consulted and no response was received.

BUCKHURST HILL PARISH COUNCIL - made no objection to the proposal, subject to replacement planting.

Issues and Considerations:

This application is put before the Committee because it includes the felling of a protected tree. Had the application proposed pruning only it would have been dealt with under delegated powers.

For this reason the comments on this application have been split:

T5 Horse Chestnut and T6 Lime

These trees have previously been pollarded. This application is made on the basis that as a pollarding regime has been established it is best practice to continue to contain their size to prevent problems in the future. By keeping them within a pollarding cycle they will be consistent with other trees within the street scene which are managed in this way.

Whilst in the short term the work may make the trees look stark, the specification is unlikely to cause undue harm to the health of the trees if they are pollarded regularly. The proposal would, therefore, be seen to accord with local plan landscape policy LL8

T4 Horse Chestnut

This part of the application is made on the basis that the tree is infected with honey fungus, which is an aggressive and deadly fungus. On close inspection, the area around the base of this tree has

several large fungal fruiting bodies which are very decayed and now unidentifiable. Slightly further from the tree are the decayed remnants of honey fungus clusters and 'bootlaces'.

When compared to the adjacent tree, there has been very little growth since it was last repollarded. The tree has low vigour and is likely to have a short useful life expectancy.

In 1998 permission was granted for a construction of a house on this site - 30a Stag Lane. Our records indicate that during the development process this tree was damaged due to construction vehicles impacting upon the root system, and it is probable that this has resulted in the fungal infections and contributed to the tree's decline.

It is clearly visible that this tree is in poor and worsening health. It presents a foreseeable risk to users of the public highway and could result in damage to people or property in the event of its failure. Its removal is justified and necessary. It is therefore recommended that this part of the application is granted permission on grounds of health and safety, which accords with local plan landscape policy LL9.

A condition requiring a suitable replacement will go some way towards compensating for the lost amenity and will ensure the presence of landscaping along this boundary into the future.

Conclusion

T5 and T6 – The works to these trees is considered to accord with policy LL8 and is therefore recommended for approval.

T4 – The felling of this tree is for health and safety reasons and is considered to accord with policy LL9 and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	TRE/EPF/0075/09
Site Name:	30a Stag Lane, Buckhurst Hill, IG9 5TD
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0313/09
SITE ADDRESS:	1 Parsonage Court, Rectory Lane Loughton Essex IG10 2BB
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Housing Services - EFDC
DESCRIPTION OF PROPOSAL:	Conversion of single dwelling house into ground floor offices and first floor flat for elderly person including minor works to no. 2 and surrounding external areas.
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.
- 2 The proposed office accommodation, shall only be used in conjunction with the administration of the council's existing elderly persons alarm system, and shall not be used independently.

This application is before this Committee since it is an application for the Council's own development on its own land (Pursuant to Section P4, Schedule A (e) of the Council's Delegated Functions) and it is also 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 an amendment to a scheme approved under planning application number EPF/1611/05 for the conversion of a ground floor single dwelling used as an on-site wardens flat, into offices and to remodel part of existing first floor, into a self-contained elderly persons one-bedroom unit. The proposal involves minor internal and external works to the building.

Pedestrian and vehicle access into the site, boundary treatment, landscaping and existing parking areas within the site remain unchanged as the 14 vehicle parking bays, 1 ambulance parking space and 4 disability spaces will be retained.

The scale, form, size and layout of the building remains unchanged, the only external changes are to the entrance point and the addition of side entry doorway.

Description of Site:

The subject site forms part of the original Parsonage Court, a 1980s development that provides 42 flats, 5 mobility flats and 2 dwellings and the use serves as an elderly persons sheltered housing unit. Parsonage Court is a detached two-storey block located on the eastern side of Rectory Lane, which is accessed via its own private driveway that connects Ibbetson Path to the north.

The two-storey element of the building to which the application relates, provides a single shared entry point through a ramped and stepped up access which grants access to the offices, presently occupied by Careline, and an unoccupied two-storey warden's flat.

Relevant History:

EPF/1611/05: Conversion of single dwelling house into ground floor offices and first floor flat for elderly person. – Granted 05/12/2005 with conditions

Policies Applied:

Epping Forest District Local Plan and Alterations

H13 – Retention of residential accommodation

ST6 – Vehicle parking

Summary of Representations:

48 neighbours were consulted and no replies were received.

LOUGHTON TOWN COUNCIL – The Committee objected to this planning application and reiterated its comments to the previous planning application EPPF/1611/05 which are:

The Committee objected to this application which currently falls under C3 of the Use Classes Order and expressed concern that the first floor accommodation would be unsuitable for elderly persons without provision for a lift.

In addition, the Committee felt noise from the office below could disturb the occupier of the flat above.

Issues and Considerations:

The main issue in relation to this proposal is the part loss of an unoccupied, two-storey residential unit (the warden of Parsonage Court resides elsewhere), as a result of the proposed change of use.

The principle of converting the ground floor warden's flat into offices and the formation of a new one-bedroom self contained elderly persons unit above has been deemed acceptable under planning application EPF/1611/05. The consent under this application has, however, since lapsed and while there are minor alterations to this scheme, the proposal remains wholly unchanged.

With the previous approval, the consideration was that the additional office space is required at Parsonage Court due to the expansion of the services provided by Careline who presently occupy part of the ground and first floor offices. The demand for office space is as a result of the increased workload in monitoring and supporting local residents within the district.

The use of the warden's flat became obsolete following on from the Cabinet agreeing in March 2004, that the housing wardens should become non-resident. The conclusion was that in the case of Parsonage Court, the vacated accommodation should be used in part to provide the accommodation for Careline. Therefore, the justification for the change of use of the premises remains unchanged.

The site provides sufficient car parking bays and parking on-site is presently under-utilized hence, the parking areas will be sufficient for the proposed increase in office space. Furthermore, the works associated with the conversion do not entail any changes to the size or form of the building and as such, it will not impact on neighbouring occupier's amenity.

