

Report Item No: 1

APPLICATION No:	EPF/2076/10
SITE ADDRESS:	36 Tomswood Road Chigwell Essex IG7 5QS
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr K Ly
DESCRIPTION OF PROPOSAL:	TPO/EPF/27/04 T3 - Oak - Fell
RECOMMENDED DECISION:	Grant Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522055

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. It was previously considered at the committee of January 5th, and deferred for further information on the viability of a root barrier as an alternative technical solution, which is now included in the following revised report.

Description of Proposal:

T3..Oak. Fell.

Description of Site:

T3 stands approximately 14 metres tall, directly in front of this detached residential dwelling, which has two entrances linked by a block paved driveway and parking area. The tree is a notable

landscape feature, set centrally amongst a mature group of mixed broadleaf trees, which are characteristic of the strong tree presence that continues along the front gardens of Tomswood Road.

Relevant History:

TPO/EPF/27/04 was served on this and other nearby trees in response to the threat posed by a proposal to introduce metal gates and railings to enclose the boundary with a re designed front driveway lay out.

Previously two trees have been felled and their replacements are awaited.

Policies Applied:

Epping Forest District Local Plan and Alterations:

LL09 Felling of preserved trees.

SUMMARY OF REPRESENTATIONS:

Three immediate neighbours were notified but no representations were received.

CHIGWELL PARISH COUNCIL objected to the application but was willing to waive their objection should the Arboricultural Officer deem the application acceptable

Issues and Considerations:

The key issues to be considered are:

- whether the damage to the property has been demonstrated to be caused by the oak;
- how to balance the importance of the tree against the need for structural integrity of the dwelling; and
- whether in this case an option exists for a solution other than felling.

An examination of the applicant's evidence to support the subsidence allegation is summarised as follows. The applicant is said to have observed cracks in structural walls of his house, which has led to the investigation of the effect of trees in the front garden, and in particular of the closest tree, a mature turkey Oak. It was then concluded that this particular Oak tree's roots had been taking moisture from soil beneath the central part of the house's front elevation. This in turn was causing the left hand return wall of the front single storey projection of the house, that part closest to the tree, to subside.

The application was submitted on this basis. At first it was not accepted that there was a sufficient level of technical information to establish a causal link between the damage occurring to the house and the roots of T3. Further monitoring data was then submitted, and the application then validated. Given the tree's high amenity value the Council appointed an independent engineer to analyse and make recommendations on the full technical investigation.

The key parts of the investigation are as follows:

- a) A trial pit dug near the area of damage revealed the presence of live oak roots beneath the building's footings. There are other oaks present in the nearby front area but the expert's opinion is that the roots are most likely to originate from T3.

- b) Samples from this trial pit showed highly shrinkable clay subsoil with the potential to undergo volumetric changes in relation to changes in soil moisture.
- c) The soil moisture content was tested and showed evidence of being significantly desiccated, in the area of damage.
- d) Engineers considered drain leakage as a potential cause of the damage. A drain investigation listed numerous defects with root ingress in all the runs. Despite this, evidence of soil volume recovery rules out the action of drain leakage, which erodes and washes away supporting sub soils.
- e) The applicant's experts extended the building movement monitoring from 5 to 10 months. This extended period shows the effects of tree roots at times of growth and during dormant periods. The front return corner of the building appears to have risen by 6 mm, from January 2010, when the tree is dormant and clay swells with rehydration. The building then resumed a downward movement of almost 10 millimetres during the growing period of the next five summer months. It is generally accepted that such cyclical movement is attributed to a vegetative influence, in this case oak roots and differs from a progressive downward movement, caused by leaking drains, described above.

These findings were confirmed by the Council's independent engineer in his report of 18th November 2010.

It is therefore considered:

i) Visual amenity

T3, Oak has high public amenity. It is central in view from the busy Tomswood Road as the dominant tree amongst a group of broadleaf individuals. The tree contributes significantly in landscape terms with its height and broad crown. The loss of the Oak would open up a noticeable gap between the two remaining groups of smaller Hornbeam and Oak on either side of the central drive.

ii) Tree condition and life expectancy

The tree has a good form and appears vigorous. Its condition would be described as normal with a foreseeable life expectancy exceeding 20 years into the future.

iii) Suitability of tree in current position

T3 contributes strongly within this group of native broadleaves. It is worth noting that the tree is a Turkey Oak, of which there are mixed professional opinions. For example, it is not a native species, which can invade and dominate native oak woodland populations. Its weak wood structure and susceptibility to fungal infection may also reduce its long term suitability.

iv) Heave potential

The engineer's conclusion agreed that the Oak appeared to be causing movement in the house. However, he recommended a thorough heave assessment prior to removing the tree. This is based on his site observations of what appeared to be more long term and extensive movement patterns. His advice to conduct a full brick course level survey, to indicate the full extent of the area affected, has been given to the applicant.

v) Other solutions (root barrier)

The engineer's advice was that a root barrier was not likely to be a viable or cost-effective option in this instance. The technical issues include the presence of underground services, and the need to extend the root barrier along north and south flanks of the building, because of the presence of

other trees on either side of the application tree. The restriction of space between nos. 36 and 34 would make it particularly challenging to install a barrier there to the required depth.

vi) Replacement planting

There is ample space within the front grassed area for a suitable replacement tree to be planted and a written agreement has been given by the applicant's agent to undertake this duty. Suggested species include Field Maple, Hawthorn, Whitebeam and Holly. Such choices have less demanding root systems and would thrive amongst the remaining group of shading trees.

Conclusion:

The submitted technical evidence does appear to indicate that there is justification to remove this Turkey Oak, T3, on grounds of root induced subsidence to the front of the house. A root barrier has been considered, but dismissed as a viable option in this instance. Therefore, it is recommended to grant permission to fell T3 Oak, despite its high amenity value. The proposal therefore accords with Local Plan Landscape Policy LL09.

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

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

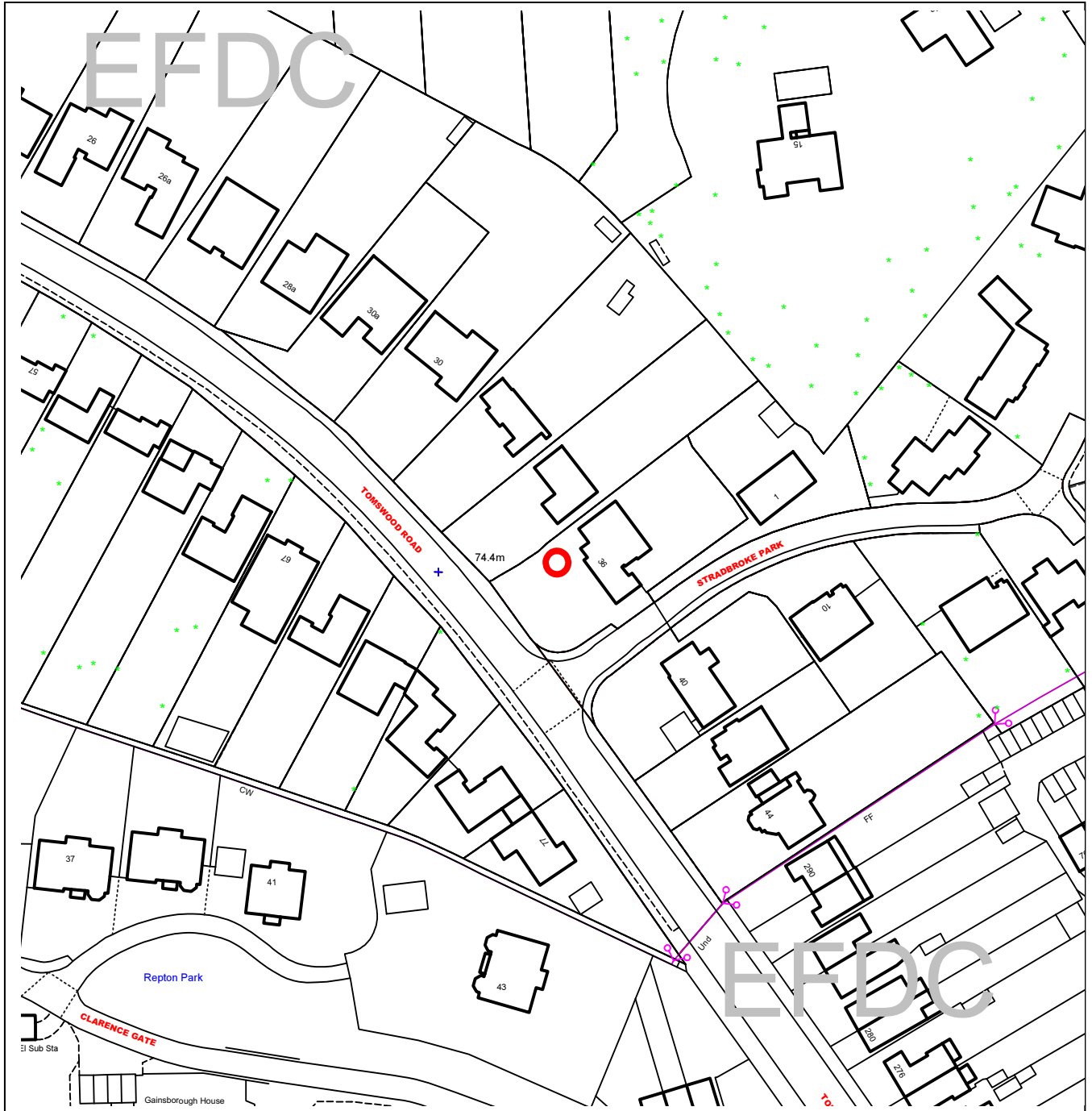
***Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/2076/10
Site Name:	36 Tomswood Road, Chigwell IG7 5QS
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2514/10
SITE ADDRESS:	5 Nafferton Rise Loughton IG10 1UB
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Martin
DESCRIPTION OF PROPOSAL:	TPO/EPF/16/87 T1 - Copper Beech - Fell and replace with Copper Beech
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523540

CONDITIONS

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

Description of Proposal:

T1. Beech – Fell to ground level and replace with a Copper Beech.

Description of Site:

This mature Beech stands 14 metres tall at the top, western end of the steeply sloping rear garden of a modern, detached, residential property. Nafferton Rise benefits from the presence of mature

trees, including the application tree, which it was designed to retain from the garden of the former Nafferton House.

Relevant History:

TRE/EPF/1713/09 was granted permission to selectively crown reduce the tree in order that top end weight was lessened to reduce the risk of whole tree collapse.

Relevant Policies:

LL9: Felling of preserved trees.

SUMMARY OF REPRESENTATIONS

3 neighbours were consulted but no responses have been received.

LOUGHTON TOWN COUNCIL objects to the inappropriate felling of preserved trees and therefore objected to the proposal.

Issues and Considerations:

Issues

The application is made on the basis that the tree is in poor condition. It is said to have a receding crown, displaying branch dieback and bleeding, and decaying stem wounds. Its location, on an incline and with a down hill lean gives particular concern because the weight of its crown is entirely on the down hill side. This puts the tree in danger of falling and striking the neighbouring property.

The issue, therefore, is whether or not the removal of this tree is justified and necessary due to its poor condition and risk of failure.

Considerations

i) Tree condition, threat level and life expectancy.

The tree is clearly in poor condition with indications of low vigour throughout. Large wound cavities are present on the stem, at 2 and 3 metres above ground level. One such wound is producing a staining, slime flux and the depth of this cavity extends well into the heart of the stem.

The presence of significant internal decay is suggested by numerous small bulges and irregularities in the bark of the stem.

The tree has grown with a pronounced lean away from its dominant neighbours on higher ground. There is some evidence that its root plate may have shifted in the ground slightly, giving some extra weight to the concerns in respect of its stability. Should it fail, there is a substantial risk of it striking the neighbouring house, 4 Nafferton Rise.

From this evidence the safe life expectancy is estimated at 1- 5 years

ii) Amenity value

The tree stands out of public view; obscured by the applicant's house. It is seen only against the backdrop of the larger higher trees to the rear.

iii) Replacement tree

The applicant has stated his willingness to plant a replacement tree. Due to the location, the replacement would have limited public amenity value in the short to medium term.

