

Report Item No: 1

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

CONDITIONS

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

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

This application is before this Committee since it was deferred from a previous Committee Meeting, held on 06/05/09 in order to seek advice from the Council's Planning Solicitor on the consequences to the neighbouring unit occupiers should permission be granted, given that they then may be in breach of condition 9 of planning permission EPF/1494/06 when this and the rest of the business units on this site were granted planning permission. Further plans have been received from the applicant showing the parking layout of the estate and the reversing and turning area indicate that vehicles can park, load and turn within the site and therefore the condition would not be breached. The applicant has served Notices on the adjoining business unit, although strictly the planning application is on the applicant's site.

Description of Proposal:

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

Description of Site:

The proposal site is the end unit on the development of 12 which was granted permission under EPF/1494/06 and used by Ark Build PLC, a building construction company, for the storage of material and an office base. The development is accessed from the south east and turns right into a cul de sac. The use of the site is generally in Classes B1 and B2, with mainly light industry and warehouses and their associated offices. This is typical of the uses of sites in the area along Langston Road and the centre is bordered by similar uses.

Relevant History:

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

EPF/1775/09 - Variation of condition 9 of EPF/1494/06 for the erection of 6 new office units and 6 business units to allow the erection of a palisade fence and access gate on the boundary of units 11 and 12. Withdrawn - 02/10/2009.

Policies Applied:

Policy ST4 – Road Safety

Policy DBE1 – Design of New Buildings

SUMMARY OF REPRESENTATIONS:

(11 properties consulted – 6 replies).

UNIT 11 (WOODLAND LEATHERS LIMITED) – Objection. Parking standards state a need for turning space for vehicles on B class sites. The application drawing No 2473/RE/201 demonstrated that sufficient space was provided for larger vehicles to turn. The fence removes the ability of larger vehicles to turn. This has led to issues with vehicles loading and unloading. This creates an unacceptable obstruction for vehicles parked beside or servicing Unit 11. It has led to an unacceptable loss of part of the business centre used for vehicles turning and adversely affects and disrupts the operational requirements of units in the centre, including respondents. It is harmful and prejudicial to the safe movement of vehicles using this part of the centre and limits their ability to enter and exit in a forward gear. This could create a precedent which would be harmful. Proposal is contrary to council policies DBE2, DBE3, ST4 and ST6. Objector bought on the estate because the plans showed a turning space for larger vehicles. (2 Letters).

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

UNIT 8 and 9 (LOUGHTON BUSINESS CONTRACTS) – Objection. Bought off the plans shown and fence is hazardous to centre users, lorries having to reverse out of a confined space. Turning circle is absolutely necessary for lorries to manoeuvre and was one of the main reasons for

acquiring units. Turning circle is a right of way. The fence is a hazard for larger vehicles which has also created parking issues.(2 Letters).

UNIT 7 (L.E.S.C LTD) - Objection. Fence is 2.3m high and not 2.0m. Parking standards state a need for turning space for vehicles on B class sites. The application drawing No 2473/RE/201 demonstrated that sufficient space was provided for larger vehicles to turn. The fence removes the ability of larger vehicles to turn. This has lead to issues with vehicles loading and unloading. This creates an unacceptable obstruction for vehicles parked beside or servicing Unit 11. It has lead to an unacceptable loss of part of the business centre used for vehicles turning and adversely affects and disrupts the operational requirements of units in the centre, including respondents. It is harmful and prejudicial to the safe movement of vehicles using this part of the centre and limits their ability to enter and exit in a forward gear. This could create a precedent which would be harmful. Proposal is contrary to council policies DBE2, DBE3, ST4 and ST6.

UNIT 6 (CRYSTAL SERVICES PLC) – Objection. Bought off the plans shown and fence is hazardous to centre users, lorries having to reverse out of a confined space.

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

5 LANGSTON ROAD (QN HOTELS) – Objection. Parking standards state a need for turning space for vehicles on B class sites. The application drawing No 2473/RE/201 demonstrated that sufficient space was provided for larger vehicles to turn. The fence removes the ability of larger vehicles to turn. This has lead to issues with vehicles loading and unloading. This creates an unacceptable obstruction for vehicles parked beside or servicing Unit 11. It has lead to an unacceptable loss of part of the business centre used for vehicles turning and adversely affects and disrupts the operational requirements of units in the centre, including respondents. It is harmful and prejudicial to the safe movement of vehicles using this part of the centre and limits their ability to enter and exit in a forward gear. This could create a precedent which would be harmful. Proposal is contrary to council policies DBE2, DBE3, ST4 and ST6.

TOWN COUNCIL: The Committee had No Objection to this application and the additional plans they received were duly noted.

Site Notice Displayed.

Issues and Considerations:

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

Road Safety

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

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

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

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

Having viewed the additional plans received from the applicant the Highways Department have no further comments than previously related on this issue.

Impact on Appearance of the Area

Policy DBE1 states that new buildings are of a size and position that they adopt significance in the streetscene which is appropriate to their size and scale. Unit 12 is enclosed at the side elevation by the exact same type of fencing and it is considered that to enclose the other boundary with a similar fence would have no impact on the appearance of the area. The site contains a yard used for storage of vehicles in the evenings and at the weekends and such a fence would be deemed a normal, adequate means of security.

Letters of Objection

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

Further objection letters state that tenants bought on the development off the submitted plans and the fence has made traffic movement hazardous. It is the view of Essex County Council Highways Department, that that the proposal has not compromised highway safety, and therefore the provision of safe movement as provided for in the original plans are still adhered to.

