

Report Item No: 1

APPLICATION No:	EPF/0651/09
SITE ADDRESS:	1-16 Ibrox Court Palmerston Road Buckhurst Hill Essex IG9 5LN
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr S Davut
DESCRIPTION OF PROPOSAL:	TPO/EPF/13/88 G1. Sycamore, Horse Chestnut, Lime, Maple, London Planes x3. Reduce to 8-9 metre pollards. G2. Ash (assorted saplings). Fell to ground level. G12. Sycamore x2. Fell to ground level. T13. Norway maple. Fell to ground level. G15. Limes x3. Reduce to 8-9 metre pollards. T18. Sycamore. Crown reduce by 30%
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee since it is an application to fell preserved trees and is recommended for approval (Pursuant to Section P4, (3) of the Council's Delegated Functions)

Description of Proposal:

G1. Sycamore, Horse Chestnut, Lime, Maple, London Planes x3. Reduce to 8-9 metre pollards.

G2. Ash (assorted saplings). Fell to ground level.

G12. Sycamore x2. Fell to ground level.

T13. Norway maple. Fell to ground level.

G15. Limes x3. Reduce to 8-9 metre pollards.

T18. Sycamore. Crown reduce by 30%

Description of Site:

This woodland group stands at the front boundary of this residential site. The previously pollarded line of trees flank the entrance, which leads to the inner communal grassed space in front of the three flat blocks. This grass sward is screened by several mature trees growing at the opening of the driveway into the site. The front lines of trees form a tall screen to these properties from views obtained on Palmerston Road.

Relevant History:

TRE/1522/97 permitted Ash and Sycamore pruning to be undertaken

TRE/0741/01 granted consent for a lime tree to be felled.

TRE/1416/07 permission granted for 305b crown reduction on several trees.

There is documented analysis of trees included in these groups in relation to structural damage occurring to the flat blocks, which recommended works to be undertaken on numerous trees and one lime in particular, as listed above.

Relevant Policies:

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

SUMMARY OF REPRESENTATIONS

No neighbours were consulted.

BUCKHURST HILL PARISH COUNCIL made no objection provided work is undertaken under EFDC Arborist supervision. Query over the necessity of the proposed felling of G2/G12 and T13. No direct response has been made to this query.

Issues and Considerations:

Introduction

The application is made on the basis that the trees under consideration for felling are either young, self-seeded specimens or trees with uneven and drawn up, structurally compromised and/or declining crowns. It is submitted that the trees may be contributing to ongoing damage occurring to the block containing flats 1-6. The removal of the self-set and poorly formed trees is proposed as a preventative measure due to proximity to the buildings and for safety reasons.

The issue, therefore, is whether or not the removal of these trees is justified and necessary due to safety issues and inappropriate location.

The pruning specification addresses the need for ongoing maintenance and a preventative measure to manage the water demand allegedly linked to the recurring subsidence problem occurring to block 1-6.

Considerations

i) Tree condition and growth potential.

a) The trees in G2 appear to be an assortment of mainly ash with some maple saplings forming a young regenerating copse between the formally planted mature roadside group G1. All trees here are very vigorous and have great growth potential to become large and imposing trees.

b) G12 consists of two sycamores, heavily infested with ivy and leaning towards the road. Dieback is visible in the top of the crown of one of the trees. Similar to G2, these trees are self sown and have been allowed to grow unchecked for many years. They have the potential to cause problems structurally to the roadside wall and there is a threat of collapse in the case of the declining specimen. The dieback evident in the upper crown predicts a foreshortened lifespan for this tree.

c) Conversely, T13 Norway maple has potential for significant further growth, which will expose a narrow and possibly weak fork at the base of the tree as it grows to maturity. This raises concerns over safety and the potential to cause structural damage to the flat block 7 metres remote.

ii) Amenity value

- a) The trees making up G2 are entirely screened from public view and would not be noticed if removed.
- b) G12 and T13 are in public view but the quantity of ivy and other undergrowth undermines their individual amenity values. The presence of deadwood with the unkempt undergrowth further diminishes the amenity benefits provided by this group of naturally occurring trees. Amenity value is considered moderate.

iii) Replacement trees

Loss of screening at this western end of the site will be detrimental to the group effect but may be mitigated by appropriate replanting of hedge species.

iv) Pruning specification for G1 and G15.

