

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0224/09
<b>SITE ADDRESS:</b>	5 Glenside Chigwell Essex IG7 5RE
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr J Johal
<b>DESCRIPTION OF PROPOSAL:</b>	Loft extension including front, side and rear dormer windows and first floor rear and single storey rear extensions. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the first and second floors of the side elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 5 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

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

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

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

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

### **Description of Proposal:**

This application seeks planning permission for a conservatory and a first floor extension to the rear of the property. The proposed first floor extension would be above the existing rear projection and the conservatory would be positioned to the side of this and would be approximately 5.7 by 3.9 metres in size. Extensions to the loft are also proposed, comprising three dormers to the front of the property and two to the rear, with a further two dormers being contained within the southern roof slope of the proposed extension. In addition, windows would be formed in the gables.

The only revisions to this scheme following the previous refusal of planning permission relate to the number, size and design of the proposed dormers.

### **Description of Site:**

The application property is a detached dwelling located in Glenside, which links Bracken Drive to Stradbroke Drive. To the north of the site lie the rear gardens of 43 and 45 Stradbroke Drive and to the south is 3 Glenside. There are some tall trees along the boundary of these two properties. The application dwelling has an existing ground floor extension to the rear which has a faux hipped roof.

The application site is covered by a blanket tree preservation order.

### **Relevant History:**

Relevant recent history includes:

EPF/2299/03. Loft conversion with dormer window to rear and two gable windows. Approved 09/02/04.

EPF/0068/08. Loft extension including front, side and rear flat roofed dormer windows and first floor rear and single storey rear extensions. Refused 28/02/08.

The above planning application was refused for the following reasons:

- 1 The proposed front dormers would have a harmful appearance by virtue of their size and flat roofs. This would be detrimental to the appearance of the dwelling and the wider street scene, contrary to policy DBE9 of the Adopted Local Plan and Alterations.
- 2 The proposed rear and side dormers in the roof of the proposed first floor rear extension would result in a cluttered appearance that would be harmful to the appearance of the dwelling, contrary to policy DBE9 of the Adopted Local Plan and Alterations.

## **Policies Applied:**

### East of England Plan

ENV7 – Quality in the Built Environment

### Adopted Local Plan and Alterations

DBE9 – Neighbouring Amenity

DBE10 – Residential Extensions

LL10 - Retention of Site Landscaping

## **Summary of Representations**

9 neighbours were consulted and the following responses were received:

CHIGWELL PARISH COUNCIL. Objection. The Council OBJECTS to this application on the grounds that it will cause a lack of light and affect the privacy of neighbours. The Council is also concerned that the development will affect surface water levels in the area.

43 STRADBROKE DRIVE. Objection. The proposed development completely blocks tree views, light and the horizon from my small garden and rear lounge and bedroom windows of my house. I already have a substantive electricity substation in my garden which blocks half the view. Protected tree roots could be destroyed by the excavations needed for the foundations.

45 STRADBROKE DRIVE. Objection. Support the objections made by no. 43 (above). The danger to the protected trees and the additional lighting to the back and side of the extended house will be adverse factors that we do not wish to view from our back garden and lounge.

3 GLENSIDE. Objection. No. 5 is set at a higher level, therefore, any extensions would inevitably and dramatically decrease privacy and be detrimental to the visual outlook from my property. The property size is of concern as an overdevelopment with the potential for additional residents and parking issues. The plans have insufficient information regarding windows and other issues. In view of the minor change to the original proposal I believe the reasons for refusing the original planning application are still valid and extremely relevant.

## **Issues and Considerations:**

The main issues in this case are:

1. *The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;*
2. *The impacts of the proposed development on the character and appearance of the area;*  
*and*
3. *The impacts of the proposed development on the protected trees around the site.*

### 1. Neighbouring Amenity

With regard to the impact of the proposed development on neighbouring properties, the extension would have some impact on 37 Bracken Drive to the rear and properties in Stradbroke Drive to the side in terms of a reduction in light and outlook, although it is considered that this would not be material due to the distance at which they are located (in excess of 20 metres). Concern has also been raised by residents regarding a reduced view of trees and the horizon. Whilst it is accepted that there would be a reduction in the view (particularly from 43 Stradbroke Drive) this is not a material consideration when determining a planning application and would not, therefore, justify

the refusal of this planning application. It is considered that the property which would be most affected by the proposed development would be 3 Glenside, to the south of the site. The proposed extension would be located approximately 11 metres from the site boundary. Having regard to this separation and the location of the extension to the north of this site it is not considered that there would be a material loss of light or outlook to the occupiers of this property. It is, however, considered that there could be a material reduction in privacy arising from windows proposed in the side roof slope of the proposed extension. This matter may be addressed by the imposition of a planning condition requiring that the windows in the roof plane of this elevation be fixed closed and obscure glazed. A further condition may be imposed preventing the insertion of windows in the first floor side elevations at a later date.

## 2. Appearance

Turning to the impact of the proposed development on the character and appearance of the area, the scheme has been revised in respect of the number, size and design of the proposed dormer windows. The previous application proposed flat roofed dormers, several of which were considerably larger than most of the windows in the lower storeys of the dwelling. As a result the dormers were considered to be harmful to the appearance of the dwelling and the wider street scene, with the cluttered arrangements of the proposed dormers in the roof slopes of the proposed first floor extension being of considerable concern. It is considered that the revisions to the scheme, in which many of the dormers have become notably smaller and would now all have a pitched roof, has addressed this earlier concern. As a result, it is considered that the proposed development would now have an acceptable appearance, which would be in keeping with the surrounding area.

## 3. Protected Trees

With regard to the protected trees around the site it is not considered that there would be any harm, subject to compliance with a planning condition requiring their protection during construction.