The amended details to the exterior are minor aesthetic alterations to the main entrance involving the remodelling of the front entrance doorway from the existing recessed entry point on the ground floor in order to provide a screen entrance doorway and to re-form the stepped up entrance into a level threshold / landing area leading on from the ramped approach to the building. The external alterations are minimal and will not result in visual harm to the appearance of the building.

The Parish Council has raised objections concerning the suitability of the proposed first floor unit for elderly persons and possible noise from the office use below disturbing the potential occupiers in the flat above.

The new elderly persons flat will be fully accessible from the main entrance into the building where a main lift is provided. In terms of access, apart from a small ramp adjacent to the flat door that rises approximately 0.75m over a distance of approximately 2500mm, which equates to a gradient of 1 in 30, there are no level changes that occur between the lift landing at first floor level and the entrance door to the proposed new flat.

It is also considered that the office use will not generate noise to a level that will be harmful to the unit above as the Environmental Health Officer raises no objection as the information provided is adequate.

As previously considered, given that the development will provide much needed office accommodation that will serve elderly residents within the community, and as it will provide an additional sheltered housing unit, the proposal meets with the local plan policies.

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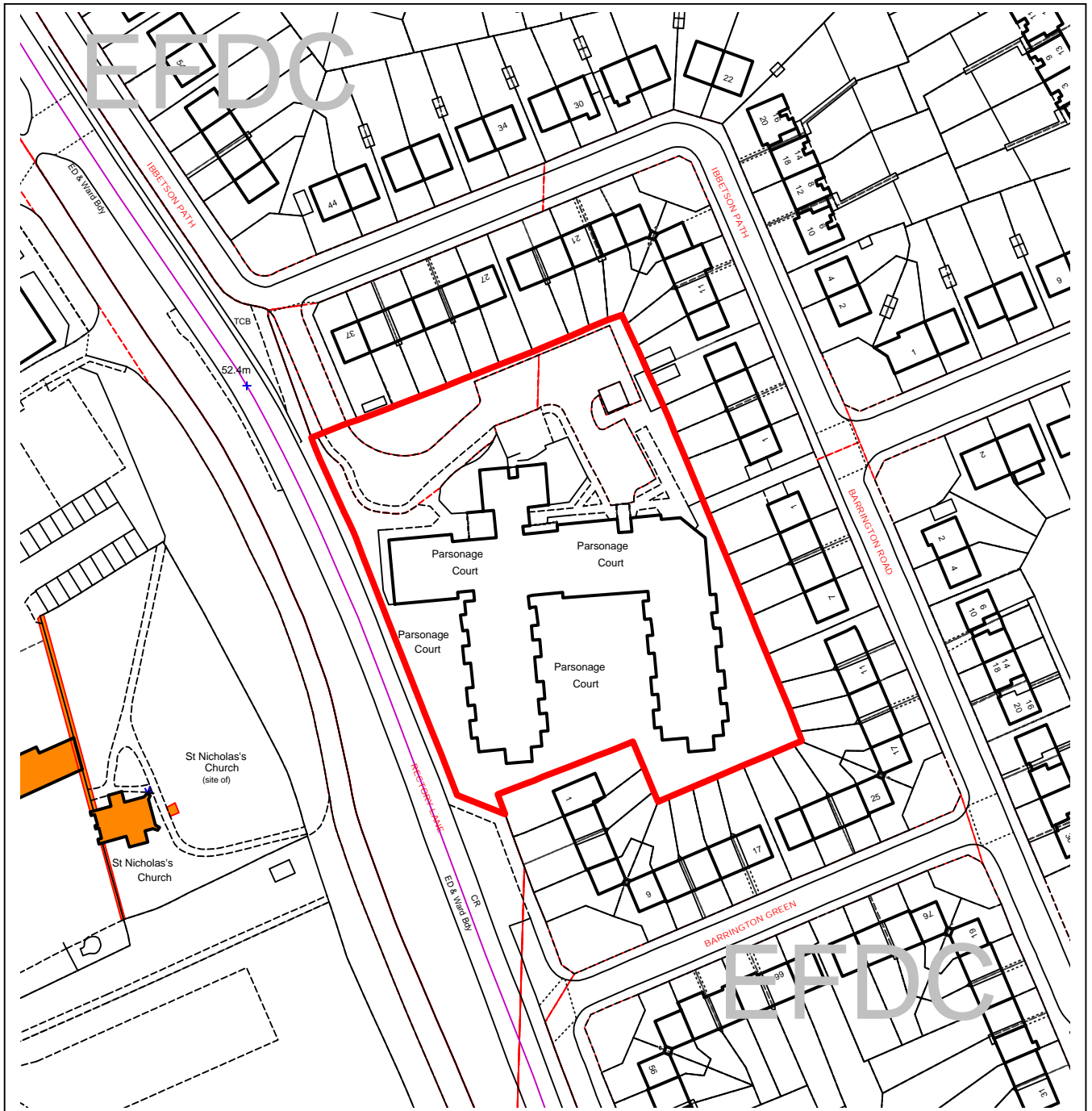
Conclusion:

From the appraisal, this amended scheme complies with policies within the development plan and is therefore recommended for approval with conditions.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/313/09
Site Name:	1 Parsonage Court, Rectory Lane Loughton, IG10 2BB
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0230/09
SITE ADDRESS:	4 Stag Lane Buckhurst Hill Essex IG9 5TD
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Michael Osborne - Hamilton Fox
DESCRIPTION OF PROPOSAL:	Erection of two bedroom, end of terrace house.
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.
- 2 Materials to be used for the external finishes of the proposed new dwelling, shall match those of the existing house at 4 Stag Lane, Buckhurst Hill.
- 3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A 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 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:

The proposal is to create an end of terrace two bedroom house. The building would measure 3.25m wide by 12.75m long and fill a space which is currently a side entryway at No4. The new dwelling has been designed to look like an extended section to the existing dwelling on the site. The proposal would retain a 0.5m gap on the front elevation to a large close boarded fence on a wall (2.7m approx) which divides the proposal site from the large block of flats and apartments at Stag Heights.

