

Report Item No: 1

APPLICATION No:	EPF/1215/09
SITE ADDRESS:	Land adj 3 Brook Rise Chigwell Essex IG7 6AP
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Chigwell Construction (London) Ltd
DESCRIPTION OF PROPOSAL:	Retention of front dividing wall and vehicle gate at land adjacent to 3 Brook Rise previously approved under reference EPF/1015/06
RECOMMENDED DECISION:	Grant Permission (With Conditions)

This item was withdrawn from the last agenda of this Committee, prior to the meeting, in order to report Chigwell Parish Council comments on a first amended plan, which have now been received and included in the report below.

It should be noted that this amended plan was found to still be inaccurate in the shown dimensions of wall heights and a further amended plan showing the correct height of the walls and detailing of the gates has now been received.

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

Description of proposal:

Retention of front dividing wall and vehicle gates at land adjacent to 3 Brook Rise approved under EPF/1015/06

Description of Site:

A triangular area of land to the immediate east of No3 Brook Rise. It previously formed part of the rear garden of 28 Chigwell Rise, and follows the curve of Brook Rise as it changes orientation from east-west to north-south and joins Brook Way. There are a number of preserved trees on the site. The site slopes down to the south. The two detached dwellings were allowed at Appeal, have been recently erected and are for sale.

Relevant History:

EPF/1990/05 Erection of 2 four bedroom houses and double garages withdrawn
EPF/1015/06 Erection of 2 four bedroom houses and double garages refused
Appeal allowed

Policies Applied:

DBE 1 New buildings
DBE 2 Effect on neighbouring properties
DBE 9 Loss of amenity
ST4 and 6 Traffic Criteria
LL10 Protected trees

Summary of Representations:

7 properties were consulted and the following responses were received:

PARISH COUNCIL – object on the grounds that it is of poor design and of excessive height.

28 CHIGWELL RISE – comments that the landscaping scheme to the rear of the site has not been implemented (this has been passed to the Planning Enforcement Team for investigation).

Issues and Considerations:

The main issues in this application are:

1. Effect on the street scene
2. Residential amenity
3. Access and car parking.
4. The protected trees

The scheme is retrospective as the works have already been carried out. Whilst this is to be regretted the scheme must be judged on its own merits.

An Officer's site inspection revealed discrepancies with the original plan and the applicant has been asked to provide an accurate plan to match what has been erected at the front of the site which after two attempts has now been provided.

Street Scene and Design

- The original scheme had one access serving both properties with this access leading to a communal garage block. No details were shown of the front boundary treatment in terms of walls or fencing, which was left to be dealt with under the conditions for the scheme.
- The scheme as implemented differs from the approved plans at the front of the site by having two separate access and driveways, with a 1.8m dividing wall/railings between the two properties. Each property has electronic gates which are set back from the footway. The gates are 2.5m at their highest point. The front brick pillars are some 1.9m high and the walls, depending on the fall of the land on the site, around 1m high with railings on top.
- The dividing wall between the two properties is of a similar height of 1.9m with pillars and railings on a low brick wall.
- The garage is now for the sole use of the second property on the site. This is not perhaps ideal for the other property, but there is sufficient parking space for several cars on its driveway. This form of parking is common within this area and would not justify a refusal.
- Officers are disappointed that this scheme has been implemented without permission, but nevertheless consider that the scheme is not out of keeping within this section of the street scene, and indeed, due to its corner location and the retention of the trees and inclusion of planting areas, which soften the scheme, integrates well within the area.
- The use of railings and metal gates allow views into and out of the site, and the use of the low walls combined with the change in levels across the site to the actual houses means that the new boundary treatment is not obtrusive or overbearing.

- Therefore it is considered that the scheme has no adverse impact on the character and appearance of the street scene and is of an acceptable design.

Residential Amenity

- The scheme does not cause any harm to the amenities of any of the neighbours, and is not visually overbearing.

Parking & Highways

- The Highway Authority raises no objection to the new access.
- Both gates are set back a minimum of 4.8m from the edge of the carriageway, and meet the current highway standards for the setback.

Landscaping and Trees

- The scheme directly affects a number of trees on the site.
- This has been investigated by the Council's Landscape Officer who has commented "This is a retrospective application. The trees at the entrance to these properties are protected by a Tree Preservation Order. The work has been undertaken without any reference to the Tree and Landscape Team, as such, we cannot make any comment on whether the trees have been damaged as a result of this work. Had the application been submitted prior to the work being undertaken, a tree survey and implications statement would have been required to demonstrate that the work could be undertaken without damage to the trees....it is probable that more damage would be incurred to the protected trees if this wall were to be removed."

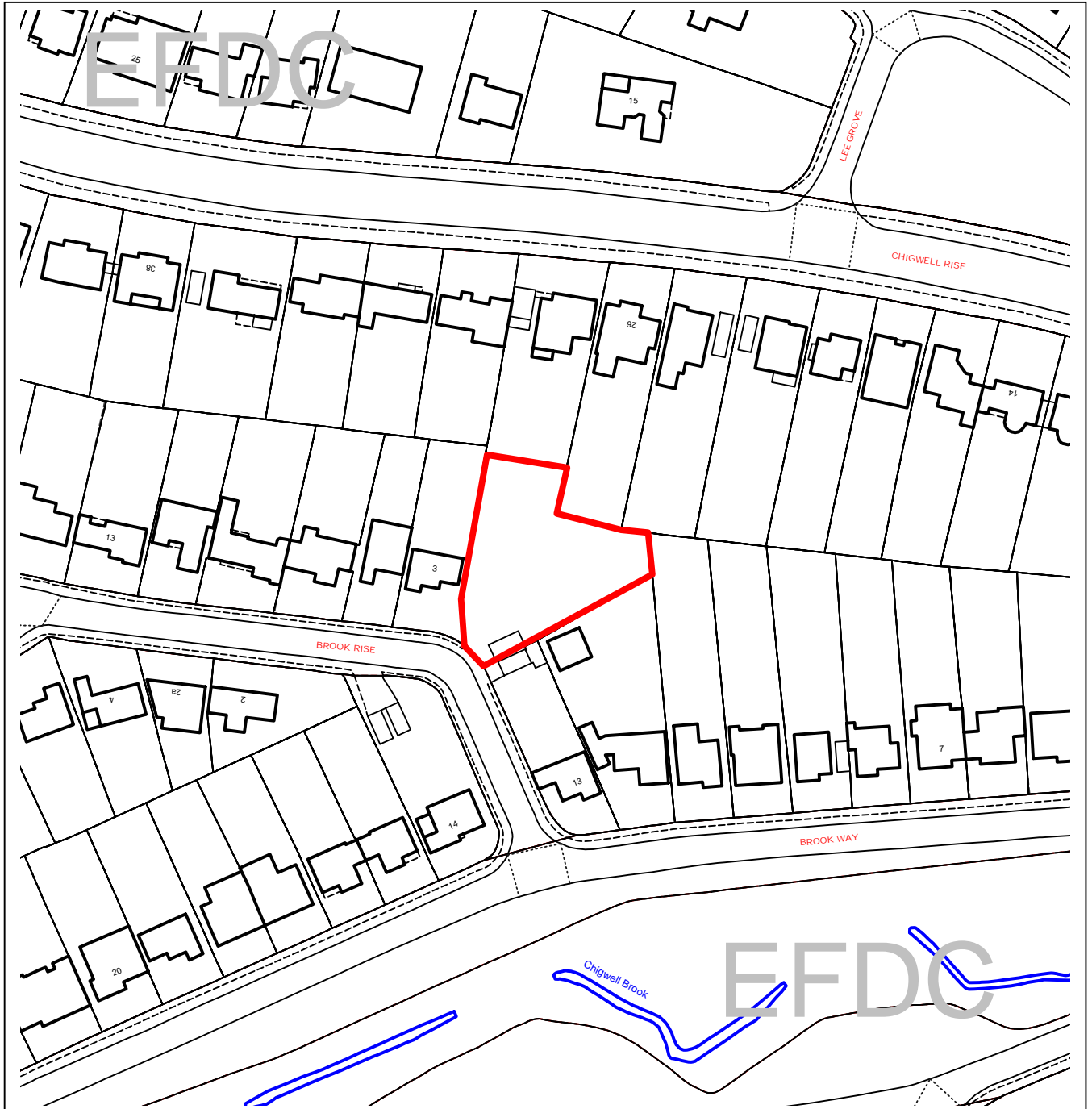
Conclusion

Officers deplore the fact that this scheme has already been implemented. However, the scheme as implemented is acceptable and integrates well within the street scene on this particular site. The comments of the Highways and Landscape Officers have been assessed and in this instance the recommendation is for approval.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/1215/09
Site Name:	Land adj 3 Brook Rise, Chigwell IG7 6AP
Scale of Plot:	

Report Item No: 2

APPLICATION No:	EPF/1460/09
SITE ADDRESS:	Rolls House Rolls Park High Road Chigwell Essex IG7 6DJ
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr James Murphy
DESCRIPTION OF PROPOSAL:	Outline planning application for the demolition of existing house and creation of 5 no. six bedroom detached houses with all matters reserved.
RECOMMENDED DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The site is wholly within the Metropolitan Green Belt. This scheme for five new houses is inappropriate development within the Green Belt and no very special circumstances have been put forward which overcome the harm that this scheme would cause to the openness, character and appearance of the Green Belt, contrary to PPG2, SS7 of the East of England Plan and Policy GB2A of the adopted Local Plan and alterations.
- 2 The site, due to its location in a rural area which is very poorly located in relation to community facilities, jobs, key services and infrastructure, is an unsustainable site for new housing development. In addition this location has limited access to public transport which would mean that virtually all journeys generated by the proposal would be by private vehicles. The proposal is not considered to be sustainable due to the reliance on the use of private car. The scheme is therefore contrary to PPS3 and Policies CP1, CP2, CP3 and CP9.
- 3 The scheme would result in unacceptable hazards to highway users as it would intensify the use of a substandard access onto a (Main Distributor) highway and would lead to a deterioration in the efficiency of the through road as a traffic carrier and be detrimental to highway safety contrary to policy ST 4 of the adopted Local Plan and alterations.
- 4 The applicant does not appear to control sufficient land to provide the required traffic visibility splay of 120m x 2.4m x 120m. The lack of such visibility would result in an unacceptable degree of hazard to all road users to the detriment of highway safety contrary to policy ST 4 of the adopted Local Plan and alterations.

