

Report Item No: 1

APPLICATION No:	EPF/2185/09
SITE ADDRESS:	1 Alderton Mews Alderton Hill Loughton Essex IG10 3JE
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Adam Waldman
DESCRIPTION OF PROPOSAL:	TPO/EPF/41/88 Pine - Fell and replace
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.

Description of Proposal:

T1 Pine. Fell and replace.

Description of Site:

The tree stands approximately 13 metres tall, within a group of large shrubs including magnolia, choisya and cherry laurel, which fill the raised bed forming the boundary screen landscape scheme designed for the site between the applicant's front garden and the neighbouring driveway.

Alderton Mews is a modern three dwelling gated residential development located between 73 Alderton Hill and The Hawthorns cul-de-sac further to the north east. Each house is a detached

residential dwelling. The locality is characterised by residential development increasing in levels of housing density at this end of the hill. Evergreen and mixed broadleaf trees populate the generally spacious frontages along Alderton Hill.

Relevant History:

Since the Area Order TPO/EPF/41/88 was served no records exist of works being carried out to the tree subject of this application.

Policies Applied:

Epping Forest District Local Plan and Alterations:

LL9 Felling of preserved trees

Summary of Representations:

LOUGHTON TOWN COUNCIL – Objection. Willing to waive objection if the District Council's arboricultural officers deem the application acceptable, but commented on lack of information provided on the plans.

2 neighbours were notified and the following responses were received.

3 ALDERTON MEWS - Fully support, understand a replacement tree being planted.

LOUGHTON RESIDENTS ASSN - support subject to agreement of EFDC arboriculturalist and replacement being planted.

Issues and Considerations:

Applicant issues

The main reasons put forward to fell the pine tree are the following:

- The tree is causing damage to the boundary wall of the raised planter in which the tree stands. Roots are also claimed to be lifting bricks making up the driveway.

It is clear to see that this young Pine is causing a progressive distortion to the low boundary wall in the form of direct root pressure on it. The wall leans away from the tree and a tapering gap is visible between two sections of wall.

Uneven bricks in parts of the driveway might have developed from the growth of surface roots but this has not been conclusively proven. Together, though these problems indicate that the tree is outgrowing its constrained location.

Planning considerations.

The main planning considerations are:

Visual amenity.

T1 has negligible public amenity due to its location within the back land development. Before entering the private close, a gate must be passed under control. The tree cannot be seen from Alderton Hill and views of it from The Hawthorns are largely obscured by the applicant's house.

Tree condition and life expectancy

The tree is healthy and vigorous but grows in an inclined stem. Its branch structure is compromised by tightly growing leaders competing for dominance. It is foreseeable that the life expectancy for T1 will exceed 20 years.

Suitability of tree in current position

The relationship between the tree and its retaining wall is incompatible due to limited space within the small garden bed which prevents this tree from developing successfully. The high density of shrub planting is in conflict with this young dominant tree, which has a high growth potential into maturity.

Conclusion:

The tree has little public value due to its close position to the boundary wall and inappropriate location. Planning policy demands that tree removal is not simply justifiable but necessary. There is justification to remove this tree on grounds of increasing incompatibility with its planting environment.

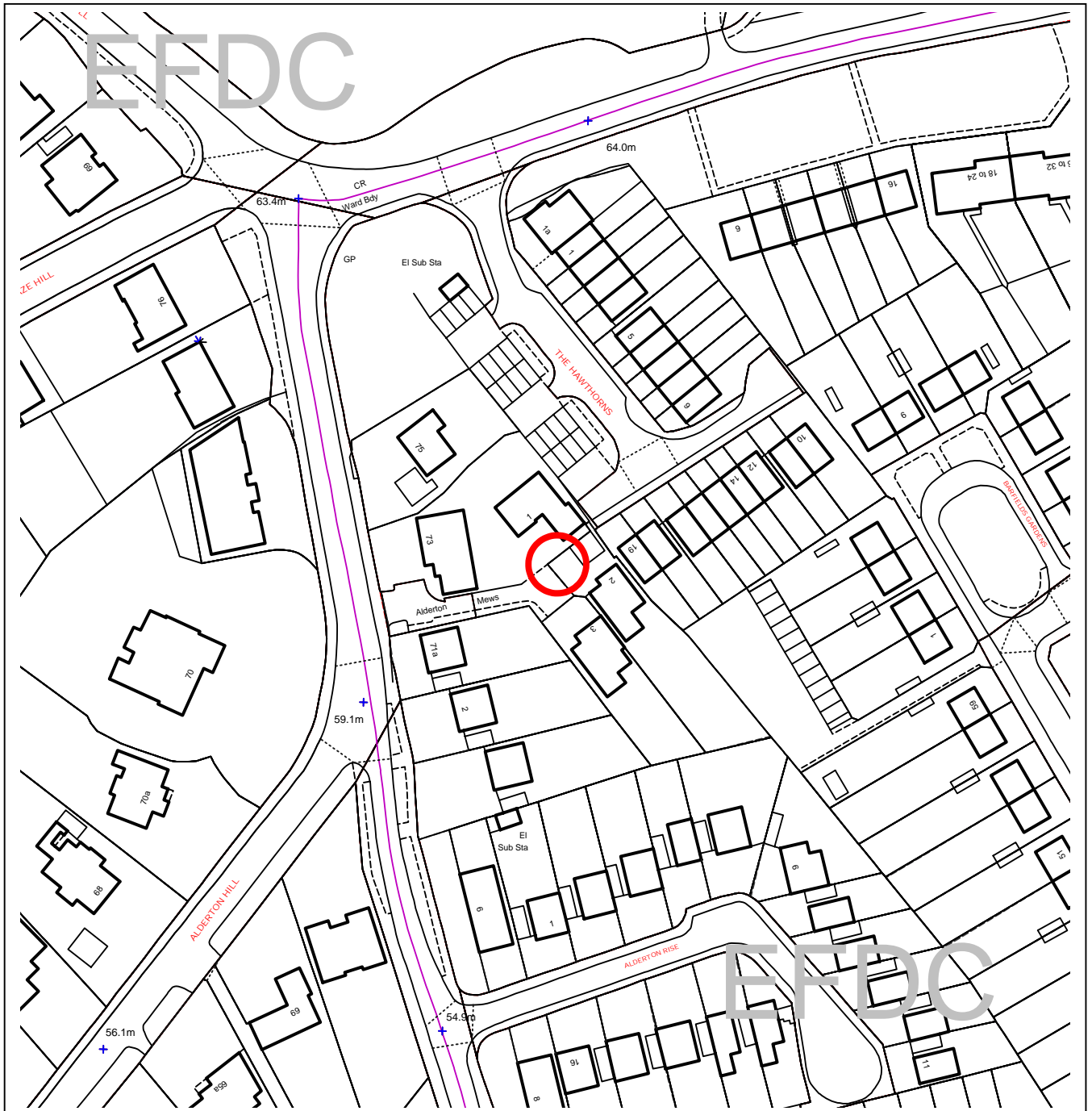
It is recommended to grant permission to this application on the grounds that the reason given justifies the need to remove the tree. The proposal therefore accords with Local Plan Landscape Policy LL9.

