

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1907/09
<b>SITE ADDRESS:</b>	72 Queen's Road Buckhurst Hill Essex IG9 5BS
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	The Letmore Group
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for retention of new fascia and projecting signs externally illuminated. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission

**CONDITIONS**

None

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

**Description of Proposal:**

The proposal is for the retention of a fascia sign measuring 4475mm x 813mm above the front elevation of the shop and a small projecting sign measuring 813mm x 813mm. The signs are 2.35m approx from the ground and coloured red and white.

**Description of Site:**

The site is a retail outlet on Queen's Road close to the corner with Kings Place. The shop is bordered on both sides by similar sized properties and is within the Town Centre Boundary of Buckhurst Hill.

**Relevant History:**

EPF/0659/80 - Provision of external staircase to existing 1st floor flat. Grant Permission (with conditions) - 30/05/1980.

EPF/0323/93 - Change of use from shop to estate agents (A2 Use)(ground floor only). Grant Permission (with conditions) - 27/07/1993.

EPF/0115/96 - Change of use from shop to food and drink (A3) use (ground floor only). Refuse Permission - 11/03/1996.

EPF/1169/04 - Single storey extension to rear of offices. Grant Permission (with conditions) - 23/08/2004.

EPF/0547/07 - First floor rear extension. Grant Permission (With Conditions) - 05/07/2007.

EPF/2167/08 - Retention of new fascia and projecting signs externally illuminated. Refuse Permission - 22/01/2009.

### **Policies Applied:**

Policy DBE13 – Advertisements.

### **Summary of Representations:**

13 properties were consulted, no responses were received.

PARISH COUNCIL: Objection. The proposed sign is out of keeping with the existing streetscene, the bright red frontage of the sign is obtrusive and the lighting is overly prominent.

### **Issues and Considerations**

The main issue to consider is any possible impacts the proposed sign would have on the immediate area in terms of design and on neighbour amenity.

#### **Considerations**

Local Plan policy DBE13 advises that illuminated signs should be in keeping with the building in relation to materials, colours and proportion and should not affect the amenity of nearby residential properties.

Whilst the Parish Council have objected to the bright red frontage, it was the brightness of the illumination that justified a refusal of consent on the last application by this Committee. The size of the lettering, the position of the projecting sign at fascia level above the shopfront is all in keeping and similar to those that exist in this commercial area. In fact, the only element of the signage that means it requires consent is the illumination. The rest of the sign is the company design and matches the colour and style of the shopfront. Churchills signs exist in many other similar localities.

The illumination of the sign had been an issue; being extremely bright and therefore out of keeping. But since the last refusal, the applicant has added a luminosity diffuser which has significantly reduced the level of luminance to an appropriate level. At night when it is lit, the illumination is now reduced by 60% of its previous light spillage and is more subdued and in keeping with the street scene. The signage now adopts less prominence within the streetscene and its traditional style generally adds to the character of this part of Queens Road.

The occupant of No72 stated that the sign would block views of his fascia sign when viewed coming down Queen's Road. The projecting sign is fairly typical of other projecting signs in the area or on a shopfront such as that which prevails in the area. However, decisions on adverts shall only be made in the interests of amenity and public safety, not on matters of trade competition or blocking of other signs. In any case, next door's sign is visible coming uphill along Queens Road and only noticeable when close to the shop in any case.

### **Conclusion:**

The illumination level has overcome the previous reason for refusal and the signs will not harm amenity or public safety. It is therefore recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/1907/09
Site Name:	72 Queen's Road, Buckhurst Hill, IG9 5BS
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1812/09
<b>SITE ADDRESS:</b>	7 Chigwell Park Chigwell Essex IG7 5BE
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Kashif Muhammed
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of garage with a reduced height of 2.5m.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The reduction in height of this garage, to 2.5m, as shown on the plans hereby approved, shall be completed within 4 months of the date of this decision notice.
- 2 The garage outbuilding hereby approved shall not be used as primary living accommodation, e.g. as a living room, bedroom, kitchen.
- 3 No openings or windows, other than those shown on the plans hereby approved, shall be installed in this garage outbuilding without a further planning application being submitted and approved.

*This application is before this Committee since the recommendation differs from the expected views of the local council (pursuant to section P4, schedule A (g) of the Councils delegated functions).*

**Description of Proposal:**

This application is for the retention of an existing currently unauthorised garage but with reduced height of 2.5m.