Discussion with the applicant's agent has resulted in an agreed degree of pruning necessary to the trees within G1 and G15.

Historic pollarding at around 3.5 metres has promoted full crown regeneration to approximately 15 metres due to a lapse in pollard management, which is necessary on a cyclical basis. More recent light pruning has reduced trees by about 30% and this has now regrown to a full and somewhat top heavy upper crown founded on long pollard stems.

Being mindful of the root analysis evidence linked to the current structural damage provided in the arborist's report, it is reasonable to allow a significant level of reduction without threatening the trees' long term health and appearance. Therefore a prescribed 8-9 metre height limit has been deemed the maximum tolerable by the various species with provision to make a further reduction in a staged process in years to come.

Conclusion

The trees in G2 are insignificant specimens within an area of preserved trees and likely to prove problematic as they continue to grow close to the flat block.

Assessed individually the trees within G12 and T13 would not merit preservation and there is a matter of public safety in the case of G12 requiring that these trees should be removed. T13 has physical problems and may contribute to structural damage of the nearest building.

The proposal seeks to retain the important trees at a contained size and remove only the weaker and less visible individuals to address the primary concern of ongoing structural damage. It is recommended to grant this application on the grounds that the low quality of G12 and T13, added to the safety issues posed by declining and ivy clad trees leaning over the road, justify the removal of the trees. It is also recommended to allow G2 to be removed on the grounds that it is of no visual significance. The proposal therefore accords with Local Plan Landscape Policy LL9.

It is recommended that, in the event of members granting permission to fell these trees, a condition be attached to the decision notice requiring the replanting of agreed suitable replacements at agreed locations on the site.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/0651/09
Site Name:	1-16 Ibrox Court, Palmerston Road Buckhurst Hill, IG9 5LN
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0850/09
SITE ADDRESS:	10 Parklands Chigwell Essex IG7 6LW
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr & Mrs Chima
DESCRIPTION OF PROPOSAL:	Amendment to replacement dwelling on EPF/0230/05 to include first floor side and rear extension, single storey rear extension with balcony, enclosure of existing porch with glass. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The proposed window openings on the rear elevation of the first floor extension hereby approved 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.
- 3 Materials to be used for the external finishes of the proposed extensions, shall match those of the existing building.
- 4 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 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, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 No tree, shrub, or hedge on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

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

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 7 Within three months of the date of this decision notice a plan indicating the existing hedge or hedges, the minimum heights at which they will be maintained and appropriate trees within the hedge or hedges which shall be retained and allowed to grow on, shall be submitted to and approved by the Local Planning Authority. The plan shall also show where the hedgerows are to be reinforced with further planting, details of which shall be indicated in a timetable of implementation. The hedge will thereafter be maintained in accordance with the approved details.
- 8 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by 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 a revised application for amendments to an approved replacement dwelling (EPF/0230/05). This would include an extension at first floor on the south western corner of the building, alterations to the rear elevation with a balcony at first floor, and the creation of an enclosed porch on the front elevation.

Description of Site:

The building is currently under construction with the benefit of the 2005 approval. The area is characterised by large detached properties set in spacious grounds, which vary in style. The site is well screened at the rear with a high hedge on either side and a rear boundary of mature trees. The ground falls from front to rear and borders the gardens of properties of Courtland Drive at the rear boundary.

Relevant History

There is a significant history to the site the most relevant and recent being;

EPF/1984/04 - Erection of replacement dwelling. Refuse permission - 10/12/2004.

EPF/0230/05 - Erection of replacement dwelling. (Revised application). Grant Permission (with conditions) - 15/06/2005.

EPF/2305/06 - Extension to basement under front garden. (Amendment to planning approval EPF/230/05).

EPF/0199/09 - Discharge of condition 3 'materials' on EPF/230/05. Condition(s) Discharged - 02/04/2009.

EPF/0392/09 - Replacement house including first floor side and rear extension, single storey rear with balcony, single storey front extension. Refuse Permission - 23/04/2009.

Policies Applied:

Policy DBE1 – Design of New Buildings

Policy DBE10 – Effect on Neighbouring Properties

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: No objection.

8 properties were consulted and the following responses were received:

12 PARKLANDS: Objection. Loss of visual amenity and feeling of being boxed in. Extra bulk would overshadow objector's property causing a loss of light and outlook. Windows in extension would cause overlooking. Balcony would result in overlooking. Overdevelopment of the site which would cause loss of light to the roadway. Roof seems to be higher.