In the event of members agreeing to allow the felling it is recommended that a condition requiring the replacement of this tree and a condition requiring prior notice of the works to remove it must be attached to the decision notice.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/2185/09
Site Name:	1 Alderton Mews, Alderton Hill Loughton, IG10 3JE
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2191/09
SITE ADDRESS:	10 Monkchester Close Loughton Essex IG10 2SN
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr Derek Galliers
DESCRIPTION OF PROPOSAL:	TPO/EPF/07/91 T12 Oak - Fell
RECOMMENDED DECISION:	Grant Permission

CONDITIONS & REASONS

None

This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.

Description of Site:

10 Monkchester Close is an end terrace property with relatively restricted land. It is built into the slope of the Epping Forest ridge; to the rear is a sunroom and a small paved rear terrace, and to the side a limited garden area between the flank wall and a garage.

The property contains 3 preserved trees, a Eucalyptus in the front garden, and 2 Oaks including the application tree (T1 on the application plan) in the side garden to the west of the house. The wall for the garage had been carefully built around the application tree; the neighbouring Oak emerges through its roof.

Relevant History:

Permission has been given for reduction of the 2 Oaks in 2004 (TRE/609/04). A third Oak, set in the small rear terrace garden to the southwest of the property, was removed by consent in 2005 (TRE/1480/05), to allow reasonable use of the rear terrace, and light into the house, and sunroom in particular.

Policies Applied:

LL9 – Felling of Preserved Trees.

Summary of Representations:

4 neighbours were consulted and the following responses were received:

LOUGHTON TOWN COUNCIL – The Town Council objects to inappropriate treatment being carried out to any significant tree, and also objects to any application to fell such a protected tree. It therefore objected to this application.

LOUGHTON RESIDENTS ASSOCIATION – Objection: The reason given for wanting to fell the tree are that it occupies too much of a small garden. However, we assume that the tree was there before the house was built, and that the owners knew the position when they bought the property. It is not clear whether any other options have been pursued.

Issues and Considerations:

The reasons given for the application are as follows:

1. The tree is over-dominant of the main garden available to the applicants. Even with pruning their enjoyment of their garden is unreasonably restricted because of its presence. This means that the garden cannot be enjoyed for a sitting out area, but also it cannot be used to dry washing etc because of bird droppings from birds roosting in its branches.
2. There is also unreasonable shading of the side rooms of the house.
3. The applicants point to the greater amenity value and public prominence of the other Oak, T2.

It is suggested that the main considerations are:

1. Is the loss of usability of the side garden and the shading of the property unreasonable?
2. Would there be any significant loss of public amenity were the felling to be agreed?

Loss of Amenity

The owners have a paved rear garden that wraps around the rear and North West sides of the property. It comprises a narrow rear terrace behind a sunroom that extend the living room (shading of both of which was the reason accepted for the felling of the third oak in 2005) and a small triangular shaped side garden, approx 4m at its widest, where this tree stands. It is enclosed by the detached garage. The reasons given for this application are in part similar to those given in respect of the 2005 application, although there were structural issues in that instance as well. By most standards it is judged that the total area of garden is very restricted. The side garden is entirely dominated by the two Oaks, of which the application tree has the largest impact. There is no sunshine at most times of day. The space is not useable as a garden. The rear terrace and sunroom now have morning sun, but this is lost in the afternoon. It is therefore accepted that the reasons given are valid, and that the restriction of use of the garden in particular is still above what would normally be considered acceptable.

The Tree's Amenity Value

The tree is medium sized, healthy and with a good life expectancy. However, its lateral growth has been restricted by the trees on either side and it is not a prominent specimen. From Monkchester Close it is partially hidden behind T2. It is visible from the nearby public allotments to the west and glimpsed across them from Stony Path. However T1 is in the same line of sight. Given that T2 is to be retained removal of T1 would not have an excessive adverse impact on public amenity. Its

removal would give the opportunity for the form of T2 to be improved, where currently its side growth is restricted because of the shading effect of the application tree.

Replacement Planting

Policy LL9 calls for replacement planting where agreement is given to felling a preserved tree. In this instance, however, it is considered that the reasons given for the felling preclude planting at the site of the existing tree, at any rate with any tree large enough to have any significant public value. In practice there is also no other position where a tree could be planted on land available to the applicants. In this instance therefore it is recommended that no replanting condition be imposed.