**Description of Site:**

A large two storey semi detached house located at the junction of Chigwell Park with Tudor Close in a residential area. The garage is located in the rear garden with access off Tudor Close, and measures 8.2m long by 4.8m wide. The garage has a very shallow monopitch roof which falls from 3.2m to 3m in height.

**Relevant History:**

EPF/936/09 - Planning permission refused for retention of new outbuilding in rear garden as a garage.

### **Policies Applied:**

DBE1 - Design of new buildings;  
DBE2 – Effect on neighbouring properties;  
DBE9 – Loss of amenity;  
ST4 – Road safety.

### **Summary of Representations:**

CHIGWELL PARISH COUNCIL – comments not yet available on the date of drafting this report (5/11/09), and the parish committee meets on 10/11/09. The parish may well wish to object to the application and hence this report for Area Plans South has been prepared so that a committee decision can be made before the 8 weeks target date expires.

22 neighbours have been consulted and 2 replies have been received as of 5/11/09 - see below. However, regrettably, the initial notification letter did contain a syntax error and for the avoidance of doubt neighbours have been re-consulted, and any further replies will be reported orally at Committee.

20 TUDOR CLOSE – Object - Drivers of cars leaving the garage are in the road before being able to see, and hence this is a hazard to road safety. Also an increasing number of commuters using Chigwell station are parking in this part of Tudor Close further impeding driver visibility. Further, the garage is an eyesore detracting from views in the road.

1 TUDOR CLOSE – Object – Plans do not appear to be drawn to scales shown since, if they are, height of finished building still stands above 2.5m restriction. Height of surrounding fences has been exaggerated such that new height of building appears less overbearing to its surroundings. Regularisation of illegally built building is against spirit of natural justice. First application refused on other grounds besides height, including position adjoining highway – lowering height does not change its position relative to highway. Safety hazard to pedestrians and cars coming into Tudor Close from Chigwell Park. Factual error in original post-construction application regarding removal of trees. Believe that internal floor area of 34 sq.m. means that Building Regulations consent should have been sought. Building is still wider and longer than other garages in area and remains bulky, overbearing, out of scale and will have unacceptable visual impact.

### **Issues and Considerations:**

This outbuilding was erected earlier this year. However, following planning enforcement team investigations the outbuilding was found not to fall within permitted development guidelines because it is more than 2.5m. in height and is located within 2m. of a boundary.

A planning application was subsequently lodged (EPF/936/09) for retention of this outbuilding, which has a height between 3m and 3.2m. This application was refused on grounds that its size and prominence detracts from the amenity and outlook of residents in the neighbouring no.1 Tudor Close, that its height and position detracts from visual amenity in the street scene, and that drivers of cars exiting the garage have insufficient sightlines to see pedestrians on the pavement.

Following this refusal the planning enforcement team wrote to the applicant requesting him to remove this unauthorised outbuilding – stating that failure to comply with this request would result in legal action being taken to secure its removal. However, this current application has now been submitted which proposes to reduce the height of the garage to 2.5m in height – that is a height at which the garage could have been originally built without the need for planning permission.

The principal reason for the earlier refusal was the adverse impact of the south flank of the garage (3.2m in height) on the front garden/drive area, and front aspect, of no. 1 Tudor Close. The garage

is now 0.7m lower and would only project 0.7m above the height of the boundary fence which lies close to the south flank of the garage. This reduction in height does lessen the impact of the garage and the amenity and outlook of neighbours in no.1 Tudor Close would not now be significantly affected.

Similarly the lower height of the garage would reduce its prominence in the street scene. Although 'up and over' metal doors on the back edge of pavement are not particularly attractive this issue would not justify a reason to refuse planning permission.

The 'inadequate sightlines of pedestrians' reason for refusal on the previous application was a subsidiary reason for refusal. The level of pedestrian use on the pavement is low (Tudor Close is a cul-de-sac) and garages located on the back edge of pavements is not an uncommon feature in urban areas. The County Council highways officer confirms that refusal of the proposal on grounds of inadequate sightlines would not be justified given the quiet nature of the road.