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

Description of proposal:

Outline application for the demolition of existing house and creation of five six bedroom detached house with all matters reserved.

Description of Site:

The site is on the west side of High Road, Chigwell and is reached by a single lane access track. The site is rectangular and has a two storey detached house on it, with various outbuildings on the garden area to the west of the house. The whole site is within the Green Belt. The house was originally 2 dwellings ("Lyngwhite" and "Pandora") which were converted to one dwelling and extended under the 1986 permission. 25 High Road is adjacent to the access road to the east of the site, and consists of a large detached house and outbuildings.

Relevant History:

EPF/0614/91	Retention of stables and tack room	approved
EPF/1427/86	Alterations and extensions	approved

Policies Applied:

National Policy

PPG 2 – Green Belt
PPS3 - Housing
PPG13 – Transport

Regional Policy

SS7 – Green belt
ENV7 – Quality in the Built Environment
LA1 – London Arc

Local Plan and Alterations

H2A - Previously Developed Land
CP1 – Sustainable development
CP2 – Protecting rural environment
CP3 – New development be accessible by sustainable means of transport
CP6 – sustainable urban development
CP9 – Sustainable transport
GB2A – Development in the Green Belt
GB15A – Replacement Dwellings
GB17A – Agricultural Dwellings
DBE 1 - New buildings
DBE 2 -New buildings amenity
DBE 4 – Design in the Green Belt
DBE 8 - Amenity Space
DBE 9 - Neighbour Amenity
ST4 – Road Safety
ST6 – Vehicle Parking
LL10 - Landscaping

Representations Received:

15 properties were notified, a site notice posted and the following responses were received:

PARISH COUNCIL – Supports the application

CHIGWELL RESIDENTS ASSOCIATION – object, site is Green Belt and this is inappropriate development will increase light pollution and affect wildlife, will set an unacceptable precedent

TAILOURS, HIGH ROAD – object, overdevelopment of site which is also Green Belt

TAILOURS COTTAGE, HIGH ROAD – object, will cause noise and loss of privacy

Issues and Considerations:

The main issues in this application are whether this is an appropriate development for this site, the effect on the Green Belt, Sustainability and highway safety. It is noted that this is an outline application to establish if the principle of development on this site is acceptable in policy terms. Details of design, landscaping and access are all reserved for a future application should this one be granted

Green Belt

- The scheme will see the demolition of the existing house, the removal of the outbuildings and the erection of five new two storey six bedroom houses.
- Therefore the scheme falls to be considered under the policy for replacement houses within the Green Belt (GB15A) for the existing house and of that for new houses within the Green Belt under policies GB2A and GB17A for the remaining houses. These policies are also supported by Regional and National policies.
- With regard to the existing house there is no objection in principle to it being replaced with a scheme which is similar in volume and does not have an adverse impact on the amenity of the Green Belt. However, full details would need to be submitted to allow a proper assessment of any such scheme. This scheme does not suffice for this purpose as all five new houses are taken together and none is identified as the replacement dwelling for this property.
- However, the proposal to erect 5 new, large, detached houses is completely contrary to national, regional and local policies designed to protect and enhance the Green Belt, as clearly the built development of this scale and nature will have a harmful impact on the openness of the Green Belt.
- This is inappropriate development within the Green Belt as defined by policy GB2A. It is for the applicants to show very special circumstances justifying the development and showing how the harm by reason of inappropriateness is overcome by other considerations.
- No such very special circumstances have been put forward by the applicant who has not made any clear arguments to justify the development and show how other considerations overcome the harm to the Green Belt by reason of inappropriateness. The Design and Access Statement does not refer to Green Belt policy at all! It focuses mainly on the Design policies in the Local Plan. The fundamental harm to the Green Belt has therefore been avoided by the applicant's agent.
- One of the purposes of including land in the Green Belt is to prevent the encroachment of the countryside by built development. The proposal will not support this purpose. It will replace one large house and several modest outhouses and barns with five large houses of a very urban design. The proposal would form a line of development that will have greater visual impact than the existing buildings, and due to the uninspired design would appear urban in this rural area.
- This is clearly inappropriate development for which no very special circumstances exist. This is a harmful scheme which has no merit.

Sustainability

- The site is poorly located in relation to community facilities, jobs, key services and infrastructure as set out in paragraph 36 of PPS3. Local Planning Authorities are guided to find sites that are suitably located in relation to these criteria. Rolls House is located in the countryside between Debden to the north and Chigwell to the south. The nearest Primary School is over 1km distant and the nearest Secondary School is approximately 3.5km distant. The closest shops are approximately 2km away and the nearest supermarket is in Debden over 3km distant.
- There are no regular public transport facilities nearby, for example the closest bus stop in Chigwell is approximately 2km away, although there is a closer bus-stop in Chigwell Lane near the Rolls Park Corner roundabout, north of the site, on the Loughton to Epping route 541, but this runs only hourly. With the exception of Chigwell Primary School, all other services and facilities are at least 2km walking distance from the site, which would deter people from walking. It is likely that the majority of journeys from the site to access services and facilities will be by private motor car. According to the guidance in PPS3 this site cannot be considered amongst the most suitable for housing.
- The non-sustainable location of the site for housing is contrary to Local Plan and Alterations policy CP3 in that it is not accessible by existing sustainable means of transport i.e. walking, cycling or public transport. Additionally it has not been shown why this site should be used for housing in preference to other potential sites, again contrary to policy CP3.

Highways

- The Highway Authority have raised objection to this scheme as the proposal would intensify the use of a substandard access onto a (Main Distributor) highway where the main function is that of carrying traffic freely and safely between centres of population. The existence of an access in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of that conflict and interference which this proposal would engender, would lead to a deterioration in the efficiency of the through road as a traffic carrier and be detrimental to highway safety.
- As far as can be determined the applicant does not appear to control sufficient land to provide the required traffic visibility splay of 120mx2.4mx120m. The lack of such visibility would result in an unacceptable degree of hazard to all road users to the detriment of highway safety.
- The location and limited access to public transport would mean that virtually all journeys generated by the proposal would be by private vehicles. The proposal is not considered to be sustainable due to the reliance on the use of private car.

Conclusion

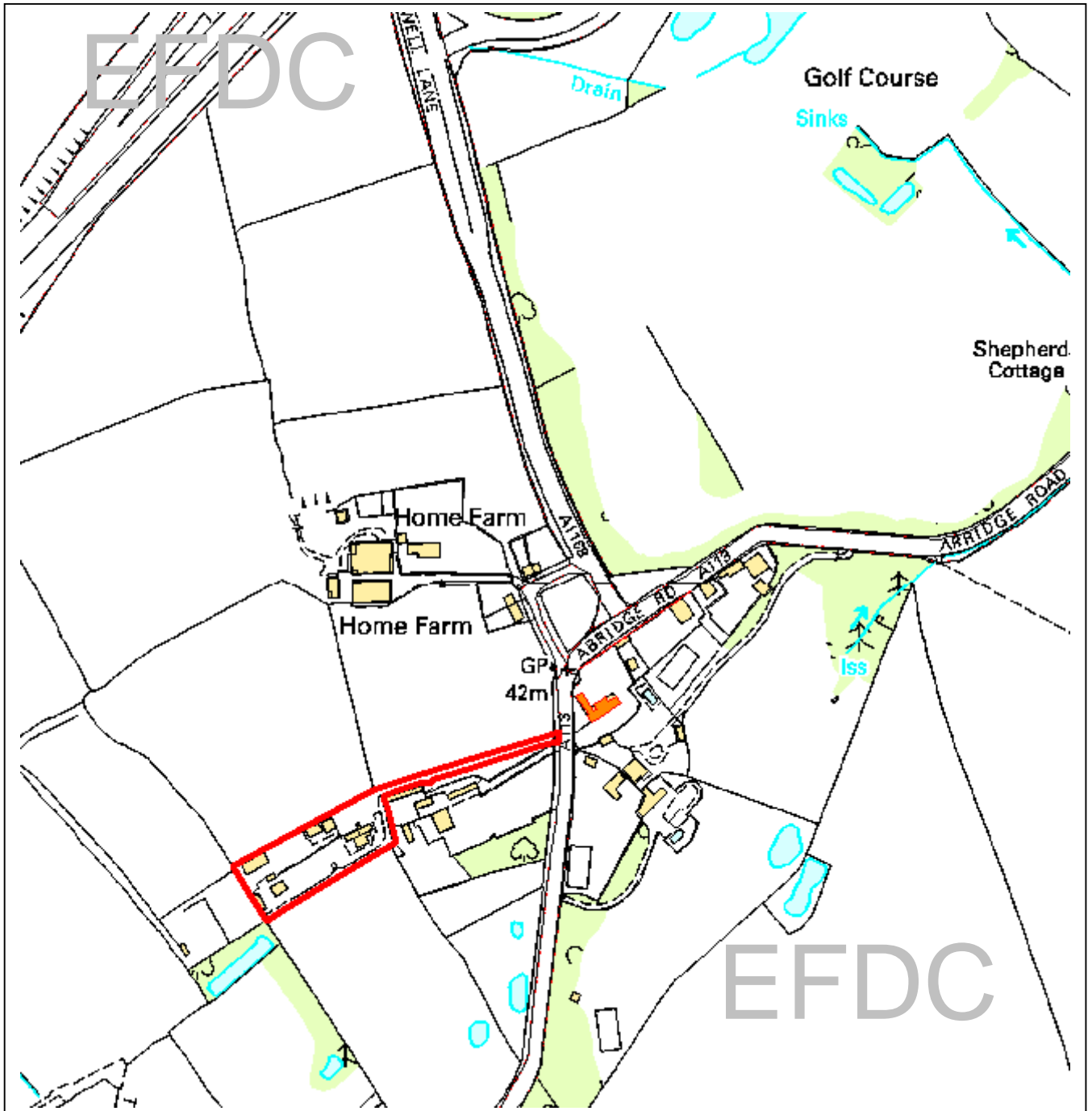
The proposal site is in the Green Belt. It is for private housing and clearly represents inappropriate development and therefore is harmful to it. There are no very special circumstances to outweigh the harm. The most important attribute of Green belt is their openness and the proposal would cause harm to it by introducing further urban development, way beyond what currently exists and therefore materially reducing openness. Whilst it is noted the Parish Council has supported this application, no reasons as to why they have done so have been given. In this instance, it is clear that the scheme is contrary to local, regional and national policies. The access is not suitable for the increase in residential properties traffic which is likely to come and go from the site and it is poorly served by public transport.