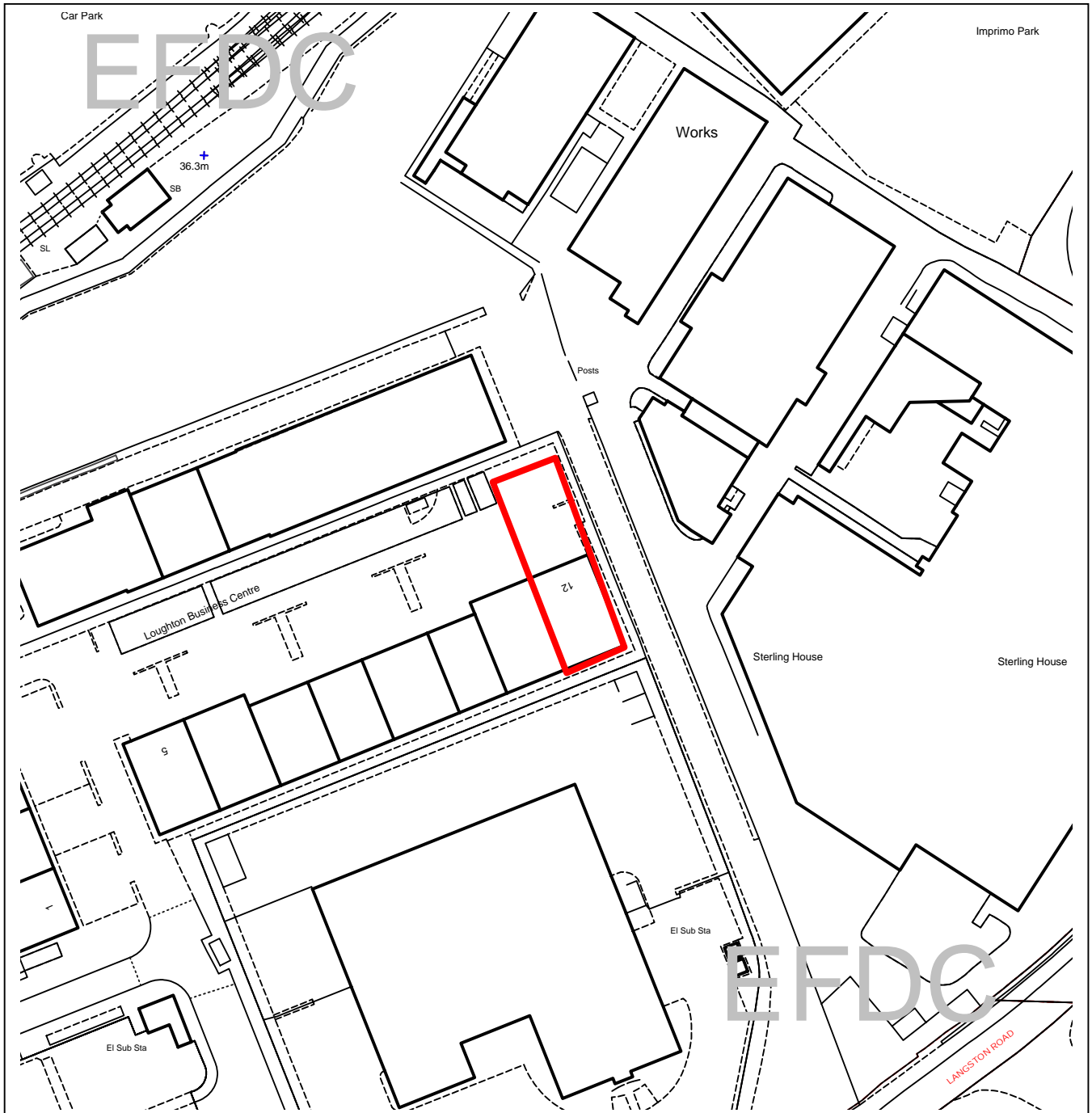
Conclusion:

The application proposes to retain a fence at Loughton Business Centre and contends that this will not impair the ability of vehicles to exit in a forward gear. Having considered the application and consulted the Highways Department it is thought that highway safety has not been compromised and the terms in condition 9 have not been breached. The fence is also of adequate design given its location and the business of the tenants at Unit 12.



Epping Forest District Council

Area Planning Sub-Committee South



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

Report Item No: 2

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).*

The scheme was deferred at the last committee meeting held on 7 October 2009 as the objectors had not been notified of the Committee date. The report below has been updated to include late representations that would otherwise have been previously verbally reported.

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.

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.

20 ELEVEN ACRE RISE – object, due to its height and position it would be excessively dominant in the street scene and out of character. It towers over No 14. Concerned could be converted into multiple household occupation, gates are out of character with the street scene.

22 ELEVEN ACRE RISE – object, grossly too large and overbearing, out of keeping with the street, impinges on the neighbour at No 14s privacy.

12 ELEVEN ACRE RISE – object, size is above the neighbouring properties, large rear balcony will remove privacy, house will take away the quality of our view.

23 CARROLL HILL – object, house will totally dominate the street, not in keeping, will dwarf the neighbouring properties, unacceptable overlooking of No 14s garden and Carroll Hill.

7 ELEVEN ACRE RISE – object, enormous 4 storey building, too large and will dominate the street scene and No 14, materials are unclear, please do not use No 2 Eleven Acre Rise as a precedent.

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 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 roof 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.