Description of Site:

The new dwelling would be located in an entryway adjacent to No. 4 Stag Lane, which is one of a pair of Victorian semi detached properties. The large development of Stag Heights is situated on the eastern boundary approximately 0.5 m above the proposal site. This block of apartments extends around the corner on to the High Road. No4 is an "L" shaped property with a first floor terrace at the rear. The site is divided from the Stag Heights complex by a large fence topped wall. The other side of this fence is an access walkway which continues along the rear boundary of the site to an area of private amenity space for the apartments. Stag Lane contains a general mix of dwelling types, with attractive Victorian semis, short terraces, detached dwellings and the flat complex.

Relevant History:

None

Policies Applied:

Policy DBE1 – Design of New Buildings
Policy DBE2 – Effect on Neighbouring Properties
Policy DBE3 - Design in Urban Areas
Policy DBE8 – Private Amenity Space
Policy DBE9 – Excessive loss of amenity to neighbouring properties
Policy ST4 – Road Safety
Policy ST6 – Vehicle Parking
Policy H2A – Previously Developed Land
Policy H4A – Dwelling Mix

SUMMARY OF REPRESENTATIONS:

57 properties were consulted, a site notice was erected and the following responses were received.

PARISH COUNCIL: No objection though concerns about parking.

3 STAG LANE: Objection. Parking concerns, particularly since new apartments built, traffic is worse, cars parked on the pavements, will displace current parking but where will this go?

6 STAG LANE: Objection. Parking concerns as current parking will be displaced onto the road, character of the road not benefit from such a building, inadequate internal width of proposed residential unit, on-street parking associated with apartments and staff from Holly house hospital, loss of flank windows making rooms darker, and impact on the appearance of the area.

5 STAG LANE: Objection. Concerns over parking and traffic issues, space here already used for parking of 2/3 cars so where would new owners park? Difficult to get out of my drive (I live opposite), new apartments have added to parking in the locality, noise from construction would be a disturbance.

Issues and Considerations:

The main issues that arise with this application are considered to relate to;

- Design Considerations
- Residential Amenity

- Highway Matters

Design Considerations

As stated there is a general housing mix on Stag Lane in terms of style and size. The adopted Local Plan and Alterations states that future trends point to an increase in single occupancy and smaller households and increased provision should be made for this demand. In this context the proposal would help meet current and future demands for smaller dwellings whilst complying with a specific point of council policy as contained in Policy H4A. Policy H2A also promotes the reuse of previously developed land in the provision of housing. This proposal complies with this objective.

In terms of specific design issues the proposal has been styled as to appear as an extension to the existing property. In this respect the ridge level has been set below the existing roof and the proposal is generally subservient to No4. Although the proposal would only retain a gap of 0.5m to the boundary a cumulative gap of 2m could still be retained to the Stag Heights development. This would guard against a terracing affect. In any case the mix of housing on the street includes rows of properties which in effect create a terrace. The proposal would have no major impact on the existing streetscene and from this viewpoint the design would be acceptable.

Residential Amenity

The proposal provides approximately 26m² of private amenity space and there is also a small terrace at first floor level. Council policy states that private amenity space should aim for 20m² per habitable room and for a 3 habitable room dwelling, the proposal falls short. However there is a degree of flexibility with this policy and the criteria is in the supporting statement to, rather than in, the policy. An amenity area of 65m² would be retained for the main house, as opposed to the current 93m². The proposal though is in an urban area with good access to public amenities and adjacent to flats which have less or similar amenity space provision. On balance, it is considered the provision of private amenity space is adequate.

The proposal contains two first floor side windows but as they are essentially replacing two existing windows, serving a bathroom and staircase and also facing a solid brick wall, there would be no issues of overlooking. The proposal would not result in loss of light to habitable rooms. The rear elevation suggests a first floor terrace overlooking the proposed garden area. This overlooks a walkway which leads to an area of private amenity space for the Stag Heights apartments. As this walkway is a means of access to the space there would be no issue of overlooking and the amenity space is part concealed around the corner of the apartment building. A 2m fence at the rear of the proposal property and the substantial size of this communal area would overcome any concerns of serious overlooking. It is not considered that overlooking of the Stag Heights development would be an issue with any windows on the building at a much higher level.

In relation to the neighbouring property, and its terrace, the application indicates the installation of a screen with opaque glass which should ensure a level of privacy for the occupants of both properties. There would be some overlooking of the garden area of No4 but this would be no greater than from first floor windows at No6 and deemed acceptable. A number of windows on the side would be lost at No4, however it is considered that light to habitable rooms would not be unduly affected as they provide secondary sources of light, after front and rear elevation windows.

Parking issues

A number of objectors have raised issues of parking and problems with traffic on the road. Amended plans show that the front of the property can clearly provide three parking spaces, after a reworking of the front entranceway. This would include one parking space for the new dwelling. Current standards dictate that in urban areas with good transport links one space per dwelling is

deemed appropriate. In this case there are reasonably good transport links with bus links and a tube station a 15 minute walk away. It is also the case that parking is unrestricted in the immediate area. The objectors raise concerns about the general traffic flow on the road; however it is not considered this application will exacerbate any traffic problems that may exist. It will involve reversing into the road from the parking space but this is the present case at the property and indeed with a number of dwellings on the road.