For the reasons laid out above this application is therefore recommended for refusal.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	2
Application Number:	EPF/1460/09
Site Name:	Rolls House, Rolls Park, High Road Chigwell, IG7 6DJ
Scale of Plot:	1/5000

Report Item No: 3

APPLICATION No:	EPF/1308/09
SITE ADDRESS:	34 Church Hill Loughton Essex IG10 1LA
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Ms Rabina Chouhan
DESCRIPTION OF PROPOSAL:	Three storey rear extension and conversion into three flats.
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 Notwithstanding the details shown on drawing number 15209(8), before commencement of the development hereby approved, details of the front garden layout showing parking for two cars (4.8m x 2.4m in area), a bin-store and a scheme of landscaping shall be submitted to and accepted in writing by the Local Planning Authority.

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 approved planting scheme shall be implemented within the first planting season following the completion of the development hereby approved. The agreed bin store and parking shall be implemented on site before the first occupation of any of the flats.

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

Description of proposal:

The applicant seeks planning permission for the construction of a three storey rear extension and the conversion of the existing building into three flats.

The extension itself is to be constructed on the north eastern corner of the existing building and is more or less to be an infill development. It will not project past the existing rear façade of the building and will have an area of 4.5 metres by 2.1 metres.

The building is to comprise a flat on each of the three levels. Each flat is to comprise of 2 bedrooms, bathroom, kitchen and reception area. Access to the flats will be via the existing front entrance. A communal private open space is to be located to the rear of the building. Two vehicle parking spaces are to be provided on the hard surface of the in front of the existing building.

Description of Site:

The subject site is located on the north western side of Church Lane within the town centre of Loughton. The site itself is relatively level, long and narrow in shape and comprises approximately 430 square metres.

Located towards the front of the site is a three storey semi-detached building that is constructed from brick and render and has a plain tiled roof. Although currently vacant, the building was once used as residential. Towards the rear of the site is a large private open space area comprising of mature vegetation. A timber paling fence is located on the side and rear boundaries. A small lane abuts the rear boundary of the site.

The subject site is located within a well established urban area that comprises a variety of building styles, forms and sizes. It is on the edge of the town centre of Loughton, close to commercial properties which are to the south west.

Church Hill is a classified road that leads into Loughton from the north. Buses run regularly along this road and a bus stop is located approximately 10 metres away from the site.

Relevant History:

EPF/0307/84 - Use of ground floor as offices and formation of vehicular access. (refused)

Policies Applied:

DBE1 – Design of New Buildings
DBE2 – Impact of New Buildings
DBE6 – Car Parking
DBE8 – Private Amenity Space
DBE9 – Loss of Amenity
DBE10 – Residential Extensions
DBE11 – Flat Conversion
CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
LL10 - Landscaping
H1A – Housing Provision
H4A – Dwelling Mix
ST4 – Road Safety
ST6 – Vehicle Parking

Summary of Representations:

TOWN COUNCIL – No objection provided certain conditions were adhered to, which include the preservation of mature trees on the property to retain the privacy afforded by neighbouring properties and the retention/restitution of original architectural features and fenestration. Moreover, the Committee expressed a safety concern owing to the inadequate parking provision shown on the plans, increasing the likelihood of onstreet parking on the busy A121, as the site was close to 2 bus stops.

LOUGHTON RESIDENTS SOCIETY – PLANS GROUP – Object to this proposal as an inappropriate conversion of half of a small semi-detached house. Internal space looks very tight (bedroom 12 sq. m; reception rooms 18 sqm, 20 sqm and 25 sqm respectively). Externally there are only 2 car spaces for 3 flats – this is the main road (and main bus route) with limited on-street parking spaces available.

HILLS AMENITY SOCIETY - object on grounds of overlooking to Queens Road properties and concern that only two parking spaces are available.

10 neighbouring properties were notified and comments were received from the following addresses.

51 QUEENS ROAD, LOUGHTON
49 QUEENS ROAD, LOUGHTON
39 QUEENS ROAD, LOUGHTON
WARRINER & CO, 32 CHURCH HILL, LOUGHTON

Their main concerns are as follows:

- The conversion of the building would result in an overdevelopment of the site.
- The development would result in further traffic congestion and parking issues.
- If the trees at the rear of the site are removed then this would lead to a loss of privacy to the adjoining occupiers along Queens Road.
- Noise and disturbance during construction works
- Internal space of the proposed flats is tight and too small.
- Loss of privacy to the adjoining property (adjoining semi)
- Location of bin storage is inappropriate.

Issues and Considerations:

The main issues to be addressed in this case are whether the proposed scheme is acceptable in terms of design and appearance in relation to the character of the surrounding area, whether it would be harmful to the amenities of adjoining occupiers, and whether it would have a detrimental impact to highway safety.

Design and appearance:

The extension will be to the rear and despite its flat roof, it will not be viewed from the street due to it being an infill of a void behind the main front and side wall and because of the size and position of the adjacent building at number 36. It accords with policy DBE1.

Principle of flats:

Policy DBE8 states that flats should allow 25 square metres of amenity space for each flat. There is a large garden to the rear of the buildings which is more than adequate to meet the recreational needs of future occupiers. The conversion of a sizable home into three flats, each with a reasonable floor area of at least 55m² in an edge of a town centre location is acceptable. The internal room sizes are modest, but there is no policy specifying a minimum size for such units. It complies with policy DBE11.

The bin store, as shown on the submitted plans, would require slightly re-siting and some soft landscaping to lessen its visual impact. A front garden layout condition attached to any planning permission, would allow for an acceptable appearance to the front.

Landscaping:

It is a concern of a number of residents, that if the vegetation to the rear of the site is removed then this would result in a detrimental impact to the character of the surrounding area and result in a loss of privacy.

It should be noted that these trees are not protected by a tree preservation order and could therefore be removed at any stage. However, Council's landscape officer considered that the trees in question are not of major public amenity value or worthy of placing a tree preservation order on them. However it was suggested that a condition be placed on any recommendation that the vegetation to the rear of the site is to be protected and not damaged in any way during construction to ensure retention.

It should be noted that the approximate distance between the rear façade of the subject building and the rear facades of the adjoining buildings that front onto Queens Road is 73 metres. So even if the trees were removed in the future, it is considered that there would not be a loss of privacy to the properties in Queens Road due to the significant distance by which the properties are separated.

Highway and parking:

The scheme proposes two off street parking spaces for the 3 flats. Under the adopted vehicle parking standards, a maximum of one vehicle space per flat could be provided. However, this is a maximum requirement and it also states that for high density developments in accessible areas such as town centres, local authorities are encouraged to allow development with little or no off street parking, subject to the safe-guarding of the character and appearance of the area. In this case, it is considered that two vehicle spaces to the front of the building is acceptable as the site is located close to public amenities and shops and is in very close proximity to public transport.

In terms of highway safety, it is not considered that the proposed development would cause highway congestion or be dangerous to pedestrians and other motorists. There is good visibility in each direction and there will be no conflict with the bus stops. Adjoining and surrounding properties have similar hard standing areas to the front garden, but with some soft landscaping addition, it would not be out of character to the surrounding area. There is an on-street parking bay to one side of the property, but there appears to be sufficient room for the parking of 2 cars in the front forecourt and indeed the forecourt at present can be used in this way, if the property was to be occupied.

Neighbouring amenities:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to privacy and overshadowing.

The proposed development would not result in a loss of sunlight or daylight to habitable rooms of adjoining properties due to the siting and position of the proposed development in relation to adjoining properties. There might be a small amount of overshadowing to the private space area of the adjoining property (number 36) in the late afternoon however not enough to cause any significant harm to the occupier.

There are 4 existing first and second floor windows on the rear elevation of the dwelling and the conversion will still see 4 windows at this level servicing bedrooms of the flats. In terms of potential overlooking, there will be no undue harm. It complies with DBE9.

Whilst the number of households will increase by 2, this is a large 3 storey house and provision of smaller 2 bedroom accommodation is acceptable on an edge of town centre location, on a main road, without resulting in disturbance to neighbours.

Conclusion:

In conclusion it is considered that the proposed scheme is acceptable in terms of the development's design and appearance, without causing a harmful impact to the amenities of adjoining occupiers. The conversion of the building into three flats would not be an overdevelopment of the site and would not result in a detrimental impact to highway safety.

Therefore it is recommended that the application be approved subject to conditions.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/1308/09
Site Name:	34 Church Hill, Loughton, IG10 1LA
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1435/09
SITE ADDRESS:	68 The Broadway Loughton Essex IG10 3ST
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Epping Forest District Council
DESCRIPTION OF PROPOSAL:	Change of use from D1 (Educational) to A1 (retail).
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.

This application is before this Committee since it is an application for the Council's own development or is on its own land or property that is for disposal (Pursuant to Section P4, Schedule A (e) of the Council's Delegated Functions).

Description of Proposal:

Planning permission is sought to change the ground floor use of the existing building from D1 (educational) to A1 (shop).

It should be noted that there will be no external alterations made to the existing building.

Description of Site:

The subject site is located on the southern side of 'The Broadway' within the key frontage area of the Debden town centre. Currently located on the site itself is a three storey building that was last used as a library on the ground floor and residential on the above floors.