### **Conclusion:**

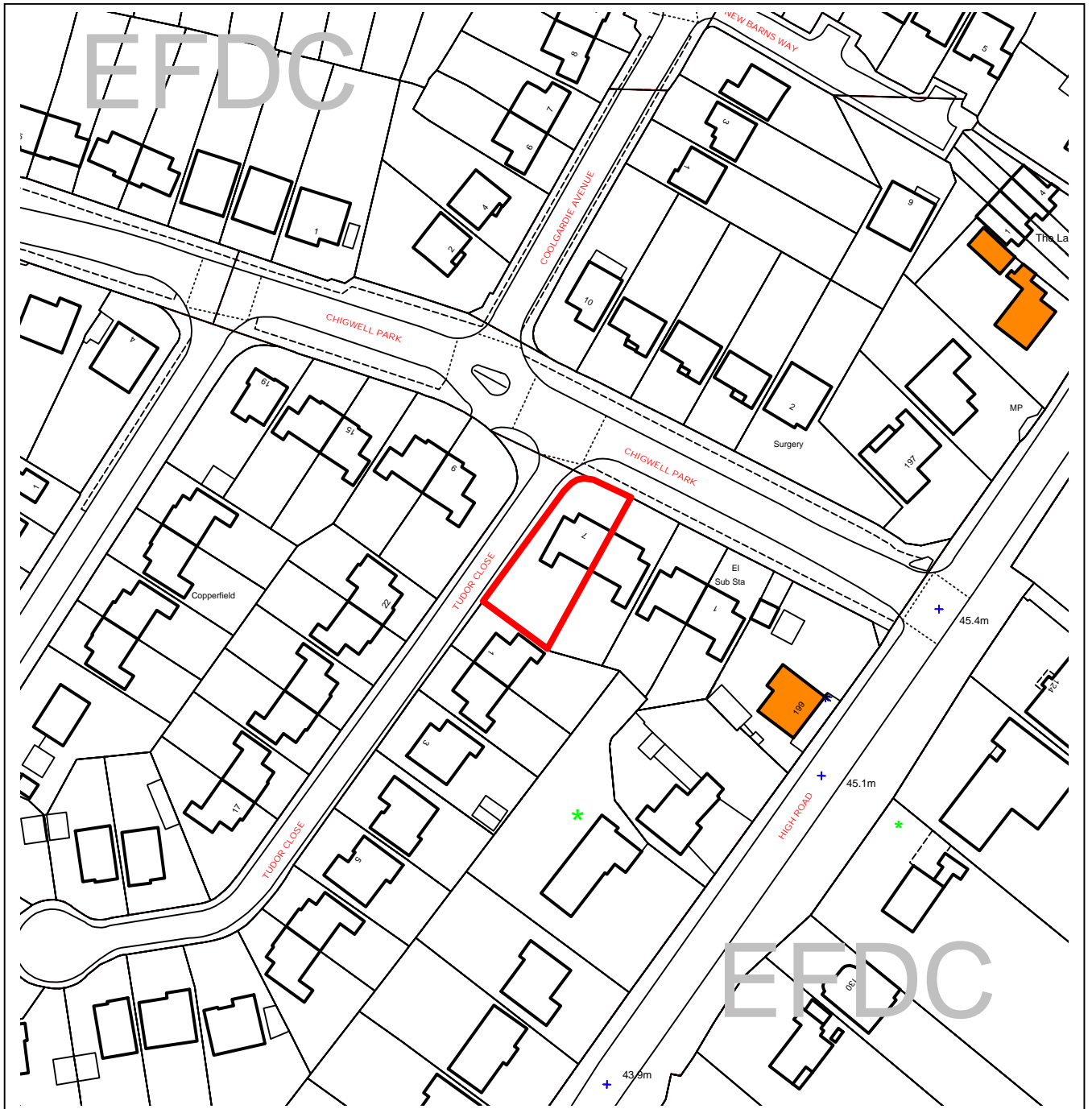
This is an unusual application seeking to reduce the size of an unauthorised garage outbuilding to a size that would not initially have needed planning permission. Many 'permitted development' outbuildings have some adverse effect on neighbouring properties or the street scene. This is the case here but the adverse effect would now be smaller as compared to the existing garage on the site, and would not justify a refusal of consent. It would also be difficult to justify the expediency of taking enforcement action to secure the removal of this garage if the Council had refused an application to reduce it to a size allowed under permitted development.