Conclusion:

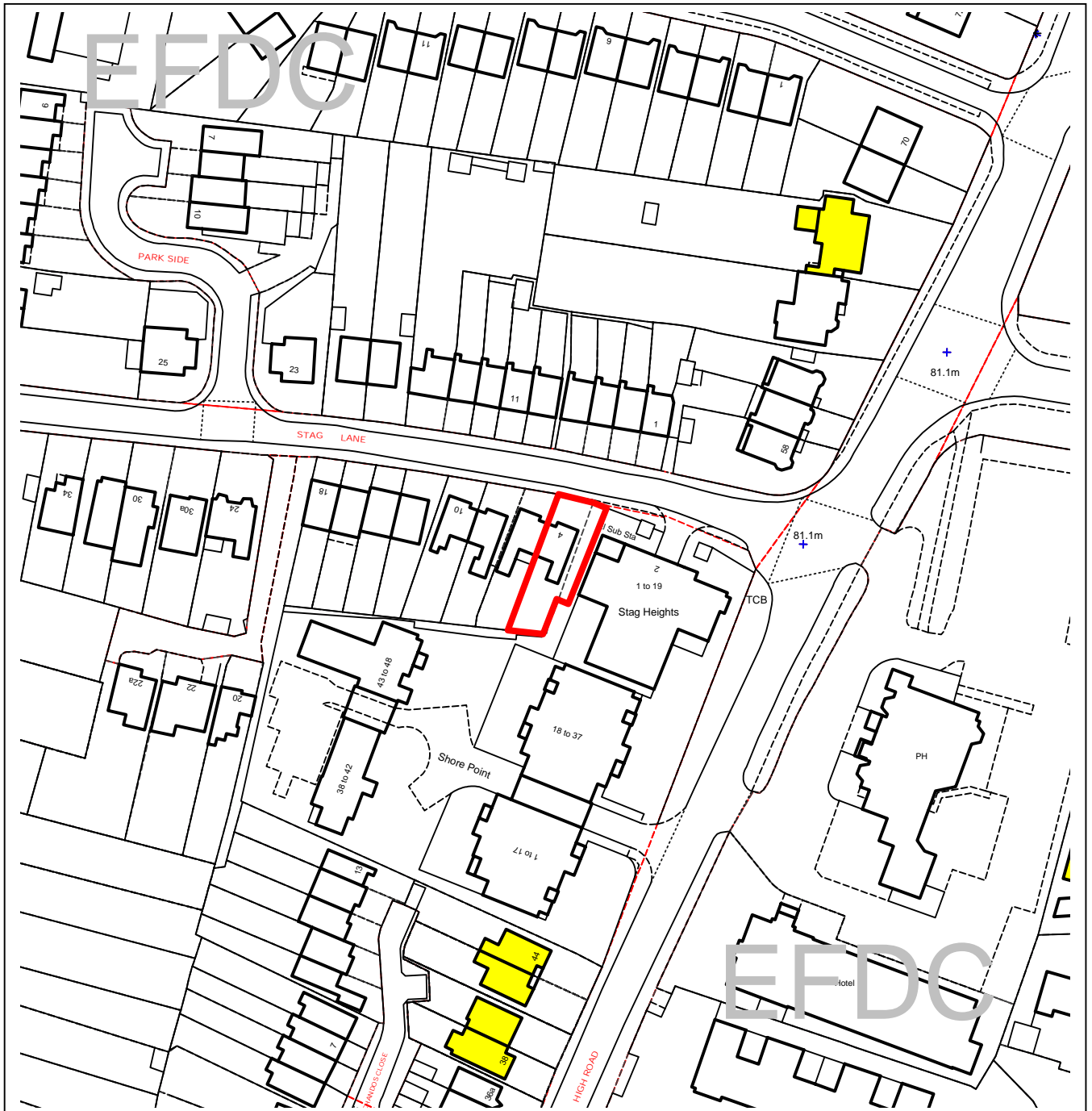
The plot almost appears too narrow to put another residential house on this end of road plot. Yet it is well designed and will not appear at odds to the design and layout of the street scene. It has the appearance of an extension to the main house, but benefits from being at the beginning of the road next to a recent build apartment block, such that it does not look out of keeping, despite the rear garden being small. The site is reasonably well served by public transport and a moderately sustainable location. Parking concerns have been carefully considered, but for this and the existing house, there is room to accommodate 3 off-street spaces and the maximum provision is 1.5 spaces per dwelling. It is not considered that the proposal will result in noticeable addition to on-street parking or a danger to highway safety, although it is acknowledged that Stag Lane is used as a cut-through road.

On balance, Officers consider the Parish Council have pitched the comments about right and support their view with the recommendation to grant planning permission.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/230/09
Site Name:	4 Stag Lane, Buckhurst Hill, IG9 5TD
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0402/09
SITE ADDRESS:	15 Hills Road Buckhurst Hill Essex IG9 5RS
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Ray De Souza
DESCRIPTION OF PROPOSAL:	Conversion of existing garage to habitable room.
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.
- 3 Materials to be used for the proposed garage conversion, 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 conversion of an existing garage to a habitable room replacing the garage door with a large window. This will provide an enlarged living room, but no increase in footprint.

Description of Site:

The property is a three storey dwelling on Hills Road with integral garage on the ground floor. The property is one in a terrace of five similar properties in a townhouse style. There is a mix of dwelling styles in the immediate area with predominantly Victorian style semi detached properties.

Relevant History:

CHI/0767/72 – 5 Town houses - Grant Permission (with conditions) - 21/03/1973.
EPF/1524/88 - Conversion of garage to living room and single storey side extension. Refuse Permission - 18/11/1988.

Policies Applied:

Policy DBE9 – Loss of Amenity
Policy DBE10 – Design of Residential Extensions

Policy ST6 – Vehicle Parking

Summary of Representations:

5 neighbours were consulted and no responses were received

PARISH COUNCIL: Objection. Not in keeping with the streetscene.

Issues and Considerations:

The 1988 planning refusal was not on the grounds of the conversion of the garage into a habitable room, but to the size of the extension.

Impact on Neighbours

Policy DB9 requires that residential extensions do not lead to loss of neighbour amenity. This application does not highlight any factors which would lead to a loss of amenity.

Impact on Appearance of Area

Policy DB10 requires that residential extensions should complement the existing streetscene/building. The properties numbered 7 -15, the block of townhouses, have had their permitted development rights removed. This application would be the first to convert the garage to a habitable room on the block. However it is considered that the proposal would not seriously impact on the appearance of the area. A window in a similar style to the property would be quite complimentary with no significant impact.

Vehicle Parking

Policy ST6 will expect all development proposals to provide on-site parking in accordance with the adopted standards. For main urban areas where access to public transport is good, a maximum of 1 space per dwelling is appropriate. Although there is the issue of the loss of the garage there is provision for parking in front of the existing garage.