Conclusion

The tree is in a state of decline and poses a threat to a third party property. This threat outweighs the minimal loss of amenity its removal will cause. As such, the proposal accords with Local Plan Landscape Policy LL9. It is, therefore recommended that the application be agreed, but conditional upon suitable replacement planting being undertaken, for the sake of the longer term visual amenity of the area.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

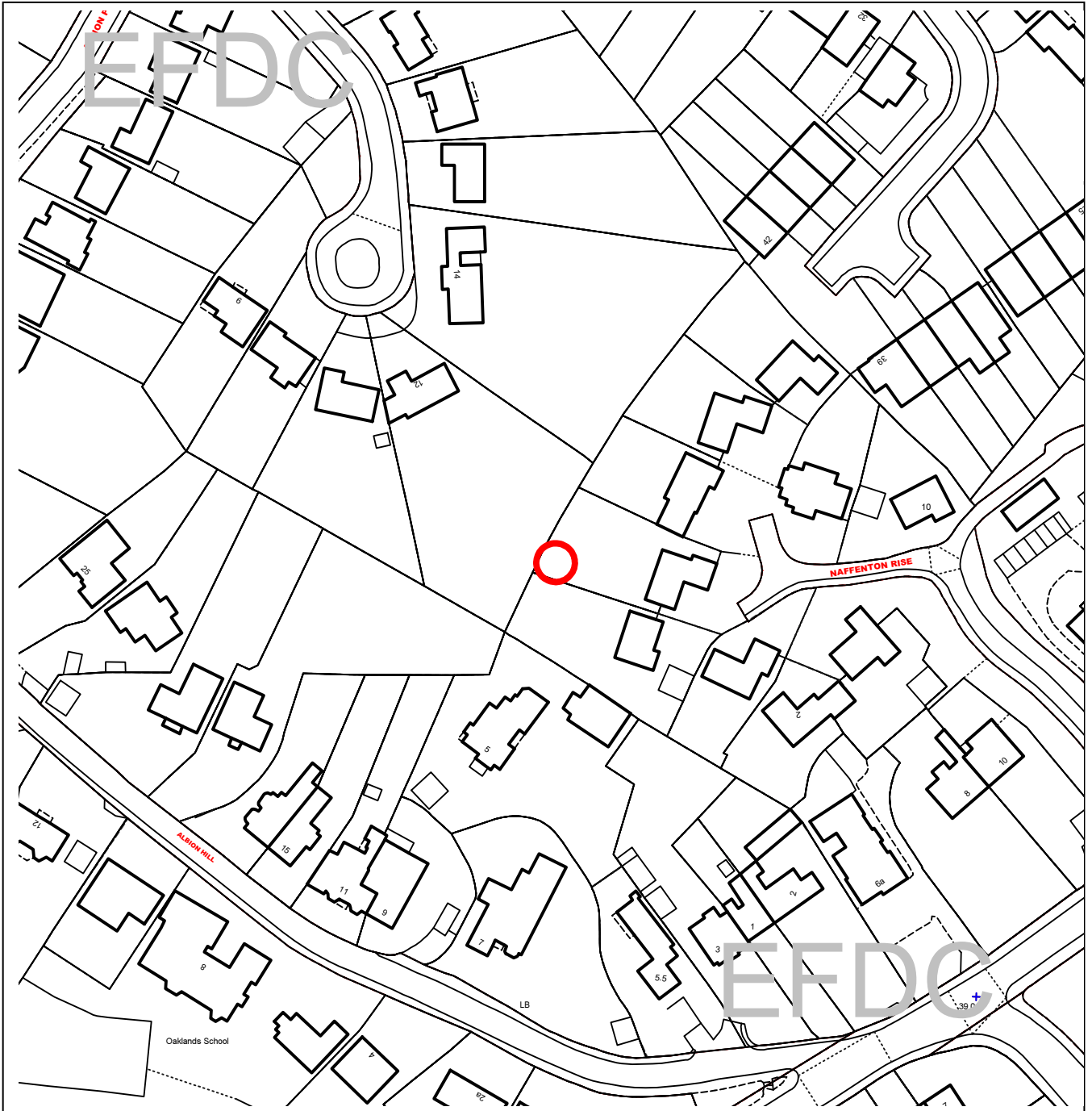
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/2514/10
Site Name:	5 Nafferton Rise, Loughton, IG10 1UB
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2566/10
SITE ADDRESS:	10 St Johns Road Loughton Essex IG10 1RZ
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Richard Kodesh
DESCRIPTION OF PROPOSAL:	TPO/EPF/115/10 T1 - Willow - Fell and replace with suitable species.
RECOMMENDED DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523733

REASON FOR REFUSAL

- 1 The willow tree has significant visual importance in the street scene, and its retention is required despite future proposals for development of the site. Therefore it is considered that insufficient justification has been given for its removal. The proposal does not therefore accord with policy LL9 of the Adopted Local Plan and Alterations.
- 2 It is considered that an appropriate resolution to the concerns raised can be achieved by re pollarding of the tree and therefore the felling is contrary to policy LL9 of the Adopted Local Plan and Alterations

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

Description of Proposal:

T1.Willow. Fell and replace.

Description of Site:

This residential area has a varied style of large detached dwellings, generally on spacious plots. The properties have a mixture of trees, boundary hedges and large shrubs within their front gardens and provide important greening for this built up area.

The character of the locality is strongly influenced by mature, trimmed holly / evergreen hedges. The willow tree is a very prominent and significant feature within the front garden of this property and provides a striking contrast in colour and form at this point in St Johns Road.

Relevant History:

Tree Preservation Order TPO/EPF/115/10 was made in September 2010 because this tree was shown to be removed on plans submitted with an application for a replacement dwelling on the site (EPF/1777/10). An objection to the making of the Tree Preservation Order has been received and a separate report relating to the confirmation of the Order without modification is being presented at this Committee.

Policies Applied:

Epping Forest District Local Plan and Alterations:

LL09 Felling of preserved trees.

SUMMARY OF REPRESENTATIONS:

Two of the immediate neighbours were notified but no representations were received.

LOUGHTON TOWN COUNCIL - The Committee objects to applications which will result in 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. Members were especially concerned because of the prominence of the Willow tree on the street scene at this location.

Issues and Considerations:

Applicant issues

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

- It is a poor specimen with several defects and has a limited life expectancy.
- It is an unsuitable species of tree to have close to a residential property.
- It blocks light from the existing property
- Its branches are touching the telephone wires, and obstruct the use of the driveway.

Planning considerations

The main planning considerations in respect of the felling of this tree are;

i) Visual amenity

The willow has very high public amenity value due to its location adjacent to the road.

ii) Tree condition and life expectancy

This is a small, but mature willow tree approximately 10 metres in height. It has had a history of pollarding. However, it has had no work undertaken for several years now, which has resulted in its current congested and contorted form.

The applicant points out that there is a bulge on the main stem at approximately 1.2 metres from ground level and the main branches are 'dog legged'. Neither of these would be considered unusual given the pollarding history of the tree. No evidence of internal decay inspection has been submitted to support the claim of a defective stem. It is considered that the tree has a safe useful life expectancy of 20+ years.

iii) Suitability of trees in current position

Planning consent has been granted for the demolition and replace of the existing property. Foundations for the new property would take the root system of the tree into account and any future potential subsidence risk would be reduced. At the present time we have not been made aware of any adjacent properties suffering damage as a result of this tree.

The branches are touching the telephone wires and currently overhanging the driveway. Both of these issues could be satisfactorily addressed by repollarding the tree.

Likewise regular pruning will reduce shading, which appears to be relatively minor even with the tree at its current size.

iv) Replacement

The applicant has indicated a willingness to plant a replacement tree of a different species within this location. Suggested specimens are a Walnut, Beech, Maple or Liquidambar. It is considered that any one of these would be a suitable replacement. However, none of these would be able to provide the dominance within the street scene that the willow currently provides and will continue to provide with ongoing management.

Conclusion:

It is recommended to refuse permission to fell the willow on the grounds that the tree has high amenity value and that pruning the tree is a reasonable alternative to felling. The proposal is therefore contrary to Local Plan Landscape Policy LL09.

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

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

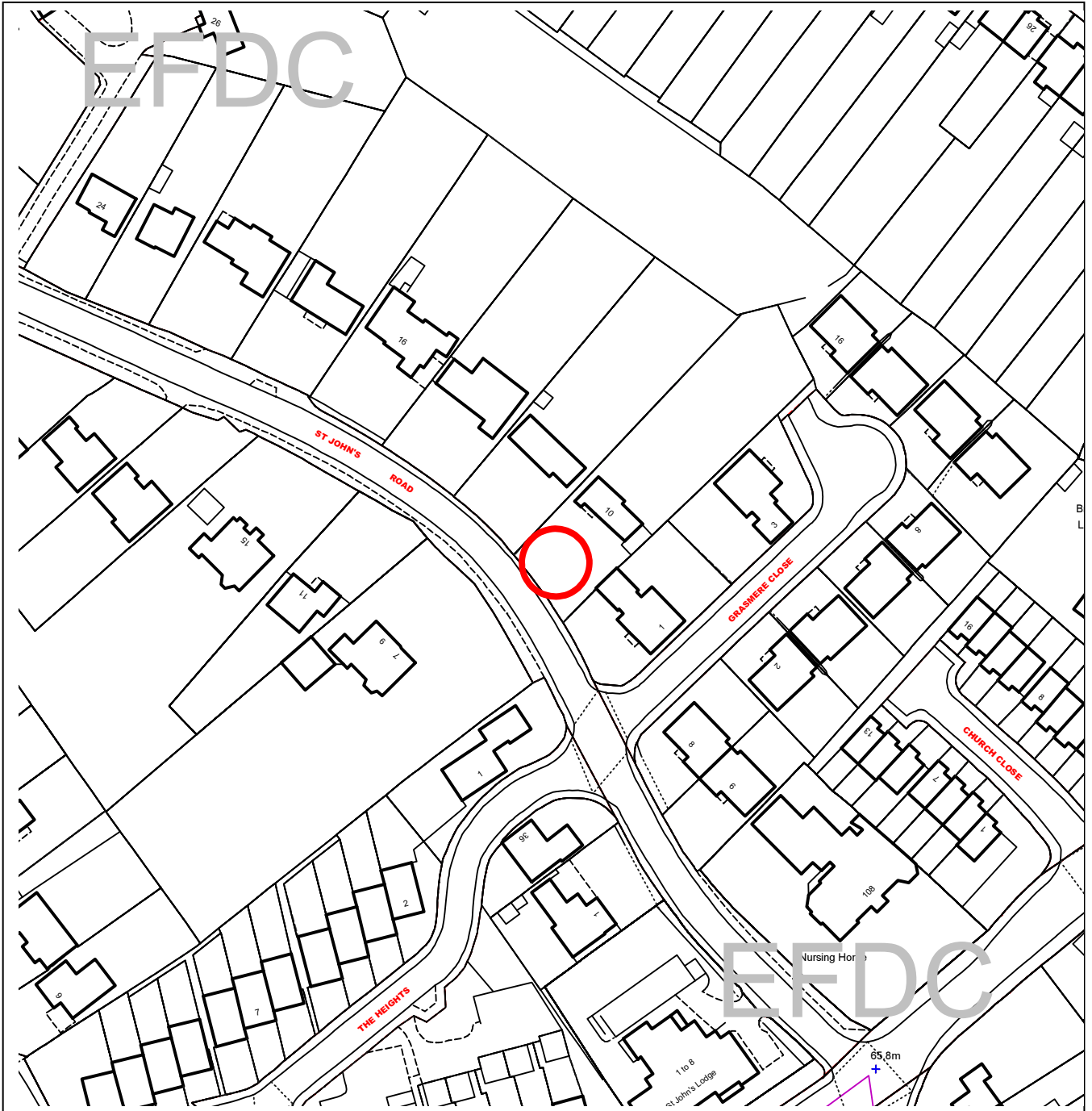
***Planning Application Case Officer: Melinda Barham
Direct Line Telephone Number: 01992 564120***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/2566/10
Site Name:	10 St Johns Road, Loughton, IG10 1RZ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1606/10
SITE ADDRESS:	The Grange 75 High Road Chigwell Essex IG7 6DL
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Stuart Issacs
DESCRIPTION OF PROPOSAL:	Certificate of lawful development for existing use of buildings and land for the sale and display of motor vehicles and the repair and restoration of motor vehicles.
RECOMMENDED DECISION:	Lawful

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=520345

REASONS

- 1 The evidence submitted by the applicant has demonstrated, that the following activities are lawful, under the provisions of Sections 191 (2) and (3) of the Town and Country Planning Act 1990:

The primary use of the site (and the buildings within) for the purposes of car sales. Customers visit the site on an appointment only basis;

The use of the buildings referred to on drawing DHA/7615/01 (site plan) as 1 and 3 for the display of motor vehicles;

The use of the building referred to on drawing DHA/7615/01 (site plan) as 2 for the ancillary repair of cars in association with the use for the site for car sales; and

The use of the building referred to on drawing DHA/7615/01 (site plan) as 4 as an office which is ancillary to the primary use for the site for car sales.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application is made under Section 191 of the Town and Country Planning Act 1990 ("the Act") and seeks a certificate of lawful existing use for the 'use of buildings and land for the sale and display of motor vehicles and the repair and restoration of classic cars.

The applicant resides at The Grange, 75 High Road, located to the south east of the site. It is claimed that the applicant's business 'Thoroughbred Cars', has been operating from the site since 1995.

Description of Site:

The application site covers an area of approximately 0.07 hectares and forms part of the garden of The Grange and is occupied by four outbuildings. There is no record of planning permission having been granted for the erection of these buildings. Whilst they fall within land associated with 75 The Grange, it is considered less likely that they are located within the residential curtilage, where they may have benefitted from permitted development rights. Notwithstanding this, the larger buildings are referred to in previous applications from 1999 and it is considered likely, on this basis, that they are lawful.

Relevant History:

EPF/0003/10. Demolish outbuilding and construct a four bedroom house within curtilage of existing plot. Refused 29/04/2010 for the following reasons:

1. The proposed dwelling would be an inappropriate development within the Metropolitan Green Belt which is by definition harmful. No very special circumstances exist which are sufficient to outweigh this harm and the development is therefore contrary to National guidelines and to policy GB2A of the Adopted Local Plan and Alterations.
2. Insufficient information has been submitted to enable full consideration of the impact of the proposed development on trees within the application site, contrary to policy LL10 of the Adopted Local Plan and Alterations.
3. By reason of the subdivision of the site to create a new planning unit with its associated additional activity and as a consequence of the height and bulk of the proposed house, the development would have an excessive adverse impact upon the openness, rural character and visual amenities of the Green Belt, contrary to policies CP2 and GB7A of the Adopted Local Plan and Alterations.

Policies Applied:

None relevant.

Regard must be given to the relevant provisions of the Town and County Planning Act.

Government guidance is also provided in Annex 8 to Circular 10/97: Enforcing Planning Control.

Summary of Representations:

Letters have been sent to Chigwell Parish Council and to 8 neighbouring addresses.