11 PARKLANDS: Objection. Properties opposite will look like a terrace. Problems with drainage caused by underground springs and the creation of an approved basement. Change in the roof would make the house bigger.

8 PARKLANDS: Objection. Balcony would lead to overlooking and also loss of light to patio area. The inclusion of site screens would have no impact due to the trajectory from height. Development of site is causing flooding.

38 COURTLAND DRIVE: Objection. The balcony would lead to overlooking, this would be exacerbated by the removal of a Willow Tree which would also lead to water pooling on the patio. House would be bulky and out of scale.

40 COURTLAND DRIVE: The balcony would lead to overlooking, this would be exacerbated by the removal of a Willow Tree which would also lead to water pooling on the patio. Applicant is trying to reinstate elements from a previous refusal.

Issues and Considerations:

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

Impact on Appearance of Area

Policy DBE1 states that new buildings should respect their setting in relation to such things as scale, proportion, siting and massing.

The proposal relates to amendments to an approved scheme (EPF/0230/05). A previous application for amendments was recently refused (EPF/0392/09). A number of objectors relate that the proposed additions would result in a bulk that was out of scale and not in keeping with the existing streetscene. However the area is characterised by large houses of individual character with other examples of large properties apparent in the vicinity. The additions at first floor are located to the rear of the dwelling and would not adopt a prominence that would significantly impact on the existing streetscene. The proposal retains a gap of 2.0m to the boundary which would guard against a terracing effect. The neighbouring property has been extended to the side over one storey which should also help maintain an adequate visual break. The alterations to the front porch would have no discernable impact on the appearance of the area and the balcony is a feature evident in the area and would have no impact.

Impact on Neighbours Amenity

Policy DBE2 requires that residential development will have no detrimental impact upon existing neighbouring properties.

The previous refusal (EPF/0392/09) cited the impact that the rear balcony would have as being unacceptable. This application has indicated the inclusion of opaque sight screens on either side. It is considered that this, coupled with the proposed depth of the balcony, would address any concerns of overlooking. Overlooking of the adjacent properties would now be no greater than from proposed first floor windows. The boundary with gardens in Courtland Drive is well screened for protection and the distance would alleviate any serious concerns of overlooking. A number of new windows are proposed in the extended first floor. However one is adjacent to the large garage area of the neighbouring property and the access way to the rear garden of the dwelling and would have no significant impact and it is considered that the two windows created on the rear sections of the first floor extension can reasonably be conditioned as obscure glazed.

The second reason for refusal on the previous application was in relation to the first floor extension resulting in a dominant feature. This was particularly when viewed from the patio of the neighbouring property. This application has removed a 2.0 x 1.0 metre corner section of the extension at first floor, which will also set the roof line back. It is considered that this would reduce impact when viewed from the neighbouring property. The rear section of the first floor extension would be set back an adequate distance from the boundary and the side extension would be partly shielded by the existing garage structure. Distances to rear windows and the useable area of the patio would be acceptable. It is not considered that overshadowing would be greatly increased. The rear garden of the neighbouring property benefits from being quite large and on balance the additions at No10 would not result in a material loss of amenity.

Other Matters

A number of objectors state concerns about flooding in the area. However consultation with the Land Drainage Department has reported no issues with the proposed work and they have indicated no objection.