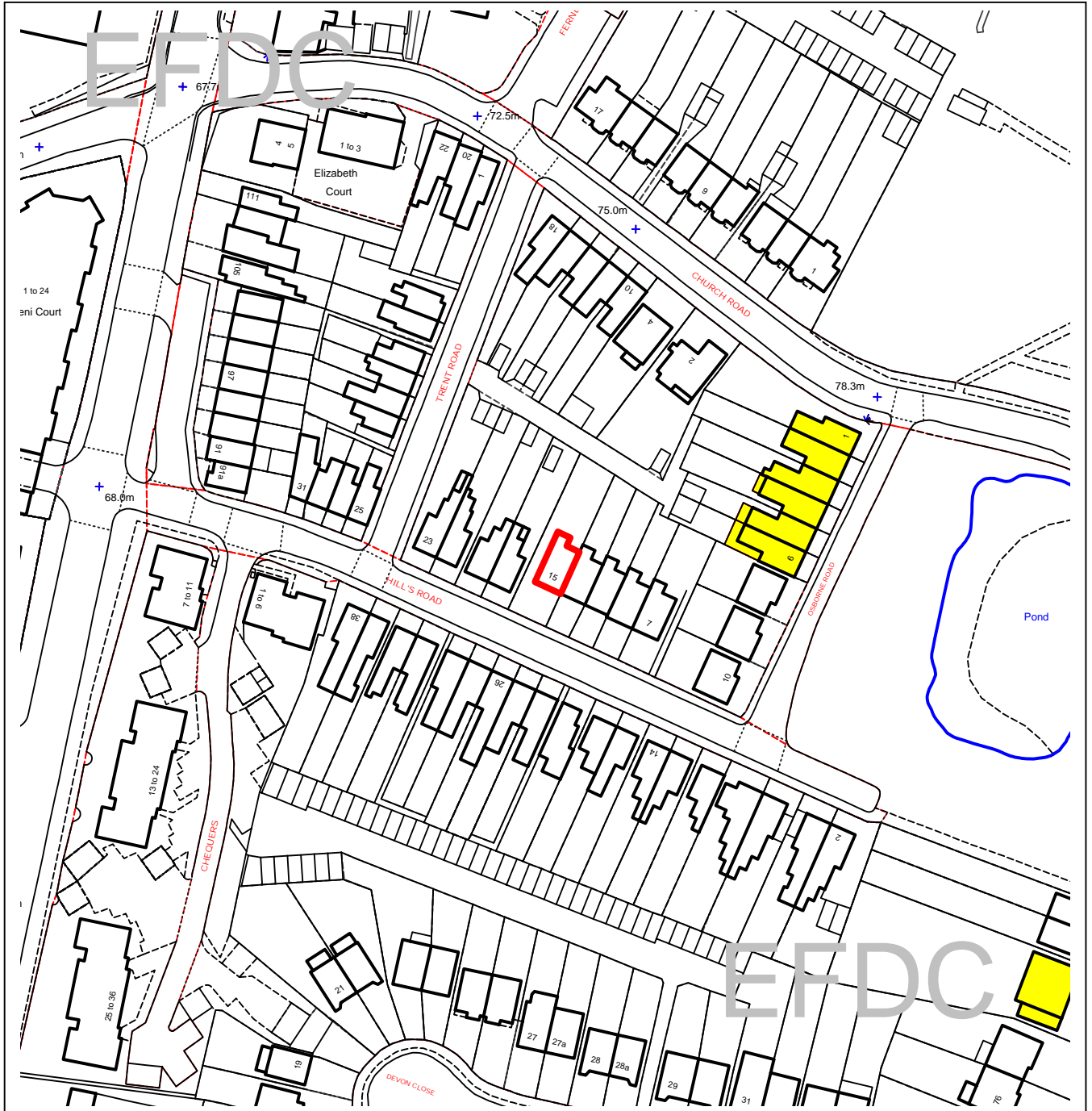
Conclusion:

As there is no loss to neighbouring amenity or impact on the appearance of the area, and car parking standards meet requirements it is recommended that this application should be approved (with conditions).



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:

Application Number: EPF/0402/09

Site Name: 15 Hills Road, Buckhurst Hill, IG9 5RS

Scale of Plot: 1/1250

Report Item No: 5

APPLICATION No:	EPF/0247/09
SITE ADDRESS:	Land Adjacent to Copperfield Lodge Hainault Road Chigwell Essex
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Syed Raza
DESCRIPTION OF PROPOSAL:	Erection of new five bedroom house with basement and integral garage.
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The site is within the Metropolitan Green Belt. The proposed development is inappropriate development in the Green Belt and, by definition, harmful. It is at odds with Government advice contained within PPG2, and Policy GB2A of the adopted Local Plan and Alterations and moreover would detract from the openness of the Green Belt at this location. No very special circumstances have been demonstrated to justify the granting of planning permission in this case.

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:

Planning consent is being sought for the erection of a new five bedroom house with basement and integral garage.

Description of Site:

Large overgrown plot located on the eastern side of Hainault Road within the Metropolitan Green Belt. To the north lies a site accommodating Chigwell Library, Chigwell Parish Council offices, a Working Men's Club and Victory Hall. To the south lie two detached dwellings, namely Nos. 30 and 40a (Copperfield Lodge). Open views exist to the rear. Chigwell underground station is located some 250m from the site and Hainault Road is on the 167 London bus route.

Relevant History:

Varied history dating back to 1949. However applications of note more recently are:

CHI/0021/72 – Erection of synagogue – Refused 23/02/76

EPF/1258/91 – Development of land for residential purposes – Refused 17/01/92 and dismissed on appeal with the reason being that it represented inappropriate development in the green belt

Policies Applied:

Government Guidance

PPS1 – The Planning System: General Principles

PPG2 – Green Belts

Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

CP9 – Sustainable Transport

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

H1A – Housing Provision

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

DBE6 – Car Parking in New Development

DBE8 – Private Amenity Space

DBE9 – Loss of Amenity

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

I1A – Planning Obligations

Summary of Representations:

9 neighbours were consulted, and a site notice was erected, the following representations were received:

PARISH COUNCIL – Supports this application on the grounds that it acknowledges it is a special case, it would be beneficial to the community and the development follows the existing street scene. The Council would ask EFDC to consider the visual appearance of the existing car park if this development is permitted.