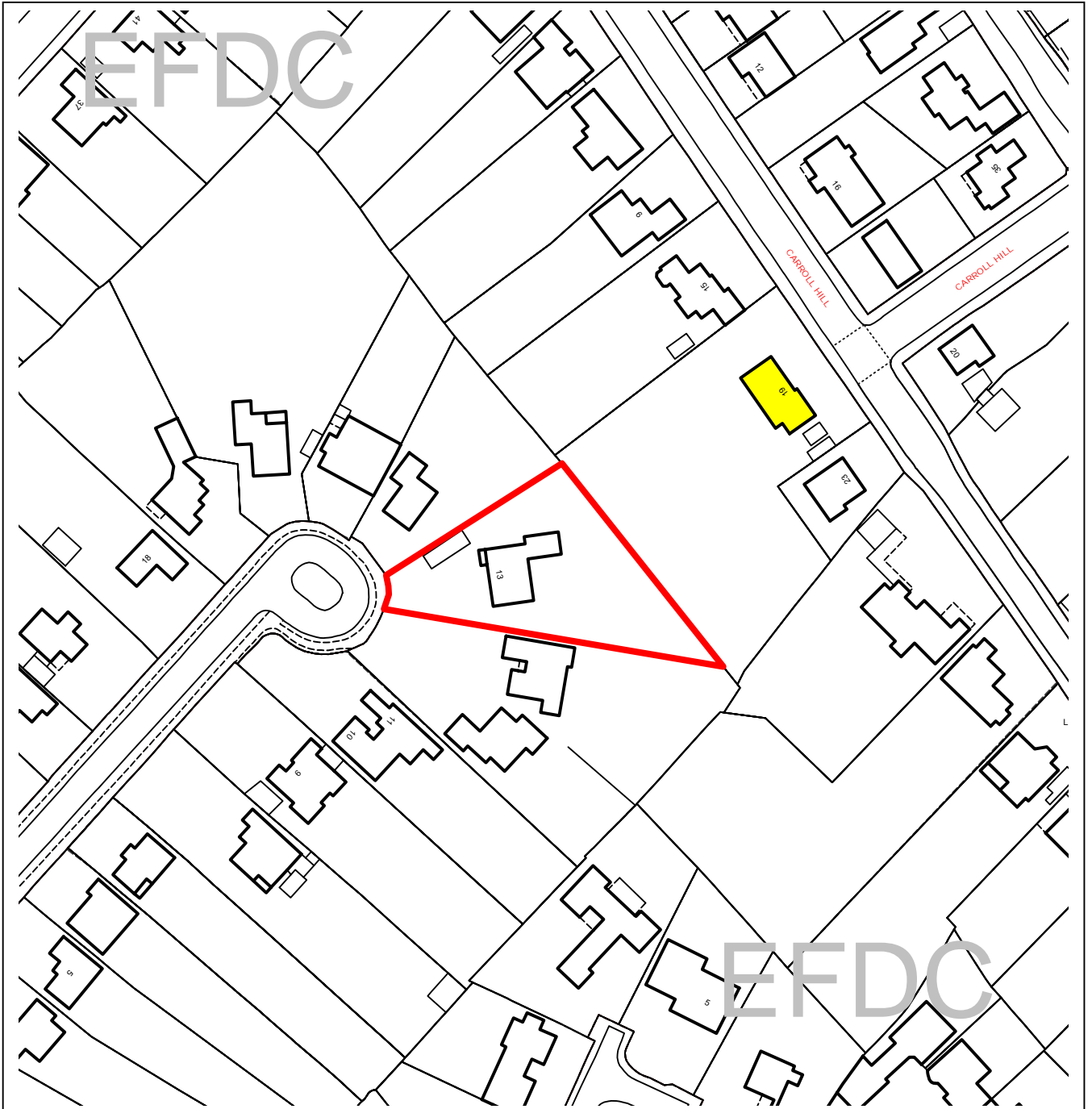
Conclusion:

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. The scheme has overcome the previous concerns over its height and bulk. For the reasons above this scheme is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/1615/09
Site Name:	13 Eleven Acre Rise Loughton, IG10 1AN
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1706/09
SITE ADDRESS:	Former Woolworths 228 High Road Loughton Essex IG10 1EY
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr David Shternzis
DESCRIPTION OF PROPOSAL:	Ground floor extension for proposed class B1 use (Office/Light Industrial) and new second floor extension to existing retail unit to provide Class A1 (Retail)/B1 (Offices) and alterations. (Revision to previous withdrawn 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 The ground floor extension hereby approved shall be used solely for B1, offices not within A2, and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 4 The second floor extension hereby approved shall be used solely for B1, offices not within A2, and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 5 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Proposal:

The proposal is to extend this unit by a further storey creating a second floor. The application also seeks approval for an office in the form of a small extension located towards the rear of the property.

Description of Site:

The site was formally occupied by Woolworths, providing an A1 use on the High Road. The building is two storeys and is flanked on either side by three storey properties. The building extends much further back than the neighbouring buildings with an access entry and a limited number of parking spaces located at the rear of the site. Access to this is gained off The Drive and the building is close to the junction of High Road and The Drive. The area has a strong retail feel in a primary part of the shopping frontage of Loughton High Road.

Relevant History

EPF/1351/84 - New shop-front. Grant Permission - 26/11/1984.

A/EPF/0009/87 - Externally illuminated fascia sign 3.3m x 0.4m. Grant Permission - 08/05/1987.

EPF/1054/05 - External security shutter to shopfront door lobby. Grant Permission - 10/08/2005.