The following representations have been received:

CHIGWELL PARISH COUNCIL. Objection. The Council objects to this application on the grounds that there is insufficient evidence that this business has been operating at these premises since the date stated. Furthermore, the Parish Council would not wish cars to be displayed at these premises and is concerned that this proposal would turn a residential area/property into a business premises.

"MILESTONE" 65 HIGH ROAD, CHIGWELL. I would advise that I've known about Mr Isaac's activities for many years. These activities have been handled in a very discrete way which has caused absolutely no bother to us at all. My property adjoins that of 75 High Road, Chigwell.

Issues and Considerations:

The only issue to be considered in this application is whether or not the described use is lawful. The certificate is sought on the basis that the time for taking enforcement action has expired. A breach of planning control becomes "immune" from planning enforcement action if no such action has been taken within certain time-limits. By virtue of section 191 (2) and (3) of the 1990 Act, a breach of planning control which has obtained immunity by the passage of time also becomes "lawful" for planning purposes. As stated in Section 171B(3) of the Act, the time limit for this type of development is ten years.

It is for the applicant to prove that the use is lawful. However, at Annex 8 to Circular 10/95, it is stated *"the Court has held (see F W Gabbittas v SSE and Newham LBC [1985] JPL 630) that the applicant's own evidence does not need to be corroborated by "independent" evidence in order to be accepted. If the LPA have no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate "on the balance of probability"."*

Accordingly, it must be determined whether there is sufficient evidence to prove, on the balance of probability, that the described use has taken place for a continued period of at least ten years.

The Applicant's Evidence

- A statutory declaration (by the applicant) witnessed by a Solicitor and Commissioner for Oaths.
- Samples of sales documents and invoices to cover the period from 2000-2010.
- Advertisements of cars for sale from magazines: Classic Cars, Classic and Sports Cars and Thoroughbred and Classic Cars.
- Letters from professionals including insurers; accountants and bankers advising of their knowledge and involvement with the business operation.
- Letters from customers.

The Council's Evidence

- There is no record of business rates having been paid in respect of the use of the land for business purposes.

- At the time of a previous site inspection (January 2010) relating to a planning application for a dwelling, no sign of cars being displayed was evident (however, no internal inspection of buildings was undertaken).
- There is no record of planning enforcement investigations relating to this site.

Appraisal of Evidence relating to Car Sales

The evidence submitted relating to car sales over the last ten years is only a sample extract of the information held by the applicant. Further documentation was made available to the case officer during the site visit, but this additional information has not been extensively viewed or catalogued. Accordingly, the decision as to whether or not the use has been proven to be lawful must be taken on the basis of the evidence that has been submitted.

An initial appraisal of the evidence submitted found that insufficient information had been provided to prove, on the balance of probability that the use had operated continuously and as a primary use, rather than one which was ancillary to the residential use of The Grange. In particular it was considered that there was inadequate evidence (in terms of the number of sales invoices provided) relating to the period 2000-2007. Following a request for additional information the applicant has provided a further sample of ten sales invoices for each of the years within the seven year period. A total of 13 sales invoices for 2008, 23 invoices for 2009 and 11 invoices for 2010 were also received with the application. Further documentation relating to cars purchased has also been provided.

The invoices submitted generally have the Seller's contact details section blank and are not, therefore, easily linked with the application site. In instances where this section has been completed it is stamped with the details 'Thoroughbred Cars Head Office: 785 Cranbrook Road, Barkingside, Ilford, Essex IG6 1HJ'. This matter has been raised with the applicant's agent, whom has provided the following clarification:

Thoroughbred previously operated from 544-546 High Road, Leytonstone E11 3DH. The company vacated the premises in August/September 1994 following a violent armed robbery attack...It is this reason and for the security of the business that the location of the business is not disclosed in any sales documents of publicity information (magazine advertisements)...all VAT receipts issued in connection with the business are handled by Mr Isaacs accountant Soares & Co...located at 785 Cranbrook Road, Barkingside...prior to their relocation to new premises...785 Cranbrook Road, Barkingside is not and never has been used by Thoroughbred Cars other than by virtue of the fact that it was the office of Thoroughbred Cars Accountant.

It is considered that above clarification provides a reasonable explanation, however no evidence has been submitted in support of this assertion. However, when this explanation is considered against the other forms of evidence submitted – for example, photographs which show some of the cars referred to in the invoices displayed at The Grange and customer letters confirming purchase arrangements addressed to The Grange, it is considered that it is sufficient to prove, on the balance of probability, that the sales are associated with The Grange. The numbers of car sales demonstrated through the invoices provided are considered to be sufficient to prove that the use has been operating at a level which is a material change from the previous residential use as it has operated beyond the level which may be operated as an ancillary use.

Finally, it must also be considered whether or not the use has operated from the site itself, rather than from the remainder of the property known as The Grange, 75 High Road. This is a difficult matter for the applicant to prove, as the sites are both within the same ownership and there is no separate postal address for the application site. Accordingly there is a distinct link between the two sites, with post arriving at the residential property. Furthermore, the 'office' (referred to on the plans as building '4') does not have either a telephone or internet connection. The applicant has advised that much of the business correspondence is undertaken with the use of a mobile phone

and that the office is mainly used for meeting with clients. Having regard to the activities which are undertaken within the site, it is not considered that the use of the residence for some correspondence (including the receipt of post) undermines the use of the site for the purposes stated in this application.

Appraisal of Evidence relating to Display of Vehicles

Although there is photographic evidence which depicts cars being stored outside, these appear staged. It is considered likely that the cars are not displayed outside, but photographed outside and perhaps brought outside when a client is visiting the property. There would be little commercial benefit to displaying the cars outside as the site is not visible from the road due to the large solid gates across the site entrance. On this basis, it is not considered that it is proven on the balance of probability that cars are displayed outside on the land.

There is greater provision of evidence to show that cars are stored inside buildings within the site. This relates specifically to the use of the buildings referred to on the site plan as numbers 1 and 3. It is considered that this evidence meets the test of the balance of probability.

Appraisal of Evidence relating to Car Repairs and Restoration

- Evidence (in letter format) from Phil Read, Automobile Interior Restoration, Basildon – has visited premises many times over the last 15 years, where I have carried out repairs and restoration to car interiors which Thoroughbred Cars have for sale, as well as their customers cars. Work carried out in the Thoroughbred Car workshop (copies of invoices from Phil Read for work undertaken in April 2004; June 2006; August 2007; January 2008 also provided).
- Evidence (in letter format) from H Kauffman, customer of 5 cars since 1995 – occasionally when one of my cars has developed a fault I have taken it to (the site) in order to have work carried out.
- Evidence (in letter format) from SG Services – I have carried out paint work and body repairs on cars belonging to Thoroughbred Cars for the last 6 years (to 2010) delivering and collecting cars from their workshop and sometimes repairs have been carried out in Thoroughbred Cars workshop.
- Evidence (in letter format) from GS Autos – I have carried out many mechanical repairs on cars belonging to Thoroughbred Cars, often working in the Thoroughbred Cars workshop.
- Letters from customers setting out repair works required to be undertaken prior to agreed purchase (location of works not specified).
- Few invoices for car parts. Invoices addressed to Thoroughbred Cars.

The submitted evidence confirms that repair works are not always undertaken on the site itself, for example, SG Services confirms that 'sometimes' repairs are carried out on the site and GS Autos confirm that repairs are carried out, 'often' working in the Thoroughbred Cars workshop. The evidence also indicates that the repairs are undertaken to cars which are either within the ownership of Thoroughbred Cars or are cars which have been sold by Thoroughbred Cars. On this basis, it is considered that it has only been demonstrated that repairs are undertaken as an ancillary function to the use of the site for the sale of motor vehicles. It is not, therefore, considered that it has been demonstrated that the use of any part of the site (or buildings within) for an independent car repairs use would be lawful.

Conclusion

In light of the above appraisal, it is considered that the evidence submitted by the applicant has demonstrated, on the balance of probability, that the following activities are lawful, by virtue of the passage of time which has lapsed since they were commenced:

- The primary use of the site (and the buildings within) for the purposes of car sales. Customers visit the site on an appointment only basis.
- The use of the buildings referred to on drawing DHA/7615/01 (site plan) as 1 and 3 for the display of motor vehicles.
- The use of the building referred to on drawing DHA/7615/01 (site plan) as 2 for the ancillary repair of cars in association with the use for the site for car sales.
- The use of the building referred to on drawing DHA/7615/01 (site plan) as 4 as an office which is ancillary to the primary use for the site for car sales.

For the avoidance of any doubt, it is not considered that it has been demonstrated that the following activities have taken place over the preceding ten years:

- It has not been demonstrated, on the balance of probability, that vehicles have been displayed for sale on external areas within the site over a continuous period.
- It has not been demonstrated that there is any display of advertisements at the site intended to attract passing custom. Furthermore, the activity has not been visible from the adjacent road.
- It has not been demonstrated, on the balance of probability, that vehicles have been repaired on the site at a level which exceeds that which is ancillary to the primary car sales activity.

Accordingly, the introduction of these activities may result in a material intensification of the use which may necessitate a planning permission.

It is, therefore, recommended that a Certificate of Lawful Existing Use is granted for the elements of use that have been proven beyond the balance of probability. It is further recommended that the Certificate should contain an informative, advising of those areas of use which have not been proven on the balance of probability and which the Council would consider unlawful as a result.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

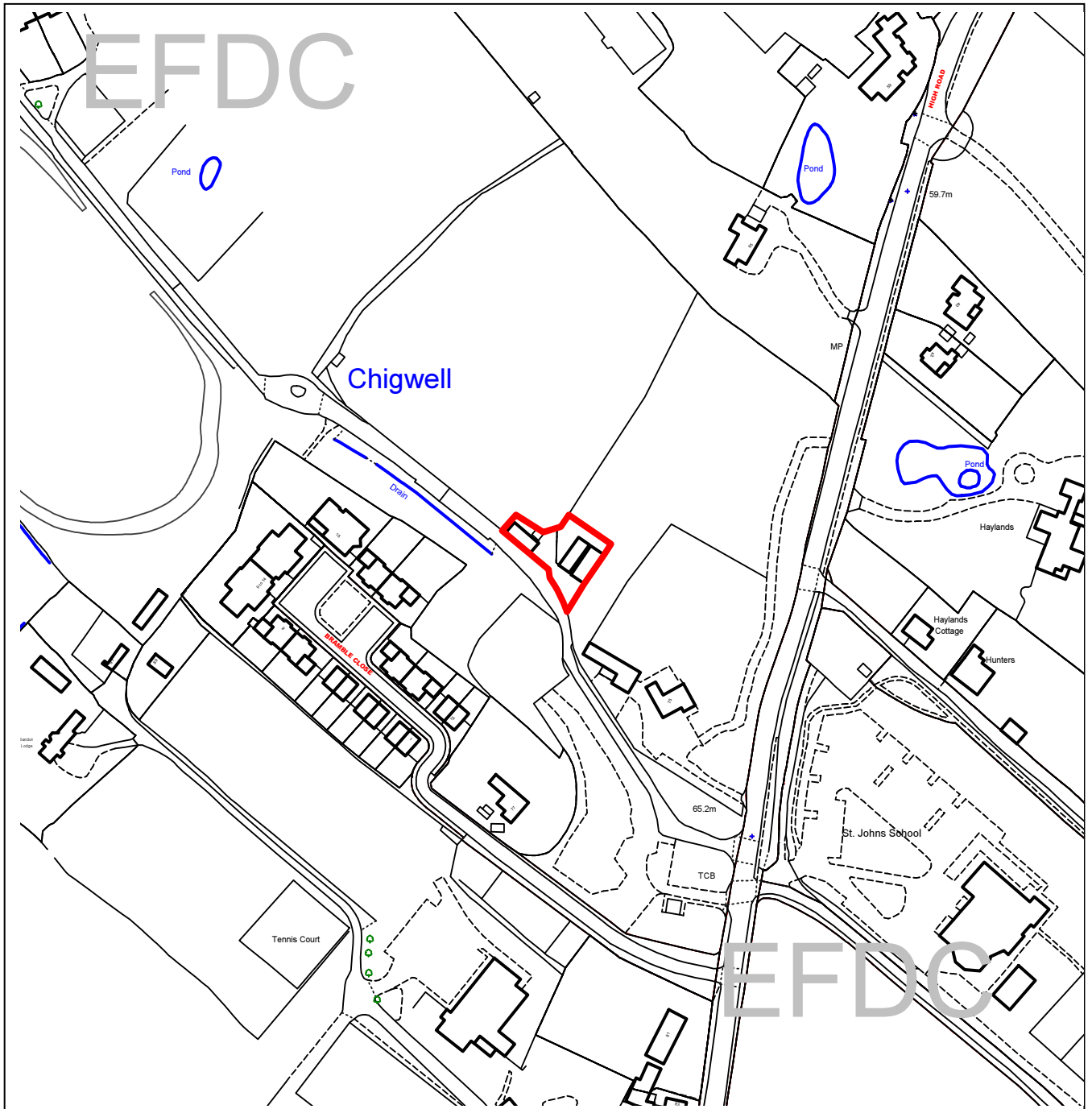
***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/1606/10
Site Name:	The Grange, 75 High Road, Chigwell, IG7 6DL
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/1900/10
SITE ADDRESS:	15 The Crescent Loughton Essex IG10 4PY
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Ken Fox
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of a single detached dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteILM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521433

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 No development shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the side elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no extensions generally permitted by virtue of Schedule 2, Part 1, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of 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.
- 6 No development shall take place until details of the proposed surface materials for the hardstanding to the front of the dwelling (as indicated on approved plan no. 10/054/03) have been submitted to and approved in writing by the Local Planning

Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.