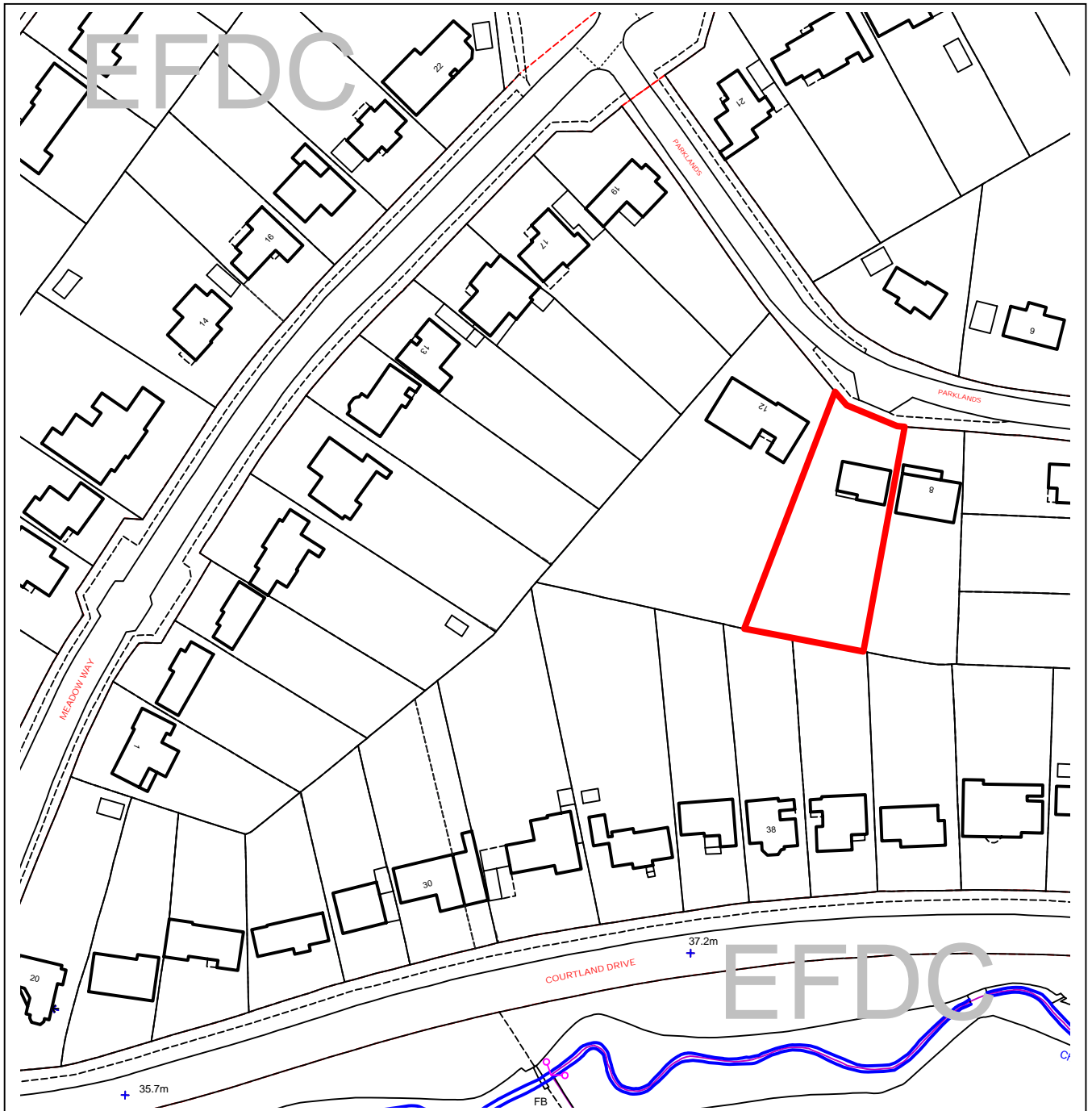
Conclusion:

The immediate area around the proposal site is characterised by large detached properties which are diverse in style. It is considered that the revised application pays closer attention to the amenity of neighbouring properties, with the inclusion of sight screens on the balcony and a reduction in the bulk of the first floor extension. Having regard to these changes it is recommended that the application should be approved, subject to appropriate conditions.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/0850/09
Site Name:	10 Parklands, Chigwell, IG7 6LW
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0926/09
SITE ADDRESS:	9 New Forest Lane Chigwell Essex IG7 5QN
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Malhofra
DESCRIPTION OF PROPOSAL:	Two storey rear and single storey front extensions and loft conversion including roof alterations, rear and front dormer windows.
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 extension, shall match those of the existing building.
- 3 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.

- 4 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank 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.

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 to revise planning permission for the development that was approved in December 2007 (EPF/2363/07) which proposed the erection of a two storey rear extension, the ground floor would project 3.4m from the existing rear wall, with the first above. A front extension is proposed, largely single storey, but with a small first floor element. Further to the 2007 approval, this current planning application also proposed to increase the width of the ground floor rear extension so that it would span the full width of the dwelling and also dormers to the front and rear roof slopes.

Description of Site:

A detached house, considerably extended, on the west side of New Forest Lane, almost opposite its junction with Stradbroke Drive. There is a protected Hornbeam tree in the rear garden.