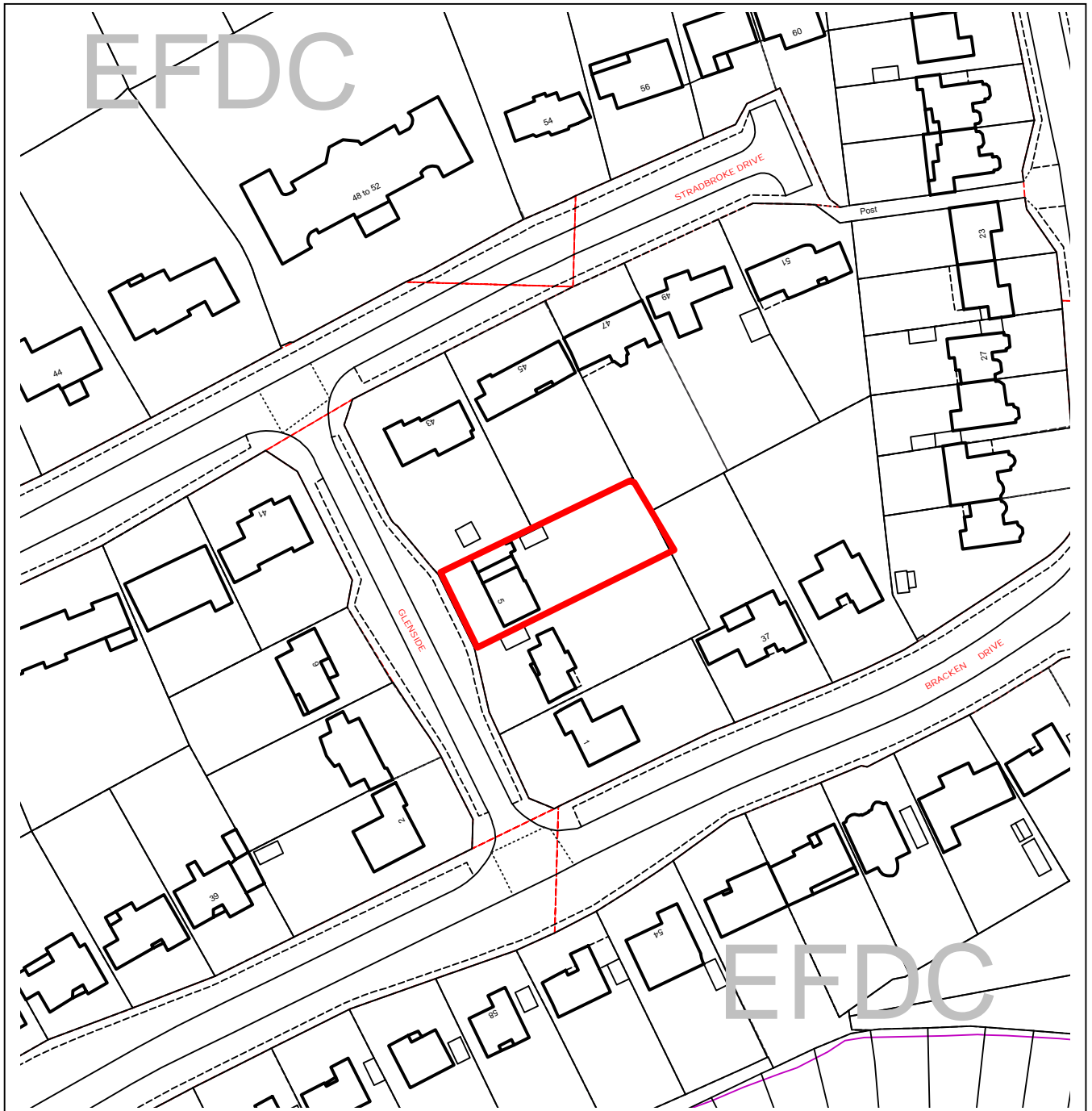
## **Conclusion**

In light of the above appraisal, it is considered that this revised application has addressed the concerns raised in respect of the earlier scheme. As a result, it is considered that the proposed development would not, subject to the imposition of the planning conditions as discussed, result in a material loss of amenity to the occupiers of neighbouring dwellings. It is further considered that the development would have an acceptable appearance and would not prejudice the vitality of protected trees around the site. Accordingly, it is recommended that the Committee grants planning permission for the proposed development.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/0224/09
Site Name:	5 Glenside, Chigwell, IG7 5RE
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0375/09
<b>SITE ADDRESS:</b>	Unit 12 Loughton Business Centre Langston Road Loughton Essex IG10 3FL
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>APPLICANT:</b>	Ark Build PLC - Mr Michael Finlay
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a palisade fence and access gate on the boundary of units 11 and 12.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The area fenced off in front of Unit 12 hereby approved, shall be used only for the storage and parking of vehicles only, including staff/visitor parking.

*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 for the retention of a palisade fence measuring 2.3m high with two inward opening gates at the boundary separating Unit 12 from Unit 11 on this business estate. The fence would extend from the front elevation wall of the building to the far northern site boundary, effectively enclosing Unit 12 on this open plan site.

**Description of Site:**

The proposal site is the end unit on the development of 12, known as Loughton Business centre, which was granted permission under EPF/1494/06. This unit is occupied by Ark Build PLC, a building construction company, for the storage of material and an office base. The site is part of new business unit buildings accessed from the south east off Langston Road. This is the furthest eastern unit at the end of Loughton Business Centre, just before Clinton Cards site. The units on here are predominantly a mix of Class B1, B2 and B8 uses, i.e. industrial, offices and storage.

### **Relevant History:**

EPF/1494/06 - Construction of 6 new office units, and 6 business units (B1, B2 & B8) with car parking and service yards. Grant Permission (With Conditions) - 11/10/2006.

### **Policies Applied:**

Policy ST4 – Road Safety

Policy DBE1 – Design of New Buildings

### **Summary of Representations:**

11 properties were consulted and the following responses were received:

PARISH COUNCIL – No Objection, concern however that this is a retrospective application.

UNIT 11 (WOODLAND LEATHERS LIMITED) – Objection. Fence is 2.3m high and not 2.0m. Parking standards state a need for turning space for vehicles on B class sites. The application drawing No 2473/RE/201 demonstrated that sufficient space was provided for larger vehicles to turn. The fence removes the ability of larger vehicles to turn. This has led to issues with vehicles loading and unloading. This creates an unacceptable obstruction for vehicles parked beside or servicing Unit 11. It has led to an unacceptable loss of part of the business centre used for vehicles turning and adversely affects and disrupts the operational requirements of units in the centre, including respondents. It is harmful and prejudicial to the safe movement of vehicles using this part of the centre and limits their ability to enter and exit in a forward gear. This could create a precedent which would be harmful. Proposal is contrary to council policies DBE2, DBE3, ST4 and ST6.