Policies Applied:

Policy CP2 – Protecting the Quality of the Rural and Built Environment

Policy TC1 – Town Centre Hierarchy

Policy TC3 – Town Centre Function

Policy TC4 – Non Retail Frontage

Policy DBE1 – Design of New Buildings

Policy DBE9 – Loss of Amenity

Policy ST4 – Road Safety

Policy ST6 – Parking

SUMMARY OF REPRESENTATIONS:

(Site Notice erected and 14 properties consulted – 4 replies).

230A HIGH ROAD: Objection. Extension will be bulky and overbearing blocking out sunlight and overlooking patio.

226 HIGH ROAD: Objection. Building would be taller than neighbouring properties and would be overbearing. Limited parking spaces and issues with deliveries.

4 THE DRIVE: Objection. Issues with disabled access. Drawings show boiler house which has been largely removed and a window which has been bricked up. Ground floor office does not contain any windows. Increase in deliveries dangerous to pedestrians and accessing the building at the rear is hazardous. Proposal will lead to overlooking and lack of privacy. Nuisance caused during works and continued disturbance to property after completion. Ground floor could be used for B1 uses.

6 THE DRIVE: Objection. Overlooking and loss of privacy. Loss of sunlight to the garden. The extension would look out of place at the rear. Additional traffic will affect road safety.

LOUGHTON TOWN COUNCIL: No Objection, provided planning conditions relating to the retention of full A1 use on the ground floor and measures to control noise and disturbance are imposed.

Issues and Considerations:

The main issues to consider are;

- Impact on the vitality and viability of the principal shopping area of Loughton.
- The effect of the proposed development on the living conditions of neighbouring residents.
- Whether the proposed development would be likely to give rise to issues in relation to parking and road safety

Town Centre Location

Policy TC1 states that the council will, in principle, permit proposals which should sustain or improve the vitality and viability of any of the centres, and which will either maintain or not adversely affect their position in the Town Centre Hierarchy. Proposals for retail and other edge of centre uses will be assessed in terms of whether they affect the vitality and viability of existing centres within the district. Policy TC3 supports this and states that the council will refuse any proposal which would have a detrimental impact on the vitality and viability of local shopping centres. Loughton High Road is classed as a principal town centre within the district. The area has a few vacant shops and the occupancy rate of over 90% shows that despite a recent recession, the centre is relatively healthy.

This site occupies a prominent position on the High Road as part of the key frontage, close to a junction, and bordered by retail uses. The building has been vacant since the closure of Woolworths. It is considered imperative that the building is brought back into use in the interest of the vitality and viability of the centre and if the proposed extension could help facilitate this then this would be considered positively. This would be subject to the ground remaining in retail use, as indicated on the plans. The applicant proposes either A1 or B1 uses at second floor level and given the location this would be acceptable. The application does not include changing the use of the first floor, which is ancillary to the ground floor A1 use Both are acceptable town centre uses, the B1 only if it is not resulting in loss of retail floor space, as is the case here.

Parking/Traffic Generation

A number of objectors have raised the issue of parking as being of concern. It is considered that as the site is within the town centre this is not such a concern. The accessibility of alternative options to the private car is readily available, including two public car parks ion easy walking distance. There are good access to local bus routes and the local underground station is within reasonable walking distance.

The objectors also raise issue with deliveries to the building causing disturbance and being hazardous to pedestrians and other road users. It is considered that an established method for deliveries is in place in relation to the previous Woolworths store. This involves access at the rear of the site and this method would provide the same operational arrangement for any future use of the site. The objectors also state that future staff entering the building at the rear would provide further hazard. It is not considered that this would be a significant issue causing additional hazards as pedestrian movement in this area would already be relatively high, with Morrison's and residential properties nearby.

Impact on Neighbours Amenity

Policy DBE9 requires that residential extensions do not lead to loss of neighbour amenity in relation to such things as visual impact, overlooking or loss of daylight/sunlight.

The neighbouring properties bordering the site have objected in relation to loss of amenity. An office borders the site on the south west elevation (No226). There were potential issues of overbearing impact and loss of outlook from this property. However the applicant has recessed the building back from the offices and this adequately addresses the issue. Outlook is not unduly affected and a good source of sunlight is available to rear facing windows. The front elevation is not unduly affected with the building located adjacent to a stairwell. An occupied flat borders the building on the north east elevation (230A). The building has also been recessed on this side, 10m x 2m. This significantly reduces the overbearing nature of the development. Upper floor windows are obscure glazed and so loss of daylight or sunlight would not be highly significant and lower windows would not suffer any greater loss of sunlight.

The rear patio area of this property would suffer some loss of sunlight in the afternoon hours. However the recess in the building will lessen the impact and the level of loss would not be so significant as to warrant a refusal in this instance.

The rear of the site borders a residential property in The Drive. The occupants of this dwelling, and the immediate neighbours, have objected in relation to overlooking and overbearing impact. The existing building already contains a number of first floor clear glazed windows and it is not considered that the additional floor and the proposed windows would significantly increase overlooking. A separation distance of 15m exists to the boundary and therefore any overbearing impact would be alleviated.

The proposal includes a single storey element designated for B1 use. It is not considered that this presents any issues if conditioned to relate solely to B1 Office use. It is a small area of only 24 square metres, sandwiched between existing buildings and not visible in the street scene.