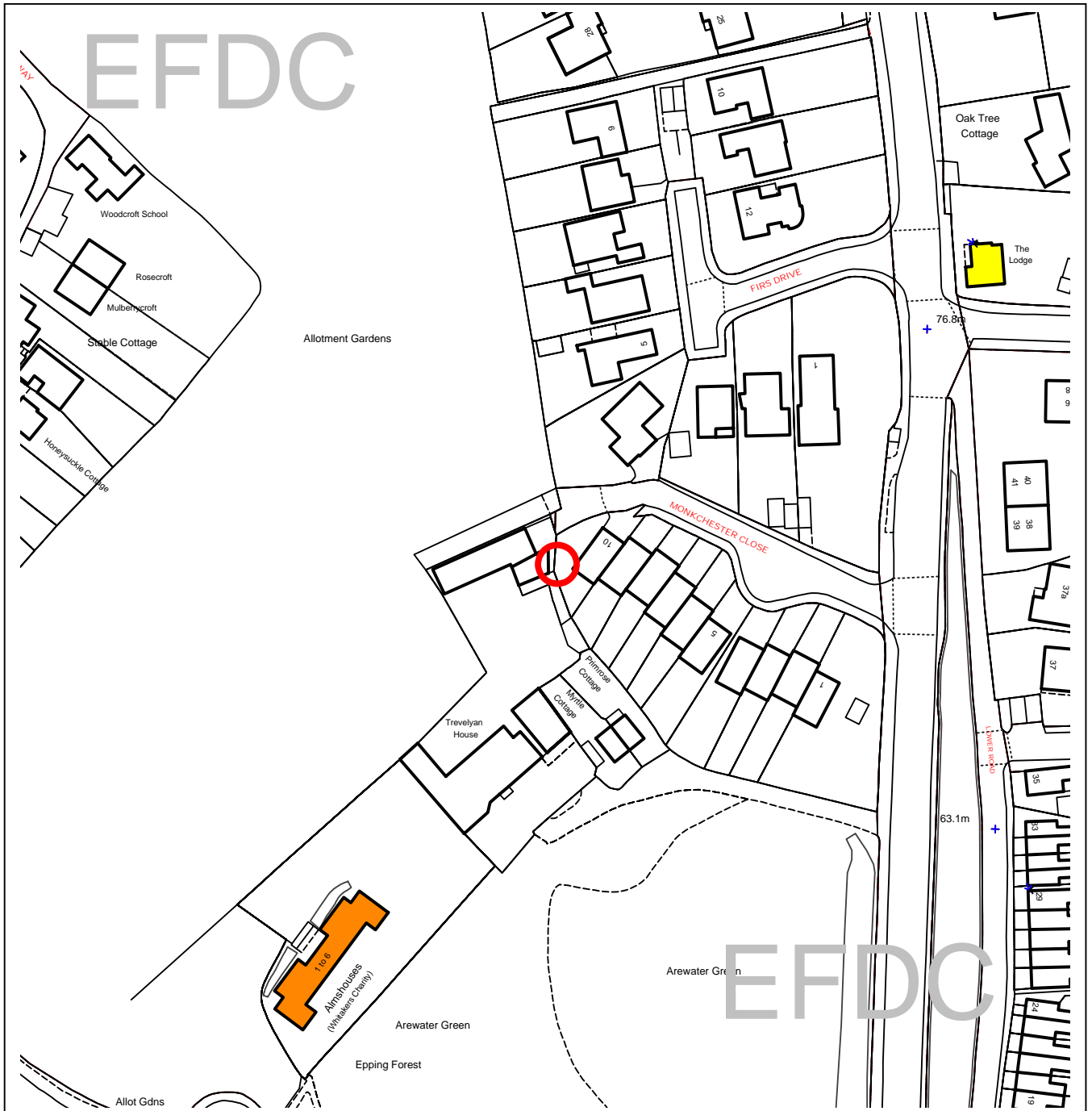
Conclusion

The garden which is currently available to the property even with the previous removal of the Oak in 2005 would still be considered by most people unsatisfactory and not properly useable as a result of the application tree. As a mature Oak it clearly has biodiversity value; however its visual importance is restricted. If it were to be removed the loss would be mitigated by the retention of T2, which is close by, a larger and older tree, and whose form could be improved as a result. Therefore it is considered that the reasonable need for a useable garden and to a lesser extent sunlight to the property should take precedence.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/2191/09
Site Name:	10 Monkchester Close, Loughton IG10 2SN
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1990/09
SITE ADDRESS:	Loughton Sports Centre Rectory Lane Loughton Essex IG10
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Sav Atkar
DESCRIPTION OF PROPOSAL:	Demolition of Loughton Sports Centre. Proposal for 85 bed care home development with car parking and landscaped secure garden areas.
RECOMMENDED DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The proposal would result in the loss of a local sports facility. No provision is made for replacement sports facilities and it has not been demonstrated that the facilities provided on the site previously were surplus to demand, contrary to Government advice contained within Planning Policy Guidance Note 17.
- 2 The number and size of the car parking spaces proposed falls significantly below the required standards, contrary to policy ST6 of the Adopted Local Plan and Alterations.
- 3 The proposed building, due to its bulk and design, in particular its roof form and the length of the eastern elevation, would be harmful to both the character and appearance of the area and to the setting of the adjacent Grade II Listed Building, Loughton Hall, contrary to policy HC12 of the Adopted Local Plan and Alterations.
- 4 Insufficient information has been provided regarding the proposed levelling of the site to enable a full consideration as to how these works would affect trees both within the application site and those protected trees on neighbouring land, contrary to policy LL11 of the Adopted Local Plan and Alterations.

This application is before this Committee since it has been 'called in' by Councillor Knapman (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 sport centre and the redevelopment of the site with an 85 bed care home for the elderly. The care home would have accommodation spread across four floors, including the roof space. The building would be at one level, achieved by a cut and fill method for levelling the site. This would leave the site

approximately at or marginally below existing level adjacent to Loughton Hall, but raised by 1.2 metres on the southern site boundary.

The proposed building would be 'T' shaped, retaining a distance of 10.3 metres between its eastern elevation and Loughton Hall. The roof of the building would be hipped, with large central sections of flat roof. There would be some gables around the building to break the elevations and add interest. The materials proposed include clay roof tiles, and a mixture of render and brick elevational treatment.

It is proposed to retain the high wall within the car park and to partially retain the brick wall between the car park and the main site (although this would need to be reduced in size in order for the existing materials to be utilised to repair the damaged sections of the wall). The remainder of the boundary would have 1.8 metres high steel hoop top railings.

27 car parking spaces are shown on the submitted plans, although three of these would not be independently accessible. Two spaces are shown as being suitable for disabled access, although due to the nature of the proposed parking layout, there would be scope for additional parking spaces to be designated for disabled use without any revision, if deemed necessary (i.e. the two end spaces close to the drive). However, the proposed parking space dimensions do not comply with the revised parking standards adopted by Essex County Council in September this year.

Description of Site:

The application site comprises an area of approximately 1.07 acres. The site has an irregular shape and is occupied by the now vacant Loughton Sport Centre building, located at the north end of the site. To the south of the site the land level drops quite considerably and a tennis court is situated at the lower ground level. The submitted Design and Access Statement identifies the change in levels as being 1.3 metres. The tennis court is overgrown and has clearly not been in use for a considerable period of time. To the east of the site is Loughton Hall, a Grade II listed building which is presently being converted into a care home.

The sport centre building is staggered in height, with the western side of the building being only a single storey and the remainder of the building having a height equivalent to two storeys, with a shallow pitched roof above. The two storey element of the building is separated from Loughton Hall by a distance of approximately 15 metres. A single storey link section attaches the front two storey element of the building, which has a monopitch roof, rising towards the front of the site, resulting in this part of the building having an industrial appearance when viewed from the car parking area to the front of the site.

A pedestrian link is provided across the north-western corner of the car park through an area of woodland to the access road along Rectory Lane. A second pedestrian link provides access through the site alongside the tennis court and to Epping Forest College, situated to the rear of the site at a lower ground level. The links are not public footways maintained by the Highway Authority. Vehicular access to the site is via the access road running parallel with Rectory Lane. The car park to the front of the Sport Centre is located at the end of the drive and is separated from the sport centre building by a brick wall, approximately 1.7 metres in height. At the time of the officer's site visit the car park was entirely empty - however, this is not surprising bearing in mind that both Loughton Hall and the Sport Centre are presently vacant. Along the northern boundary of the car park there is a high brick wall.

The site is located within an area designated as open space within the Local Plan.

Relevant History:

Loughton Hall

EPF/2131/06 & EPF/2132/06 - Planning and Listed Building applications for change of use to a residential care home - approved.

EPF/0202/09 & EPF/0208/09 - Planning and Listed Building applications for the erection of a three storey side extension (on the side closest to Loughton Sport Centre) – approved – not yet commenced.

Loughton Sport Centre (non-planning related)

In September this year a decision was taken by Cabinet to vary a restrictive covenant to enable Epping Forest College to sell this site for a residential care home development. Whilst it was envisaged that the development would enable the provision of sports facilities for the college and the local community, the Cabinet was concerned about the state of the College's finances and felt that it was more likely that any capital receipt from the sale of the land would be used to service the College's debt, rather than to provide new sports facilities. However, it was felt that the College should focus upon the provision of education for the young people of the District, with the new sports facilities being provided when funding became available.