UNIT 10 (ANU ENTERPRISES LTD) – Objection (2 letters). Bought on this estate because of the plans showing fenced off area as turning circle. Fence is hazardous to centre users, lorries having to reverse out of a confined space. Fence is 2.3m high and not 2.0m. Parking standards state a need for turning space for vehicles on B class sites. The application drawing No 2473/RE/201 demonstrated that sufficient space was provided for larger vehicles to turn. The fence removes the ability of larger vehicles to turn. This has led to issues with vehicles loading and unloading. This creates an unacceptable obstruction for vehicles parked beside or servicing Unit 11. It has led to an unacceptable loss of part of the business centre used for vehicles turning and adversely affects and disrupts the operational requirements of units in the centre, including respondents. It is harmful and prejudicial to the safe movement of vehicles using this part of the centre and limits their ability to enter and exit in a forward gear. This could create a precedent which would be harmful. Proposal is contrary to council policies DBE2, DBE3, ST4 and ST6.

UNIT 8 and 9 (LOUGHTON BUSINESS CONTRACTS) – Objection. Bought on this estate because of the plans showing fenced off area as turning circle. Fence is hazardous to centre users as lorries having to reverse out of a confined space.

UNIT 7 (L.E.S.C LTD) - Objection. Fence is 2.3m high and not 2.0m. Parking standards state a need for turning space for vehicles on B class sites. The application drawing No 2473/RE/201 demonstrated that sufficient space was provided for larger vehicles to turn. The fence removes the ability of larger vehicles to turn. This has led to issues with vehicles loading and unloading. This creates an unacceptable obstruction for vehicles parked beside or servicing Unit 11. It has led to an unacceptable loss of part of the business centre used for vehicles turning and adversely affects and disrupts the operational requirements of units in the centre, including respondents. It is harmful and prejudicial to the safe movement of vehicles using this part of the centre and limits

their ability to enter and exit in a forward gear. This could create a precedent which would be harmful. Proposal is contrary to council policies DBE2, DBE3, ST4 and ST6.

UNIT 6 (CRYSTAL SERVICES PLC) – Objection. Bought on this estate because of the plans showing fenced off area as turning circle. Fence is hazardous to centre users as lorries having to reverse out of a confined space.

UNIT 5 (ROWALLAN GROUP) – Objection (2 letters). Bought on this estate because of the plans showing fenced off area as turning circle. Fence is hazardous to centre users, lorries having to reverse out of a confined space. Fence is 2.3m high and not 2.0m. Parking standards state a need for turning space for vehicles on B class sites. The application drawing No 2473/RE/201 demonstrated that sufficient space was provided for larger vehicles to turn. The fence removes the ability of larger vehicles to turn. This has led to issues with vehicles loading and unloading. This creates an unacceptable obstruction for vehicles parked beside or servicing Unit 11. It has led to an unacceptable loss of part of the business centre used for vehicles turning and adversely affects and disrupts the operational requirements of units in the centre, including respondents. It is harmful and prejudicial to the safe movement of vehicles using this part of the centre and limits their ability to enter and exit in a forward gear. This could create a precedent which would be harmful. Proposal is contrary to council policies DBE2, DBE3, ST4 and ST6.

### **Issues and Considerations:**

The main issues to consider are whether the fence causes an obstruction to safe movement of larger vehicles to the detriment of users and tenants of the centre, or whether there is a detrimental visual impact on the appearance of the area.

#### **Road Safety**

Policy ST4 states that new development should not be detrimental to highway safety or lead to issues of traffic congestion. The initial application had a condition, Condition 9, relating to the safe movement of larger vehicles on the site, this stated:

*“Space shall be provided within the application site to accommodate the parking, loading, and turning of vehicles visiting the site, clear of the highway and properly laid out and such space shall be maintained thereafter free of any impediment to its designated use, further in order to allow all vehicles to enter and leave the site in forward gear”*

The reason for this was given as “in the interests of highway safety”.

Drawing Number 2473/RE/201 of the original application shows that this provision was made to the front of Units 11 and 12 for vehicles to exit in a forward gear. The main issue is whether this is compromised by the new fence and gates. Having sought consultation with Essex County Council Highways, it is considered that vehicles using the other units could still manoeuvre and exit the complex in a forward gear. It was generally considered that vehicles could exit from Unit 12 in a forward gear and if they could not, it was not however deemed to be detrimental to highway safety. Drawing Number 2473/RE/201 on the original application shows a large lorry entering and exiting the site using the turning space but does not show how it reverses to the various loading bays. A drawing submitted with this proposed application (803:PA:003) seems to show that larger vehicles would struggle to reverse to the loading bays and manoeuvre within the site because of the position of parking spaces. It is therefore felt that the highway safety of users of the centre and occupants of the units would not be further compromised.



### 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. Unit 12 is enclosed at the side elevation by the exact same type of fencing and it is considered that to enclose the other boundary with a similar fence would have no harmful impact on the appearance of the area. The site is a builder's yard, but they state that this would be for secure parking of trade vehicles only and not for storing building materials. A condition to this effect would be in the interest of maintaining the visual amenity of the site.

### Letters of Objection

A number of objection letters have been received and the various points will now be addressed.

The first point raised is that the adopted parking standards require provision for the safe turning of vehicles which was initially provided, though the fence has now compromised this. It is considered that vehicles servicing the centre can still exit in a forward gear as demonstrated on the submitted drawings and there has been no removal of this provision by the construction of the fence. This view is supported by Essex County Council Highways Department. Supporting photographs show awkwardly parked 15m lorries, however this may as much be in relation to the prerogative of individual drivers, and it is thought manoeuvrability to exit in a forward gear would still be achievable. It is considered that the larger vehicles would have issues in manoeuvring around the centre regardless of the turning space and the erection of the fence has not exacerbated this. The objectors state that this could create a harmful precedent applications for a fence could be reasonably resisted in any but the end unit. The point is also made that the application is contrary to a number of policies. It is the case that the application complies with the relevant policies DBE1 and ST6. Parking provision is unaffected by the proposal as laid out in Policy ST6 but a condition requiring these spaces to be kept free for the parking of staff or visitor vehicles is necessary. Policy DBE2 and DBE3 relate more to streetscene and the layout and design of housing developments respectively, which is not relevant.