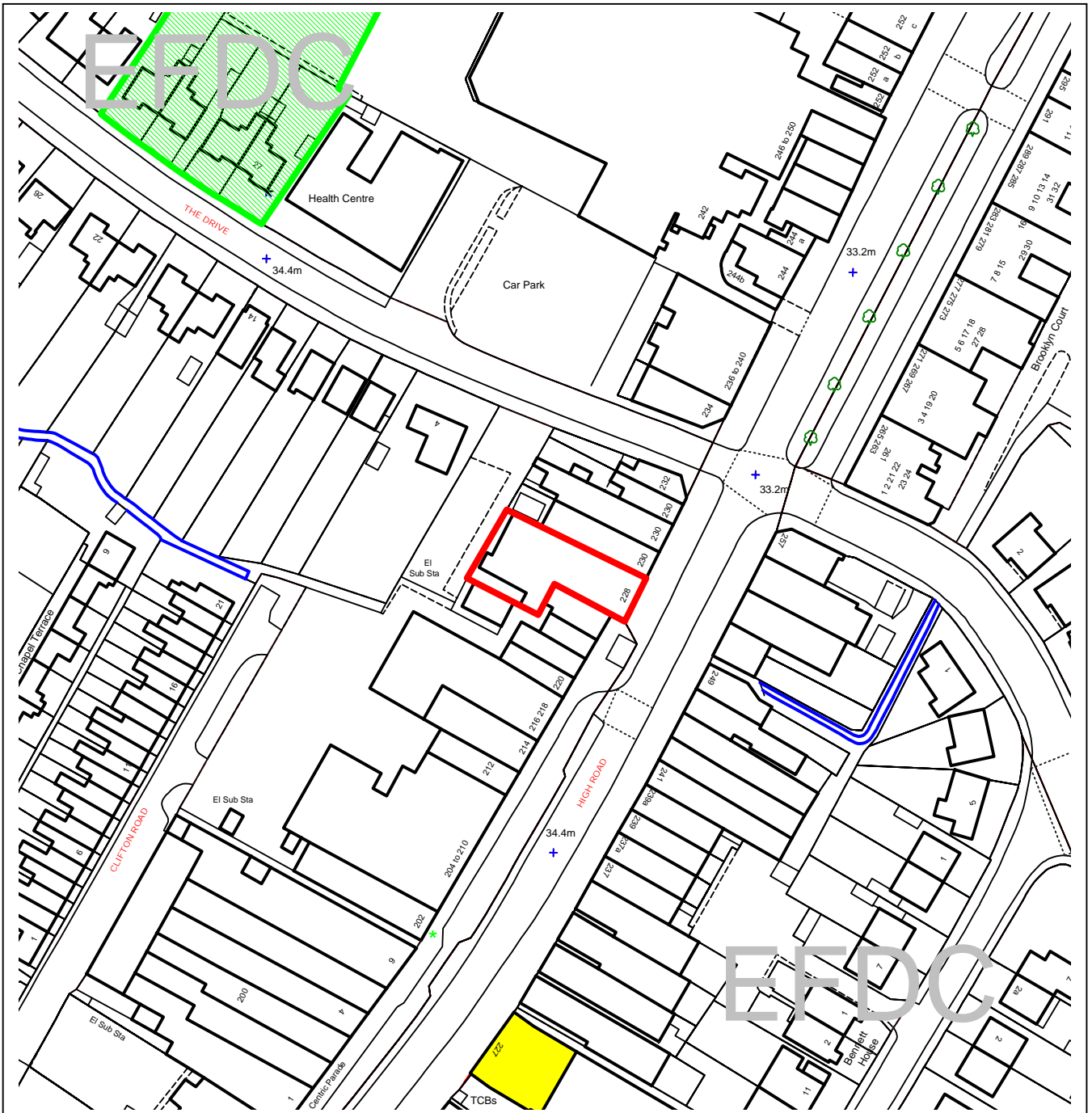
Conclusion:

The proposed application is acceptable in terms of its impact on neighbour amenity and the vitality and viability of this Principal Retail Centre. It complies with the development plan policies and will provide jobs in a sustainable location in easy reach of the local population. It is therefore recommended that the application be approved, subject to relevant conditions.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/1706/09
Site Name:	Former Woolworths, 228 High Road Loughton IG10 1EY
Scale of Plot:	1:1250

Report Item No: 4

APPLICATION No:	EPF/1716/09
SITE ADDRESS:	Beechlands 42 Alderton Hill Loughton Essex IG10 3JB
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Southend Care Limited
DESCRIPTION OF PROPOSAL:	Renewal of outline planning permission for the erection of a private dwelling house for the proprietor of 'Beechlands'.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 2 Details of the design and external appearance of the buildings (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved
- 3 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.

- 4 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.
- 5 This consent shall inure solely for the benefit of the applicant Dr D. Vive Kananda and for no other person or persons.

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:

Renewal of outline application for the erection of a new house and detached garage to the rear of an existing nursing home fronting Alderton Hill. The application is described as being for the proprietor of Beechlands nursing home. The overall site is about 35m wide and 116m deep. Vehicle access would be via the existing north flank access of the existing building, adjacent the house at no.44.

Those reserved matters that are being sought at this stage are access, landscaping and layout.

Description of Site:

A rectangular area which is currently part of the large rear garden of No 42. The rear of the garden would become the new plot, with a hedge and fence separating the old and new plot. The nursing home is located on the north side of Alderton Hill, a road lined either side by large detached houses in deep plots, set back from the road by about 15m. To the rear, there are large detached houses in Spareleaze Hill in large, but not so deep or ample plots.