- 7 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 8 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 as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).

Description of Proposal:

This application seeks planning permission for the demolition of the existing bungalow on the application site and its replacement with a two storey detached dwelling with integral garage.

The dwelling would have a staggered rectangular footprint, being approximately 8.7 metres in width and 15 metres in depth. At first floor level, the depth of the dwelling would be reduced to 11.8 metres adjacent to number 17 (the neighbouring bungalow). Distances of approximately 1.1 and 1.2 metres respectively would be retained to the side boundaries of the site with 11 and 17 The Crescent. The proposed dwelling would have a hipped pitched roof with a central ridge of 3.7 metres in length. The proposed dwelling would have a height to eaves of 5.1 metres adjacent to no.11 and 4.5 metres adjacent to number 17. It would have a maximum height of 9.7 metres. The dwelling would have small square dormer windows and projecting gabled elements to the front and rear elevations. A conservatory is also proposed to the rear. The site frontage would be partially landscaped and would include a permeable hard surfaced area of approximately 5.8 metres in width and 9.5 metres in depth.

Description of Site:

The application site is an area of approximately 11 x 62 metres. It is presently occupied by a detached bungalow and is located on the north eastern side of The Crescent. There are a variety of property sizes and designs within the locality. The immediate neighbouring property to the north-west (no. 11) is a two storey dwelling with additional second floor accommodation contained within a hip to gable extension and large rear dormer and to the neighbouring dwelling to the south east (no. 17) is a bungalow with additional first floor accommodation contained within the roof.

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

The bungalow is unoccupied and in a poor state of repair. The site is enclosed by temporary metal fencing to secure the premises.

Relevant History:

EPF/1507/09. Demolition of existing bungalow and erection of a pair of semi detached houses. Refused 08/10/2009 and subsequently dismissed at appeal. Reasons for refusal (by the Council):

1. The proposed development, by virtue of its height and proximity to 17 The Crescent, would result in a material loss of light to the side bedroom window of this neighbouring property to the detriment of the occupiers enjoyment of their property, contrary to policies DBE2 and DBE9 of the Adopted Local Plan and Alterations.
2. The proposed development would be an inappropriate development within this locality, which is characterised by larger plot sizes and with main entrance doors being located to

the front of dwellings. The proposal would constitute an overdevelopment of the site and would set an undesirable precedent for future similar developments, contrary to policies CP2(iv), CP7 and DBE1 of the Adopted Local Plan and Alterations.

N.B. The Inspector's decision notice is attached to the end of this report.

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP4 – Energy conservation
CP5 – Sustainable building
H2A – Previously Developed Land
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private Amenity Space
DBE9 – Loss of amenity
LL10 – Adequacy of Provision for Retention of landscaping
LL11 – Landscaping Schemes
ST4 – Road Safety
ST6 - Vehicle Parking

Summary of Representations

Notification of this planning application was sent to 109 neighbouring properties and to Loughton Town Council. The following representations have been received:

LOUGHTON TOWN COUNCIL. No objection.

12 THE CRESCENT. Objection. The proposed building is not appropriate to the area, it will appear bulky, overbearing and out of scale with neighbouring properties. Its height will affect our privacy.

11 THE CRESCENT. Objection. There will be side windows which will face my property – in particular the first floor windows will have a view into my staircase and bedroom. It would be better if these windows were obscured. The two storey part of the building would exceed my property and will overlook the velux windows in my ground floor extension. This means I will lose considerable amounts of light and privacy. Would prefer the two storey element to end level with my own property. A large ground floor extension would not cause me any trouble.

17 THE CRESCENT. Objection. Letter includes a report detailing a daylight survey, carried out using the BRE tests. Test shows that there would be a material reduction in daylight and sunlight hours would also be reduced. These were the same reasons for which the last proposal was dismissed at appeal. This new proposal also does not pay enough attention to the impact this would have on our standard of amenity we enjoy at the moment. This building, although slightly lower, is near enough the same size. The chimney stack outside our back door will be an eyesore every time we open our back door.

Issues and Considerations:

The main issues in this case are the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings, on the character and appearance of the area and on highways and parking.

Neighbouring Amenity

The main properties which would be affected by the proposed development are the immediate side neighbours, 11 and 17 The Crescent. With regard to number 17, this property has been extended to the rear with the benefit of planning permission granted in 1991. As a result of that extension, the dwelling has a bedroom which has its only window in the flank elevation, facing towards the application site. There would be a reduction in light and outlook to this window, although the gap between the properties would be very slightly increased. Furthermore, without planning permission (but presumably as a permitted development), number 17 has also had a loft conversion which includes the addition of roof lights within the rear and side roof slopes.

The impact of the proposed development on the amenities enjoyed by the occupiers of number 17 was identified as the key issue by the Planning Inspector when determining the appeal against the refusal of application ref EPF/1507/09. The Planning Inspector considered that the development previously proposed would have resulted in a material loss of light and outlook to the ground floor side window (serving the bedroom) and the roof lights above. By comparison to the approved scheme, the current proposal is for a development which would be approximately 0.2 metres further away from the flank wall of no. 17 (a total distance of 3.1 metres compared with 2.75 at present) and with a reduced eaves height of approximately 4.6 metres (0.8 metre lower than previously proposed). The ridge of the proposed dwelling would be slightly higher than previously proposed, although the change to a hipped roof would result in this maximum height being located considerably further from the side boundaries of the site. Accordingly it must be considered whether these alterations, which are relatively minor, overcome the harm identified by both the Council and the Planning Inspector in respect of the previous scheme.

The issue of outlook, although not identified by the Council in its reason for refusal, was introduced by the Planning Inspector. Accordingly, this issue must be afforded some considerable weight when considering this revised proposal. Whilst outlook would be reduced to this window, it is one within the master bedroom suite created in the loft of the neighbouring dwelling. It is not the only window serving the room, nor is it the largest. The angle and position of the roof light within the roof slope and the secondary nature of the window was such that it was not considered by the Council that there would have been a material reduction of outlook to this room caused by the development previously proposed. This current proposal would result in the side roof slope of the proposed building being 0.8m lower and entirely hipped so that the bulk of the roof as viewed from both neighbouring dwellings would be significantly reduced. As the roof light is positioned in the north facing elevation of no.17, it would receive very little direct sunlight. Whilst the proposed development would result in the amount of daylight received by this window being reduced, it is not considered that the reduction would be material, having regard to the existing levels of light which are received.

With regard to the ground floor window, it is also considered to be unlikely that there would be a material reduction to outlook. Notwithstanding the revisions to the revised proposal, which slightly increase the aspect from this window, the window is obscure glazed. The planning permission for the extension to no.17 was subject to a planning condition which required the window to be retained with obscure glass. The nature of obscure glazing is such that a reasonable level of outlook may not be enjoyed. Bearing this in mind, it is not considered that the proposed development would cause a material reduction in outlook to this window. With regard to light, as discussed above, the orientation of the window is such that it would not receive significant amounts of direct sunlight. The occupiers of number 17 have submitted a test undertaken in accordance with BRE guidelines which demonstrates that there would be a reduction in daylight received. The test finds that both the existing and proposed situation would result in the light received being below the value recommended by BRE. The Council has undertaken its own test, which approximately concurs with the submitted test. Notwithstanding this, the proposed development, due to the slightly reduced dimensions of the proposed building does improve the aspect that would be achieved in relation to the proposal that was previously refused planning

permission and dismissed at appeal. The issue of whether or not the reduction in light to this window would be material to the extent that the refusal of planning permission would be justified is very finely balanced. However, it is the opinion of the case officer that, in this instance, the reduction from the existing level of natural light received by the roof is such that it would not amount to a detrimental reduction in amenity because the window does not presently receive the level of daylight recommended by BRE and the degree of change would be too small to be material.

The occupier of no. 11 has raised concern that there would be a loss of light to that property arising from the proposed development. It is considered that there would be a reduction to sunlight in the rear garden of no. 11 as the existing bungalow is located directly to the south of this garden. Notwithstanding this, the resultant situation would be comparable with that further along The Crescent, for example in the garden of no. 11's adjoining property, and it is not therefore considered that this reduction in amenity would be detrimental to the enjoyment of that neighbouring property. Concern has also been raised regarding privacy inside the dwelling from the proposed side windows in the new dwelling. Any such harm may be mitigated by the use of a planning condition requiring the use of obscure glazing at first floor level. It is not considered that any reduction in light to the roof lights in the extension of no. 11 would not result in a material reduction to amenity.

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

Character and Appearance of the Area

There has been some objection from local residents to this application on the basis that the proposed development would be out of keeping with surrounding development and harmful to the character and appearance of the area.

It is considered that The Crescent is characterised by a variety of property sizes and styles. There is a lack of uniformity, which it is considered contributes towards the character of the area. The application property is located adjacent to a run of three pairs of two storey dwellings and accordingly it is considered that its height is acceptable. It is further considered that the use of a hipped roof serves to integrate the two and single storey buildings either side of the site. The front and rear building lines of the proposed building would be in keeping with surrounding development, although the rear would extend further into the garden than either neighbouring dwelling. With regard to the detailed design of the dwelling, this does not replicate anything which already exists in the street. Notwithstanding this, it is considered that the development would have an acceptable appearance, which would not be harmful to the street scene. Loft conversions are commonplace within the street, although these do not generally involve front dormers. However, examples of front dormers do exist within the street. The front dormer proposed on the front elevation is considered to be appropriately sized and located within the roof slope and it is not, therefore considered that this would be harmful to the character and appearance of the area.

Parking and Highways

A hard surfaced area of 5.9 x 9.5 is proposed to the front of the dwelling. This would provide sufficient parking for at least two cars. In addition, a garage is also proposed. This level of car parking provision is considered to be acceptable.

Trees and Landscaping

This proposal would result in the loss of an apple tree in the rear garden. The applicant has also advised that it is their intention to relocate 3 leylandii from the middle of the garden to the rear boundary (to improve screening along this boundary). The Council's Arboricultural Officer has raised no objection to this.

In order to protect the rear garden (for existing and future planting) protective fencing should be placed across the width of the garden. The fencing would need to be approximately in line with the ash tree in the neighbouring garden. This will ensure the protection of planting, whilst providing adequate construction working space. The erection of the protective fencing may be secured by the use of a planning condition.

A landscape scheme may also be required by the use of a condition. This would ensure that ensure that the gardens are suitably landscaped prior to the property being occupied, to soften the development within the street scene.

Conclusion:

This proposal has been considerably modified from the previous proposal, but the merits of the case remain finely balanced. It is considered that the proposed development would sit comfortably in, and indeed enhance, the street scene. The development would, however, result in some reduction in the level of natural light received by a bedroom in a neighbouring dwelling. However, on balance and for the reasons discussed in this report, it is considered that the proposed development would be acceptable. Accordingly, it is recommended that planning permission be granted, subject to planning conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Appeal Decision

Site visit made on 21 June 2010

by D A Hainsworth LL.B(Hons) FRSA Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
14 July 2010

Appeal Ref: APP/J1535/A/09/2116796

15 The Crescent, Loughton, Essex IG10 4PY

- The appeal is made by Mr D Hunt under section 78 of the Town and Country Planning Act 1990 against a refusal by Epping Forest District Council to grant planning permission.
- The application Ref PL/EPF/1507/09, dated 11 August 2009, was refused by notice dated 7 October 2009.
- The development proposed is the demolition of the existing bungalow and erection of a pair of semi-detached houses.

Decision

1. I dismiss the appeal.

Reasons for the decision

2. The main issues in the appeal are the effect of the proposed development on the character and appearance of The Crescent and its effect on the amenities of the occupiers of the adjoining dwellings, 11 and 17 The Crescent.
3. The Crescent has a pleasant residential character and appearance. The plot sizes are generous and there is not much variation in their widths and depths. There are, however, considerable differences between dwelling sizes and styles, which range from bungalows to semi-detached and detached houses. Many of the dwellings have been extended. Some front gardens have been converted to paved forecourts.
4. The bungalow at No 15 would be demolished and replaced by a pair of two-storey, semi-detached houses with accommodation in the roof space. The height and bulk of the development would be comparable to other two-storey developments in The Crescent. The two plots created would be narrower than the rest, but this would not be obvious from public viewpoints, since the two semis would look like a single detached house when seen from the road, this being achieved by a projecting front gable on one side only, a shared forecourt and only one of the houses having its entrance at the front. The appearance of the forecourt could be improved by more planting. Planning conditions could ensure that this took place and that the other features of the design and layout of the development I have referred to were implemented and retained.
5. For these reasons, the development would in my view sufficiently respect the character and appearance of The Crescent and not create a damaging precedent for similar development in the area. The criteria for new urban development set out in Policies CP2(iv), CP7 and DBE1 of the Epping Forest District Local Plan would be met in this regard.