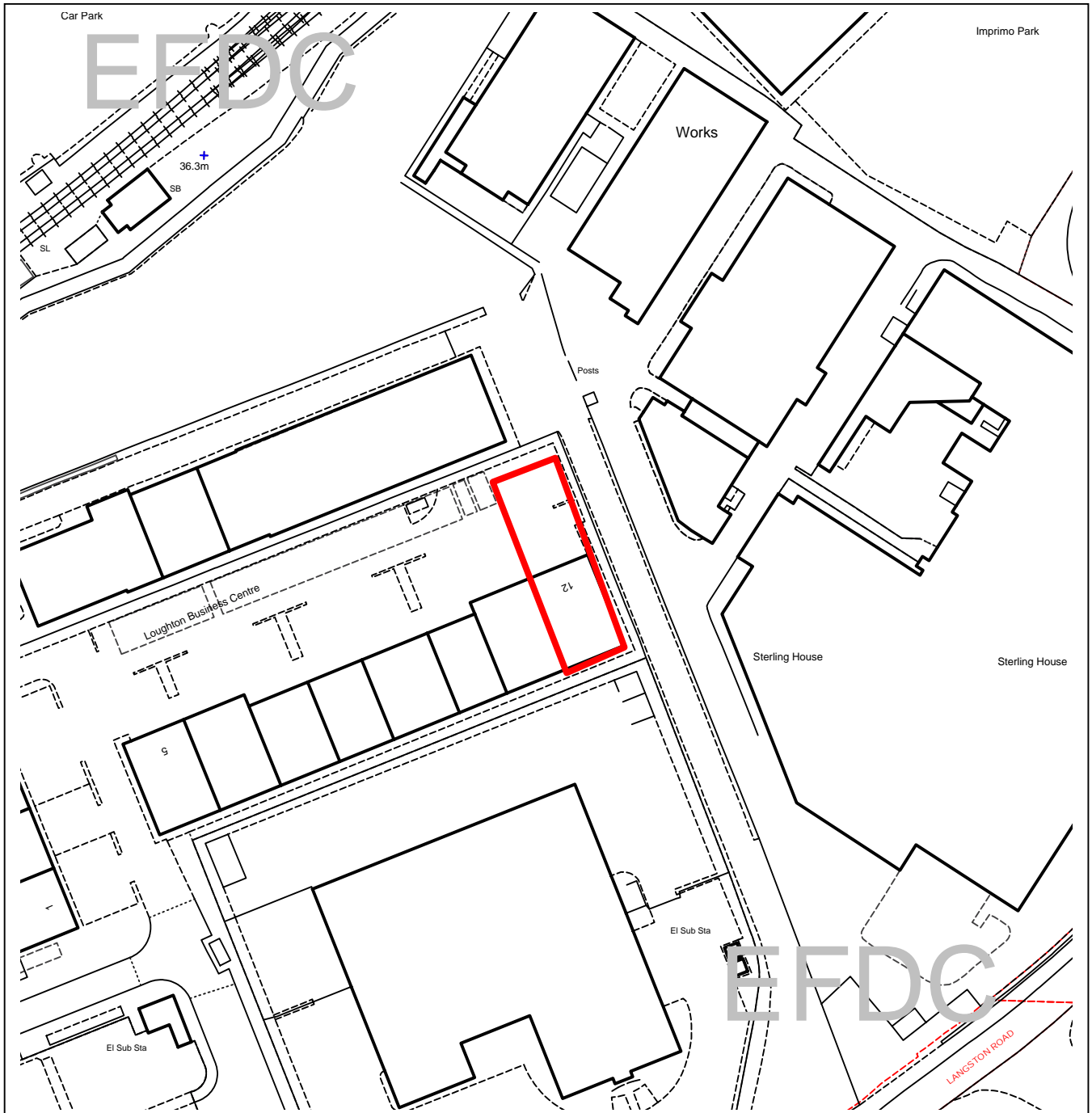
### Conclusion

The application proposes to retain a fence at Loughton Business Centre and contends that this will not impair the ability of vehicles to exit in a forward gear. Whilst Officers understand the concerns of the other users of the estate, the test is whether there will be detriment to highway safety. There is no highway here as it all takes place within a private site but even so the Highway Officer considers that condition 9 is not breached. On the strength of this advice, the application is recommended for approval. The fence is also of adequate design given its location and the business of the tenants at Unit 12.



# Epping Forest District Council

## Area Planning Sub-Committee



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/0375/09
Site Name:	Unit 12 Loughton Business Centre Langston Road, Loughton, IG10 3FL
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0413/09
<b>SITE ADDRESS:</b>	Adj, 35 Albion Hill Loughton Essex IG10 4RD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr P Corbett
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application for the erection of one detached bungalow.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 2 Notwithstanding the position of the proposed bungalow on the site plan received on 06/03/09, the development hereby permitted shall only be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall show the siting, height, scale, design and external appearance of the bungalow, access details for the development and landscaping.
- 3 All habitable room accommodation shall be at ground floor level only.
- 4 A distance of at least 6 metres shall be retained between 35 Albion Hill and the dwelling hereby approved.
- 5 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, Classes A, B, C and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.

- 7 Hardstanding space shall be provided within the curtilage of the dwelling hereby approved prior to occupation, and shall be permanently retained for the parking of residents' and visitors' cars.
- 8 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 9 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.

*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) and since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

This application seeks outline planning permission for the erection of a detached bungalow in the grounds of the above property. The applicant has indicated that the dwelling would have a footprint of 6 x 10 metres and would have a maximum ridge height of 6 metres.

**Description of Site:**

The application site is the detached dwelling 35 Albion Hill and its garden and access road onto Albion Hill. The front garden slopes down toward Albion Hill. The area surrounding the site is low density in its character.