It is therefore recommended that planning permission be granted, subject to conditions prohibiting the use of the garage as further primary living accommodation i.e. as a bedroom/living room, and not allowing further window openings to be formed without the grant of further planning permission. These conditions are considered expedient to exercise control over privacy and possible overlooking issues. Finally, given that this unauthorised outbuilding causes a loss of amenity in its current form, another condition proposed requires that works to lower the height of this garage be completed within 4 months of the date of the decision.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	2
Application Number:	EPF/1812/09
Site Name:	7 Chigwell Park, Chigwell, IG7 5BE
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1952/09
<b>SITE ADDRESS:</b>	39 The Lindens Loughton Essex IG10 3HS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>APPLICANT:</b>	Mr Paul Marianayagam
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear extension, loft conversion and conversion of garage into habitable room.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to the commencement of the development hereby approved, a plan showing the location of at least one off-street parking space at the property is to be submitted to and approved in writing by the Local Planning Authority. The development is to be built in accordance with the approved parking plan and retained as such thereafter.

*This application is before this Committee since it has been 'called in' by Councillor Brooks (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).*

*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:**

Revision to two previous planning permissions for a two storey rear extension and conversion of garage into habitable rooms linked by a small infill extension to the main house. The rear extension would project back by a maximum of 4.5m on the ground floor and 3.5m on the first floor with a 1.7m high rendered masonry screen wall to the side and partly coming around to the side to join a 1.1m high safety rail/balustrade beyond. The roof above will match the height of the existing main roof ridge and finished with a tiled hipped roof sloping on three sides with a rear facing central dormer to serve a room in the roof space.

Other revised alterations include an extra first floor side window on the road side and roof lights in 2 groups of 4 in the existing roof slope on the front elevation.



## **Description of Site:**

The application site comprises of a two-storey detached dwelling with detached garage and store building located on the west side of The Lindens. The house has an original two storey extension at the rear, partly along the rear of the house, adjacent to the road side. The area is approximately 15 year old built residential neighbourhood with a variety of styles comprising of predominantly two-storey detached dwellings. There is hard standing at the side of the property for parking with sufficient amenity space provided at the rear garden. Neighbouring property at the rear has an existing rear conservatory. The house flanks onto the estate road with the front facing south onto a private road serving nos. 39, 40 and 41. No. 38 is to the north and has its side wall just beyond the application site's rear garden.

## **Relevant History:**

EPF/0434/00: Part conversion of garage to gym/games room. – Refused permission: 14/04/2000. Reason for refusal: *The proposal would result in inadequate off-street parking facilities and give rise to additional indiscriminate on-street parking at and within the vicinity of the site, contrary to Policy T16 of the adopted Local Plan.* Appeal lodged and dismissed 21/11/2000

EPF/1967/05: two-storey rear extension and loft conversion – Refused permission: 22/12/2005: Reason for refusal: *The proposed two-storey rear extension and loft conversion would be an incongruous addition that, by reason of its size, scale and prominent position in the street scene, would result in a disproportionate addition, seriously harming the appearance and character of the dwelling in particular, and the street scene as a whole, contrary to policy DBE10 of the adopted Local Plan*

EPF/0945/06: Two-storey rear extension and loft conversion. (Revised application) - Granted.

EPF/0284/07: Amendment to planning approval EPF/945/06 for a two storey rear extension and loft conversion and alterations - Granted

EPF/1518/08: Two storey rear extension and conversion of garage into habitable room - Granted.

## **Policies Applied:**

### Local Plan:

DBE2 – Effects on Neighbouring Properties

DBE9 – Not result in excessive loss of amenity to neighbouring properties

DBE10 – Design of Residential Extensions

ST6 – Parking Standards

## **Summary of Representations Received:**

11 properties were consulted and the following responses were received:

TOWN COUNCIL – The Committee objected to this application owing to the sheer bulk of the proposed works in this corner development, which would cause substantial overlooking and loss of privacy to neighbouring properties, particularly no. 38 The Lindens, caused by the obtrusion of a rear dormer and front facing velux windows, as well as a balcony that extended across most of the first floor rear elevation. The Committee also considered the development would have a deleterious effect on the surrounding streetscene totally transforming its existing character. It was therefore deemed to be contrary to Policies DBE9 (i) & (ii) and DBE 10 (i) & (ii) of Epping Forest District Council's adopted Local Plan and Alterations.