The adjoining properties consist of a veterinary clinic on one side and an A1 class Kodak (photographic) shop on the other side. The surrounding area mainly comprises of retail shops on the ground floor with residential flats above.

The site is less than a five minute walk away from Debden Tube Station and there are a number of bus routes that run along Rectory Lane and The Broadway. There is also a large car park to the rear of the site.

Relevant History:

EPF/1790/03 - Change of use from retail to educational learning shop. (approved).

Policies Applied:

TC1 Town Centre Hierarchy
TC2 Sequence Approach
TC3 Town Centre Function
DBE9 Loss of amenity
ST4 Road Safety

Summary of Representations

TOWN COUNCIL – No objection.

5 properties were consulted. No representations were received at the time of writing this report.

Issues and Considerations:

The main issue in this case is whether the change of use would cause an impact to the hierarchy, viability and vitality of the town centre and whether it would be harmful to the amenities of adjoining property occupiers.

Loughton Broadway is considered to be a smaller centre within the Council's town centre hierarchy sequence. It comprises a range of traditional retail, food outlets and a public house.

In this case it is considered that the proposed change of use would sustain and improve the vitality and viability of the town centre. It will ensure that the Loughton Broadway will maintain its attractiveness and a useful place to shop and work.

The change of use would return this unit back to Class A1 and ensure that the main function of the town centre continues to be retailing and it would also not result in a dead frontage throughout the day, given the former use as a library has been re-sited into Epping Forest College site nearby in Borders Lane.

It is considered that there would not be a significant difference between existing conditions and the proposed new use in terms of noise and disturbance to the occupiers of the above residential premises.

Conclusion:

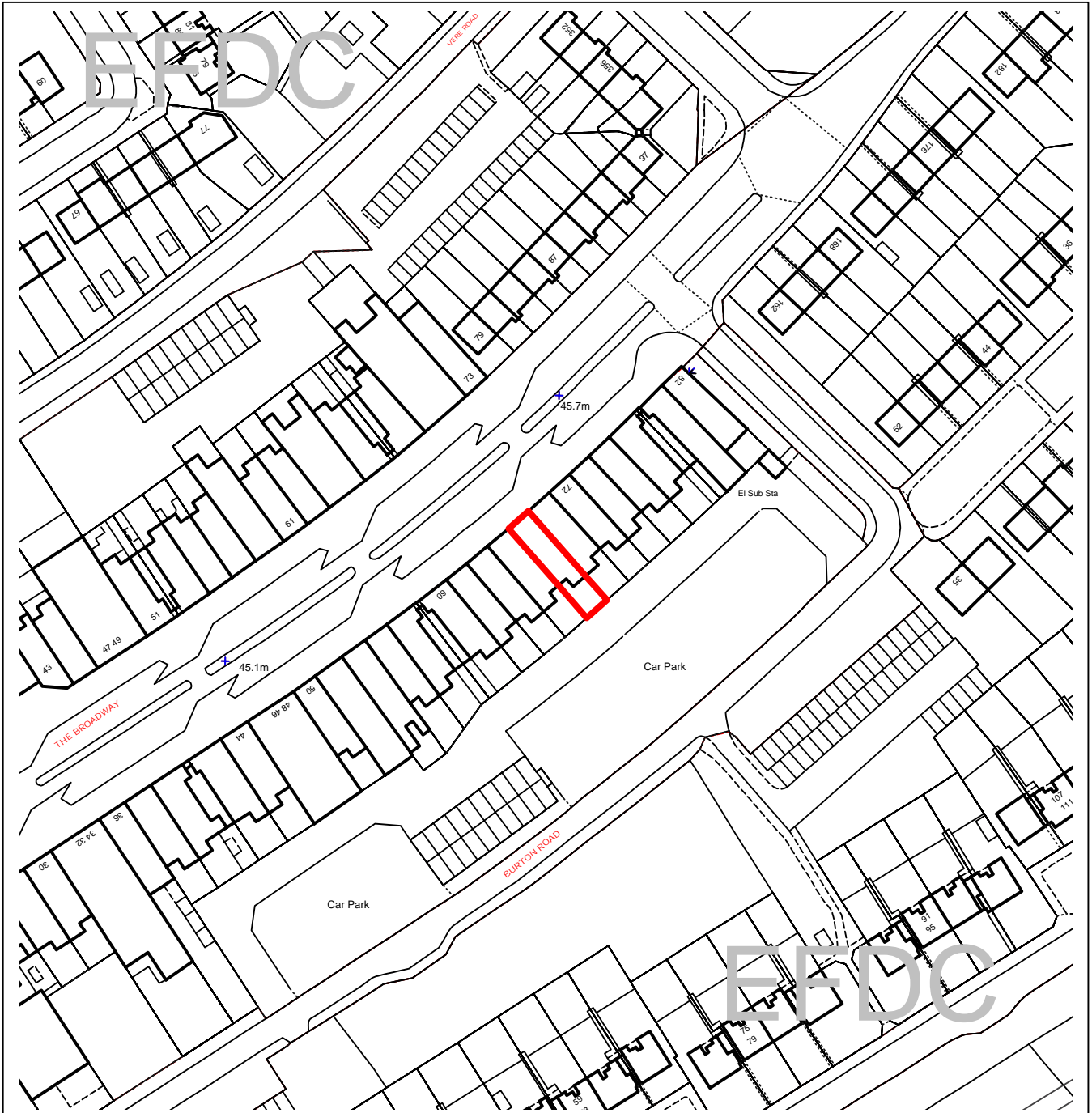
In conclusion it is considered that the proposed change of use is appropriate in this town centre location as it will add to the viability and vitality of the town centre and key frontage area and it would not result in a harmful impact to the amenities of adjoining property occupiers.

Therefore it is recommended that the application be approved subject to conditions.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/1435/09
Site Name:	68 The Broadway, Loughton, IG10 3ST
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1507/09
SITE ADDRESS:	15 The Crescent Loughton Essex IG10 4PY
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Darren Hunt
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of a pair of semi detached houses.
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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 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 extensions generally permitted by virtue of Part 1, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 fence, wall or other means of enclosure generally permitted by virtue of Part 2, Class A shall be undertaken within the front gardens of the dwellings hereby approved without the prior written permission of the Local Planning Authority.
- 6 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 7 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.

- 8 Prior to the commencement of the development details of the proposed surface materials for the hardstandings to the front of the dwellings hereby approved 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 it is an application for non-householder development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions); and since it has been 'called in' by Councillor Hart (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for the demolition of the existing bungalow on the application site and its replacement with a pair of semi-detached dwellings. The dwellings have been designed to appear as a single property. The building would step down, in line with the natural fall in the land level across the site and the main entrances would be to the sides. The proposed building would have a front to back pitched roof, with a subservient forward projecting gable to the part of the building which would be stepped down. The dwellings would be two-storey in height, with additional accommodation being provided in the roof space. Each would have a car parking space to the front. Due to the length of the plot, each dwelling would have a rear garden of approximately 40 metres in depth and 5.3 and 5.6 metres in width.

Description of Site:

The application site is an area of approximately 10 x 61 metres. It is presently occupied by a detached bungalow and is located on the north eastern side of The Crescent. There are a variety of property sizes and designs within the locality. The immediate neighbouring property to the north-west (no. 11) is a two storey dwelling with additional second floor accommodation contained within a hip to gable extension and a large rear dormer and to the neighbouring dwelling to the south east (no. 17) is a bungalow with additional first floor accommodation contained within the roof.

Along this side of the Crescent there is a mix of single and two storey dwellings. Generally, the single storey dwellings are detached and the two storey dwellings are semi-detached. On the opposite side of the street, properties are generally detached and single storey. There are several examples of loft conversions within the street, both to single and two storey buildings. There is a decrease in the level of the site, with the land falling from no. 11 towards no. 17. There are several trees along both side boundaries to the rear garden of the site and at the rear is a pair of two storey semi-detached dwellings, which have short gardens in relation to the application property.

Relevant History:

None.

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

H2A – Previously Developed Land

DBE1 – Design of New Buildings

DBE2/9 – Impact of New Buildings

DBE8 – Amenity Space Provision

ST4 – Highways Considerations

ST6 – *Car Parking Standards*

Summary of Representations:

13 properties were notified and the following representations have been received:

LOUGHTON TOWN COUNCIL. No objection. The Committee had no objection to this application but expressed a concern on the possible overlooking of no. 17.

LOUGHTON RESIDENTS ASSOCIATION. Objection. We object to this application as it is inappropriate and out of character with its surroundings. Although there is a pair of semi-detached houses at this end of The Crescent, the proposed pair of semis would be much smaller than the others next to it. In the other direction there are single houses on each plot.

10 THE AVENUE. Support. We believe that these plans have been well thought out and are of a design which blends well with the various sizes and styles of properties in the area. Pleased to see development for smaller houses rather than large 4-5 bed detached properties as this offers more opportunities to people with young families. Concerned regarding the objection campaign – hope that neighbours who may be more easily influenced have not been frightened, coerced or even bullied into signing the letters of objection enclosed with the main drop.

106 Letters of objection have been received to this application (63 on a standard letter and 43 individual responses) from the following addresses:

3, 6, 9, 11, 12, 14, 16, 17, 19, 21, 22, 24, 26, 28, 29, 30, 33, 37, 39, 40, 41, 42a, 43, 44, 45a, 46, 49, 60 The Crescent;
8 (x2) Crescent View;
12, 29, 58, 64, 66, 74, 82 Algiers Road;
3, 9, 11, 24, 28, 29, 33, 35, 40, 42 The Avenue;
1, 3, 6, 10, 14, 20, 29, 30, 31, 34, 35, 36, 37 Hillcrest Road;
2, 7, 13, 18, 19 (x2), 20, 24, 33 (x2), 34, 38, 40, 41, 46, 50, 51, 54, 58, 60, 61, 79, 81, 90 Spring Grove;
21 Forest View Road;
"Millbrook", 6, 11, 19 Summerfield Road;
8, 20, 33, 43, 43a Upper Park;
26, 58, 64 Lower Park Road;
8, 10, 22, 23, 28 Newnham Close;
"Daylesford", Nursery Road.