**Relevant History:**

EPF/2702/07. Outline application for the erection of a detached house. Refused 05/03/08.

The above refusal was upheld and Dismissed at an appeal on 22/10/08. The application indicated that the dwelling would be two-storey.

**Policies Applied:**

East of England Plan

ENV7 – Quality in the Built Environment

## Adopted Local Plan and Alterations

DBE1 – Design of New Buildings  
DBE2/9 – Impact of New Development  
DBE6 – Residential Car Parking  
DBE8 – Private Amenity Space  
ST4 – Road Safety  
ST6 – Vehicle Parking

### **Summary of Representations:**

11 neighbours were consulted and the following responses were received:

LOUGHTON TOWN COUNCIL. Objection. The Committee OBJECTED to this planning application and reiterated its comments on the previous planning application EPF/2085/08 which were:

“The Committee OBJECTED to this application as it considered the proposal an overdevelopment of the site with the bungalow having a detrimental effect on neighbouring properties, contrary to policies DBE1 (i) & (ii) and DBE2 of Epping Forest District Council’s adopted Local Plan and Alterations.”

In addition, the Committee was very concerned at the lack of adequate information supplied on this proposal.

LOUGHTON RESIDENTS ASSOCIATION. Objection. We object to this “backland” development. There is already a house further back, and the new house would be squeezed between this and the house actually facing Albion Hill. As this is an outline application there are no floor plans, but it does not look to us as though it is possible to provide both a sensibly-sized house and sufficient amenity space. The proposed site is insufficient to accommodate the proposed development, resulting in the proposed dwelling cramped in appearance and an overdevelopment of the site. Furthermore, no windows could be provided within any of the elevations of the dwelling without resulting in a material loss of privacy to neighbouring properties, contrary to policy DBE1 and DBE2 of the adopted Local Plan and Alterations. The proposed dwelling, due to its proximity to neighbouring properties, would result in a material loss of outlook to surrounding properties, contrary to policy DBE2 of the adopted Local Plan and Alterations. The proposed dwelling, by virtue of its proximity to 35 Albion Hill, would result in a material loss of light and outlook to the occupiers of this dwelling, contrary to policies DBE2 and CP5 of the adopted Local Plan and Alterations. This is an area of large houses on large plots, and a bungalow here would be out-of-character with its surroundings.

5 HIGH VIEW CLOSE. Objection. The bungalow will significantly reduce light to our property, which faces due south. We are concerned that rear/side windows would overlook our garden and/or bedroom. We are also concerned that the bungalow may be built with dormers in the roof, which would cause a loss of privacy.

28 ALBION PARK. Objection. This development would be an overdevelopment of the area, which has a pleasant and open prospect. It would generate more traffic in an area already blighted by vehicles taking/collecting children from Oaklands School in the narrow section of Albion Hill. The building would be out of character in this part of Loughton.

33 ALBION HILL. Objection. The property is too close to our boundary, it will completely overlook our garden, destroying our privacy. The development will be a massive overdevelopment of the plot. The size and position of the building will spoil the rural character of the neighbourhood. Will double the traffic noise and pollution. May cause drainage issues. Will have an unacceptable impact in terms of visual amenity when viewed from the surrounding properties and locality. Will

have a detrimental effect on the outlook and the amount of daylight received by neighbouring properties.

37 ALBION HILL. Objection. The proposal would cause a loss of privacy and outlook and would create an overdevelopment of the site. Access to the site is via the shared driveway between 35 and 37 Albion Hill which passes within close proximity to our door and garage. The driveway is extremely narrow and an increase in traffic for another property would be hazardous. The access joins that of no. 33 and as it joins the roadway visibility is severely impeded.

37A Albion Hill. Objection. Concerned with regard to drainage as plans propose to use the existing ones. Feel that a new drainage system should be considered. Also over the years traffic has escalated making Albion Hill an extremely dangerous road, especially with additional properties being built.

The public consultation for this planning application did not close until 22/04/09, which was a few days after the preparation of this report. Any representations received in the interim will be verbally reported to the Committee at the meeting.

### **Issues and Considerations:**

*The main issues in this case are:*

1. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
2. The impacts of the proposed development on the character and appearance of the area;
3. The level of amenity of the proposed dwelling;
4. Highways and parking issues; and
5. Flooding and drainage issues.

#### 1. Amenity of Occupiers of Neighbouring Dwellings

One of the main concerns that the Council had with the previous scheme which was refused planning permission was the impact on neighbouring properties. The application site is surrounded by the rear gardens of neighbouring properties and due to this relationship and the elevated position of the site (particularly to 37 and 37a Albion Hill) it was considered that it would be impossible to provide windows in any elevation of the dwelling without causing considerable overlooking of neighbouring gardens. It was also considered that there would be a material reduction in outlook to neighbouring properties caused by the proposed dwelling. However, these concerns all related to the principle of the construction of a two storey house on the site. This revised application, however, seeks outline planning permission for a bungalow. Subject to the sensitive positioning of any windows and doors to the proposed dwelling and careful consideration of boundary treatment, it is considered that a material loss of privacy may be avoided. Furthermore, a single storey building, particularly if the roof were to be hipped or at least pitched away from the rear gardens of 37 and 37a Albion Hill would have considerably less impact on outlook than a two storey building.

Accordingly, it is considered, on balance, that the reduction in the size of the dwelling to a bungalow may address those previous concerns and the development could proceed without causing a material loss of amenity.

#### 2. Design and Appearance

One of the reasons for refusal for the previous scheme was that the site was considered '*insufficient to accommodate the proposed development, resulting in the proposed dwelling (being) cramped in appearance and an over development of the site*'. It is the Planning Officer's opinion

that the revised scheme does not address this reason for refusal. When considering the appeal, the Planning Inspector confirmed that she was '*not persuaded that a detached two storey dwelling could be satisfactorily accommodated on the appeal site without harm to the living conditions of adjacent residents*'. However, the Inspector concludes that '*the existing area is characterised by predominantly detached dwellings in a variety of styles. I am satisfied that a dwelling could be designed which would complement the existing character of the area. Whilst the subdivision of the existing plot has not been shown, it is a large plot and I consider it is likely that adequate functional amenity space could be retained for the occupiers of no. 35*'. In light of the Inspector's decision, which is afforded weight as a material planning condition in the determination of this application, it seems that the principle of a dwelling on this site has been accepted. Whilst no detailed design principles have been submitted, the applicant has indicated that the footprint of the bungalow would be approximately 6 x 10 metres. As this would be a fairly modestly sized bungalow, it is considered that, having regard to the Inspector's decision, this would be acceptable within the site in terms of the impact of the building on the character and appearance of the area. 35 Albion Hill is itself located outside of the main pattern of development and it is, therefore, considered that the principle of the development would not be out of keeping with the pattern of the existing built environment.