6. 11 The Crescent is a semi-detached house on slightly higher ground, which has been extended at the side and at roof level. The flank wall and side roof of the nearer of the two proposed semis would be lower at the eaves and the ridge than No 11's eaves and ridge. The separation distance between the houses would be between about 2m (to the nearest point of the single-storey side extension) and 4.3m (to the original flank wall). The only openings facing No 11 would be a ground-floor entrance door and hall window and first-floor windows serving a bathroom and a shower, which could be required to be obscure glazed.
7. The relationship between No 11 and the new house would not be out of the ordinary for neighbouring two-storey dwellings in this locality or elsewhere. The impact on No 11's outlook, privacy, daylight and sunlight would not be substantial and there would be no conflict with the standards called for by Policies DBE2 and DBE9 of the Local Plan, so far as No 11 is concerned.
8. I do, however, have significant reservations about the impact of the other new house on No 17, which is a bungalow with accommodation in the roof space. It has a ground-floor bedroom served only by a window on the side next to the proposed house. There is another bedroom in the roof space served by two roof lights on the side next to the proposed house and one rear roof light.
9. I note the appellant's comments about the history of No 17's extension, but I propose to consider No 17's situation as it exists today. I also note that there are permitted development rights relating to the bungalow still standing at No 15 that would affect No 17, but I do not consider them to be important, because there is little prospect of them being exercised and the new house would far exceed their limitations.
10. The flank wall of the new house would be much higher at the eaves than the bungalow it replaced and the roof would be much higher and bulkier. The side of No 17 would be dominated by the new house and the ground-floor bedroom window and side roof lights would lose light and outlook. In my opinion, the design of the new house does not pay enough attention to the impact on the standard of amenity enjoyed by the occupiers of No 17, contrary to Policies DBE2 and DBE9 of the Local Plan. I have therefore dismissed the appeal.

D.A.Hainsworth

INSPECTOR



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/1900/10
Site Name:	15 The Crescent, Loughton, IG10 4PY
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2129/10
SITE ADDRESS:	10 Stanmore Way Loughton Essex IG10 2SA
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Dr Gerald Biss
DESCRIPTION OF PROPOSAL:	Demolition of a two storey house and construction of two new detached houses on the same site.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522234

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 development, shall match those as detailed on submitted drawing No ETN_203 Rev A, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The proposed window openings in the flank elevations at first floor level of both dwellings hereby approved shall be 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.
- 4 The proposed flank elevations of the dwellings hereby approved shall retain a gap of at least 1.0m to the common boundaries of the site and a gap of at least 2.0m between the inside flanks of each structure.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Classes A and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

- 7 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 8 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. 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 in writing.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on 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.
- 10 All material demolished from the existing building or 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 Prior to the commencement of the development details showing the means to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 12 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of 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.

This application is before this Committee since it is an application for a non 'other' development and the recommendation differs from more than two expressions of objection (Pursuant to Section CL56, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

The proposal is to demolish an existing two storey dwelling on the site and replace it with two detached houses. The two dwellings would replicate the design of each other and extend for two storeys above the existing ground level. A basement area would be located below each dwelling. The roof would be finished in clay tiles with a front gable feature. The plot would be separated into two residential curtilages, one for each dwelling, and the design incorporates internal garages. Hardstanding drives would be located to the front. Each house would contain six bedrooms.

Description of Site:

The proposal site contains a large detached dwelling which would be demolished to accommodate the works. The rectangular plot measures 30m wide x 35m deep. The plot is relatively flat. A 2.5m high wall forms the eastern and southern boundaries of the site. The western boundary treatment consists of a 2.0m close boarded fence. The front boundary consists of an approximately 3.0m high holly hedge with entrance gates in the centre of the plot. There is some vegetation within the existing plot.

The immediate area is in something of a state of flux with older and more modern structures making up the existing streetscene. Some have evidently been replaced or modernised in recent times. The proposal plot is flanked on either side and to the rear by residential dwellings. Given the state of flux there is no dominant style along the road.

Relevant History:

No Relevant History.

Policies Applied:

Policy CP1 – Achieving Sustainable Development Objectives
Policy CP2 – Protecting the Quality of the Rural and Built Environment
Policy CP3 – New Development
Policy CP4 – Energy Conservation
Policy CP5 – Sustainable Building
Policy CP6 – Achieving Sustainable Urban Development Patterns
Policy CP7 – Urban Form and Quality
Policy DBE1 – Design of New Buildings
Policy DBE2 – Effect on Neighbouring Properties
Policy DBE3 - Design in Urban Areas
Policy DBE8 – Private Amenity Space
Policy DBE9 – Excessive Loss of Amenity to Neighbouring Properties
Policy ST1 – Location of Development
Policy ST2 – Accessibility of Development
Policy ST4 – Road Safety
Policy ST6 – Vehicle Parking
Policy H2A – Previously Developed Land
Policy H4A – Dwelling Mix
Policy LL10 – Adequacy of Provision for Landscape Retention
Policy LL11 – Landscaping Schemes

SUMMARY OF REPRESENTATIONS:

LOUGHTON TOWN COUNCIL: No Objection. The committee was concerned that there would be little private amenity space for the occupants of each house and asked whether the proposal was a contravention of recent government guidance on PPS3 (Housing). Members additionally asked for a condition requiring the retention of existing trees and hedges.

8 STANMORE WAY: Objection. The notes are clearly prejudiced in favour of the applicant. It is not true to say that there will be no loss of privacy or amenity to occupants of this property as outlook from windows on the east side may be affected. The issue that only a secondary window will be affected depends how deep the house is going to extend into the plot. There would at least be a loss of light to the kitchen and bathroom considering the proximity of the new building to the site boundary. We would like assurances that the west elevation of the proposed building would have

no windows overlooking our property. We invite a representative of Epping Forest Planning Directorate to view the potential affect from our property.

1 LITTLE GOLDIMGS: Objection. Our property will be overlooked causing a loss of privacy. Any removal of trees will increase this.

2 LITTLE GOLDINGS: Objection. The buildings are inappropriate to the area leading to an increase in noise particularly from the "party room". Dangerous road conditions created due to lack of parking. At least two cars per house will be parked in Stanmore Way. This will lead to road safety issues.

Issues and Considerations:

The main issues that arise with this application relate to;

- Design Considerations
- Residential Amenity
- Highway Matters/Parking
- Trees and Landscape
- Land Drainage

Design Considerations:

The existing front elevation of the dwelling is set back further into the plot than neighbouring properties. This proposal would bring both dwellings forward in line with these and would therefore be complementary within the streetscene. The design incorporates a brick finish with half timbering and plaster at first floor level. This is in keeping with other dwellings in the near vicinity, including the adjacent two storey dwelling. A gap of 1.0m would be retained on either side so a cramped form of development would not result. Most dwellings on the road fill the width of the plot and retain a gap of approximately 1.0m on each side. This plot benefits from being much larger than neighbouring plots and it could accommodate two dwellings without them appearing cramped in. The proposed roof configurations are deemed acceptable and the gable feature is similar to other features on dwellings along Stanmore Way. There is some concern in the use of two identical dwellings in an area of mixed styles; however this is not considered a strong enough reason to withhold consent. The design of the proposed dwellings raises no significantly adverse issues.

Residential Amenity

The proposed plot would provide approximately 110 m² of useable private amenity space for each dwelling at the rear of the building. Council policy requires 20 m² of private amenity space per habitable room. Habitable rooms are defined as bedrooms, living room and kitchen/dining rooms. The proposed buildings have at least eight habitable rooms as defined in council policy, which would require 160 m² of private amenity space. The proposal falls short of this. A relaxation of the standards is acceptable in certain circumstances. In this case the size of the plots is not excessively small and would not look out of place in relation to the private amenity space afforded to other dwellings. The area is also well provided with public amenity space. The layout follows the convention of a traditional row of houses and therefore overlooking of either created dwelling would not be excessive.

The site is bordered on three sides by residential properties. The eastern neighbour, No12, is a two storey dwelling which has been significantly extended. There would be no impact on the amenities of residents of this dwelling and no loss of light to rear facing windows. No8 Stanmore Way borders the application site to the east. This is a single storey structure with a row of windows facing the site. The two properties are divided by 2.0m close boarded fencing. The proposal would

cause overshadowing of three of the windows facing the site; those situated towards the front of the dwelling. However one is a small, secondary window serving the main living room. The impact would not be excessive. The second serves a small kitchen area which would not be classed as a habitable room. There is an issue with loss of outlook from the kitchen. However this window currently faces the close boarded fence and any increase would not be highly excessive. The occupants are served by a good sized garden and have a very open aspect to the other side of the dwelling. The third window is obscure glazed serving a bathroom. The bedroom windows towards the rear are unaffected. Some loss of amenity is recognised; however on balance it is deemed to be to an acceptable level.

A number of dwellings on the south elevation, chiefly No2 Little Goldings, are in close proximity to the site. No2 has a particularly shallow rear amenity area; such that it would not be overlooked by the development given the rear boundary wall. The dwelling is served by one upper floor window, which is obscure glazed; therefore there would be no loss of amenity to the residents of No2, and no overlooking of the proposal site. The other adjacent dwellings are set at an angle and some distance from the proposal site and raise no issues.

Parking/Road Safety Issues

The scheme provides access and parking for both properties. Essex County Council raises no objection to the proposal. There is adequate parking for at least three vehicles within the site and this is deemed adequate. A condition that the garage remains for the parking of vehicles is however necessary to ensure that adequate parking remains at the respective properties.

Trees/Landscaping Issues

Loughton Town Council has requested a condition requiring the retention of trees and landscaping. Following the site visit there is no obvious vegetation worthy of retention. However the site would benefit from a landscaping scheme and the application will be conditioned accordingly.

Land Drainage

The proposal includes a large basement area under both proposed dwellings. The Land Drainage section of the Council has been consulted and raises no objections to this proposal. They point to a marginal increase in surface water run off which would not cause flood risk concerns. Accordingly there are no concerns relating to this aspect of the scheme.

Changes to PPS3 (Housing)

Recent Government amendments to PPS3 have excluded residential gardens from the definition of previously developed land in Annex B and the minimum density of 30 dwellings per hectare has been deleted from paragraph 47. This is a material consideration when determining planning applications. PPS3 does however still promote the efficient use of land in the provision of housing, where it respects the character of the area. The immediate area around the development site is characterised principally by large dwellings using the majority of the plot. The proposed building would have no serious impact on the character and appearance of the immediate vicinity whilst providing a more efficient use of land in a sustainable location.

Other Matters

It is considered appropriate to remove permitted development rights; Class A and E. Extensions under Class A and E could potentially compromise the amount of private amenity space to a level which would harm the amenity of residents. Class A extensions could also potentially have an

overbearing impact on the amenities of adjacent residents. The dwellings would also be excessively bulky and out of scale with neighbouring houses.

Conclusion

The proposed dwellings would have an acceptable impact on the streetscene and neighbour amenity would not be excessively harmed. Subject to a number of conditions the application is deemed acceptable and recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

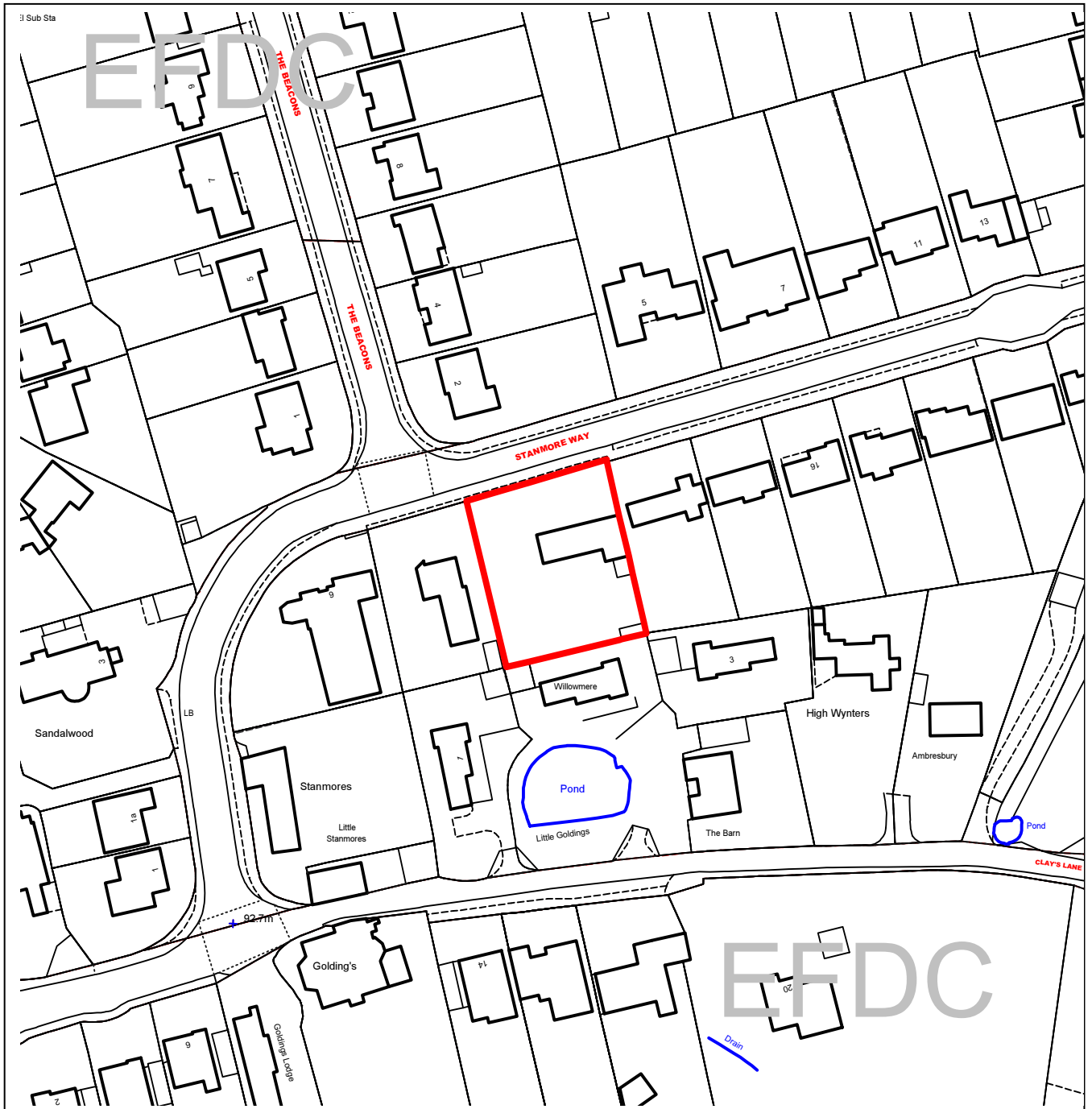
***Planning Application Case Officer: Dominic Duffin
Direct Line Telephone Number: 01992 564336***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/2129/10
Site Name:	10 Stanmore Way, Loughton, IG10 2SA
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2249/10
SITE ADDRESS:	37 Roding Lane Buckhurst Hill Essex IG9 6BJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr Gul Nawaz
DESCRIPTION OF PROPOSAL:	Single storey side/front extension, part single storey and part two storey rear extension. (Amended application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522640

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 development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for front and rear two storey extensions, a single storey wrap around front/side/rear extension and a rear conservatory. The extension would project close to the side boundary of the site. The rear extension would have a 5.5 metre depth at ground floor level and a 3.1 metre depth at first floor level. A distance of 2.4 metres would be retained between the first floor extension and 39 Roding Road and a distance of 3.3 metres would be retained between the extension and no. 35.