30 HAINAULT ROAD – object on the grounds that the size and mass is out of character with the houses at this end of Hainault Road contrary to DBE1; the site is in the Green Belt and is contrary to GB2A; proposal will have an adverse impact on the openness and visual amenity of this parcel of the MGB, contrary GB7A; proposal show no measures to protect an established habitat of wildlife habitat of wildlife, contrary to NC4.

CHIGWELL VICTORY HALL – Chairman of the trustees has no objection to the house but objects to the potential car parking as it will intrude on privacy of various activities of the hall. Not aware of the need for parking spaces. It is a sweetener. No traffic statement on sight lines. EFDC Estates and Valuation dept are aware of this matter. The situation has arisen from the fear of travellers staying on the site and local residents have taken fright.

PETITION OF 67 LOCAL RESIDENTS – strongly supporting the application on the grounds that the provision of additional parking for Victory hall renders the land a special case for building on what is an anomalous Green Belt site. The house is entirely in keeping with the street scene.

Issues and Considerations:

The main issues here relate to the appropriateness of the proposal in terms of impact on the Metropolitan Green Belt, appropriateness of the application in terms of prematurity given the site is being considered as a potential Gypsy and Traveller site; its design and impact on the neighbouring amenity and any highway safety issues.

Green Belt

The site is located within the Metropolitan Green Belt. Government guidance as contained within PPG2 states that there is a general presumption against inappropriate development within the green belt. Such development should not be approved, except in very special circumstances.

Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- agriculture and forestry
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it
- limited extension, alteration or replacement of existing dwellings
- limited infilling in existing villages and limited affordable housing for local community needs under development plan policies according with PPG3 (Housing) or
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans.

Policy GB2A of the adopted Local Plan and Alterations mirrors this approach and states in paragraph 5.22a that, 'Any development which is not in accordance with this policy would be inappropriate in the Green Belt.'

The proposal here for one new detached dwelling is not in accordance with this policy. Therefore it is considered inappropriate development. It is considered that a new dwelling here would detract from the open character and appearance of the green belt and very special circumstances will need to be demonstrated. The applicant states that,

'Although the site falls within the Green Belt there are special circumstances for the development proposed to be permitted. The neighbouring local amenity, 'Victory Hall' and adjacent local library require more parking and so it is proposed that a portion of land to the northwest perimeter of the

site be assigned over from the applicant's ownership to Epping Forest District Council to be used to provide 13 no. additional parking spaces as indicated on the plan. This is proposed as a benefit to the local amenity in return for allowing the proposed development of the new house to take place.'

Having visited the site, it was noted that there are 34 parking spaces to both the front and rear of the buildings. A further 13 would result in a total of 47 parking spaces. The benefit of 13 additional car parking spaces is doubtful. No need has been proved on the site for these additional spaces. A clear need has not been proven on this site. Chigwell underground station is 250 yards from the site and it is on the 167 local bus route. The Council's Senior Planning Policy Officer backs this view with the argument that Planning policy PPS1, PPS3 and Local Plan policy CP9 (ii) and (iv), encourages the use of alternatives to the car and in particular on a site that is well located for existing bus and train services.

Furthermore, the Chairman of Victory Hall objects to the scheme stating that he is not aware of the need for the additional spaces.

The area proposed to be given over for parking is in any case also within the Metropolitan Green Belt and the intrusion of parking into this area would clearly be a further breach of adopted Green Belt policy.

The applicants also argue that the proposed house will help to meet the housing need in the local district. However, housing need is for dwellings that will meet the need of those, in particular, who are on incomes struggling to afford to buy. The proposal for a 5 bedroom house will not meet this need.

Additionally, residential development was proposed on this site in 1992 but was subsequently dismissed at appeal, where the Inspector considered that, 'visually it provides an important link with the large green belt area to the east.' The Inspector argued that it was all the more important given the development of the dwellings at Nos. 30 and 32 Hainault Road and in his view, '...this has increased the significance of the appeal site's contribution to the character of the MGB. I consider that its development...by largely closing this important gap would adversely affect the character of the green belt in this area.'

In conclusion, officers consider that there are no very special circumstances to justify the development of the site, which would adversely affect local green belt character and would be contrary to the objectives of green belt policy to protect such areas from general development.

Prematurity

A response from the Council's Senior Planning Policy Officer has been received regarding the fact that the site is currently being considered as a potential site to take forward to help meet the need for extra pitches in the district by 2011. He emphasises that responses are currently being considered and the decision about which sites to take forward will only be made once all responses have been deliberated over.

Planning Policy Statement 1 (PPS1) supplementary document, The Planning System: General Principles allows for circumstances where it may be justifiable to refuse planning permission on grounds of prematurity where a Development Plan Document (DPD) is being produced, in this case the Gypsy and Traveller DPD. Where the cumulative effect of proposals will pre-empt decisions about location it is justifiable to refuse the application on the grounds of prematurity.

On balance however, whilst officers are concerned that this application may be being used as a way to ensure that the site is not designated for a gypsy site and whilst it would be regrettable to

lose one of the potential sites from the draft document, it is not considered that the draft document has sufficient weight at this stage to warrant a reason for refusal on prematurity grounds.

Amenity

In terms of impact on neighbouring properties the proposed dwelling has been located well within the plot and set away from No. 30 to the south. No windows are proposed on the flank facing that dwelling so no loss of privacy will occur.

Design

The proposed house will be set away from the northern boundary with the Victory Hall site by between 5 and 10m and from the southern boundary with No. 30 by 5.4m. It would sit comfortably within the sites. Hainault Road is typified by large detached dwellings in expansive plots. The dwelling follows the existing building line along this part of Hainault Road and is of a style typical of new builds in this area. Therefore it would not appear out of keeping with the existing character of the area

A streetscene elevation shows the dwelling, whilst slightly higher than its neighbour at No.30, it is indicated that it would be the same height as its neighbour to the north, Victory Hall. The height of the proposed dwelling would be 9.3m high. Victory Hall is a single storey building with a semi circular roof. It is clear that Victory Hall is not as high as this. This is combined with the fact that it is located on ground level at least 1m lower given the incline of Hainault Road. The accuracy of the plans is therefore questioned in this respect. However, notwithstanding this, given the separation of at least 20m between the proposed house and Victory Hall and the number of trees separating the buildings the height differential would not be so apparent.