Policies Applied:

National Planning Policy

Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation

East of England Plan

ENV6 – Historic Environment

ENV7 – Quality in the Built Environment

Adopted Local Plan and Alterations

DBE1 – New Development

DBE2/9 – Neighbouring Amenity

DBE3 - Development in Urban Areas

DBE8 - Private Amenity Space

HC12 – Development Affecting the Setting of a Listed Building

NC4 - Protection of Established Habitats

RP4 - Development of Contaminated Land

CF2 - Health Care Facilities

LL6 – Protection of Open Spaces

LL11- Landscaping Schemes

CP1 - Achieving Sustainable Development Objectives (ii, iv, v)

CP2 – Protecting the Quality of the Rural and Built Environment (iv)

CP3 – New Development

CP4 - Energy Conservation

CP5 - Sustainable Building

CP7 - Urban Form and Quality

ST4 – Road Safety

ST6 - Vehicle Parking

I1A - Planning Obligations

Summary of Representations:

Notification of this planning application was sent to Loughton Town Council, Sport England, County Highways and 27 neighbouring properties. A notice was also displayed at the site. The following representations have been received:

LOUGHTON TOWN COUNCIL. Objection. The Committee was concerned that this large development would adversely affect the setting of Loughton Hall, a listed building immediately adjacent to the proposed site, and therefore OBJECTED to this application which was contrary to Policy HC 12 of Epping Forest District Council's adopted Local Plan and Alterations. It also regretted the loss of so many trees to facilitate the proposed project. Moreover, part of the site was zoned in the District's Local Plan as Urban Open Space.

The Committee considered the proposed erection of 1.8 metre high metal balustrade boundary fencing would have a serious and harmful effect on the adjoining listed building. In addition, the plans showed the erection of a 4 metre high wall that blocked continued access to the footpath running from Borders Lane to Loughton Hall and Rectory Lane, and sought its protection and retention.

The Committee was extremely disappointed by the possible loss of a busy, established and important community sports centre, partly paid for by public subscription, which had been compounded by the closure of other sports facilities in the district, with no guarantee of these ever being replaced. It was felt the removal of this sports facility was in stark contrast to the Government's current 'Change 4 Life' scheme promoting health and fitness for all within the community.

Additionally, in light of comments made by the local PCT that the continued expansion of care homes caused undue strain on the present health care system in the District, the Committee considered the present proposal was undesirable, and that there was no demonstrable need for an additional care home of this size.

However, if the District Council was minded to grant this planning application, the Committee suggested every effort should be made to ensure that a very considerable Section 106 contribution of around £500,000 be sought, and used towards the health and sports infrastructure in order to replenish the benefit to the town that would have been lost.

Planning conditions should be imposed to protect the footpath, and to improve the appearance of the proposed fences.

SPORT ENGLAND. Objection. Sport England opposes the redevelopment of existing sports facilities except where it can be proven that the facility is genuinely redundant and there is no demand for a replacement based on a thorough local assessment. Loughton Sports Centre closed in early 2009. Limited information has been submitted with the application in relation to demonstrating that the facility is genuinely redundant and that a need no longer exists to retain the site for sports use. If sufficient demand does not exist for retaining or replacing the sport centre, the proposed development would have potential to accord with our policy and the guidance of PPG17. In order for the applicant to evidence that the facility is redundant and there is no demand for a replacement, the following points will need to be addressed:

- Further information needed in relation to the facilities formerly provided in the site, are there major qualitative deficiencies that would be difficult to address without significant investment, are there maintenance issues that would affect its viability as a sport centre?

- Design and Access Statement alleges the site was unable to compete with Loughton Leisure Centre - need information in relation to what facilities are provided and why Loughton Sports Centre's facilities cannot compete.
- Design and Access Statement refers to the College's proposals for sports and outdoor facilities. Require further information in relation to what facilities are proposed by the college and what the status is of these facilities - e.g. do they have planning permission? Is funding secured?
- Any information relating to replacement provision within the vicinity of the site of facilities which have been lost.
- Information relating to the use of the sport centre by sports clubs (e.g. block bookings) and where, if anywhere, these clubs have been relocated to.
- Any information relating to the marketing of the site as a sports facility - including the length of time it was marketed for, how the site was marketed, reasons for lack of interest in retaining the site as a sports facility and any sports clubs which were approached through the marketing exercise.

It is not relevant to Sport England's consideration that Loughton Sports Centre was not a local authority sports facility. Policy does not distinguish between public and private facilities as all facilities contribute towards meeting community needs.

Sport England would be prepared to consider withdrawing their objection if either the above considerations were satisfactorily addressed and it was demonstrated that the facility is genuinely redundant; or if equivalent facilities were provided on another site; or if an appropriate financial contribution towards replacement/enhancement of local indoor sports facility provision is made.

LOUGHTON RESIDENTS ASSOCIATION. Objection. Object on the grounds of inadequate parking. Evidence is based on elsewhere in the country, but nature of Loughton is such that residents (and family) may travel from London and staff may live further afield too due to local house prices. Please confirm that the pedestrian link through the site will remain. Loss of a valuable sports facility with no guarantee that they will be re-provided elsewhere (College has financial difficulties which make re-provision less likely). Applicants should be asked whether it has been marketed for a reasonable period of time at a fair market rent to reflect the lawful use. Support comments made by Loughton Town Council that if the application is granted, £500,000 should be provided through a S106 for sports provision and health infrastructure (85 care residents must inevitably put extra strain on local NHS services).

COUNTY HIGHWAYS. No objection. Request a Green Travel Plan and a contribution from the applicant of £3,000 towards monitoring of the Travel Plan. Also raise concern regarding the amount of car parking and the tandem layout.

Issues and Considerations:

The main issues in this case are the impacts of the proposed development on

1. The amenities of neighbouring occupiers;
2. The character and appearance of the area;
3. The setting of the listed building;
4. The loss of the existing sports facility;
5. Highways and Parking matters;
6. Loss of open space; and
7. Planning Obligations.

The Impact on Neighbouring Occupiers

There are no residential properties within the vicinity of the site which would be affected by the proposed development.

The use is considered to be compatible with the permitted use of Loughton Hall which is presently being renovated as a care home.

The proposed development would not directly look into any primary windows to habitable rooms within Loughton Hall, either as existing or as shown on the approved plans for the three storey side extension. There would be some overlooking of the gardens to the rear of Loughton Hall. However, as these gardens would be for communal use, it is not considered that there would be a material loss of privacy.

There would, however, be a considerable reduction in afternoon/evening sunlight due to the depth of the proposed building and its height. However, due to the width of the garden at Loughton Hall, it is not considered that this loss would justify the refusal of planning permission. For the same reason, it is not considered that the likely reduction in outlook would justify refusing planning permission.

Level of Amenity for Future Occupiers

The bedrooms within the care home would all be of a similar size (minimum 16.1m²) and would all have ensuite bathrooms. Whilst the rooms appear to be fairly small, the Design and Access Statement confirms that they would meet the required standards. All bedrooms would have an external window and it is, therefore, considered that they would have a satisfactory level of amenity. Several day rooms and associated communal facilities would also be provided within the home.

The main area of garden would be located to the south west of the building, an area containing several trees. Due to the presence of mature trees outside the site, this area would be unlikely to receive high levels of sunlight. Notwithstanding this, there would be several smaller areas of amenity space around the site, which would be landscaped to create individual patio areas. It is considered that the level of amenity space is satisfactory and it is noted that its location in relation to the building results in it being easily accessible for the intended residents of the care home.