Relevant History:

EPF/1180/76 – single storey side extension – approved

EPF/0116/95 – two storey extensions to front, sides and rear plus single storey extension at rear – approved

EPF/1858/07 – Two storey rear and single storey front extension – refused – appeal dismissed

EPF/2363/07 – Two storey rear and single storey front extension (revised application) – Approved

Policies Applied:

East of England Plan

ENV7 – Quality in the Built Environment

Adopted Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Neighbouring Amenity

DBE10 – Residential Extensions

LL8 – Development affecting a Protected Tree

Summary of Representations:

CHIGWELL PARISH COUNCIL. Objection. The Council OBJECTS to this application on the grounds that the proposed development is overpowering and out of proportion. The Council is also concerned about the loss of light to neighbouring properties and the impact it will have on local amenities.

7 properties were consulted and the following responses were received:

11 NEW FOREST LANE. Objection. The proposed extension would be detrimental to the visual amenity of no. 11 and out of keeping with other houses in the road. The ground floor rear extension was set back following a previous plan and is now again extending the full width of no.

9. The new plans proposed will significantly overshadow no.11 (and no.7) obscuring light to the summerhouse, kitchen and patio. The upper floor extension will also block light to the garden of no.11. There would also be significant overlooking from the Juliet balcony and the dormer windows in the new plan.

12 NEW FOREST LANE. Comment. Happy for any plan subject to front dormers not overlooking our property. When we applied we were told that we could have side and rear dormers only so please be consistent and fair with the ruling. Consider sightlines into our property.

Issues and Considerations:

The main issues in this case are the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area. Regard will be had to recent decisions on this site, including the appeal decision.

Neighbouring Amenity

The occupier of 11 New Forest Lane has objected to the planning application on the grounds of a loss of amenity. Some of the concerns raised relate to the development which has already been approved, in particular the first floor rear extensions. As the approval remains capable of implementation it is not considered that these concerns would justify the withholding of planning permission. However, concerns are also raised regarding the increased width of the ground floor extension and the proposed dormer window and Juliet balcony. With regard to the rear extensions, its rear elevation would extend beyond no.11 by approximately 7 metres and beyond no. 7 by 6 metres. Whilst this is a considerable distance, the extensions would retain a gap of approximately one metre to the site boundaries. Bearing this in mind and the height of the proposed ground floor extension (approximately 3 metres to eaves) it is not considered that any harm would be material.

With regard to the matter of overlooking, the replacement of a rear window with a set of French doors and the addition of a Juliet balcony is a minor change to the approved scheme and as such it is not considered that further planning permission is required for this element of the scheme. Notwithstanding this, due to the location of this window towards the centre of the dwelling, it is not considered that any significant overlooking of neighbouring gardens would arise.

Turning to the proposed rear dormer, whilst this was not present on the approved drawings, it was shown on the application that was previously refused by the Council and dismissed by the Planning Inspectorate. During the site visit for that appeal, the Inspector entered the application dwelling and looked out of the existing first floor rear windows, in order to assist with an assessment of the impact of the proposed dormer on the privacy of neighbouring gardens. In the appeal decision the Inspector refers to neighbour concerns that upper floor windows including the rear dormer would create overlooking, but concludes that "the Council has not refused planning permission for this reason. I see no reason to come to a different conclusion. Within urban areas such as this there will inevitably be a degree of overlooking between neighbouring properties. I am not convinced the proposal would unacceptably erode the privacy of adjacent residents". Having regard to the appeal decision, which related to a dormer of the same size proposed in this current application, it is not considered that there would be any material loss of privacy.

It is considered that there would be no material loss of privacy arising from the front dormers, bearing in mind their size, the separation from neighbouring dwellings and existing first floor windows in the property.

Design and Appearance

With regard to the approved scheme, it was considered that the extensions were of a design that would match and complement the existing building with matching materials and pitched roofs. The front extension would balance with a similar projection on the southern corner of the house and will not appear obtrusive in the street scene. It is considered that the changes to the approved scheme are also visually acceptable. The proposed dormer windows in the front and rear roof slopes are well proportioned and positioned within the roof slopes. Accordingly, it is not considered that there would be any harm to the character and appearance of the street scene arising from this proposed development.

Protected Tree

There is a protected Hornbeam tree in the rear garden of the application property. The Council's tree officer considers that there is sufficient distance separating the tree from the proposed development to avoid any harm. Notwithstanding this, it is recommended that a condition be attached requiring the tree to be protected during construction to avoid any harm.