The proposed front extension is the main difference between this application and that which was granted planning permission last year. The extension would sit in front of the existing recessed wall of the dwelling, extending it forwards by approximately 2.1 metres, to create an ensuite bathroom. The extension would remain subservient to the main front wall of the dwelling by a distance of approximately 20cm. It would have a hipped pitched roof to match that of the main roof of the dwelling. The front extension would have a central flat section, which would enable it to be set lower than the main roof. The height and design is such that the flat section of the roof would not be visible from the street.

Description of Site:

The application property is a semi-detached dwelling located on the northern side of Roding Lane. The dwelling is situated on a higher level to the road/pavement and the land level continues to rise towards the rear of the site. The property has a detached garage situated to the rear of the dwelling, accessed via a narrow drive to the side of the dwelling. There is also, to a lesser degree, a change in levels across the application site. The neighbouring dwelling, no. 39, is set at a lower level by approximately 0.5 metre. There are close boarded timber fences to both side boundaries to a height of approximately 2 metres. Along the rear boundary is a fence with a large conservatory behind it.

Relevant History:

EPF/2457/07. Ground floor front and rear extensions, and two storey side extension. Refused 10/01/08 for the following reasons:

1. The proposed two storey extension, built onto the site boundary with No 39 Roding Lane, closes down an important visual gap and introduces an unacceptable terracing effect to this site, contrary to policy DBE 10 of the Adopted Local Plan and Alterations.
2. The proposed scheme, sited adjacent to the common boundary with No 39 Roding Lane, together with its height and appearance, would be detrimental to the residential amenities of this property, by reason of an overbearing impact, contrary to Policies DBE 9 and 10 of the Adopted Local Plan and Alterations.
3. The proposed parapet wall at roof eaves level will introduce an inappropriate feature into this house, out of keeping in the street scene, contrary to policy DBE10 of the Adopted Local Plan and Alterations.

EPF/2200/09. Single storey side/front extension, part single storey and part two storey rear extension. Approved 06/01/2010.

Policies Applied:

Adopted Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE2/9 - Impact of New Development

DBE10 - Design

ST6 – Vehicle Parking

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL. Objection – Over development

Issues and Considerations:

The main issues to be considered are the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area. Consideration will also be given to the adequacy of the parking provision retained within the site.

Impact on neighbouring dwellings

Due to its staggered depth and the relationship between no.39 (which is adjacent to the larger part of the extension and set at a lower level) and the position of the first floor addition, the proposed extension would not be harmful to neighbouring amenity. The extension would be higher than the garage proposed to be demolished, but would not extend so far into the site.

Impact on Character and Appearance of the Area

The development proposed is considerable and would significantly increase the footprint of the dwelling. However, it would not be disproportionate to the scale of the original dwelling and the character of the existing property would be retained. The design and roof form of the proposed extension would be in keeping with that of the main dwelling. The proposed front extension would remain subservient to the main front elevation of the dwelling, thereby retaining its character. The street scene is not uniform and there are other examples of similar extensions to the fronts of neighbouring dwellings.

Vehicle Parking

The existing garage parking space would be lost, as would also have been the case with the approved scheme. The existing parking space would be retained to the front of the dwelling. There is sufficient space within the front garden of the dwelling for an additional parking space to be provided, if the owner considers this to be necessary/desirable. On this basis, it is considered that the loss of the existing garage is acceptable and would not result in an additional unmet demand for off-street parking.

Conclusion

In light of the above appraisal, it is not considered that the proposed development would be detrimental to the amenities of the occupiers of neighbouring dwellings. Furthermore, it is considered that the extensions would have an acceptable appearance. Accordingly, it is recommended that planning permission be granted.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Mrs Katie Smith

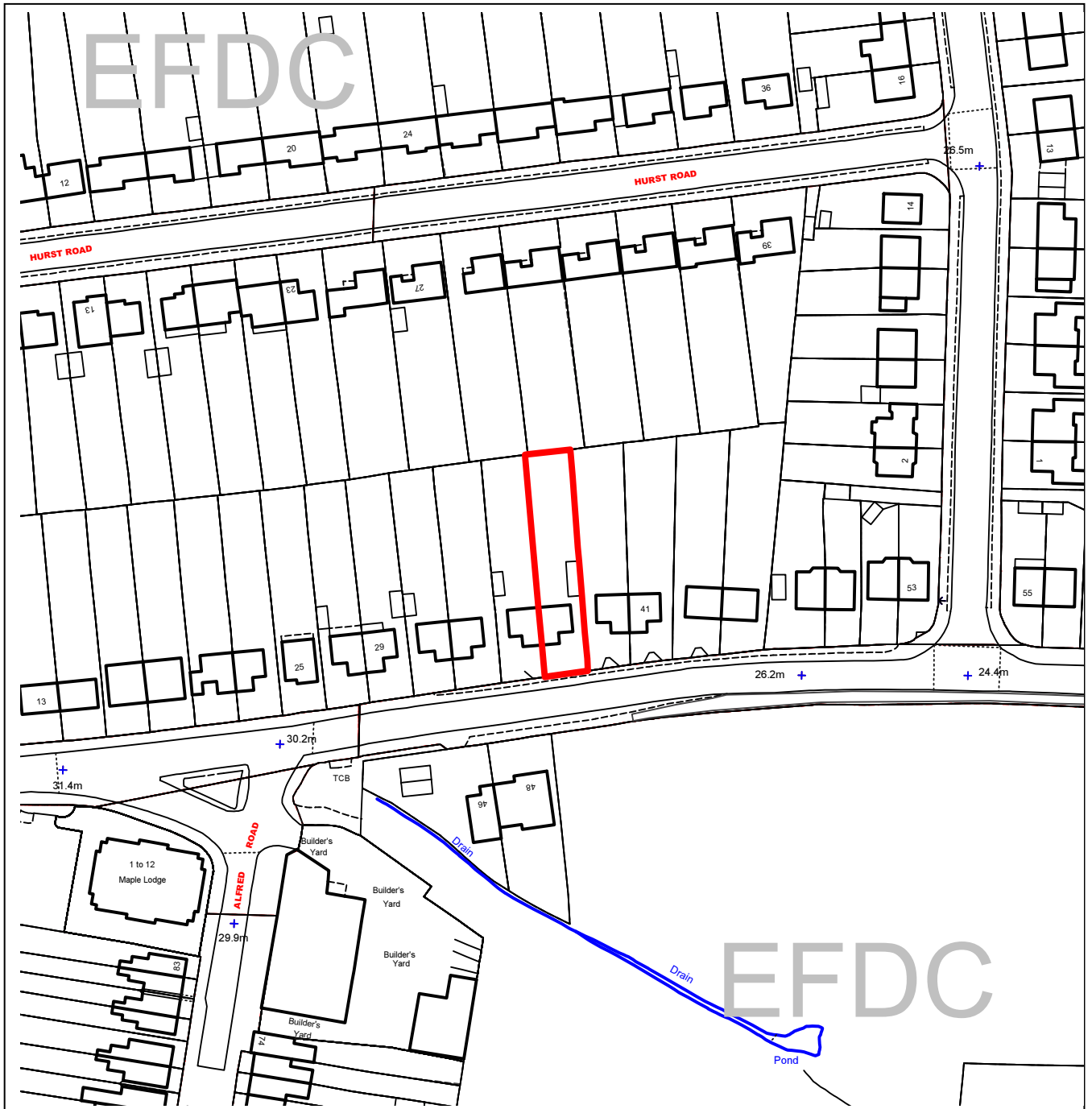
Direct Line Telephone Number: (01992) 564109

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



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Area Planning Sub-Committee South



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Agenda Item Number:	7
Application Number:	EPF/2249/10
Site Name:	37 Roding Lane, Buckhurst Hill, IG7 6BJ
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2259/10
SITE ADDRESS:	18 Oak Lodge Avenue Chigwell Essex IG7 5HZ
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mrs J Cowell
DESCRIPTION OF PROPOSAL:	Retention of detached garden building at the rear of the garden for use as a hot tub enclosure & exercise room.
RECOMMENDED DECISION:	Grant Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522678

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:

This application is for the retention of an outbuilding. The outbuilding is sited in the rear garden of a residential plot and is positioned towards the western boundary fence. It will be used for purposes ancillary to the dwelling it serves.

The building has a predominantly flat roof and centrally located glazed pitched roof. As a result of a change in ground level on the site of the building, its maximum height is approximately 2.8 metres to the flat roof and the ridge of the glazed roof 3.7 metres.

The outbuilding is sited approximately 1.0 metre from the western boundary fence, 0.8 metres from the north boundary fence and 1.5 metres from the south boundary fence.

The walls of the outbuilding are finished in facing brickwork.

Description of Site:

The application site accommodates a two-storey, linked detached dwelling located west of Oak Lodge Avenue in a rectangular plan shaped plot. There is hard standing at the front of the property for parking with a 20 metre deep private garden to the rear.

The ground level rises to the north, towards the rear boundary fence which backs onto the rear gardens of detached dwellings that front Millwell Crescent. These plots are at a higher ground level.

The adjacent properties to the site at Nos. 16 and 20 Oak Lodge Avenue have no outbuildings, however, there are low but significant timber outbuildings situated in the rear gardens of properties that back onto the site in Millwell Crescent.

Relevant History:

None

Policies Applied:

Adopted Local Plan and Alterations

CP2	Protecting the quality of the built environment
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE9	Loss of Amenity

Summary of Representations:

5 neighbours were consulted and the following replies were received:

CHIGWELL PARISH COUNCIL - The Council OBJECTS to this application on the grounds that the proposal would result in an excessive garden building which would cause demonstrable harm to the residential amenity of neighbours to the rear of, and adjacent to, the proposed building.

The Council also expressed concern regarding sound proofing of the building. Accordingly, if planning permission is granted for this application, a condition should be imposed requiring installation of appropriate sound proofing.

23 MILLWELL CRESCENT – Objects on grounds that the building is close to the boundary fence and is higher than the fence. Unsightly glass structure is imposing and will result in water running off. There is added potential for noise and light pollution from its intended use. Building is also bulky and out of keeping. The application is also retrospective as it has already been built.

25 MILLWELL CRESCENT – Objects on grounds that the building is close to the boundary fence and is higher than permitted allowances. Unsightly glass roof structure with openers/vents is not in keeping in the area and it will result in noise pollution. Building is bulky and out of keeping. The application is also retrospective.

Issues and Considerations:

The main issues are the consequence of this development for the character and appearance of the locality and the amenities enjoyed by the occupants of neighbouring dwellings.

Neighbouring occupier's amenity

The properties facing onto Oak Lodge Avenue have good sized rear gardens. The outbuilding is set in from the adjacent plot boundaries and though it is 1.0 metres from its rear boundary, it is sited some 17.0 metres from the nearest building that fronts Millwell Crescent.

The plots to the west of the site at Millwell Crescent are at a higher level, approximately 1.0 metre above the application site. This results in a significant portion of the building appearing submerged thus reducing the visual impact from their rear gardens.

The visual impact of the outbuilding is in any event also mitigated to a further degree by a 1.8m high boundary fence with retaining wall that screens a great portion of it from adjacent gardens to the west. This serves to obscure views of it from occupiers of Millwell Crescent.

Furthermore, its size and position does not result in any adverse impact on the amenities of the occupants of neighbouring adjacent dwellings. It does not appear overbearing and does not cause any excessive overlooking.

The Parish Council have expressed concern regarding the sound proofing of the building. The building is of a solid brick construction and although the glazed part of the roof would include windows, the building would only be used for purposes ancillary to the main house. It is therefore considered not necessary to impose a condition on any consent given requiring sound proofing, although such a condition would not impose an onerous obligation on the applicant.

The use of the outbuilding will not result in harm to neighbours' amenity.

Design and appearance

Having regard to the distances separating the outbuilding from adjacent plot boundaries and its siting, it does not appear visually intrusive or inappropriate in its context.

The Parish Council and neighbours have raised objections on a number of grounds one of which is the design and appearance of the building is out of keeping. Whilst the design is not of a standard design used for outbuildings, the roof construction is similar to a conservatory which is acceptable in its residential context. It is also not visually dominant when seen from the rear gardens of properties that front Millwell Crescent and immediate adjacent plots.

Having regard to its limited visual impact, the external materials used are acceptable in appearance.