There appears to be sufficient private amenity space to accommodate a house of this size.

Highways

The Highway Authority has no objections to the scheme subject to relevant conditions.

Other Issues

The Design and Access Statement submitted by the applicant states under the section entitled 'The Proposal' that:

'The applicant was recently approached by the council who suggested that an application should be made to build a new single dwelling house on the land to boost local housing stock by using a potential infill site in an already established street.'

For the avoidance of doubt it is contested that the council referred to here is not the District Council, for as far as Officers are aware no discussions have taken place regarding this site. We can only assume that the applicant means Parish Council in this instance.

Conclusion:

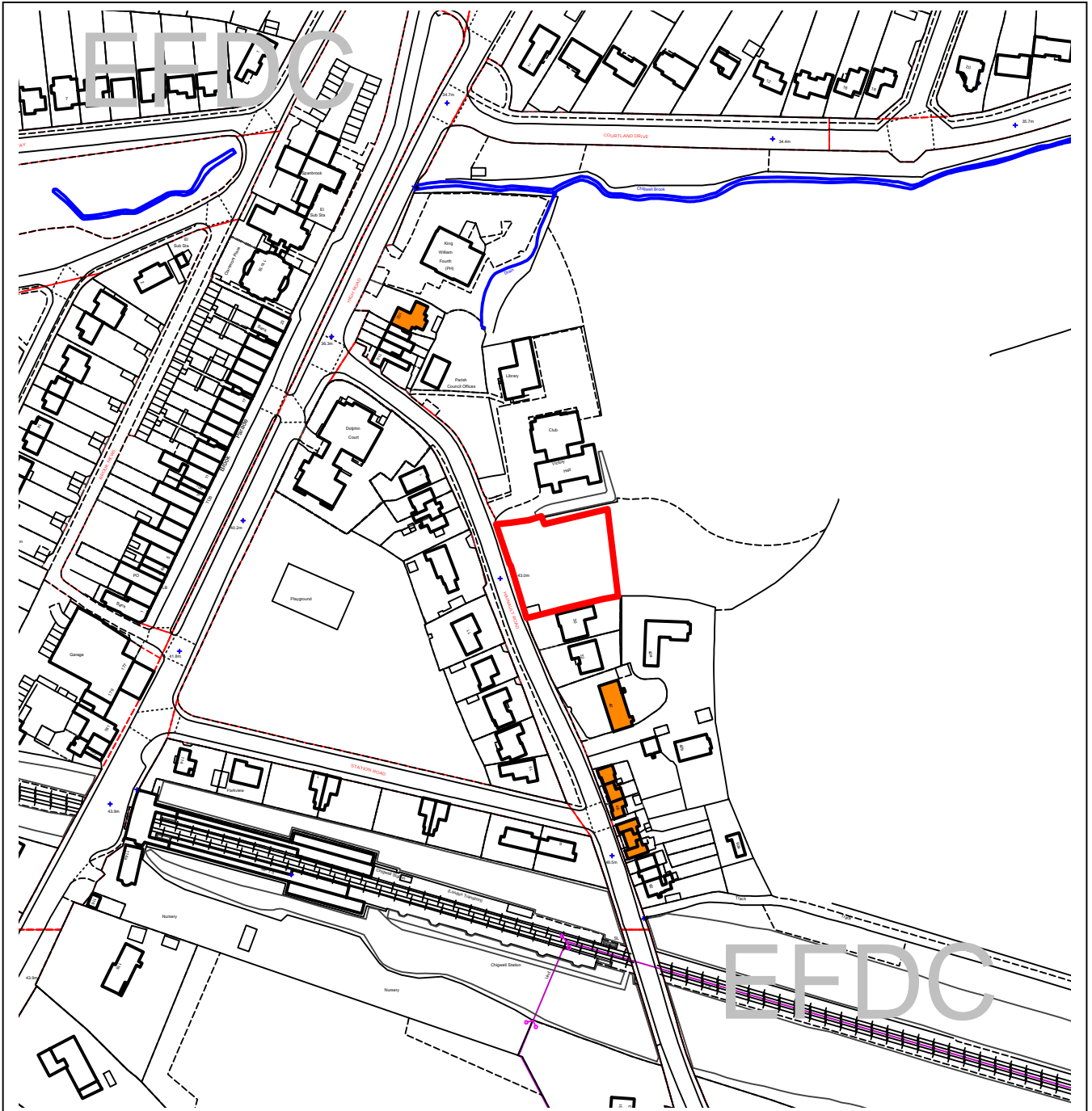
Whilst the site can accommodate a dwelling of this size and design, it is located in the Green Belt and is inappropriate development and is visually harmful to the openness of the Green Belt. The potential to provide 13 parking spaces on undeveloped Green Belt land to serve the neighbouring site is not considered to represent very special circumstances sufficient to outweigh the very real harm to the openness of the Green Belt that the house, and indeed the parking, would represent.

The application is therefore recommended for refusal.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/247/09
Site Name:	Land Adjacent to Copperfield Lodge Hainault Road, Chigwell, IG7 6QX
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/0382/09
SITE ADDRESS:	46 Chigwell Rise Chigwell Essex IG7 6AG
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Lee Hammond
DESCRIPTION OF PROPOSAL:	Erection of 1.8m brick wall with in and out electric sliding gates.
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.
- 2 The proposed gates provided at the vehicular access shall be set back a minimum of 4.8 metres from the nearside edge of the carriageway.
- 3 Materials to be used for the proposed wall, 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 application is to erect a wall to the front of the property with piers to a height of 1.8m. The low lying wall will be topped by a railing which would also measure 1.8m approx. There would also be in and out electric gates which would measure 1.9m approx at their highest point.