2 letters received do not provide the address of the sender.

The Objections to the application are summarised as follows:

Design and Appearance

The development of a huge three storey building is completely out of character with any other property in the road or the surrounding roads. The proposed development of a huge three storey building which will be divided into two tiny semi-detached houses will be unlike any other property in the road. Projects beyond the rear building line.

Neighbouring Amenity

Side doors will cause disruption to neighbours. Could affect outlook from houses at the rear. Will overlook all of my property and will remove light. Suddenly my property will be dark and with no access to any light (no.11). The door to the property will be just 2 metres from our bedroom window (no. 17) causing a loss of privacy and possibly noise. Loss of privacy to kitchen area too, due to the level change the six foot high fence is not sufficient. Overlooking from second floor roof lights into our own roof lights (no. 17). Loss of privacy from windows in the rear serving two houses (no. 17). Will block out afternoon sunlight (no. 17).

Parking and Highways

There may be four cars relating to the development, it is not clear where these cars would be parked. This will inevitably lead to congestion.

Precedent

Other bungalows may be converted into tiny houses and flats. May encourage other house owners to add front dormers.

Other Matters

- Will reduce property values.
- If planning permission is granted the developer could alter the plans to provide 6 flats.

- Increased pressure on local infrastructure.
- We should be encouraging bungalows, not three storey houses for our ageing population.

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, on the character and appearance of the area and on highways and parking.

Neighbouring Amenity

The main properties which would be affected by the proposed development are the immediate side neighbours, 11 and 17 The Crescent. With regard to number 11, this property has been extended to the rear with the benefit of planning permission granted in 1991. As a result of that extension, the dwelling has a bedroom which has its only window in the flank elevation, facing towards the application site. There would be a reduction in light and outlook to this window, although the gap between the properties would be very slightly increased. Whilst there would be a considerable reduction, particularly to the level of outlook from this window, it is considered that an uninterrupted level of outlook cannot reasonably be expected when a window is in a side elevation. Furthermore, due to the orientation of the window, it would receive only very limited sunlight at present. On this basis it is considered, on balance, that this matter would not justify the refusal of planning permission. There has been concern raised by the occupiers of no.17 that there would be overlooking from side roof lights in the proposed development into roof lights serving their bedroom. Due to the pitch of the roof, it is considered unlikely that there would be any overlooking into the roof lights at no. 17.

The occupier of no. 11 has raised concern that there would be a loss of light to that property arising from the proposed development. It is considered that there would be a reduction to sunlight in the rear garden of no. 11 as the existing bungalow is located directly to the south of this garden. Notwithstanding this, the resultant situation would be comparable with that further along The Crescent, for example in the garden of no. 11's adjoining property, and it is not therefore considered that this reduction in amenity would be detrimental to the enjoyment of that neighbouring property.

The proposed dwellings would also result in increased overlooking of the neighbouring gardens, due to the increased height. However, this would also be comparable with other examples within The Crescent, including the large rear dormer of the rear roof slope of no. 11. It is not considered that the increased overlooking of neighbouring gardens would amount to a material loss of amenity.

Character and Appearance of the Area

There has been considerable objection from local residents to this application on the basis that the proposed development would be out of keeping with surrounding development and harmful to the character and appearance of the area. Concern has also been raised about the possibility of this setting a precedent which could further damage the character and appearance of the area.

It is considered that The Crescent is characterised by a variety of property sizes and styles. There is no real uniformity, which it is considered contributes towards the character of the area. The application property is located adjacent to a run of three pairs of two storey dwellings and accordingly it is considered that its height is acceptable. It is further considered that the staggered design of the proposed building serves to integrate the two and single storey buildings either side of the street. The front and rear building lines of the proposed building would be in keeping with surrounding development. With regard to the detailed design of the dwelling, this does not replicate anything which already exists in the street. Notwithstanding this, it is considered that it

would have an acceptable appearance, which would not be harmful to the street scene. Loft conversions are commonplace within the street, although these do not generally involve front dormers. However, there are examples of front dormers within the street. The front dormer proposed on the planning application is considered to be appropriately sized and located within the roof slope and it is not, therefore considered that this would be harmful to the character and appearance of the area.

Regardless of the acceptability of the design of the proposed building, the development would create a pair of dwellings, which would each have a plot width significantly narrower than any within the street at present. There is considerable variation to plot sizes within The Crescent. At present the narrowest plots are approximately 7.5 metres wide. The proposed properties would have plot widths of approximately 5.5 metres, which would be considerably less. It is considered that this could cause harm to the character and appearance of the area. However, this harm could be reduced by the use of a planning condition preventing the erection of boundary fences/walls in the front gardens which would highlight the narrow widths of the plots. In the absence of such boundary treatment and due to the location of the main entrances to the dwellings, it is not considered that it would be readily apparent within the street scene that the building related to a pair of houses. Accordingly it is not considered, on balance, that there would be harm to the character and appearance of the area which would justify the refusal of planning permission.

With regard to the matter of precedent, it is possible that the approval of this application could set a precedent for allowing a similar development elsewhere, but only where the merits of the development were comparable. It is considered that the merits of this particular proposal relate to the location of the site between two and single storey dwellings and the variety of property designs and plot widths within the vicinity. Any further applications for similar developments on other sites would need to be considered on their individual merits.

Parking and Highways

One parking space is proposed for each of the dwellings, although the plot widths are sufficient to provide two parking spaces. It is considered that this is acceptable within this part of the District and in accordance with the Council's adopted vehicle parking standards.

Trees and Landscaping

There are trees along both sides of the rear garden of the application property. It is not considered that these would be affected by the proposed development. An indicative plan has been submitted detailing the landscaping of the front garden, although further details regarding this may be secured by the use of a planning condition.

Other Matters

Concern has been raised by local residents that, if approved, this scheme could be amended to provide up to 6 flats. Such an alteration would require further planning permission and it is not considered that the proposed development is of a sufficient size to provide this.

Conclusion:

There has been considerable objection to this application from local residents and there is widespread concern that allowing this development to proceed could set a precedent which would harm the character and appearance of the area. However this planning application must be considered on its individual merits. The merits of the case are set out in the preceding report. The merits of the case are finely balanced, but it is considered that the proposed development would be acceptable. Accordingly, it is recommended that planning permission be granted, subject to the conditions discussed.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/1507/09
Site Name:	15 The Crescent, Loughton, IG10 4PY
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1514/09
SITE ADDRESS:	1 Marjorams Avenue Loughton Essex IG10 1PT
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mrs Sameena Dean
DESCRIPTION OF PROPOSAL:	Two storey side and rear extensions, single storey rear extension (Revised application).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Before work commences on site, details of existing trees, shrubs and hedges on the Church Road frontage to be retained shall be submitted to and agreed in writing by the Local Planning Authority.

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.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to Section P4, Schedule A (k) of the Council's Delegated Functions).

Description of proposal:

Part two storey/part single storey side and rear extension extensions, on the west and south elevations, extending over an existing hipped roof to the side with a gable end flank wall, the rear 2 storey projection having a hipped roof; erection of a flat roofed dormer on the rear elevation, and a front extension and conversion of an integral garage to a habitable room.

Description of Site:

A two-storey semi detached house on a rectangular plot at the junction with Marjoram's Avenue (front facing elevation) and Church Hill. The area consists of semi detached properties in Marjoram's Avenue and town houses to the west. The site is on the crest of Church Hill, which is well screened by vegetation.

Relevant History:

EPF/0164/98	first floor side extension	refused
EPF/0862/09	two storey side and rear extension, garage	refused

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours
DBE 10 Design of residential extensions
LL10 Trees
ST4 & 6 Highways

Summary of Representations Received

5 properties were consulted and the following responses received:

TOWN COUNCIL – no objection, but requested a suitable planning condition to protect the visual appearance of Church Hill that the property flanked.

3 MARJORAM'S AVENUE – object, rear extension will be dominant to me; will change the character of area, possible subdivision.

PETITION SIGNED BY 7 RESIDENTS OF MARJORAM'S AVENUE - overdevelopment, believe the property will be split into more than one dwelling house and rented by rooms, property has the potential for 8 bedrooms, parking will be a problem, pair of semis will look like a terraced house and is out of keeping with area.

Issues and Considerations:

The main issues in this application are the effects of this development on the amenities of neighbouring properties, street scene, and trees. It is also germane to consider whether this scheme has overcome the previous reasons for refusal which were the erection of the detached garage onto a new access onto Church Hill, to the detriment of the hedgerow on the boundary and road safety. As a result of this refusal, the previously proposed detached garage has been deleted prior to submission of this current planning application.

Impact on Street Scene

- The scheme proposes the erection of an extension above an existing single storey side garage and kitchen which will wrap round the rear elevation, finishing as a ground floor to the boundary with No 3. The first floor rear extension is set back from this boundary by 2.8m to avoid compromising the 45° line of sight from the neighbour's first floor window.
- The scheme is set back on the flank at the first floor by 1m and a minimum gap of 1.6m will remain to the side boundary with Church Hill.
- The new roof will be stepped down from the existing ridge, and the gable end now balances with the other half of the pair which has already converted its hip to a gable. In design terms this is acceptable as is the hip design at the rear which reduces the bulk of the roof.
- The garage will be converted to a habitable room, but the front drive will retain an adequate area for parking for at least 2 cars.
- The rear dormer would not dominate the rear roof slope and is adequately set in from all sides.
- It is the case that the extensions cause no harm to the character and appearance of the street scene and will appear visually subservient to the house.

Impact on Neighbours

- There will be no adverse overlooking as a result of the scheme. The roof dormer is above an existing first floor window already close to No3's boundary.
- There will be no significant loss of light or overshadowing of the neighbouring property owing to the first floor rear addition being set off the boundary with No 3.
- The rear ground floor extension replaces a previous conservatory of the same size, therefore no further undue impact on no.3.
- The scheme would also not be visually overbearing to any neighbour.