Conclusion

The outbuilding causes no harm to the character and appearance of the locality or to the amenities of the neighbours. Accordingly it complies with adopted planning policy and it is recommended that planning permission be granted.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

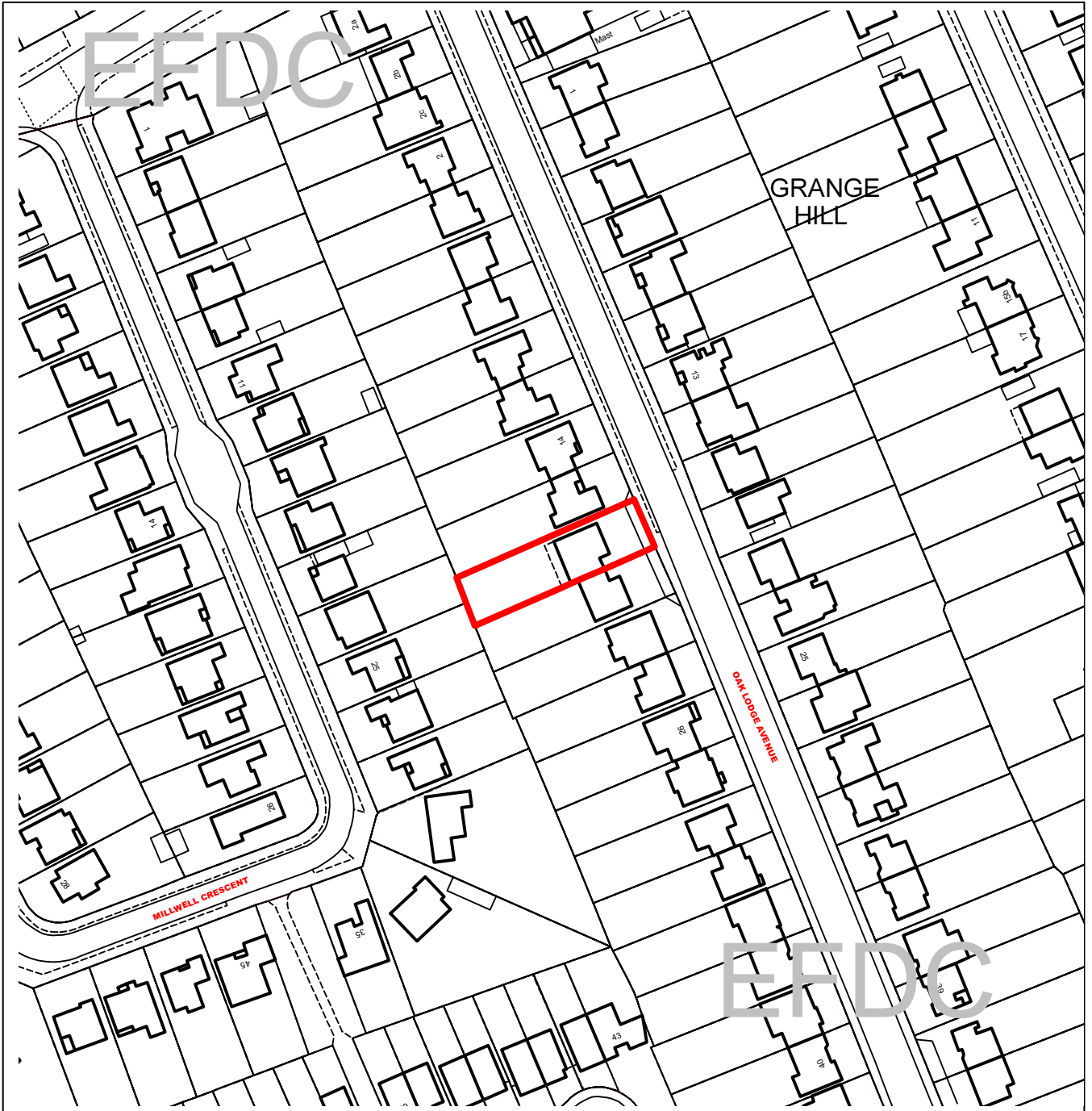
***Planning Application Case Officer: Paula Onyia
Direct Line Telephone Number: 01992 564103***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	8
Application Number:	EPF/2259/10
Site Name:	18 Oak Lodge Avenue, Chigwell IG7 5HZ
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2263/10
SITE ADDRESS:	16 Tomswood Road Chigwell Essex IG7 5QS
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Sukhdev Malhi
DESCRIPTION OF PROPOSAL:	Erection of outbuilding in rear garden. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522719

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 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its 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).

Description of Proposal:

The proposal is to erect an outbuilding in the rear garden.

The outbuilding will measure 5.0 metres deep by 14.0 metres wide and the flank walls will be set in approximately 0.75 metre from the adjacent plot boundaries. The building will be 2.8 metres to its eaves and 4.0 metres to its ridge finished in a traditional tile, pitched roof.

Windows and doors are proposed on the south elevation facing into the site and a single small window opening is proposed on each corresponding flank elevation.

Description of Site:

The site accommodates a two-storey detached dwelling in a wide, elongated rectangular plan shaped plot. The plot is situated to the northern side of Tomswood and immediately backs onto a sub-station that is accessed from Stradbroke Drive to its rear northern boundary. The rear garden is generous and devoid of buildings. The rear garden area is approximately 80% laid to lawn grass and is levelled flat.

Relevant History:

Approved - Erection of porch

Approved - Retention of rear boundary fence – (8.7” high)

Approved - Two storey and single storey rear extension, single storey side extension

Approved - Two storey front and single storey side extension and loft conversion with a rear dormer window.

Withdrawn - Erection of outbuilding to rear garden.

Policies Applied:

Adopted Local Plan and Alterations

CP2	Protecting the quality of the built environment
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE9	Loss of Amenity
LL10	Landscape retention

Summary of Representations:

3 neighbours were consulted and no letters of representation were received.

CHIGWELL PARISH COUNCIL – The Council STRONGLY OBJECTS to this application as it is inappropriate and of poor design.

Issues and Considerations:

The main issues to be considered are the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area.

Impact on neighbouring dwellings

The proposal is sited at the end of the garden as such; it will not result in excessive visual impact or loss of light or privacy to immediate neighbouring occupiers.

Due to the location of the proposed outbuilding in relation to neighbouring residential properties, it is considered that it would not result in any material loss of amenity.

Impact on Character and Appearance of the Area

The Parish Council has raised strong objections on grounds that this development is inappropriate and the design is poor.

This has been considered however, the building style, its size and design is relatively standard for outbuildings in the general vicinity and as such it is keeping with surrounding area.

Only partial views of the roof for the proposed development will be seen from Stradbroke Drive and it will also be seen from the rear gardens of immediate adjacent properties that front onto Tomswood Road. Its overall size, design and appearance is not obtrusive, as a consequence, it will not result in any adverse impact on the visual amenity of the area.

Landscaping

There are several trees within the rear garden of 14 Tomswood Road some of which are protected by a Tree Preservation Order, this includes a Norway maple. In addition there is a row of hornbeam trees in the rear garden of 18 Tomswood Road and close to the common boundary with the development proposal. The Landscape Officer has also raised an objection on grounds that the roots of these trees could be damaged during construction.

If the applicant were to construct the building using strip foundations as suggested in the tree report, it could possibly result in the loss of an unacceptable proportion of the root systems of neighbouring trees which are not in the applicant's ownership.

Individually, the quality of the trees within the adjacent plots is not a distinguishing feature and more significantly, they are in the young stage of maturity. However, they do have considerable growth potential. The owner of the site has recently carried out some ground works on the site. A balanced view is as a result of the soil that has already been disturbed, it may therefore not be feasible that all the trees could remain to full maturity.

It is considered that an appropriate condition governing the construction methods and foundation of the outbuilding would be sufficient to ensure the development is carried out without causing harm to the neighbouring trees. Accordingly, the potential for the development to cause harm to trees is not sufficient to justify refusing planning permission.

Conclusion

In light of the above appraisal, the proposal is in accordance with the adopted policies of the Local Plan and Alterations and subject to a condition controlling the construction methods and foundation design; it is recommended that consent is approved.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

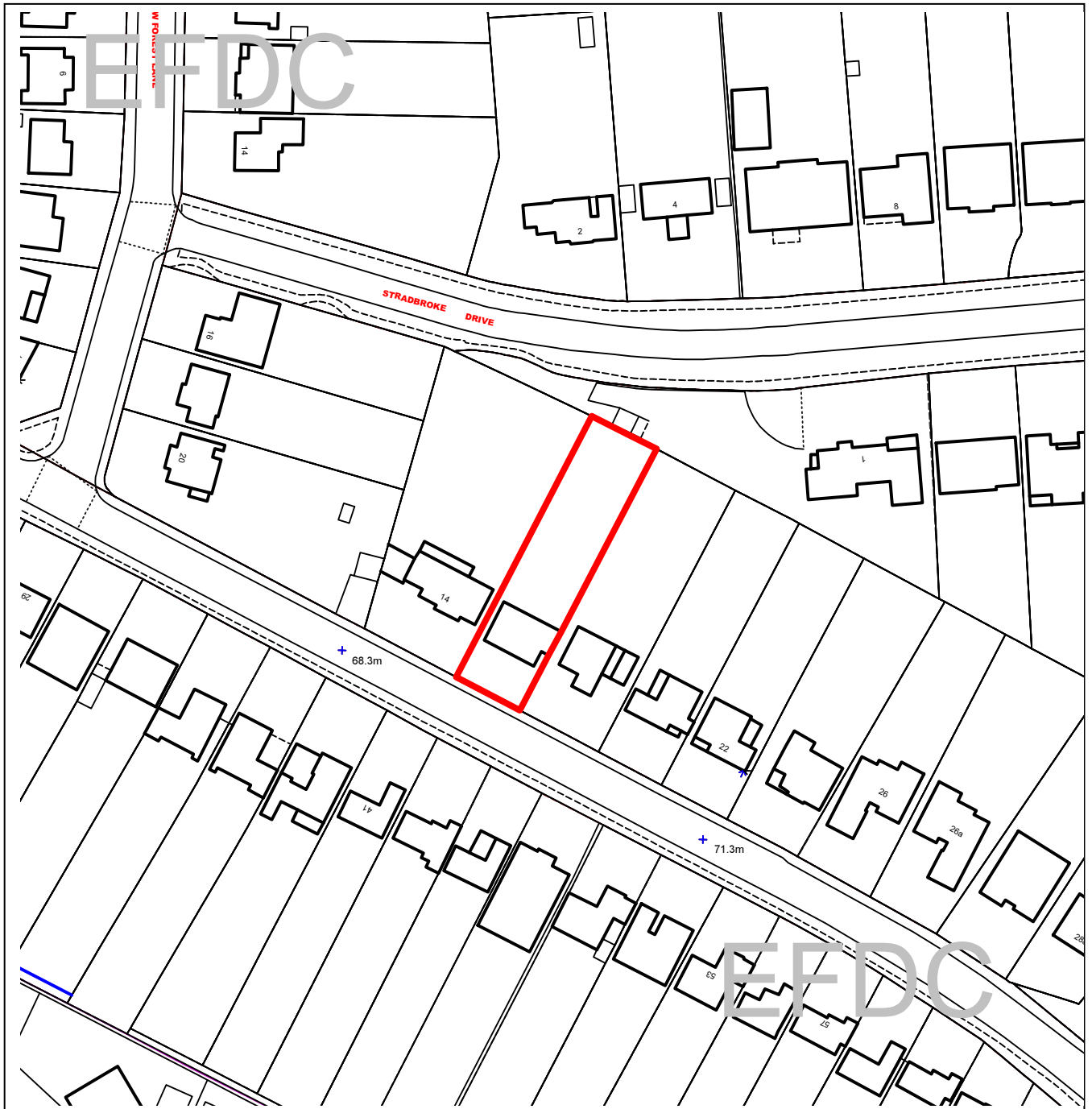
***Planning Application Case Officer: Paula Onyia
Direct Line Telephone Number: 01992 564103***

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Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	9
Application Number:	EPF/2263/10
Site Name:	16 Tomswood Road, Chigwell, IG7 5QS
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/2307/10
SITE ADDRESS:	Goldings Church England's Lane Loughton Essex IG10 2QX
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Pastor Jeremy Sandy
DESCRIPTION OF PROPOSAL:	Single storey rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522910

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 development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee since it is an application for a non 'other' development and the recommendation differs from more than two expressions of objection (Pursuant to Section CL56, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal

The proposal is a revised application to extend the rear of a church over one storey. The rear elevation has an irregular shape and the proposal would fill a void area and extend close to the boundary of the site. The extension would measure 9.2m x 4.7m with a further 3.5m deep projection at the rear. The structure would have a flat roof with two lantern rooflight features.

Description of Site:

The church occupies the corner site where England's Lane meets Lower Road. The building is single storey with two deeply gabled roof sections joined by a central flat roofed single storey element. It is set well back from the road with parking to the front. The side and rear boundary of the site is screened by tree cover and fencing. There is a pair of semi detached houses in close proximity to the proposed addition and a block of flats above shops are approximately 7.0m from the rear boundary of the site.

Relevant History

EPF/1010/76 - Erection of church and vestry. Grant Permission (with conditions) - Erection of church and vestry.

EPF/1378/86 - New Church Hall. Grant Permission (with conditions) - 08/12/1986.

EPF/1412/97 - Demolition of existing church hall and erection of a replacement hall and kitchen, with additional car parking accommodation. Grant Permission (with conditions) - 23/12/1997.

EPF/0246/10 - Single storey rear extension to form drop-in centre, office and meeting rooms. Refuse Permission – 25/05/10.