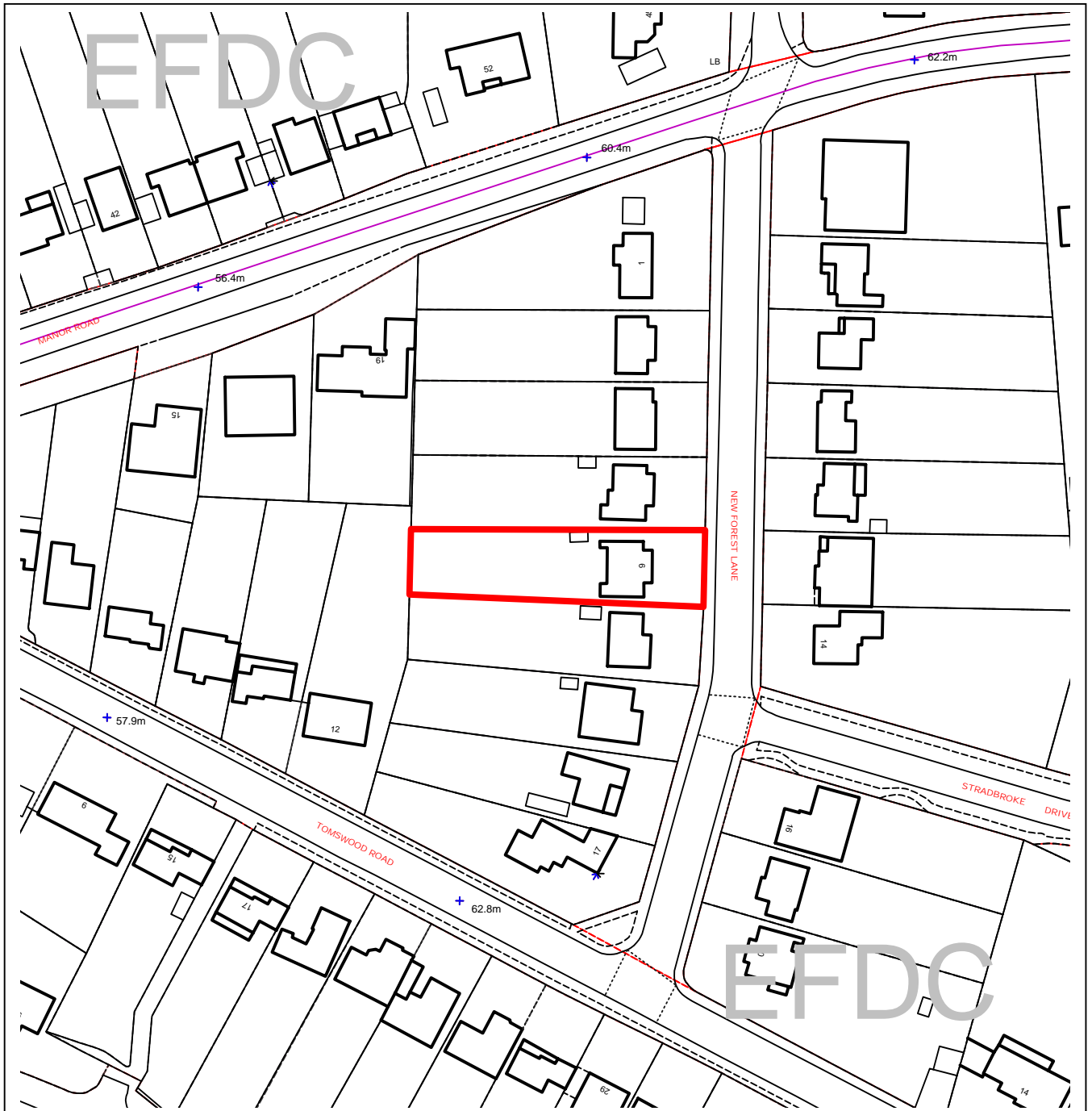
Conclusion

In light of the above appraisal, it is considered that the changes to the approved scheme would not give rise to any material loss of amenity to the occupiers of neighbouring dwellings or to the character and appearance of the area. Subject to the use of the planning condition discussed, it is not considered that there would be any harm to the protected tree. Accordingly, it is recommended that planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/0926/09
Site Name:	9 New Forest Lane, Chigwell, IG7 5QN
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1023/09
SITE ADDRESS:	32 Queens Road Buckhurst Hill Essex IG9 5BY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr B.K Patel
DESCRIPTION OF PROPOSAL:	Demolition of existing building and redevelopment to provide ground floor retail and 2 storeys of residential. (Revised application).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.
- 4 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Proposal:

This application seeks planning permission for the demolition of the existing building and its replacement with a three storey building comprising retail on the ground floor and residential above. The development would have a similar appearance to the works currently under construction at the adjoining property 30 Queens Road, approved in 2006.