Description of Site:

The application site is a large detached property on Chigwell Rise. The distance from the edge of the property to the roadway is 4.0m approx. The area has properties which are open to the front, though there are some examples of fenced properties.

Relevant History:

EPF/1500/79 - Single storey rear extension. Grant Permission (with conditions) - 07/01/1980.
EPF/1770/07 - Proposed two storey side, rear and front extensions with new dormer windows.
Grant Permission (With Conditions) - 01/10/2007.

Policies Applied:

Policy ST4 – Road Safety
Policy DBE1 – Design of New Buildings

Summary of Representations:

5 neighbours were consulted and no responses were received:

PARISH COUNCIL: Objection. Insufficient set back from the road.

Issues and Considerations:

The main issues to consider are whether the fence causes an obstruction to the highway to the detriment of users, or whether there is a detrimental impact to the appearance of the area or neighbour amenity.

Road Safety

Policy ST4 states that new development should not be detrimental to highway safety. There is a good gap from the property boundary to the edge of the carriageway which would reduce concerns about highway safety. Essex County Council Highways Department have been consulted in relation to this application. They have suggested conditioning the application so that the gates only open inwards and are set back 4.8m from the edge of the carriageway. It is considered with this condition in place issues of road safety would be adequately addressed, as any car pulling into the entrance will be free from the main highway. The railings proposed also allow for adequate inter visibility with other road users. There are no impacts on neighbour amenity with this application.

Impact on Appearance of the Area

Policy DBE1 states that new buildings are of a size and position that they adopt significance in the streetscene which is appropriate to their size and scale. This is the closest Local Plan policy relevant to walls and gates, but it is considered the fence is not particularly intrusive to the streetscene and relatively modest. Although there are few examples of this type of enclosure along the road, its construction would not have a detrimental impact on the street scene and views of the house and front garden would be maintained.

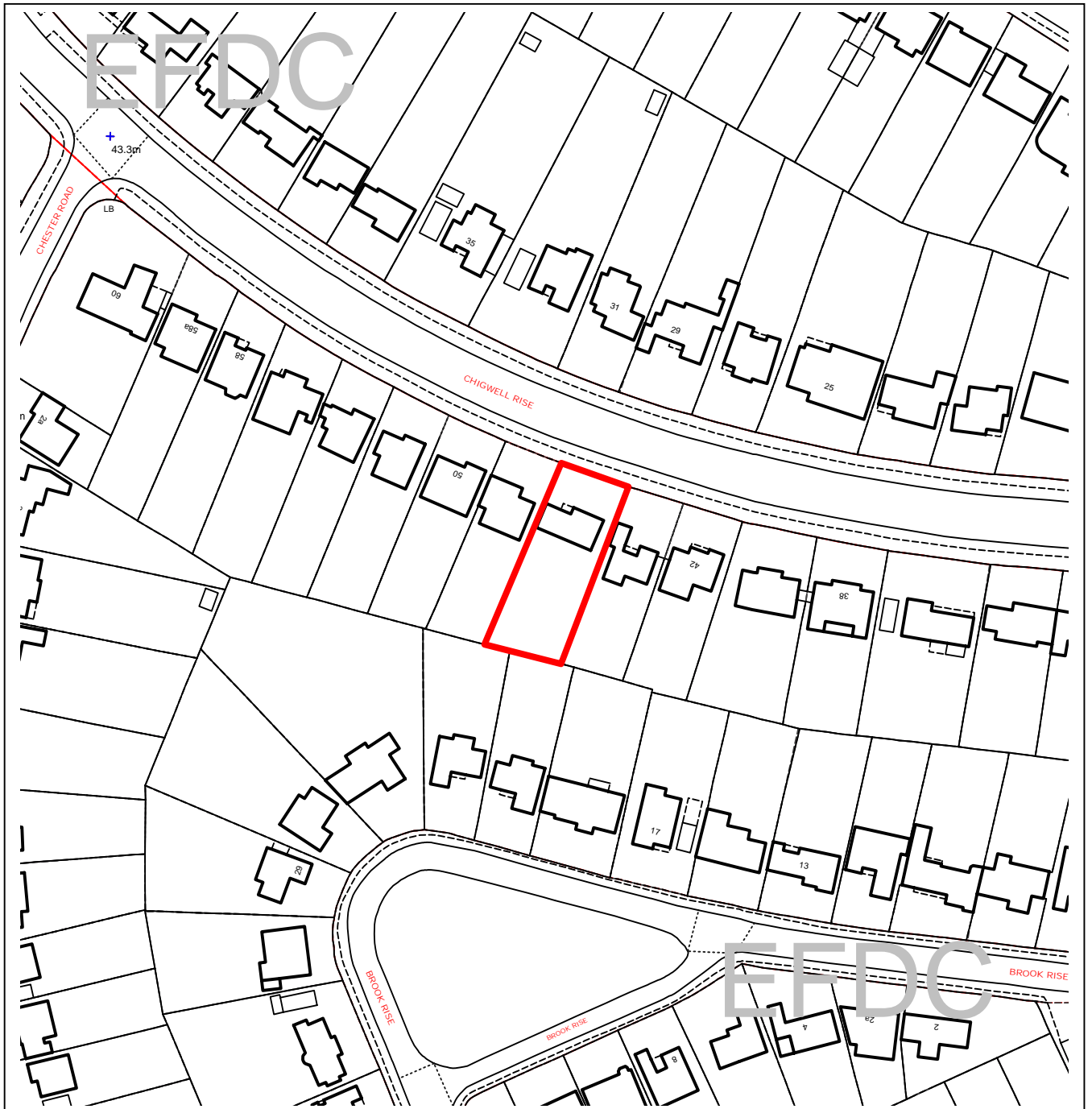
Conclusion

As any potential impact on road safety can be controlled with conditions and the streetscene would not be unduly harmed, it is recommended the application be approved (with conditions).



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:

Application Number: EPF/382/09

Site Name: 46 Chigwell Rise, Chigwell, IG7 6AG

Scale of Plot: 1/1250