The design of the bungalow will need to be the subject of careful consideration as a reserved matter, if outline planning permission is granted. However, some limitations such as the maximum size of the footprint may be imposed by the use of planning conditions on any outline consent. Having regard to the constraints of this site in terms of its size and the surrounding properties, it is considered that this should be the case.

### 3. Amenity for Occupiers of Proposed Dwelling

Subject to the proposed siting and size of the proposed dwelling and the division of the site at the reserved matters stage, it is considered that a dwelling on this site could achieve an adequate level of light and outlook and could have an acceptable level of private amenity space. With regard to 35 Albion Hill, subject to the siting of the bungalow a reasonable distance from this dwelling (which has its principal frontage facing towards the location of the proposed bungalow) a satisfactory level of outlook may be retained. Sufficient private amenity space would also be retained for this property. Accordingly, on balance and taking the Inspector's decision into consideration. It is considered that there would be an acceptable level of amenity.

### 4. Highways and Parking

The application site would be accessed by the existing access serving 33, 35 and 37 Albion Hill. The access is quite narrow and is located on a steep incline. Concern has been expressed by residents regarding the intensification of the use of this access road. However, it is considered that the proposed development is not of a size which is likely to generate considerably more vehicle movements than at present. Accordingly, it is not considered that the intensification of this existing access road would be detrimental to highway safety. Furthermore, when considering the appeal on this site, the Planning Inspector confirmed that she had considered third party concerns relating to highway safety and traffic generation but had not found those matters to be decisive in reaching her decision.

### 5. Drainage and Flooding

Concern has also been raised by local residents with regard to the capacity for the existing drainage system to accommodate the proposed dwelling. This matter was also raised by residents during the planning appeal and the Inspector also did not find this matter to be decisive in reaching her decision.

## **Conclusion**

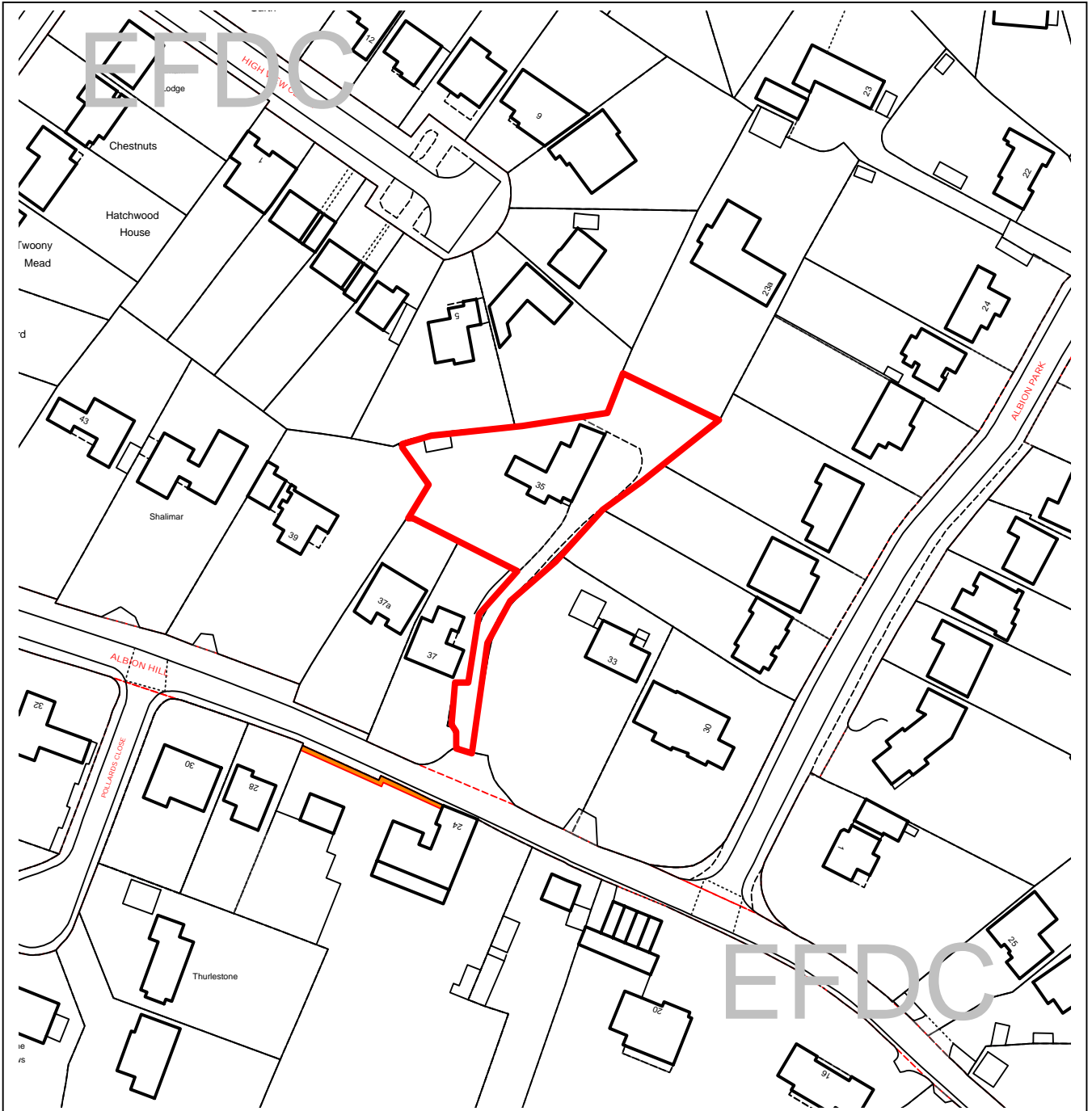
In light of the above appraisal and having regard to the Planning Inspector's decision on the previous scheme for this site, it is considered on balance that the proposed development would not give rise to a material loss of amenity to the occupiers of neighbouring dwellings and it is also considered on balance that the dwelling would not be detrimental to the character and appearance of the area. Whilst this conclusion is contrary to those drawn by the Planning Officer in relation to the previous scheme, it has been drawn by giving some considerable weight to the Planning Inspector's decision as a material planning consideration. Careful consideration has also been given to the representations made by third parties and whilst there is some sympathy with those opinions, it is the Planning Officer's balanced view that those representations do not present justification for the withholding of planning permission. Accordingly, it is recommended that the Committee grant outline planning permission for the proposed bungalow, subject to a number of planning conditions, some of which have been discussed in this report.