Impact on the Character and Appearance of the Area

This existing building has a dated and somewhat tired appearance and, as a result, the redevelopment of the site presents an opportunity to improve the appearance of the site and make a positive contribution to the character and appearance of the area, particularly in relation to the adjacent Loughton Hall.

However, it is considered that the design of the proposed building fails to fully take advantage of this opportunity. The proposed building has clearly been designed to maximise the development potential of the site. It is considered that this has resulted in a design which is dominated by the scale and bulk of the proposed development. The development has a generally bland appearance, although the use of Juliet balconies and, to some extent, the mix of materials, does add some element of interest. It is also considered that the roof height is out of proportion with the remainder of the elevation. Whilst no part of the proposed flat roof would be visible from the ground, it would be clear from ground level that the building has a flat roof to the centre due to the proportions of the roof.

It is considered that the eaves height of the proposed building needs to be lower; to accommodate a roof of improved proportion and the section of flat roof needs to be significantly reduced. Whilst there is a need to reduce the scale and bulk of the building overall, the appearance of the building could also be improved by the use of vertical changes in the finishing materials, for example, the use of different materials on the projecting gables. This would be of most significance to the relatively unbroken eastern elevation of the building.

Impact on the Setting of the Listed Building

At present, the single storey elements of the sport centre building are barely visible from the car park over the brick wall. As a result, there is a considerable visual break between the sport centre and Loughton Hall. The proposed development would result in this gap being reduced by approximately one third, although the single storey element would be almost entirely removed with only bin stores being present between the proposed building and Loughton Hall.

The proposed building would be higher than the existing sport centre, having an eaves height of 8.2 metres and a ridge height of 11.1 metres. The existing building has a (two storey) eaves height of approximately 5.8 metres and a ridge height of approximately 7.6 metres.

Due to its increased height and proximity to Loughton Hall, the proposed building would clearly have a greater impact on the setting of Loughton Hall than the existing sport centre. Notwithstanding this, it is recognised that the height remains slightly subservient to Loughton Hall and a reasonable width of open space is retained between the two buildings. Accordingly, it is considered that the site may be capable of sustaining a building of the height proposed without being detrimental to the setting of Loughton Hall, subject to it having a sympathetic design.

It is the view of Officers that the design proposed, however, is not sympathetic to the setting of Loughton Hall, primarily to the scale of the development proposed and the resultant bulk of the building. Whilst it would not be good practice to require a design which created a pastiche of Loughton Hall, it is considered that elements of the design could be incorporated to result in a development that has a better quality of design overall and an improved relationship with Loughton Hall. In particular, it is suggested that the height of the roof of the proposed building needs to be greater in proportion to the remainder of the elevation, as discussed above. Furthermore, the proposed building would have a length in excess of 56 metres (compared to the sport centre which is approximately 35 metres in length). This continuous depth of building, broken only by the gable sections which project by approximately 0.5 metre would extend along almost the full depth of the rear gardens of Loughton Hall. Due to its height and length, it is considered that this would be harmful to the setting of Loughton Hall, particularly as, due to the shape of the site, the separation distance between the building and the site boundary is substantially reduced in comparison to that at the front of the site immediately adjacent to Loughton Hall.

Loss of the Sports Facility

This proposal would result in the loss of an existing sports facility (albeit one which has been closed for several months) and makes no provision for any replacement facilities elsewhere.

Government advice contained within Planning Policy Guidance Note 17 (PPG17) is very clear, it states '*existing open space, sports and recreational buildings should not be built on unless an assessment has been undertaken which has clearly shown the open space or buildings and land to be surplus to requirements*'. The guidance recognises that not all facilities are of equal merit and that some may, therefore, be available for alternative uses. It is further stated that '*in the absence of a robust and up-to-date assessment by a local authority and applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to requirements., Developers will need to consult the local community and demonstrate that their proposals are widely supported by them*'.

In recent years Loughton has benefited from significant development of sport and leisure facilities, in particular, Loughton Leisure Centre and the Football Academy in Langston Road. As such, it is thought to be possible that a survey, such as that referred to in PPG17, may conclude that the facilities on this site are surplus to requirements, or indeed largely surplus to requirements, enabling any shortfall to be accommodated elsewhere. However, in the absence of such information being submitted by the applicant, it is not possible to reach this conclusion and accordingly the Government's advice is clear - existing sports buildings should not be built on.

The representation received from Sport England in objection to the application requests further information from the applicant, to enable full consideration to be given as to whether or not the facility is genuinely redundant. Upon receipt of such information, the Council would be able to fully consider the implications of losing the sports use of this site and may be able to grant planning permission, in accordance with the advice in PPG17.

Because this application does not relate to the loss of playing fields, Sport England is acting as a non-statutory consultee. Accordingly, the Council, as local planning authority, is free to take a decision contrary to this objection without the need to refer the matter to the Government Office. Notwithstanding this, it is the opinion of Officers that this application has been submitted prematurely and that full consideration of the implications of the loss of the sport centre cannot be fully considered until the applicant has conducted a survey into local sports provision.

In response to the objection from Sport England, the applicant has submitted a letter, providing limited information relating to sports provision within Loughton. They state that "*The Debden Community Association has given up its lease and has found alternative accommodation for the various clubs at venues such as the Football Academy and Debden Park School. Since the Sports Hall was built there have been three new leisure centres provided locally (David Lloyd, Virgin Leisure Centre and Loughton Leisure Centre). There remains the Debden Sports Club while the Football Academy has extended sports facilities in Langston Road*". This information is not considered to be sufficient to address the concerns set out above, particularly as it does not give details of all the clubs/activities which formerly used the sport centre and details of where they have all been relocated.

The applicant also states that The Debden Community Association will benefit from being given free access to the redundant land adjacent to the site to enable them to build further facilities of their own. It is also stated that the college is about to sign an undertaking confirming that a new sports facility will be provided when funding becomes available. However, as the applicant's agent has advised that they are not prepared to enter into a Section 106 agreement to secure this, it is considered that little weighting can be applied to this when the application is determined. Furthermore, even if the applicant/college was prepared to enter into such an agreement, careful consideration would need to be given as to whether or not the obligation was deliverable. Bearing in mind the situation with the College's finances, this may not be the case.

Highways and Parking

There is no change proposed to the existing vehicular access to the site and this is acceptable. With regard to parking, the existing parking area is proposed to be retained and the plans indicate that this would provide 27 spaces, although only 24 of these would be independently accessible. The parking bays measure 4.8 x 2.4 metres and a minimum distance of 7 metres is retained between the car parking spaces to provide access.

The revised parking standards require one space per full time staff member and one space per three beds within a residential care home. Provision of disabled spaces is to be considered on the merits of the development proposed, but it is anticipated that provision would be higher than the business and recreational standards set out in the document.

The application form states that 85 members of staff would be employed on a full time basis. Due to the nature of the proposed use, these staff members would not all be present on the site at any one time. The Design and Access Statement predicts that maximum staffing would be during the daytime and that it is expected that during the day there would be up to 28 people working. Application of the revised parking standards generates a requirement for a minimum of 57 spaces. Accordingly, there is a considerable shortfall, as the application proposes less than half of this requirement.