Relevant History:

CHI/242/68	Car port	approved
EPF/137/90	Single storey rear extension	approved
EPF/1787/98	Rear double garage	approved
EPF/1335/06	New dwelling house	refused
Appeal granted 2007		
EPF/0470/08	Reserved matters for new dwelling	refused
Appeal refused 2009		
EPF/0386/09	Reserved matters for new dwelling	refused
EPF/1362/09	Reserved matters for new dwelling	refused

Polices Applied:

DBE 1 New buildings
DBE 2 new buildings amenity
DBE 6 Car Parking
DBE 8 Amenity space
DBE 9 Neighbour Amenity
CP1, 3, 6 & 7 Core Polices re sustainable development
H1A, H2A, H3A, H4A Housing Provision
ST4 & 6 Traffic Criteria
LL10 Landscape and Trees

SUMMARY OF REPRESENTATIONS:

14 Neighbour letters sent:

23 SPARELEAZE HILL – object, my view has not changed from previously. I do not want my neighbour overlooking into our garden.

31 SPARELEAZE HILL –Object, There is a covenant on the site with ECC, why is this being ignored, we are being harassed by the barrage of applications over the years, this will change the character of the area and create a precedent for this type of development, I question the validity of the appeal process under which this was allowed and note the surprise of the other Inspector in the 2008 appeal that the original appeal had been granted. This is a backland development which will be harmful to the area and the amenities of the neighbours.

Any other representations received, including the Town Council's, will be summarised and reported at the meeting.

Issues and Considerations:

The main issues in this application are whether the a new building in this backland position would be harmful to the character of the area, would it result in unacceptable harm to the amenities of those people living adjacent to the site and would there be any detrimental highway safety implications. The scale and appearance of the property are left as reserved matters for future approval, should outline permission be granted.

It will be noted that the original outline application in 2006 was refused under delegated powers by Officers. The subsequent appeal was allowed by the Inspector in 2007. The appeal decision is a material planning consideration in this case. It should also be noted that the relevant Local Plan Policies have not been altered in the last 2 years since the appeal decision was made. The Local Plan polices being applied in this case are therefore the same those considered on the last outline planning application.

A number of applications for the approval of the reserved matters (design and external appearance) following on from the 2007 outline permission have been refused, one of which was decided at appeal, where it was dismissed. In dismissing the appeal, the Planning Inspector did however comment: *“Despite local residents continued objection to the development of the site, the principle of the erection of a dwelling was established with the granting of the outline planning permission”*.

Her reasons for dismissing the appeal related to the mass and bulk of the proposed dwelling which were of a poor design and inappropriate in this context. She did not consider that that scheme would result in an unacceptable loss of privacy for neighbours, but would, due to its design, have a harmful effect on their outlook.

The current outline planning permission as therefore not yet expired, but so far no reserved matters application has been approved.

Building in Context

- The rear garden area which would be used for the plot measures 45m x 35m. This would accommodate a two storey house shown on the plan as orientated northwest to southeast with a detached garage to the northeast.
- The character of this area of Alderton Hill is one of large detached houses on wide and deep plots. Sparelease Hill to the north is of a similar character.
- The Inspector identified 2 main issues, the character of the area and impact on the neighbours.
- He took into account similar backland type of developments at 50 Alderton Hill and 12A Alderton Close to conclude that,
 - *“the underlying pattern of frontage development is now not completely homogenous”.*
- He further identified that the proposed dwelling would be sited 18m from the rear boundary, 12m from the side boundaries and 5m from the boundary with Beechlands, stating,
 - *“With this amount of space around the dwelling, I consider the proposal and its setting would be compatible with the prevailing spacious character of the existing development in the area. Certainly it constitutes backland development, but it would not be cramped and since it is unlikely to be readily visible from Alderton Hill itself, I do not consider that it would be seen as an obviously out of character feature”.*
- This was contrary to the views of Planning Officers, who originally refused planning permission in 2006 stating that the proposal would be harmful, by being isolated and out of character with the existing pattern of development in the area, as well as the access road result in unreasonable noise to the private garden areas of the host building and no.46. It is fair to state, that Officers were somewhat surprised at the appeal decision to allow the development in outline, putting it down to the Government desire to make the best use of urban land in sustainable locations, such as this. However, the appeal decision is a material consideration and one which has considerable weight attached. The Officers have therefore taken a very balanced view this time around and despite some third party objections, it is felt that as the principle has been accepted and the arguments against not supported on appeal, Officers are recommending approval this time around.

Residential Amenity

- Because of its central position on the plot and separation distance away from neighbouring houses, there would be no loss of light to any of the neighbouring properties.
- The Inspector concluded there would be no adverse impact on the inhabitants of Beechlands from traffic using the new site due to the layout of the existing care home, or to No 46 Alderton Hill as there is a garage as the boundary building.
- The proposed dwelling would overlook the rear gardens of No 46 and 48 to the east and No 40 and 29 Sparelease Hill to the west. Whilst it is accepted that there is some screening on these boundaries, the new dwelling would allow overlooking of garden areas that are at present only overlooked at some considerable distance by the rear elevations in Alderton Hill and Sparelease Hill. However this is not considered a reason to refuse the scheme as the rear elevations of the dwellings, much further away, would not be overlooked. It therefore is not contrary to policy DBE9 of the Local Plan and in any case, was not a reason for refusal originally, nor has it been supported on appeal.

Private Amenity Space

- The private garden amenity space provided would be acceptable. The remaining amenity space for the nursing home would be some 1200m², which is more than ample for its needs.

Highways

- The Highways Department have stated that they have no objections to the scheme, which can also accommodate off street parking in line with the Councils parking standards.

Landscaping

- There are a number of trees on the site, which are not subject to any preservation orders, and it is the case that any scheme will require landscaping, but the detail can be dealt with by way of a planning condition.