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0413/09
Site Name:	Adj, 35 Albion Hill, Loughton, IG10 4RD
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0456/09
<b>SITE ADDRESS:</b>	Adj, 118 Valley Hill Loughton Essex IG10 3AT
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Roding
<b>APPLICANT:</b>	Mr E Donnellan
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side extension for the construction of 2 no. one bedroom maisonettes and single storey rear extension to existing house. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to the commencement of the scheme hereby approved a scheme showing the location of 2 replacement trees for each tree to be removed during the works shall be submitted to the Local Planning Authority. These replacement trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, in conjunction with Essex County Council, shall be planted within a time period to be agreed by the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, 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.
- 4 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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

and in writing.

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

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

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

*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 extension for the construction of 2 one bedroom maisonettes and a single storey extension to the existing house (revised application).

**Description of Site:**

An end of terrace ex Council two storey house at the junction of Valley Hill and Greensted Road. There is a wide grass verge to the southern boundary of the site which is within the ownership of Essex County Council. There is hedge on the boundary and ten street trees about 3 – 5m in height. The rear of the site backs onto Whitebridge School. There are a number of different styles of semi detached and terraced houses in the immediate vicinity.

**Relevant History:**

EPF/0923/08 Two storey side extension to form two maisonettes                      withdrawn

**Policies Applied:**

CP1, 3, 6 & 7 Core Policies re sustainable development  
H1A, H2A, H3A, H4A Housing Provision  
DBE 1, 2 Design of new buildings  
DBE 11 Subdivision  
ST4 & 6 Highways & Parking  
DBE 6 Parking  
DBE 8 Amenity Space  
DBE 9 Amenity for neighbours  
LL10 Landscaping

## **Summary of Representations**

Site Notice Posted, 16 Neighbour letters sent out and the following responses were received:

TOWN COUNCIL – Object, contrary to polices DBE 10 (i), (ii) (a) & (b) and DBE 11 (i) & (iv) as it was out of character with neighbouring properties and would adversely affect the existing street scene. The loss of the grass verge in Greensted Road is also objected, moreover the Committee strongly objected to the removal of any trees as 6 of them will be removed, and only one is within the site boundary. Committee noted the 2 for 1 replacement tree offer, but was concerned where these would be located and sought a firm agreement that they should be replaced on a 2 for 1 basis if necessary. Members also suggested a cautious approach in case any birds are nesting at this time of year. Members asked for Chris Neilan to be consulted on this issue.

LOUGHTON RESIDENTS ASSOCIATION – Object, we note that some trees will be lost, but Officers do not consider them to be of great amenity value and there is the possibility of providing replacements. We therefore formally object to the application but are happy to withdraw the objection if approval includes a condition on replacing the trees.

9 SUTTON CLOSE – Object, there is nowhere near enough space on this property for two maisonettes as well as an extension to the existing house. Insufficient parking and will cause a hazard for road users, including users of the school.

## **Issues and Considerations:**

The main issues in this application are:

1. Context
2. Design
3. Sustainability
4. Neighbours Amenity
5. Landscaping
6. Highways Matters

It should be noted that the original scheme was withdrawn last year to allow issues regarding the removal of trees on the grass verge and car parking provision to be addressed by the applicant.

### **1. Building in Context**

- The plot is 12.5m wide and about 45m deep.
- The existing property is a two storey end of terrace house which is one of four properties in the terrace.
- The scheme will see a two storey side extension erected to the site boundary in Greensted Road, where there is a grass verge (which will remain) which is 3.5m wide and runs the whole depth of the site. The original house will remain as a single dwelling and the new extension will provide two one bedroom maisonettes.
- Parking for 3 cars will be provided at the bottom of the garden with an access into Greensted Road. A footpath to the rear garden will also be provided across the verge.
- The extension will replicate the existing front gable ended projections on the existing terrace and will extend 3m beyond the existing rear elevation. A single storey flat roofed extension would be erected on the rear elevation of the house.
- The ridgeline will be the same as the existing and the rear roof will be a flat roofed hip design, the flat roof section not being visible from street level.
- Although the scheme would be built to the boundary this would not adversely close down the street scene as the verge would remain and cannot be built on, as it is not within the applicant's ownership.
- This is a scheme which has been carefully designed to integrate with the existing terrace and would not be out of character with the street scene in this area.

- The Town Council has also raised the issue of the subdivision of the new dwelling. Whilst DBE 11 is not strictly applicable as this scheme is designed as maisonettes from the start, the issue is whether the two maisonettes would change the character of the area. In this case it is considered that there would be no harm caused by this use in this area, where there are numerous flats and maisonettes within the near vicinity. Indeed this scheme will have the advantage of increasing the diversity of housing stock in this residential area.
- Therefore it is clear that the proposed scheme would not harm the character and appearance of the street scene in this area.
- It is also the case that this site is classed as previously developed land in an urban area. The efficient reuse of such urban land is a national and local priority and this scheme complies with this priority.

## 2. Design

- The scheme has the appearance of a continuation of the terrace and would not be out of place in this diverse street scene.
- The front and rear projections are in keeping with the terrace and the flat roof of the rear extension, whilst not ideal, would not justify a refusal.
- The materials can be conditioned to be appropriate to the area.