The revised dimensions for car park spaces require a minimum of 2.9 metres by 5.5 metres and a separation of 6 metres between parking spaces. Whilst the required length can be achieved due to the distance separating the bays, application of the minimum width would necessitate a further reduction in the number of spaces.

The County Council have requested a Green Travel Plan and a financial contribution of £3,000 towards the cost of monitoring the travel plan. This would enable the occupiers of the care home to promote more sustainable methods of transport. Whilst the provision of a travel plan may result in justification for the Council accepting a level of car parking slightly below the normal standard, it is the opinion of Officers that it would not make the considerable shortfall in this application acceptable.

Loss of Open Space

The proposed development would result in the loss of an area of open space, as designated within the Local Plan. The area included within the local plan has experienced considerable development since the publication of the plan, not least by the development of Epping Forest College.

Policy LL6 of the local plan requires that, when granting planning permission, the Council is satisfied that the predominantly open nature of the remainder of the site is retained. This would not be the case in this instance, as the bulk of the site would be occupied by the proposed building. The policy appears to make the assumption that the site would be open at present, whereas this is clearly not the case in this instance. Furthermore, the purpose of this policy is to retain the visual amenity, nature conservation, historic or other cultural interest and the use of the site for relaxation, recreation or education. It is considered that a reduction to the overall bulk of the building proposed would be favourable under this policy. However, having regard to the existing building on the site and due to the size of the area of designated land surrounding the development site, it is not considered that the harm arising from the loss of the open space would be so material as to justify the refusal of planning permission.

This policy also requires that the scheme provides for the appropriate management of the site to retain its visual importance, nature conservation, or recreational potential. If planning permission is granted, planning conditions can be imposed requiring the submission of soft and hard landscaping details to ensure the area around the site is both visually acceptable and provides a useful facility for residents. Furthermore, a planning condition could be used to require the provision of bat boxes around the building, if considered necessary, which would improve nature conservation.

Planning Obligations

Through consultation with interested parties, two suggestions have been made in respect of planning obligations which could be sought. Firstly, Essex County Council has requested a Green Travel Plan and a payment of £3,000 towards the monitoring of a plan. Secondly, Loughton Town Council, supported by Loughton Residents Association have suggested a financial contribution of £500,000 towards replacement sports facilities within the locality. The merits of these suggestions will be considered in turn.

The use of a Green Travel Plan would be in accordance with local plan policies which encourage alternative methods of transport to private car use. It would be particularly necessary in this instance, if the Council accepted the provision of car parking at a significantly reduced level. It is considered that the cost of monitoring such a plan arises directly from the development proposed and it is therefore appropriate for the developer to meet this cost, having regard to both local plan policy (I1A) and national planning guidance presented in Circular 05/05: Planning Obligations.

With regard to the proposed financial contribution towards replacement sports provision, it is not considered that this would be justified. Firstly, a planning obligation under Section 106 of the Planning Act should be necessary to address some harm arising from the development proposed. In this case, the degree of harm caused by the proposed development cannot be quantified, due to the lack of evidence submitted by the applicant in relation to the sports provision which will be lost and the provision elsewhere within the locality. If there is a surplus of sports provision within the locality, then it would be the case that the change of use of the site would not be harmful and the development should, under those circumstances, proceed without the need for a financial contribution. If, however, such a study revealed that there was a shortfall in a particular area due to the closure of Loughton Sport Centre, then a financial contribution could be used to facilitate the replacement of that particular activity elsewhere (as suggested by Sport England). However, the sum would need to be proportionate and there would need to be a strong likelihood of the replacement provision being deliverable. It is not considered to be appropriate for a sum to be sought speculatively, in advance of such evidence being submitted to the Council for its consideration.

Other matters

Trees and Landscaping - The woodland surrounding the application site is protected by a Woodland Tree preservation Order - as a result all vegetation, regardless of age, is protected. The woodland is relatively dense, and as a result the main area of amenity space would be in shade most of the time. Due to the lack of very detailed information relating to the proposed change in levels (both on plan and in the Arboricultural Report) it is not possible to make an informed assessment of the impact that this will have on trees both within and beyond the application site.

Employment Generation - the proposal would generate 85 full time jobs and further part-time jobs in addition. It is anticipated that these would require a range of skill levels (the applicant suggests 12 x qualified nursing staff, 44 x care assistants, 26 x catering and household and 3 x administration/maintenance) and as a result, would be likely to be available to people locally.

Wildlife - studies submitted with the application identify the site as being a suitable habitat for reptiles, including grass snakes, slow worms and common lizards. However, they have found no evidence of such species being present on the site. Potential has also been identified for nesting birds and roosting bats to be present on the site. With regard to the bats, the study suggests that trees with a moderate-low potential to support a bat roost should be 'soft felled' (a technique involving a more cautious felling process where lowering and cushioning techniques are used to reduce the impact of felling). Bat boxes may also be provided on the proposed building. These matters are capable of being controlled by planning condition, if consent is granted.

Japanese Knotweed - Studies submitted with the application have identified that the site contains the invasive weed, Japanese Knotweed. The use of a standard planning condition will ensure the removal of this weed from the site.

Waste Storage and Refuse Collection - Whilst buildings appearing to be bin stores are shown on the proposed site plan, no further detail has been provided. Further information may be required by planning condition, to ensure that the provision is appropriate for the level of waste/recycling which would need to be stored on site and to ensure that their location is suitable for collection. The bin stores would need to accommodate 4 waste bins and 4 recycling bins.

Contaminated Land - The applicant has submitted a preliminary land contamination investigation report. This has identified potentially significant concentrations of brown asbestos, Polycyclic Aromatic hydrocarbons and Total Petroleum hydrocarbons on the site. The Council's contaminated land officer has, therefore suggested that if planning permission is granted a condition is attached requiring a phased contaminated investigation and any necessary mitigation arising from that investigation.

Archaeology - The site has been identified by Essex County Council as being likely to contain archaeological deposits. Accordingly they suggest the use of a standard planning condition to secure the implementation of a programme of archaeological work.

Renewable Energy/Sustainability - A Sustainable Energy Statement has been submitted with the application and considers a variety of technologies that could be utilised to incorporate renewable energy sources into the buildings, in addition to considering elements of the proposed layout which would reduce energy demand. In particular, rainwater harvesting and the use of photovoltaics on the flat roof have been identified as being of benefit. A wind turbine has also been considered, although the study has identified that this would need to be at least 25 metres in height to be viable. At this height, it is probable that this would have an undesirable impact on the setting of Loughton Hall.

Fire and Rescue - Essex County Fire and Rescue Service have identified that there would be a need for additional water supplies for fire fighting purposes arising from the proposal. This information has been forwarded to the applicant, but is not for consideration as part of this planning application as it is a matter to be considered under the Building Regulations.

College Finances - Epping Forest College is recognised to be an institution of significant community benefit, both for residents of Loughton and elsewhere within the District. It is noted that regard was had to this when the decision was taken by the Cabinet earlier this year to vary the restrictive covenant to allow the development of a care home on this site. However, this decision was taken outside of the planning process. Whilst there might be some merit in considering the proposal as some sort of enabling development for services provided by the College, no such case has been submitted with this planning application and it is not, therefore, considered by Officers that any significant weight can be given to this matter when this application is determined.