Moreover, the loss of the garage combined with the lack of adequate parking provision to be provided would only serve to exacerbate onstreet parking at this locality.

The Committee was also concerned to read, in an accompanying letter from the applicant, that the District council Planning Officer was said to have approved "in principle" this planning application.

38 THE LINDENS: Object to balcony that will overlook rear and front garden and large enough for at least 4/5 people, dormer overlooks and impact on my privacy, overdevelopment and changes road scene, size and style of building is out of character with neighbouring properties, particular kerb-side appeal of my property. Had no objection to 2006 application that had no balcony, dormer or French upper doors.

96 THE LINDENS: Parking would be an issue with 6/7 bedrooms and overcrowd the road especially with conversion of garage, balcony not in keeping with street scene because of prominent position of the house in the road, gross overdevelopment of the site, not in keeping.

36 THE LINDENS: Alterations too extensive and invasion of my privacy, scale of dormer and balcony out of keeping, drain issue in the area.

40 THE LINDENS: Object. Substantially out of keeping with the street scene, overdevelop the site, unsympathetic, increase no. of habitants with the proposed extension and garage conversion will exacerbate parking problem in the road, application is retrospective and erected metal work for the new roof.

37 THE LINDENS: Object, overbearing and out of scale, style and character with neighbouring properties, not in keeping with the street scene.

### **Issues and Considerations:**

The principal issues to consider with this application are whether the proposed development will be harmful to the street scene, visual and residential amenity in respect of the occupants of neighbouring residential properties.

### **Background**

Work commenced on site and investigation by enforcement officers revealed that what was being built was not in accordance with approved planning permissions for the site. As can be seen in the planning history, there are at least 2 planning permissions that have not lapsed which have approved a two storey rear extension with a balcony.

The 2006 permission had two dormers on the rear roof slope of the proposed two storey rear extension with a ground floor rear extension beyond.

The 2007 permission infilled the void between the two dormers to make a single elongated dormer and added a balcony on the roof of the ground floor extension but with an above eye-level high wooden screen on both sides, partly wrapping around the rear with a painted steel hand rail in between. Side windows were proposed on the road side. This permission included the small ground floor infill between the existing garage and the house.

The 2008 permission abandoned the rear dormer and instead proposed two full roof height, rear facing roof gables over the proposed first floor, but retained the balcony and hand rail, though with smaller side screen that did not wrap partly around the rear.

### **Design Considerations**

- The application is a further revision to previous approvals for a two storey rear extension. The applicant appears to have gone back to the 2007 permission, but rather than have wooden screens, he has started to build these in solid blockwork to then render these to match the rest of the flank wall of the extended house. The wooden screen would be more pleasing on the eye and a softer design approach to that proposed here. However, the render wall is only 1m deep and on balance, is not considered to be harmful to the appearance of the street scene.

The alterations to the front roof slope, showing roof lights, are permitted development and therefore do not require planning permission.

- It is considered that overall the additions to the house would be acceptable in relation to the property and the wider area when viewed from the rest of The Lindens. There is an original two storey rear extension towards the road side, and the addition will extend 1.5m beyond this (with the rendered screen a further 1m beyond). The design of the balcony makes it appear reasonable in the street scene.
- The currently detached garage would be expanded to adjoin the main property but this is minimal and represents no significant difficulty in design terms, particularly as it shows a pitched roof rather than the flat roof as previously approved.
- As required by the 2008 permission, should permission be granted then it shall be with a requirement for a parking space to the front garden to go with that available in front of the converted garage. As on the previous permissions, this provision would be acceptable and be similar to the parking provision in the surrounding houses.

### Residential Amenity

- The converted garage would retain the existing 10.1m length and 4.5m height and as such there would not be any significant additional effects from the conversion.
- There would potentially be overlooking from the rear balcony into the garden of no. 38 The Lindens, to the rear, but the partial wrapping around of the screen wall will help to limit this. The balcony and the rear dormer would mainly face a blank side gable of their house, and thus would not cause unacceptable overlooking into the facing property itself.
- No.36 is further over to the north-west, but the existing roof of the garage and the proposed screen helps to prevent undue overlooking and loss of privacy.
- There are no significant visual effects to neighbouring residents from this proposal. Neighbours' objections to the dormer and the balcony have been noted, but these already have the benefit of planning permissions.