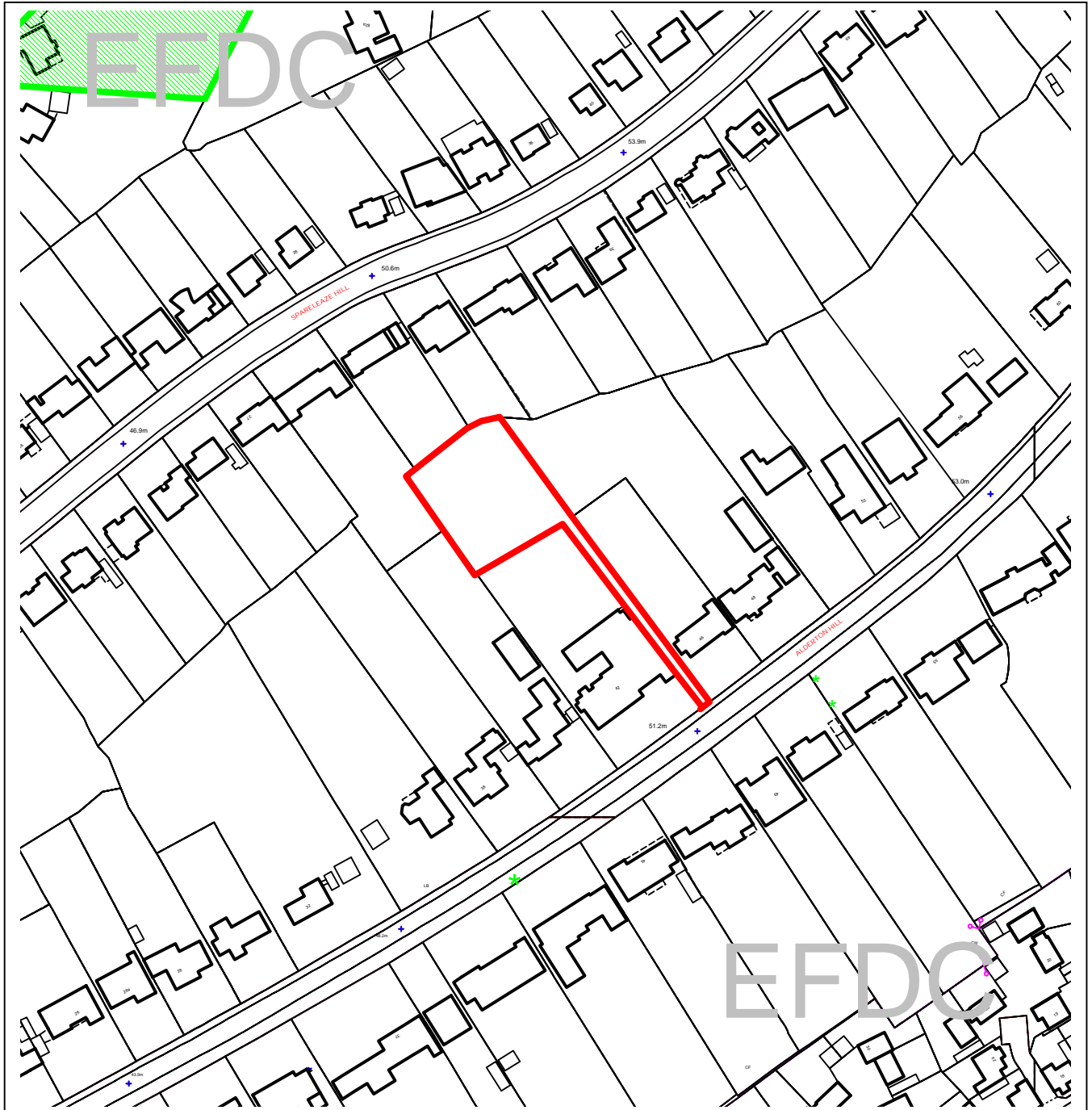
Conclusion:

For the reasons laid out above the Inspector concluded that, in spite of the Councils original objections, he was unable to identify any serious harm arising from the proposal. There have been no changes in Local Plan policies since the original outline application, which has not yet expired, and the Inspectors conclusions are thus still valid. Whilst a balanced case that introduces a dwelling, albeit for the proprietor of Beechlands Nursing Home on the site, the application is recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/1716/09
Site Name:	Beechlands, 42 Alderton Hill Loughton IG10 3JB
Scale of Plot:	1:1250

Report Item No: 5

APPLICATION No:	EPF/1075/09
SITE ADDRESS:	94 Hainault Road Chigwell Essex IG7 5DH
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Saleem-ud-din Mohammed Ali
DESCRIPTION OF PROPOSAL:	Amendment to EPF/520/08, for retention of enlarged rear dormer window.
RECOMMENDED DECISION:	Grant Permission

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:

Amendment to EPF/0520/08, for retention of enlarged rear dormer window. The rear dormer measures 4m wide with a pitched roof 2.65m in height. The proposal is a retrospective application.

Description of Site:

94 Hainault Road is a detached two storey dwelling which has approval for a loft conversion which included raising the roof (which has been implemented) and a 1.5m wide and 2.1m in height pitched roof dormer on the rear roof slope. The application site is within the built up area of Chigwell, and not within the Metropolitan Green Belt or a Conservation Area.

Relevant History:

EPF/2637/07 – Loft conversion with dormer windows and raise roof height - Refused
EPF/0520/08 – Loft conversion with dormer windows and raise roof height (Revised application) – App/Con

Policies Applied:

Epping Forest District Local Plan and Alterations

DBE9 – Impact on amenity
DBE10 – Extensions to dwellings

SUMMARY OF REPRESENTATIONS:

4 properties were consulted and the following responses were received:

CHIGWELL PARISH COUNCIL: The Council strongly OBJECTS to this application. Both EFDC and The Parish Council have objected in the past and the Parish Council has now been informed that the works have taken place.