Conclusion:

In light of the above appraisal, it is considered that the development proposed has some merit. The provision of additional care homes is encouraged by local plan policy and the development proposed would provide a facility for which there is demand within the District. Furthermore the development would result in the creation of a considerable number of jobs, some of which may be filled by local residents.

However, it is considered that this application has been submitted prematurely. Full consideration needs to be given to the implications arising from the loss of Loughton Sport Centre on this site and, if necessary, replacement provision needs to be made. Furthermore, it is considered that the design of the proposed building is harmful to both the character and appearance of the area and to the setting of the adjacent listed building, due to its scale, bulk and design. The proposed level of car parking is significantly below the required standard and inadequate information has been submitted to enable a full consideration of the impacts of the proposed levelling of the site on surrounding trees, which are protected by a Woodland TPO.

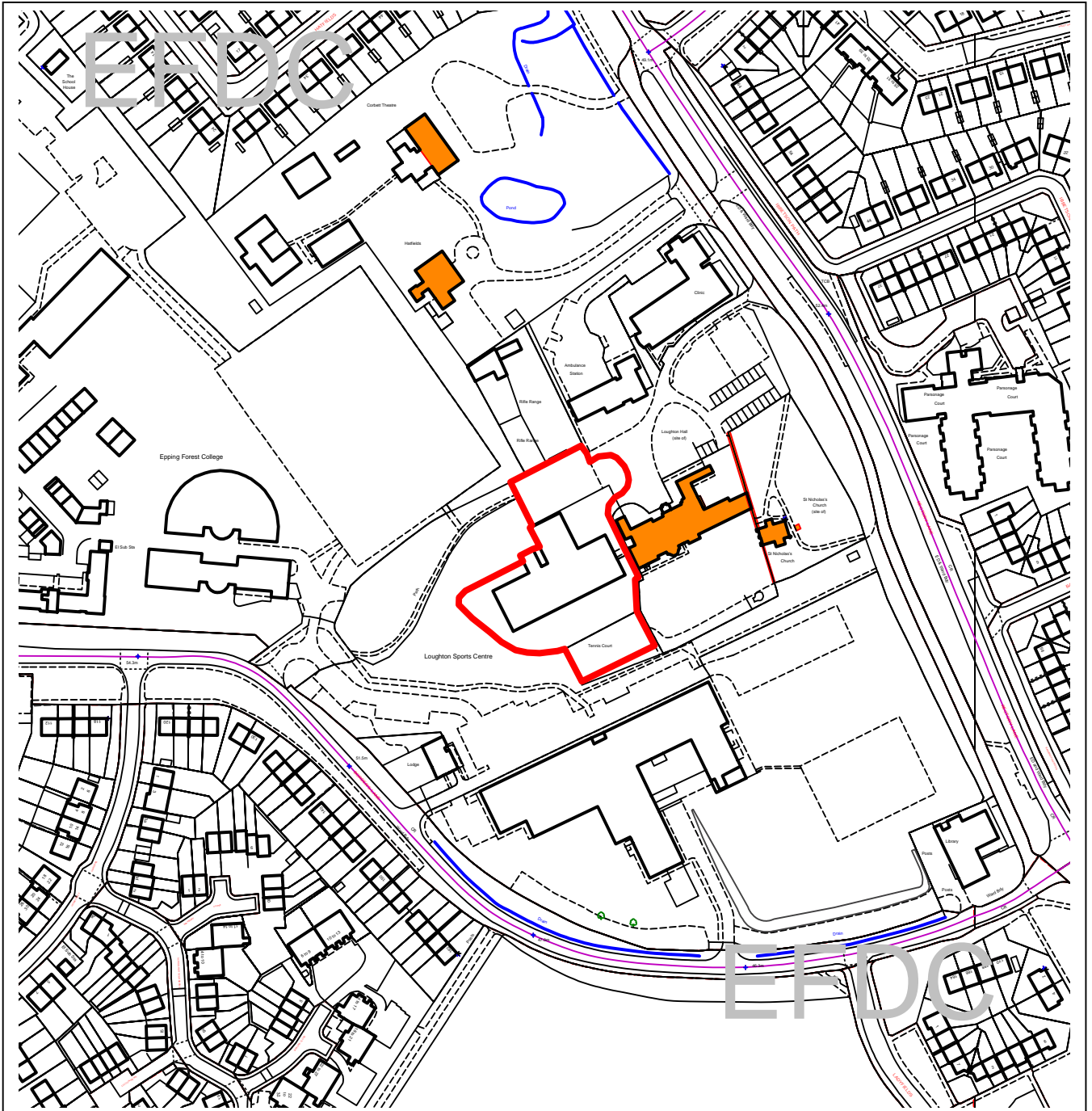
Providing that the issue relating to sports provision can be addressed, it is likely that alterations necessitated by the observations above (particularly in relation to design and car parking provision) will result in a reduction to the number of rooms provided in any care home on the site. However, in the Design and Access Statement, the applicants advise that an optimum care home would have between 60-90 beds. As the current proposal is for a care home towards the upper end of that scale, it is assumed that some reduction may be achieved without harming the deliverability of the proposed development.

For the reasons set out above, it is recommended that planning permission is refused.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/1990/09
Site Name:	Loughton Sports Centre, Rectory Lane, Loughton, IG10
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/2234/09
SITE ADDRESS:	1 Parsonage Court, Rectory Lane Loughton Essex IG10 2BB
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Housing Services - EFDC
DESCRIPTION OF PROPOSAL:	Proposed conversion of single dwelling house into office space for EFDC's careline service. Office to become extension of existing office area. Development also proposes new front entrance screen, opening alterations, new air conditioning unit and roof balustrade.
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 proposed office accommodation, shall only be used in conjunction with the administration of the Council's Careline alarm systems, and shall not be used independently.

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:

This application follows an approval earlier this year, which proposed the conversion of a two storey dwelling into ground floor offices and a first floor one bedroom flat. This current application proposes the conversion of the two storey dwelling in its entirety into offices. Minor alterations to exterior of the building are also proposed. Further to the proposed ramp, handrail and replacement doors which were subject to the previous approval, this application also proposes the infilling of the ground floor front windows and the addition of an air conditioning unit and balustrade to the section of flat roof along the centre of the building.

Description of Site:

The application site forms part of Parsonage Court, a 1980s development that provides 42 flats, 5 mobility flats and 2 houses (nos. 1 and 2) which is in use as an elderly persons sheltered housing unit. Parsonage Court is a detached two-storey block located on the eastern side of Rectory Lane, which is accessed via its own private driveway from Ibbetson Path to the north.

The two-storey element of the building to which the application relates, provides a single shared entry point through a ramped and stepped up access which provides access to the offices, presently occupied by Careline (no. 2 Parsonage Court), and an unoccupied two-storey warden's flat (no. 1 Parsonage Court).

Relevant History:

EPF/1611/05. Conversion of single dwelling house into ground floor offices and first floor flat for elderly person. Granted 05/12/05.

EPF/0313/09. Conversion of single dwelling house into ground floor offices and first floor flat for elderly person including minor works to no. 2 and surrounding external areas. Approved 16/04/09.