Other matters

- The objectors voice concerns about the property being used as a house in multiple occupation. A property does not require planning permission where up to 6 individual persons live together and share facilities (other than a family). The proposed house shows provision for 5 bedrooms and a playroom. There is no evidence that the property will be other than a family home, and should it become bedsit accommodation or flats, then this would require further planning permission. The application can only be judged on the basis of the submitted plans and application form, which clearly shows extensions to a house and no change of use.
- Because of the deletion of the detached garage, there is now no threat to the trees and hedge towards the end of the rear garden. However, confirmation of what is to be retained is required and therefore attached as a planning condition.

Conclusion

The detached garage was the reason for the previous refusal and with this gone there is no harm to highway safety or the hedgerow. The scheme causes no undue harm to the street scene or the amenities of the neighbours. This application is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/1514/09
Site Name:	1 Marjorams Avenue, Loughton IG10 1PT
Scale of Plot:	1:1250

Report Item No: 7

APPLICATION No:	EPF/1590/09
SITE ADDRESS:	Rear of 31 Church Lane Loughton Essex IG10 1PD
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Alan Marcelis
DESCRIPTION OF PROPOSAL:	New build two bed dwelling house, to front Carroll Hill. (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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 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 2 Class A-E shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

- 7 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 8 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 9 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.
- 10 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

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

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

- 11 Prior to the commencement of the scheme details of a screen for the upper ground walkway adjacent to No 12 Carroll Hill shall be submitted in writing to the Local Planning Authority for approval, and implemented prior to the first occupation of the scheme and maintained thereafter.

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:

New build two bedroom dwelling house to front Carroll Hill (revised application).

Description of Site:

A rectangular area of land to the rear of 31 Church Hill. The site slopes down to the south and this dwelling would be part of Carroll Hill. The area is a residential one with a mix of housing styles and types.

Relevant History:

EPF/1134/92	2 storey detached house	refused
EPF/0018/94	Chalet House	refused
Appeal on above - dismissed		
EPF/0640/01	Outline application for two detached houses	refused
EPF/0793/09	Detached four bed roomed house	refused

Policies Applied:

CP1, 3, 6 & 7 Core Policies re sustainable development
H1A, H2A, H3A, H4A Housing Provision
DBE 1 New buildings
DBE 2 New buildings amenity
DBE 6 Car Parking
DBE 8 Amenity space
DBE 9 Neighbour Amenity
ST4 & 6 Traffic Criteria

Representations Received

12 properties were notified, a site notice posted, and the following responses were received.

TOWN COUNCIL – Object and reiterate previous comments on EPF/0793/09, which was that it fails to take into account the character and appearance of the locality and would result in visual harm within the street scene, contrary to policies DBE9(i). Furthermore, it would leave insufficient private amenity space for the application site and no.31 Church Lane. In addition, the Cttee had some doubts about the stability of the revised design as this is being put forward as an area for designation as an additional conservation area.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP - We object to this application. We note that this type of infill has been carried out on other plots on Carroll Hill, but, 31 Church Lane's plot is significantly shorter front to back than most of the plots (and shorter even than its neighbours' plots), 31 Church Lane extends further down its garden than the other houses on Church Lane - this means that there is less space for the infill house than on the other plots, and that the arrangement will be two large houses on small plots, which is out of character in a road characterised by large houses with medium to large gardens. We are also concerned that there is insufficient amenity space for the new house, the new building seems too close to the existing adjoining properties, in view of the limited space tree planting and root problems could be a structural problem for the future (we assume that there are no tree TPO's on the site), the space on site may not be large enough to meet the parking needs of the household.

12 CARROLL HILL – object, loss of light to the lounge/dinning room, worried regarding basement works could cause damage to my house.

5 CARROLL HILL – object, built to boundary, design is out of keeping, garden is inadequate

16 CARROLL HILL – object, back to back distance is inadequate, light lost to our front elevation, design is not in context with the road.

9 CARROLL HILL – object, too close to all boundaries

Issues and Considerations:

The main issues in this application are whether this is an appropriate development for this site, its effect on the street scene, residential amenity, and car parking.

It is also germane to consider the 1994 appeal decision as many elements of that are still valid today. This was for a detached chalet style house on this site. The two issues considered on this application were if it was a cramped form of development and if there was unacceptable overlooking of either the new house or No 31 Church Lane.

Relevant comments on this being a cramped form of development by the Planning Inspector at the time included *“it seems to me that the total area available for development in the existing garden on No 31 is thus significantly less than has been the case elsewhere in Church Lane where gardens have been subdivided”* and *“I consider that the proposal constitutes cramped development with inadequate garden areas for the existing and proposed dwellings, out of scale with the general layout of the surrounding area”*.

The previous scheme was refused as it was a cramped scheme, which also had an overbearing impact on the neighbouring properties, had inadequate private amenity space and parking areas.

This scheme has been significantly revised and is now for a two bedroom property rather than a four bed scheme, with a pitched roof, and increased amenity and parking areas.

Building in Context and Design

- The plot is a maximum of 12.5m wide and 52m deep, and the scheme would see the plot divided to create a new plot fronting Carroll Hill between No 12 and No 16, which would measure 15.5m deep and 12.4m wide.
- The new dwelling would be 11.6m wide, 7.2m deep (a reduction of 4m from the previous scheme) and a maximum of 7.9m high. It would have a rectangular plan with a garden to the rear, west boundary as well as a front garden.
- It would have 3 stories with the ground floor buried into the slope of the land so that the first floor on the rear elevation would be at ground level (after the spoil from the ground floor has been spread on the garden area which would remain in No 31 Church Lane's site).
- When viewed from Carroll Hill the scheme has a two storey appearance with a dormer window in the roof giving the third storey. A terrace/balcony would run around the building at the first floor front elevation. There is a large amount of glass on this front elevation, to allow natural light throughout the interior especially at the first and second level.
- The scheme would have a 0.5m gap to the eastern boundary with No 16 and a 1m gap to No 12.
- As can be seen from the site plan and the Inspector's 1994 comments this is a severely constricted site which is the last remaining infill site in this street. However, due to the constraints of the site it has been considered so far that it is not suitable for the erection of a dwelling, and the Council has previously refused development on the plot.
- In this new proposal, the scheme has been compressed in its width and a pitched roof removing the previous flat roof design, together with other detailed design changes.
- The main design changes are the significant reduction in depth, change to a two storey appearance with a room in the roof as opposed to a stark three storey flat roofed building, and removal of two of the proposed bedrooms. These changes have contributed to a scheme which is more comfortable on this plot and one which does not overpower either of its neighbours. It is also one which is not excessive in scale for the size of this plot.
- However, it is still the case that the gap to the neighbour to the west (No 16) is a little closer to the plot boundary. However this property is set away from this boundary which means that the scheme will not result in a terracing effect on the site.
- It is also the case that the rear boundary with No 31 Church Hill (who is the applicant) is restricted with a back to back distance of 17m. The Essex Design Guide recommends a distance of 25m. In this case the scheme has been designed to take advantage of the rising

ground to the north at No 31 and there will be no undue overlooking of No 31 due to the proposed screening and fall of the land. The proposed screening will also avoid harmful overlooking of the scheme by No 31. In addition the separation distances from No 12 and No 16 from No 31 are very similar to what is proposed here, and the rear elevation of the new property is set back from the elevations of No 12 and 16. Whilst this distance is a little shorter than normal it is considered that, on balance, the overall impact is not harmful and does not cross into a cramped over development of the site.

- This is previously developed land in that it is a rear garden of an existing dwelling. In both Policy CP6, 7 and PPS3 priority is given to the reuse of previously developed land in urban areas.
- It is also the case that this is a scheme which removes an uncharacteristic gap within this street scene and contributes, through the good design of the scheme, to an enhancement of the street scene.
- Overall the scheme is acceptable and integrates successfully into the plot and the street scene.

Residential Amenity

- The main dwellings that would be affected would be No 12 and 16 Carroll Hill and No 31 Church Lane.
- There would be no loss of sunlight to the rear elevations of No 12 and 16.
- There will be a loss of light to a side window at No 12. This window serves a dining room/lounge which is also served by a main window on the rear elevation. The side window is obscure glazed and it is considered that this loss is relatively minor and would not justify a refusal. Any side fencing can be conditioned to not obscure this window.
- There would be no adverse overlooking of No 16 or No 31 or of the new property from No 31.
- However, the front and side walkways at the upper ground floor has the potential to overlook the front bedroom windows of No 12. Therefore it is considered appropriate to avoid this by the imposition of an appropriate condition regarding a side screen. This can be achieved without resulting in undue visual harm or loss of residential amenity to this neighbour.
- The scheme will see a raising of the rear garden of No 31 by a maximum of 1m to each boundary. A 2m close boarded wooden fence would also be erected in the garden of No 31 along the boundaries. This would not have any adverse impact on No 16; however there would be an impact on No 12. In this case the land raising would be alongside the existing flank wall, and it is considered on balance, that with the existing boundary treatment, this would not have an adverse impact on the amenities of this property.
- The scheme also requires 80m² of private amenity space and this proposal now provides this amount and in a useable shape for the future occupants.

Highways

- The parking provision is at the front of the scheme and a garage is now provided. No gates are proposed and this can be conditioned as there is insufficient depth available to meet the Highways required setback. This is not a busy road and no highway objections have been raised. The 2 off-street spaces are acceptable in this location.