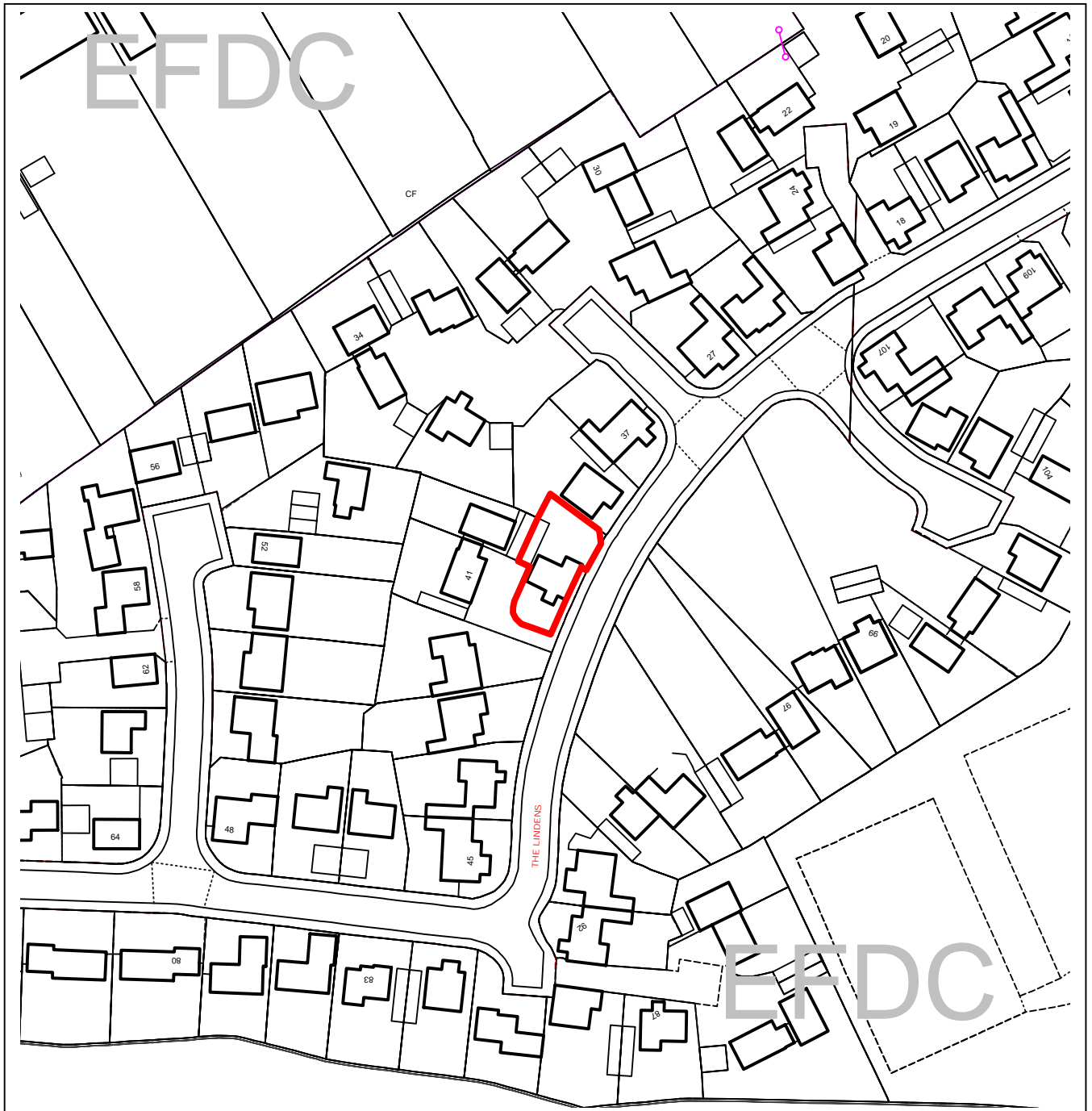
### Conclusion

The construction of the extension has raised objections from surrounding residents, but there is no change to the size and scale of the development from those approved previously. The changes are not substantial and the design of the screen walls, on balance, is considered to be acceptable. The proposal complies with the relevant policies of the Local Plan listed above. The application is therefore recommended for approval with conditions.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1952/09
Site Name:	39 The Lindens, Loughton, IG10 3HS
Scale of Plot:	1/1250