Policies Applied:

East of England Plan

ENV7 – Quality in the Built Environment

Adopted Local Plan and Alterations

DBE1 – Design of New Buildings

DBE2/9 - Impact of New Development

Summary of Representations:

This report has been prepared in advance of the close of the public consultation period, which expires on 29th December 2009.

Notification of this planning application has been sent to the 48 neighbouring properties (all within Parsonage Court) and to Loughton Town Council. A site notice has also been displayed in Ibbetson Path, close to the site entrance.

LOUGHTON TOWN COUNCIL: No objection, but expressed a concern that it was preferable for Careline staff to have offices offsite, in favour of the increased need for housing for the elderly.

To date, no other representations have been received, but any that are subsequently received will be reported verbally at the meeting.

Issues and Considerations:

The main issue to be considered when determining this application is the loss of an unoccupied, two-storey residential unit (the warden of Parsonage Court resides elsewhere), as a result of the proposed change of use and the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area.

The principle of converting the ground floor warden's flat into offices has been deemed acceptable under planning applications EPF/1611/05 and EPF/0313/09.

With the previous approvals, it was considered that the additional office space is required at Parsonage Court due to the expansion of the services provided by Careline who presently occupy part of the ground and first floor offices. The demand for office space is as a result of the increased workload in monitoring and supporting local residents within the District.

The use of the warden's flat became obsolete following on from the Cabinet agreeing in March 2004, that the housing wardens should become non-resident. The conclusion was that in the case of Parsonage Court, the vacated accommodation should be used in part to provide the accommodation for Careline. Therefore, the justification for the change of use of the premises remains unchanged.

Although this application now proposes the change of use of the whole of the building to offices and would result in the loss of the one bedroom unit approved on the earlier application, it is considered that this is justified by the need to provide additional office space for Careline.

The site provides sufficient car parking bays and parking on-site is presently under-utilised hence, the parking areas will be sufficient for the proposed increase in office space. Furthermore, the works associated with the conversion do not entail any changes to the size or form of the building and as such, it will not impact on neighbouring occupier's amenity.

The amended details to the exterior beyond those which already have approval involve the erection of an air conditioning unit and associated balustrade to the flat roof section of the building and the infilling of the front ground floor windows.

The proposed air conditioning unit and balustrade would be located in the recessed section of the building and would only be visible when viewed directly from the front of the building. The door providing access to the roof would be located towards the centre of the building and the air conditioning unit would be further towards the rear. The balustrade would be set back from the front elevation of the building by a distance in excess of 2 metres. There would be no material harm to visual amenity arising from these alterations. 1 and 2 Parsonage Court are separated from the main building by a balcony link at first floor level. Accordingly, there would not be any material loss of amenity to residents of Parsonage Court.

The in-filled windows would be recessed from the main front façade by a depth of 2cm, which would provide a small break in the elevation.

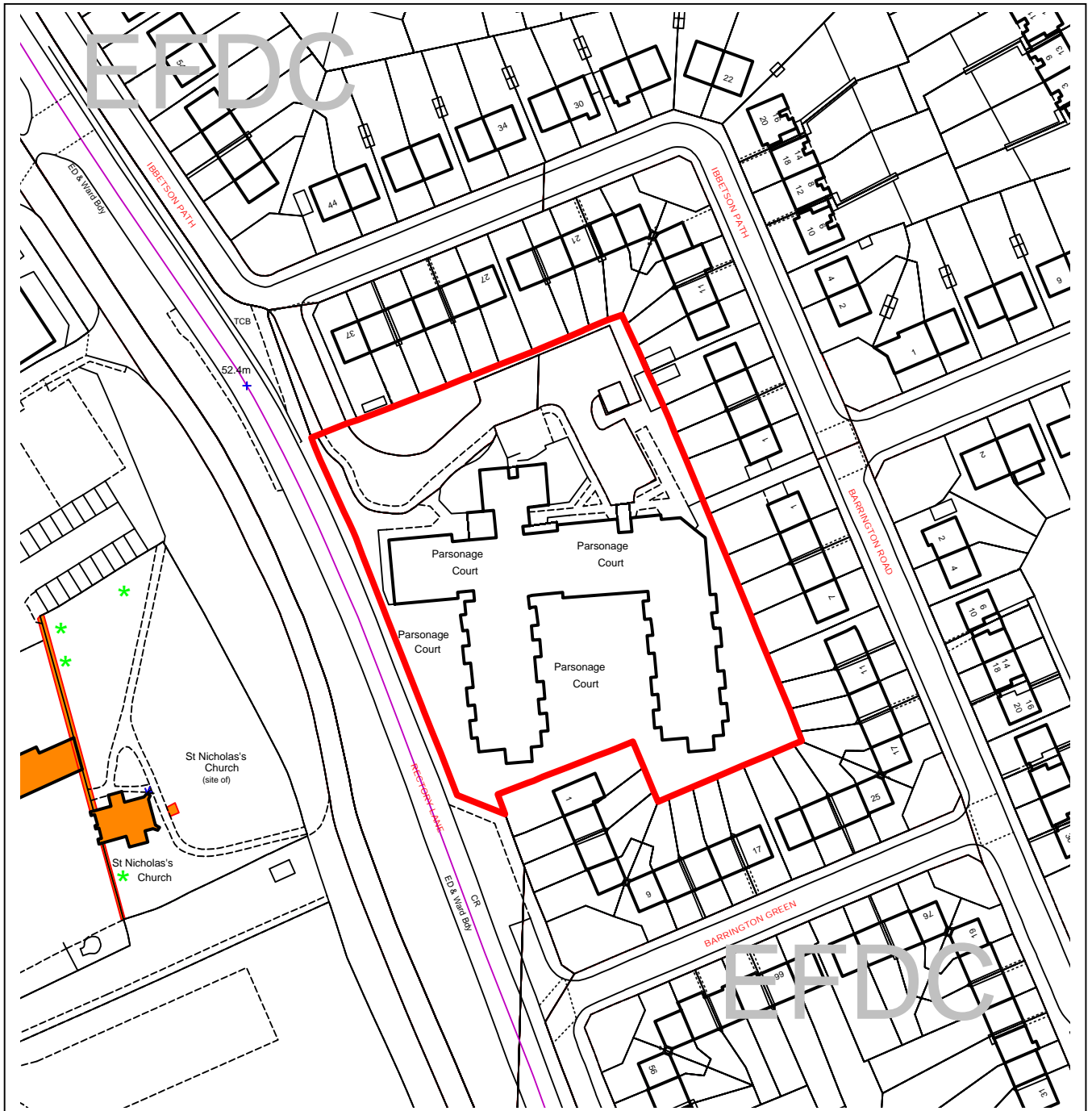
Conclusion

In light of the above appraisal, the development will provide much needed office accommodation that will serve elderly residents within the community. There would be no harm to both the character and appearance of the area or to the amenities of the occupiers of neighbouring dwellings. Existing car parking facilities within the site are adequate. Accordingly, it is recommended that planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/2234/09
Site Name:	1 Parsonage Court, Rectory Lane Loughton, IG10 2BB
Scale of Plot:	1/1250