Conclusion

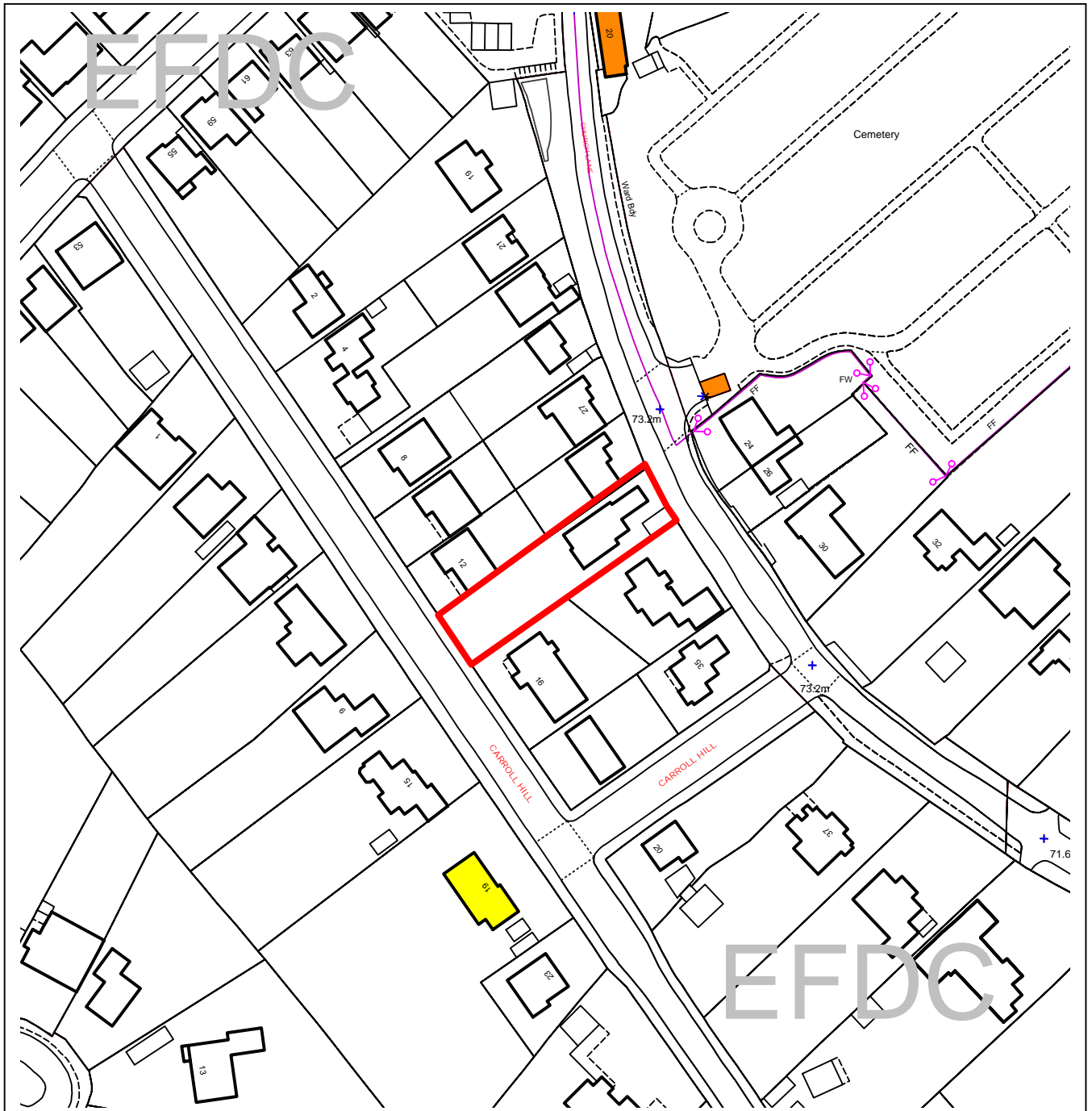
This is a balanced case, but the design changes made have resulted in a scheme which can just be accommodated on this site and remove a rather unusual gap in this road frontage. The houses either side of the site are different in size and appearance and the proposal creates a transition in scale between the two with the resultant enhancement in the street scene, due to its mix of modern and traditional design. It is not a deep plot though, and will be shallower than its neighbours, but this will not be apparent from either road frontage. The back to back amenity issue has been dealt with, but it is accepted there will be a visual impact and loss of light to a side window at no.12. However, this is not so significant, in Officer's opinion, to justify a refusal, given the window is small and not a main window to this room. Fencing is required in the rear garden

and at the front to prevent overlooking, but the addition of fencing will not be so excessive in scale to appear visually intrusive. For the reasons laid out above this application is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	7
Application Number:	EPF/1590/09
Site Name:	Rear of 31 Church Lane, Loughton IG10 1PD
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/1615/09
SITE ADDRESS:	13 Eleven Acre Rise Loughton Essex IG10 1AN
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Pankaj Agarwala
DESCRIPTION OF PROPOSAL:	Erection of a four storey, six bedroom house. (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 development hereby permitted shall be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority, showing the layout and design of the side boundary walls, pergola and planting details of soft landscaping adjacent to No 14 Eleven Acre Rise
- 3 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.
- 4 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.
- 5 Prior to first occupation of the building hereby approved the proposed window openings in the north and south 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.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

- 7 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 2, Class A- C shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.
- 9 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 10 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 11 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.

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).

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

Description of proposal:

Demolition of existing detached house and erection of replacement detached four storey dwelling.

Description of Site:

A now demolished 4 bed roomed detached house on a triangular site at the end of a cul-de-sac. The area consists of large detached dwellings. The site is near the crest of the hill where house properties here fan around the wider head part of this road. The application site is narrower at the front and widens to the rear.

Relevant History:

EPF/0912/06	Replacement detached house	approved
EPF/1038/09	Replacement detached house	withdrawn

Policies Applied:

DBE 1 New buildings
DBE 2 New buildings amenity
DBE8 Amenity space
DBE 9 Neighbour Amenity
CP1 Sustainable development
CP2 Protecting the Quality of the Rural and Built Environment
CP3 New development
CP7 Urban Form and Quality
ST4 Road Safety
ST6 Parking
H2A Previously developed land

Summary of Representations

18 properties were notified and the following responses were received:

TOWN COUNCIL – Object, reiterates previous comments for withdrawn application EPF/1038/09, which were: Objection by virtue of its dimensions and size was contrary to Policy DBE9. Moreover, the proposed development was viewed as having a detrimental impact on neighbouring properties through loss of amenity and light, in addition to an overbearing presence on the surrounding street scene. Moreover, the Committee considered the changes were relatively minor regarding its siting in a prominent position at the top of the hill, which added to the overbearing design of the proposed development.

LOUGHTON RESIDENTS ASSOCIATION – PLANS GROUP - We object to this application on the following grounds: **Street scene:** Because the road rises steeply on the approach to No. 13, and because of the scale & design of the proposal, this 3 ½ storey house at the top of the road will be excessively dominant in the street scene, and out of character with its surroundings. Despite the changes made,

- the higher part of the building has been placed on the “downhill” part of the site and towers over the “uphill” wing, thus totally failing to respect the “run” of roof-lines from number 12 to number 14
- the eaves of the proposed building are at the same level as the top of the roof of number 14, and the high roof space towers over number 14.

Relationship with other nearby properties: The excessive height of the north section of the building will dominate houses in Carroll Hill to the rear of the site. **Design:** The design appears almost as two separate houses with a shared entrance area, and as such is out of keeping with other properties in the road. If the plan envisages multiple household occupation at some time in the future, we would strongly object, as the site and its restricted access would make that very unsuitable. No other property in the road has automatic gates, and we consider that these are wholly out of character with the street scene and would adversely alter the character of the area.

3 ELEVEN ACRE RISE – Object, the preceding plans for the proposed building was far too big and overbearing in design and the new plans appear to have done nothing to remedy this, in fact it now appears that the front of the building boundary has moved vastly forward towards the road doing nothing but emphasising the large and modern design's unsuitability for a traditional cul-de-sac such as Eleven Acre Rise. The structures sheer bulk could be seen to effectively split the road in half - a case of a vast overbearing building towering over the rest of the road's medium sized homes either side of it, with the noticeably tall roof line of such a modern structure dominating the Loughton landscape.

10 ELEVEN ACRE RISE – Object, the proposed construction is far too big and will dominate the whole street scene. There will be loss of privacy to both the neighbouring houses, Eleven Acre Rise, whereby either the existing houses are being extended to a great degree or existing houses are being demolished to be replaced by much larger houses. This has a great impact on the visual amenities of this small quiet road.

12A ELEVEN ACRE RISE – Object, initial objections still stand – exceeds existing building line by considerable extent, far in excess of original approved application which will cause detrimental effect on our view and light. Request any windows in flank wall adjoining us be obscured type glass as was a condition of our planning. From street scene plot appears to contain two houses albeit joined by a lower atrium.

14 ELEVEN ACRE RISE – Object, no attempt to follow the natural building line, and roof would be incongruous, four stories on boundary with No 14 creates a feeling of total enclosure and domination. Significant shadow over the lower level garden will occur. Elevated terrace will overlook our garden, scheme is dominated by flat roofs, loss of daylight to No 12, proposed hedge on side boundary is overbearing, looks like two houses, gate out of keeping. Object to the new street scene drawing, this is an attempt to mislead objectors.

16 ELEVEN ACRE RISE – Object, this revised application has not addressed any of the objections raised concerning the original proposal and seems to deal with them by providing less disclosure of the offending elements thereby avoiding any material improvement on the original plans. This is of great concern and if it appears that the revised application is an attempt to mislead we hope that appropriate action will be taken. Since the revised application has not provided any material change to the original, we therefore refer to our original objections. Due to the fact that the design is not sympathetic to the proportions of either the original dwelling house located on the site or the neighbouring houses, the proposed property would totally dominate the street scene. It is much too large for the site and will dwarf all neighbouring properties.

18 ELEVEN ACRE RISE – Object, overdevelopment of plot, obtrusive impact on the neighbours due to height

15 CARROLL HILL - Object, imposing size will dominate area and ruin balance that exists in neighbourhood. Overlook and cast shadow to my garden and cause loss of privacy.

25 CARROLL HILL – Object, massive size which is out of proportion and keeping with the area.

Issues and Considerations:

The main issues in this application are whether this is an appropriate development for this site, its effect on the street scene, and residential amenity. The scheme has been amended from the previous application, with the roof of the north wing reduced in height, changed in design and a new boundary treatment with No 14 Eleven Acre Rise.