96 HAINAULT ROAD – Objection loss of privacy in the garden

92 HAINAULT ROAD – Objection – dormer out of character and scale with neighboring properties and loss of privacy.

Issues and Considerations:

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

- Amenity of Neighbouring Properties
- Appropriateness of Design
- Other Matters

Amenity

The neighbouring properties have objected to the proposal due to loss of privacy. Although it is agreed that the dormer is larger than that actually approved, but as with the smaller approved dormer, it is not considered that this proposal significantly reduces privacy having regard to the existing view from the first floor windows. It is appreciated that there may be a perception of increased overlooking because of the increase in size of the dormer, but it is not considered sufficient to justify a refusal.

Appropriateness of the Design

The dormer is a large addition to the roofslope, however it is considered to be of an acceptable design given the inclusion of the pitched roof which complements the existing gable feature to the rear.

Other Matters

As an additional point, the proposal could have been completed under Permitted Development, without the need for planning permission if it had not been built at the same time as the raising of the roof.

The first refused planning application in 2007 was because of a higher main roof being created and two large front dormers. This issue was overcome on the 2008 planning permission that showed two smaller front dormers and a reduced height increase.

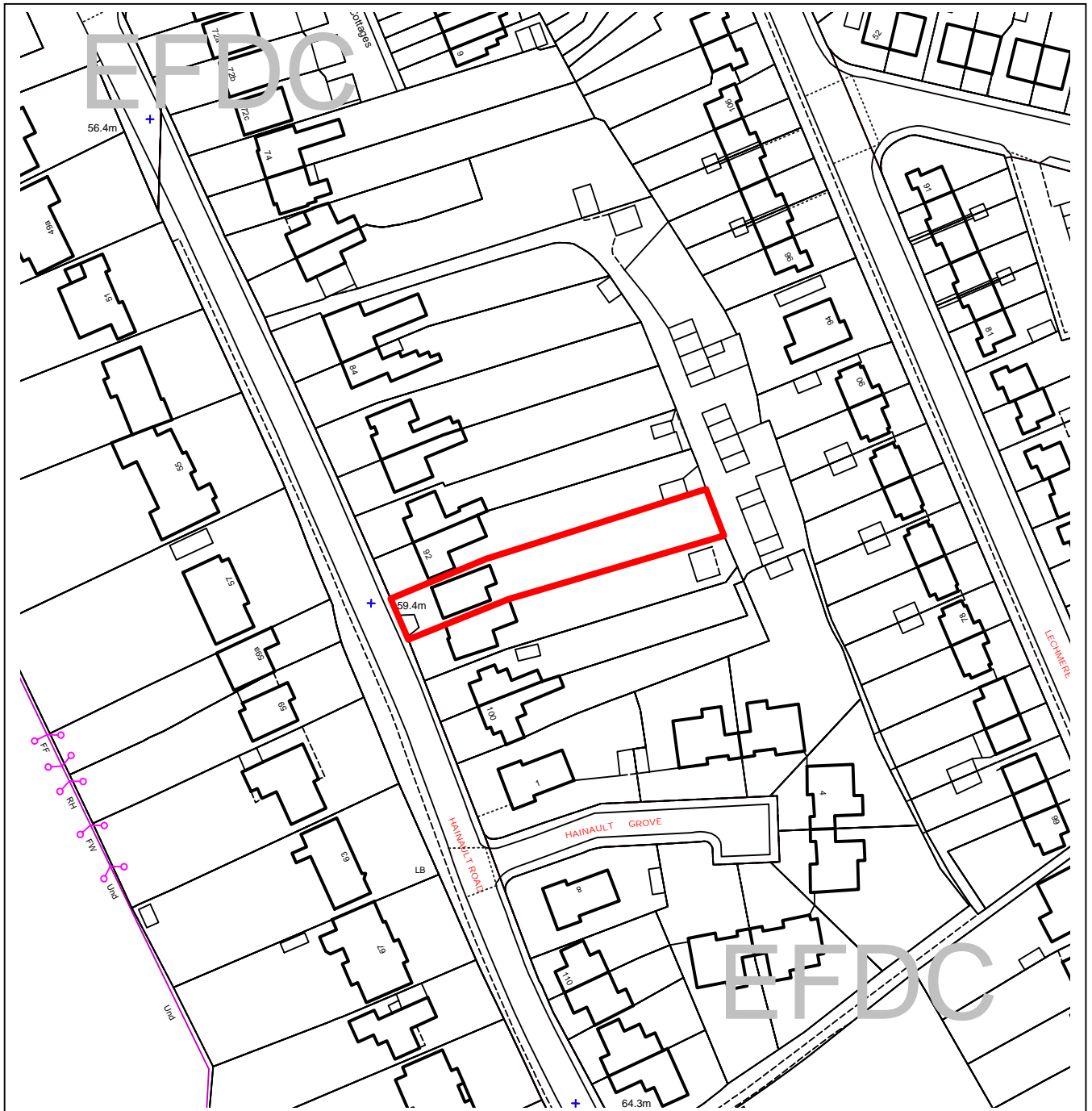
Conclusion:

On the particular merits of this proposal the balance of issues as outlined above were considered such to justify recommending that planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/1075/09
Site Name:	94 Hainault Road Chigwell IG7 5DH
Scale of Plot:	1/1250