Description of Site:

The application site comprises a two storey building which forms part of a terrace in the southern end of Queens Road. The adjoining building, 30A Queens Road is currently being extended and has a Mansard roof added to provide second floor accommodation. Properties beyond 30A are three storeys in height with additional accommodation in the roof space. They are included in the Council's local list. There is limited short stay parking in Queens Road, which is a one way street. To the rear of the building is a yard area in which there is a long, flat-roofed outbuilding. The ground floor of the premises is a vacant retail unit.

Relevant History:

Relevant application on adjoining site, 30A Queens Road:

EPF/1732/06. Rear extension to ground and first floors, additional second floor formation of 2 self-contained flats. (Revised application). Approved 01/11/06.

Relevant application on proposal site, 32 Queens Road:

EPF/0572/09. Demolition of existing building and redevelopment to provide ground floor retail and 2 storeys of residential. Refused 15/05/09. Refused for the following reasons:

1. The plans do not accurately represent the building works that are being undertaken at the adjoining building, 30A Queens Road. As a result the visual impact of the proposed development cannot be accurately assessed in relation to this neighbouring building, therefore it will be contrary to Policy DBE1 of the Adopted Local Plan and Alterations.
2. The front elevation of the proposed building, due to the use of glass and render and the detailing of the proposed front parapet wall, would have a contemporary appearance that would be out of keeping with the character and appearance of the existing terrace and the wider street scene, contrary to policies DBE1 and DBE12 of the adopted Local Plan and Alterations.
3. The future occupiers of the proposed dwelling identified as "Flat B" on the submitted plans would have an unsatisfactory level of natural light and outlook to the main living space, resulting in an unacceptable level of amenity and would therefore be contrary to Policy CP4 of the Adopted Local Plan and Alterations.

Policies Applied:

East of England Plan

ENV7 – Quality in the Built Environment

Adopted Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 – Impact of New Buildings
DBE8 – Private Amenity Space
ST4 – Road Safety
ST6 – Vehicle Parking

Summary of Representations:

9 properties were consulted and the following responses were received:

34 QUEENS ROAD. Objection. These are terraced properties. These are old Victorian buildings, the demolition would have consequences both in the structure of our property and disruption to the business and stress. The dust caused by the demolition would ruin our stock. Please maintain the unique, Victorian appearance of Queens Road for generations to come.

36 QUEENS ROAD. Objection. This is a terraced property of great historical interest and should be listed not demolished. The dirt, dust and disruption to businesses in Queens Road whilst the property is demolished is unacceptable. We are recovering from the renovation of no. 30 as the builders had 2 parking spaces sealed off and had to close the road to accommodate deliveries of materials. Parking in Queens Road is a constant problem. The plans do not fit in with the terrace and where will the extra cars be parked belonging to the flat dwellers?

BUCKHURST HILL HISTORICAL SOCIETY. Objection. The building is of great historical interest to Buckhurst Hill and its demolition would be a great loss to the appearance of Queens Road. Gross inconvenience of traffic to residents and business establishments.

EPPING FOREST CHAMBER OF COMMERCE. Objection. Reiterate their previous objections and advise that they intend to submit a petition the day before the Committee meeting. A petition submitted in respect of the previous application on this site was signed by 88 members of the public, and stated 'We are concerned about the loss of a feature shop front and a building which is part of a historic terrace. We also have concerns about the blockage of Queens Road for long periods by building/demolition vehicles, loss of parking space (for skips) and dust affecting both nearby traders and shoppers'.

This report has been prepared in advance of the deadline for representations to be received from consultees. Accordingly, any responses received in the interim will be verbally reported to the Planning Committee.

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 properties;
2. the impact of the proposed development on the character and appearance of the area;
3. the level of amenity for the occupiers of the proposed flats; and
4. parking and highways issues.