## 3. Sustainability & Urban Development

- This is previously developed land. In both Policies CP6, CP7 and PPG3 priority is given to the reuse of previously developed land in urban areas, but this should not be at the expense of the quality of the local environment and unsympathetic change.
- It is considered that this is a good quality and sympathetic scheme.

## 4. Amenity & Impact on Neighbours

- The main neighbours that would be affected are No 116 and 120 Valley Hill.
- There will be no loss of visual amenity to either property and there will be no significant loss of light or sunlight.
- There will be no overlooking of No 116. The side elevation of No 120 will have some overlooking, but this will be across a road and is already overlooked by users of the road and footpath. Therefore it is considered that no adverse impact will result from this scheme.
- The amount of amenity space provided is 130m<sup>2</sup>, which is over the required 120m<sup>2</sup>.

## 5. Landscaping

- The scheme would see the removal of three street trees to allow the side extension to be erected (T1, T2, & T3) and two further trees for the driveway access (T8 and T10).
- The Landscape Officer has commented that "The existing hedge on the boundary with Greensted Road is old and in poor condition, including some dead trees. The proposed boundary treatment of hedging on both sides of the proposed fence will assist in maintaining a green feel to the area".
- Essex County Council has commented that "the trees in question are of limited value due to their form and condition. If 2 for 1 replacement planting could be secured and the planting could be located in the immediate vicinity the result would be of benefit to the street scene".
- Therefore it is considered that the removal of the trees would not harm the area if replacement trees could be provided. This replacement can be subject to condition and would result in more trees being planted on the verge and a significant greening of the area.

## 6. Highways

- The scheme will provide 3 parking spaces accessed from Greensted Road, set back over 30m from the junction. This is acceptable, especially as the property is within easy walking distance of excellent and sustainable public transport links. It is therefore unlikely that this scheme will contribute to further on-street parking in the area and it will not have any adverse impact on highway safety.

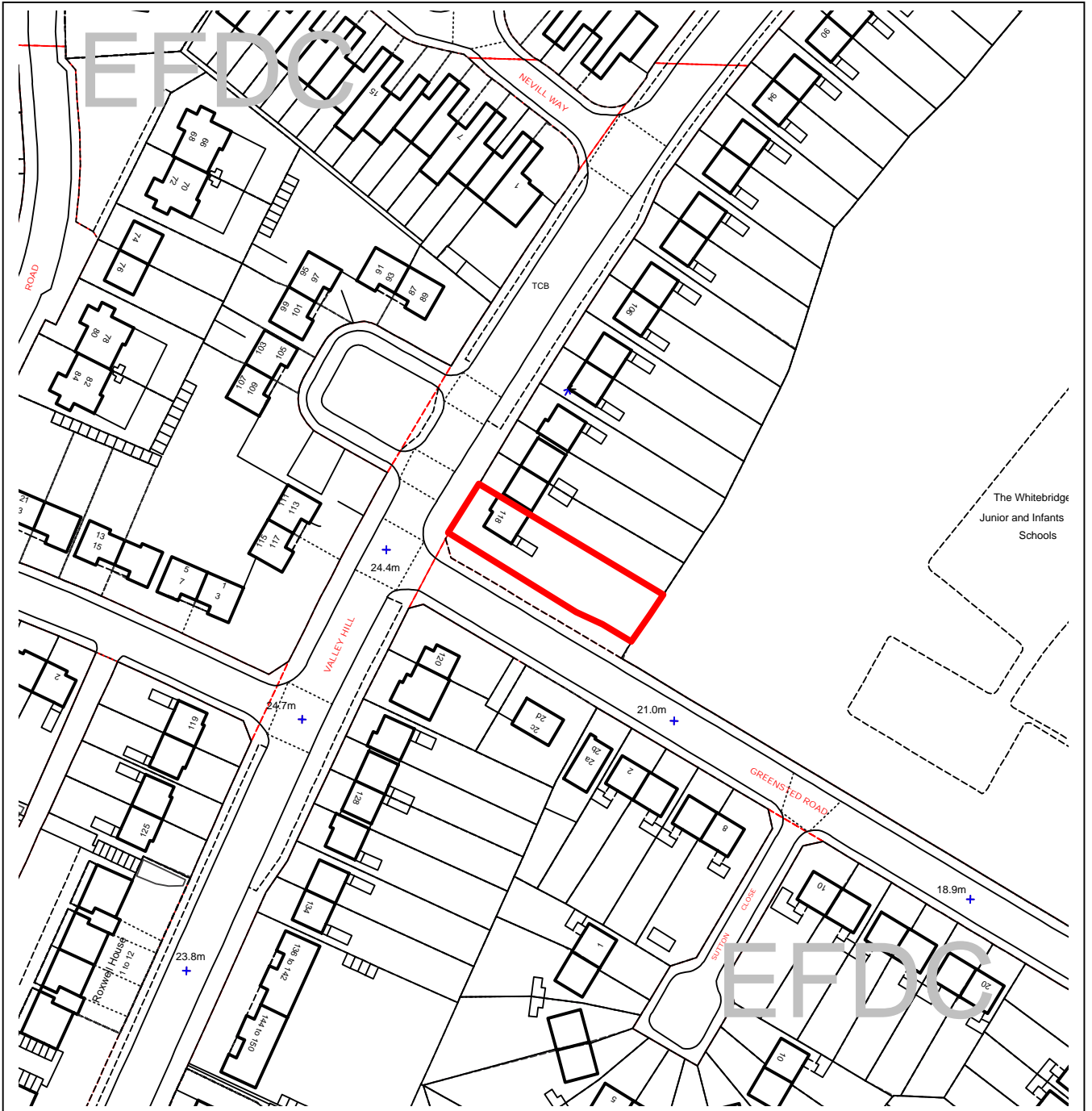
## **Conclusion**

This is a significant scheme, but the proposed dwellings can be comfortably accommodated on this plot without causing significant harm to either the street scene or the neighbours. No harm is caused to highway safety and the parking provision is adequate. The loss of street trees can be offset by replacement planting. The recommendation is therefore for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/0456/09
Site Name:	Adj, 118 Valley Hill, Loughton, IG10 3AT
Scale of Plot:	1/1250