Building in Context and Design

This is a residential area and there are a number of different styles of detached houses in the immediate area. To the south are two detached houses, built on a single plot, (No 12A and No 12) and to the west a large detached house (No 14). The current dwelling was of little visual merit and the removal of the existing garage was a benefit to the area.

The site is a maximum of 35m wide and 55m deep, and the previous scheme which was granted permission was for a detached 6 bedroom dwelling on the site, with 2 of the rooms in the roof space, served by dormer windows (2 on the front roof slope and 3 on the rear roof slope), and a basement containing a swimming pool and garage. The only part of the basement that would be visible would be the garage entrance which, due to the levels on the site, would be cut into the side of the hill onto Eleven Acre Rise.

This scheme would have been some 16m wide x 15m deep, by 9.7m high with a hipped roof. The current building was 13m wide x 8m by 10m high, with a gable end pitched roof, excluding the single storey rear flat roofed extension which was 8m deep x 5m wide and a detached single storey flat roofed garage at the front of the property. The property had rooms in the roof space.

This new scheme is also for a detached 6 bed roomed house, but with a radically different design and layout. The previous scheme could justifiably be described as conventional with a straightforward rectangular plan and hipped roof. This scheme is basically two relatively narrow but deep houses (described as wings) joined with a flat roofed glass fronted atrium, allowing the dwelling to pivot around the atrium to deal with the curved frontage of the site.

Due to the topography of the site there is no obvious front building line to be followed and this has also meant that the street scene elevation drawing has the difficulty of showing a 3D street in 2D on a street which curves and changes in levels. However, the solution employed by the agents is that the drawing shows each of the 3 houses (the site and the two neighbours) as if the viewer is standing in front of each house in turn. Some neighbours have objected to this claiming that the drawing does not show the true impact of the scheme on the street scene, and that the previous street scene submitted with the withdrawn application was more accurate as that scheme showed a side elevation of the new house in relation to No 12A. In the opinion of Officers this approach is somewhat inaccurate as all the houses are on a different orientation and heights. The drawing presented in this scheme is an acceptable solution to the task, and it is the case the Officers have also visited the site during their assessment of the scheme including visiting neighbouring properties and viewing the site from different sites in the street.

The new building will be of a different orientation to the original dwelling, sitting at three angles on the site, one for each wing and one for the atrium. The new dwelling is further forward than the original, but is still set back from the road by a minimum of 15m.

The north wing measures 7.6m x 15m, by 13.3m high with a gable end pitched roof and the south wing measures 6m x 11m by 8.2m high with a gable end pitched roof. The north wing is higher due to the topography of the site and has a visible basement garage and rooms in the top of the gable, making the wing have the appearance of a four storey property, with the south wing having the appearance of a two storey house.

The new dwelling will maintain a minimum gap of 2.7m to the boundary with 12A, and a minimum gap of 2.3m to the boundary with no 14, avoiding a terracing effect. This is assisted by the fact the buildings do not have a consistent front building line as the properties follow the curve of the road in the end of the cul-de-sac. In this respect the street scene drawing is somewhat misleading as the street will not be viewed in this way, but rather as properties wrapping around the road.

As with the previously approved scheme the north wing has a hipped end roof and the south wing has a gable end roof. The eaves of the north wing are now the same height as the previously approved 2006 scheme and are in line with the ridgeline of No 14. This is a reduction of 1.4m from the withdrawn scheme. This change has a significant effect on the appearance and bulk of the scheme for the better, resulting in a more acceptable and attractive building.

Therefore the question is whether the scheme is out of character with the street scene in this location. It is the case that this is an innovative and unusual scheme for this street; this in itself does not mean it is unsuitable for this street and area.

The scheme has been amended to take into account the concerns expressed about its bulk and appearance. It is considered that this revision to the design of the north wing has resulted in a scheme which integrates into this diverse and mixed street without causing any harm to the character and appearance of the area, and is a scheme which will add interest to the street and enhance the character of the area.

Some objectors to the withdrawn scheme had mentioned the question of the proposed automatic gates. These appear relatively modest structures and would cause no harm to the street scene in this location. Others mentioned the potential for subdivision of the property into two houses at a later date; this is not suggested in this application and would require planning permission in any event.

Residential Amenity

There is some impact to No 12A to the south, but this is limited due to the orientation of the respective buildings and the existing flank wall of No 12A. No 12A is also higher than this scheme and it is considered that there will be no significant loss of light, sunlight, overlooking or overbearing impact on the amenities of No 12A

Due to the existing boundary screens, distances and fall of the land there is no harm to properties in Carroll Hill.

With respect to No14 to the west it is the case that there is a significant difference in the main ground level at this site and at No 14, a height of some 3.5m. This difference requires that any scheme has to be carefully assessed in terms of its impact on this neighbouring property. As seen above, the new house will be higher than the previous structure, and higher than the previously approved scheme.

To this end the gap from the boundary has been increased from the previous scheme and a raised brick planter and a wooden pergola will be installed along the northern boundary with No 14. This wall, planting and wooden pergola will have the effect of breaking up the visual impact of the northern elevation of the scheme. This combined with the new hipped roof reduces the impact on the amenities of the occupants of No 14 to a level which would not justify a refusal on these grounds. This area of the scheme can be conditioned to ensure that the treatment of the boundary is acceptable.

It is accepted that there will not be a significant loss of light to any rear elevation window (as the scheme respects the 45° rule of thumb). The scheme will cut off light to the side windows, none of these are the sole window to a habitable room.

There will be some minor loss of sunlight in the mornings but this would not justify a refusal.

The rear first floor balcony would result in some overlooking of the rear garden area of No 14, but no overlooking would occur of its rear elevation. It is considered that with the appropriate screening on the boundary, no undue harm will occur to No 14.

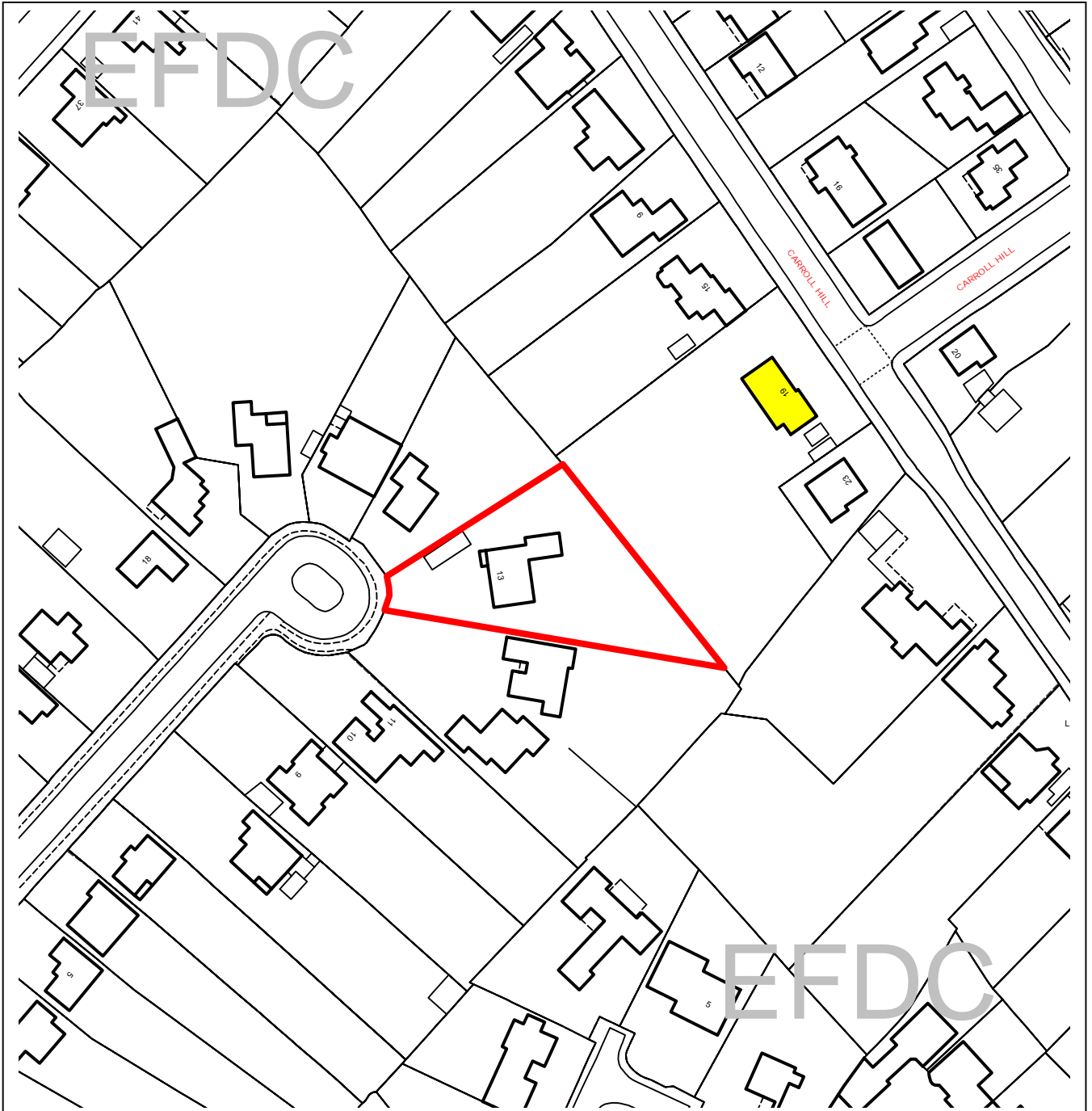
Conclusion

This is a significant scheme, but neighbouring houses sit on similar wide plots and there will be good separation distances between this and the houses on either side. Because of the narrowing plot frontage the proposal has been designed to fit this shape without appearing bulky and still having the essence of a traditional roof shape and profiling. The land rises steeply from the road so the entrance is at first floor level compared to No 14, as was the original house before its demolition. In Officers opinion, on balance, the scheme has overcome the previous concerns over its height and bulk and therefore is recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	8
Application Number:	EPF/1615/09
Site Name:	13 Eleven Acre Rise, Loughton, IG10 1AN
Scale of Plot:	1/1250