Neighbouring Properties

The proposed additions to the existing building are similar to those currently being undertaken at the adjoining property 30a, which are substantially complete. The first and second floor layouts proposed would almost be a mirrored image of those at 30. Accordingly, whilst the long rear projection at first floor level would be likely to cause a considerable loss of light to the first floor bedroom in the rear of the main part of 30, it is considered that this would not be a valid reason to

refuse planning permission, on the basis that the situation would be so similar to the existing section at 30, which affects the bedroom of 32 in a similar manner.

There are three windows in the side elevation of no. 30 at first floor level facing towards the proposed development site. All three of these windows would receive reduced natural light as a result of the proposed development. The two closest to the main part of the building would serve non-habitable kitchens and accordingly any loss of light would not be material. The third window would be the only window serving a bedroom. This window would be located approximately 4 metres from the side of the proposed extension and also 4 metres from the rear end of the extension. Whilst there would be very restricted light and outlook from this window, having regard to its proximity to the boundary and its reliance on a view over land within a different ownership, it is not considered that it would be reasonable to refuse planning permission for this reason. The distance between the window and the flank and the proximity to the end of the extension would allow for some light and outlook and under the circumstance outlined above it is considered that this would be satisfactory. Notwithstanding this, due to the small distance between the two extensions it is considered that any windows in the extension to no 32 in the region opposite the bedroom window of no. 30 would be unacceptable. Such windows are not proposed.

There may be residential occupiers in the upper floors of buildings to the north of the application site. However, these are located further from the proposed development and, again, it is not considered that any reduction in amenity would be material.

Several occupants of neighbouring premises have raised objections on the grounds that there would be disruption to business during the demolition of the existing building and the construction of the building proposed. Due to the nature of the property which is terraced and having regard to the limited space around the site there is considerable sympathy with these objections. However, such disruption does not constitute a material planning consideration and would not, therefore, present a valid reason for refusal.

Design

The building would, generally, follow the roof design of the recently constructed additions to 30 Queens Road and as such it is considered that there would be an enhancement of the terrace. The detailing of the design would be fairly basic, and the applicant has attempted to secure a more contemporary design to the front elevation. This has been toned down following the refusal of the previous application. Whilst there remain elements of minor detail which the Planning Officer considers would enhance the scheme further, notably the reinstatement of the flat arches above the first floor windows and the continuation of the detailing of the parapet wall to no. 30 across the application site, it is considered on balance that these are minor elements of the design which would not justify the refusal of planning permission, particularly as the application site does not lie within a designated conservation area and is not included in the Council's local list.

Amenity for Future Occupiers

As stated above, it is not considered that the insertion of additional side windows in the rear part of the first floor (serving 'Flat B') would be acceptable as it would be materially harmful to the occupiers of the neighbouring flat at no. 30a. The applicant has revised the layout of the flat, creating an open plan living/bed area which would receive light from French doors in the rear. Further light would be received from a roof light. Whilst the natural light to this room would not be considerable, it is considered that it would be satisfactory. There is no provision for private amenity space for the residential units. However, having regard to the location and the size of the flats (2 x 1 bed and 1 x studio) this is considered to be acceptable.

Parking and Highways

This application does not propose any off-street parking. The increased use of the site to provide two additional flats would generate additional demand for parking. However, having regard to the central location of the application site and the proximity to the Underground station, it is not considered that it would be reasonable to require the provision of additional parking.

There have been objections relating to the proposed demolition and construction, in particular to harm that this may cause to traffic movements and the potential for parking spaces to be temporarily lost to deliveries and storage of materials etc. Whilst there is also sympathy with this predicament as it is noted that access and parking in Queens Road is difficult, it is not considered that this matter would carry sufficient weight to justify the refusal of planning permission in this instance.

Conclusion

In light of the above appraisal, it is considered that this revised scheme addresses the concerns raised with regard to the previous application. There would be no material harm to the occupiers of neighbouring residential properties and, on balance, it is considered that the development would have an acceptable appearance. There is considerable sympathy with other concerns which have been raised by neighbouring businesses regarding the likely disruption during the demolition of the existing building. However, it is not considered that this would justify the refusal of planning permission. Accordingly, it is recommended that planning permission be granted with conditions.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/1023/09
Site Name:	32 Queens Road, Buckhurst Hill IG9 5BY
Scale of Plot:	1/1250