Policies Applied:

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

Policy DBE1 – Design of New Buildings

Policy DBE2 – Effect on Neighbouring Properties

Policy DBE9 – Loss of Amenity

Policy LL10 – Adequacy of Provision for Landscape Retention

Policy CF8 – Public Halls and Places of Worship

SUMMARY OF REPRESENTATIONS:

28 properties consulted – 5 replies received

1, 2, 3, 4, 5 FORESTERS COURT: Objection. We feel the proposal could be used for parties and functions. We currently look out onto trees and bushes. The extension will be built right up onto the boundary fence and we will be then looking at a one storey building. We oppose this application due to loss of outlook, excessive noise from parties, crèches and evening weekend parties, band practice and functions.

LOUGHTON TOWN COUNCIL: No Objection. The committee was pleased to see the trees along the boundary will be protected. However the council was asked to ensure that the tree amenity survey referred to by the applicant in the documentation is submitted. The committee also asked for a condition requiring adequate soundproofing for neighbours.

Issues and Considerations:

The main issues that arise with this application relate to potential impact on the appearance of the area and neighbour amenity. Issues relating to trees both on and adjacent to the site will also be assessed.

Design Considerations

The extension would fill a rear yard area at the site. The roof would be flat. The extension would be relatively well screened within the site and would play no part in the existing streetscene of England's Lane. The extension would be visible from a parking area adjacent to the rear boundary; however the design is generally acceptable particularly on a community facility. There is a general mix of buildings in the immediate area, both residential and commercial, and this addition would not look out of place.

Residential Amenity

The extension would be located close to the boundary with No's 11 and 12 Lower road and some flats and shops on a parade nearby. The extension would be in close proximity to No's 11 and 12. However a distance of approximately 6.0m is retained between the extended section and the rear boundary. The rear porch areas of the two houses are closest to the extension. These do not serve habitable rooms and would therefore not result in adverse loss of amenity. There is also good screening at the boundary.

There are a number of flats above shops across a rear entryway. There would be no loss of amenity to occupants of the flats.

Objection letters from occupants of a block of flats, No's 1-5 Foresters Court, have raised a number of issues of concern. The visual impact of the extension when viewed from the flats has been referred to. This is not judged a serious issue and the extension would be largely screened from the flats by the existing building and vegetation at the boundary. The general point that the building will result in excessive noise and disturbance due to the increase in floor space has been made and Loughton Town Council have requested a condition requiring adequate soundproofing for neighbours. The original approval for the hall (EPF/1412/97) did not contain a condition requiring the soundproofing of the church/meeting hall, and building control approved plans indicates a conventional "double skin" walled structure with no additional soundproofing. Any noise currently heard from the hall by occupiers of adjacent properties would not be altered by a condition requiring the soundproofing of the extension. Therefore it is not deemed reasonable, or advantageous in amenity terms, to attach such a condition to any planning approval.

Tree Issues

There are a number of trees both within and adjacent to the site and potential impact on these formed the reason for the previous refusal. Tree protection measures have been submitted with the application and the trees section of the council has commented accordingly. Previous concerns, which resulted in the refusal of planning permission on EPF/0246/10, have been addressed subject to a planning condition relating to tree protection measures. Such a condition will be attached to this recommendation.

Conclusion:

The proposed addition to the building overcomes a previous reason to withhold consent. It is therefore recommended to approve this application with conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

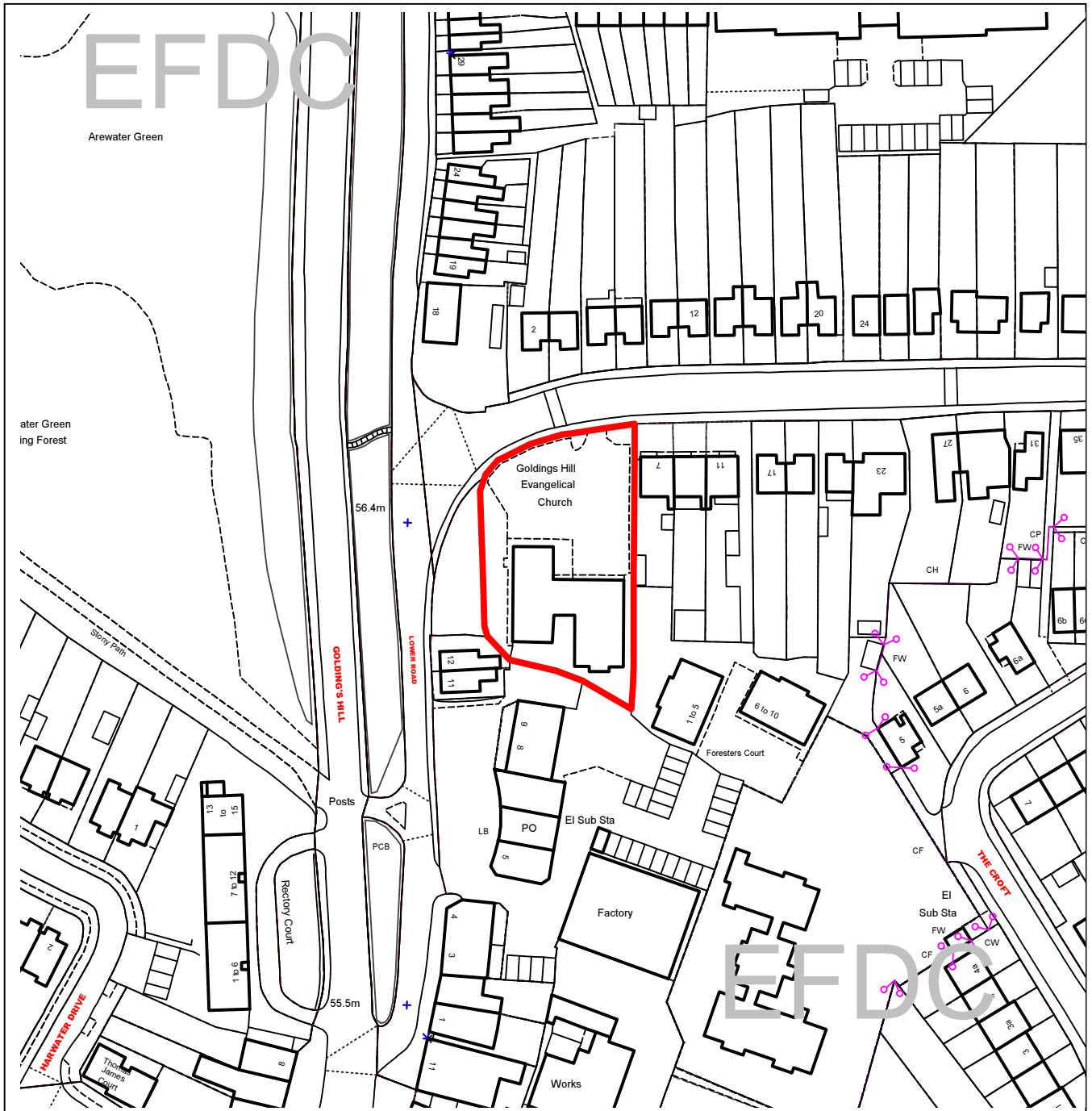
***Planning Application Case Officer: Dominic Duffin
Direct Line Telephone Number: 01992 564336***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	10
Application Number:	EPF/2307/10
Site Name:	Goldings Church, Englands Lane, Loughton, IG10 2QX
Scale of Plot:	1/1250

Report Item No:11

APPLICATION No:	EPF/2380/10
SITE ADDRESS:	Holly House Private Hospital High Road Buckhurst Hill Essex IG9 5HX
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Andrew van de Water
DESCRIPTION OF PROPOSAL:	Installation of a double stacked Portakabin in the grounds of the hospital for temporary office accommodation.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523124

CONDITIONS

- 1 This consent shall inure for a limited period expiring 2 year(s) from the date of this Notice, at which time the development permitted by this Notice shall be discontinued and the building shall be removed from the site.
- 2 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the south and east flank elevation(s) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 3 No works or site clearance / site preparation, shall take place until a Method Statement has been submitted to the Local Planning Authority and approved in writing. The Method Statement shall include all operations required for the installation and removal of the Portakabin and in particular shall demonstrate that all the trees onsite are safely retained without damage to any part of them.. The development shall be carried out only in accordance with the approved Method Statement unless the Local Planning Authority gives its 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).

Description of Proposal:

Permission is sought for the installation of a double stacked portakabin to be used as office accommodation for existing staff being displaced during the construction of new extensions to the existing hospital building and a proposed new build on the old ambulance station. This is as a result of a recent planning application approved under planning application reference EPF/0428/10.

The double stacked portakabins will measure 14.8 metres in length by 4.1 metres wide and 5.9 metres high. They will be in place for a maximum time period of 2 years.

Description of Site:

The subject site is a private hospital on the east side of Buckhurst Hill High Road, to the south of a large electrical station. The main hospital is a large detached two-storey building with private parking.

There are residential dwellings to the south and east, and an Ambulance Station to the east facing Knighton Lane. There are a number of preserved trees on the site. Part of Epping Forest (Lords Bushes) is to the east of Knighton Lane, and is Green Belt land, a SSSI and a SAC.

No 25 High Road is currently used as offices for the Hospital and is within their ownership. The Ambulance Station site is lower than the Hospital site owing to the fall of the land across the site. The plot of land where the unit will be sited is relatively flat, with no significant changes to the ground level. There are presently a number of ancillary outbuildings located within the site.

Relevant History:

EPF/0428/10 - Existing hospital to be remodelled - partial demolition creating new radiotherapy department, goods inwards, stores etc. Enlarged staff restaurant and relocated Physio Department. Bedrooms re-configured on first and second floors increasing hospital from 42 to 52 bedrooms. New front entrance and corridor leading to redevelopment of the existing ambulance station site on Knighton Lane - providing 3 new replacement operating theatres and consulting rooms. Approved.

EPF/1143/09 - Existing Hospital to be remodelled to incorporate 11 new bedrooms and a new bed lift. New single storey bedroom block (10 new bedrooms) with plant room and screened area above. New front entrance and access corridor adjacent to the existing hospital leading to new redevelopment of the existing Ambulance station on Knighton Lane to become an extension to the hospital providing new operating theatres, consultant rooms etc. New Sub Station & Switch room. (Revised application.) Refused.

EPF/2033/08: Installation of 1 portable building in the grounds of the hospital for temporary office accommodation. Approved.

Withdrawn – EPF/1487/08: Installation of 2 x mobile office units

Policies Applied:

CP2 – Protecting the quality of the built environment
DBE1 – New buildings
DBE2 – Appearance of new buildings

DBE3 – Design in urban areas
DBE9 – Amenity considerations

Summary of representation

12 letters sent to neighbouring occupiers with no letters of representation received.

Buckhurst Hill Parish Council: Objection – Increase in pressure on parking.

Issues and Considerations:

The main issues and considerations in relation to this application are its design and appearance, and the impact on the amenity enjoyed by occupants within the building and immediate neighbouring occupiers.

Principle of the development

The proposed buildings are required as temporary office accommodation for a limited time period while extensive buildings works are carried out within the site. The buildings will be used by existing staff displaced as a result demolition of existing buildings within the site.

When considering the possible siting of a building within the site, due to the size of the portakabin and also as a result of the built up area and parking area the site is restricted. There are therefore limited options where to site a portakabin within its curtilage. Therefore, whilst the applicant has suggested a number of possible alternative locations, these have been considered unsuitable for its purpose even on a temporary basis. The reason for this is as a result of the possible loss of much needed parking spaces and also, the siting of a unit at the front entrance or close to the front entrance into the site from the High Road, will prove to be unsuitable as of a result of its visual harm when seen from the locality.

The location of the portakabins will be to the eastern aspect of the main hospital building where it forms a 'U' shape and results in a rectangular plan shape plot of land. The existing soft landscaping will be lost whilst the building is its place however; as it is for a temporary period its loss will not be detrimental in the long term.

The present use of this plot of land serves as private amenity space. It also forms part of the boundary with hard landscaped areas used by pedestrians and to its eastern boundary there are a number of ancillary buildings used as offices. The siting and location of the portakabins will therefore be acceptable on a temporary basis.

Siting and appearance of new building

The proposal is for temporary buildings; as such the design of the unit is basic, and it will appear as a rectangular, box-like grey coloured building.

It is considered that as it will only be in situ for a temporary maximum period of two years, and also, as it cannot easily be seen from the locality, the appearance is acceptable.

Neighbours amenity

The main neighbours that have the potential of being adversely impacted by the new building are in Knighton Lane and The Drummonds, (mainly Nos 31 – 35 Knighton Lane and No. 1 The Drummonds). The double stacked units will be sited approximately 20.0 metres from the nearest residential building.

As a result, there would be no adverse loss of sunlight or daylight to any of these neighbours due to the orientation and siting of the portakabins, the shortest side of which ends on to thee residents. There is potential for some loss of visual amenity and possible overlooking, but the door

entrance from the external staircase is towards the rear part of the flank elevation and there is good tree screening on the shared boundary, which will minimise this effect and any possible overlooking from the first floor end window.

The portakabins will be sited approximately 1.0 metre from the existing hospital building. The present situation is the ground floor rooms where the building will be sited are used for consultation purposes, as such the building will not result in direct overlooking of patients rooms. However, the first floor does accommodate patient bedrooms and as a consequence to protect their privacy, obscure glazed windows will be required for any window openings on the south and west elevations of the proposed portakabin building.

Other considerations

The Parish Council objects on grounds the proposal will result in an increase in parking.

The siting of the proposed building will not result in the loss of existing parking at this site. In addition, the use is for temporary office accommodation for existing staff displaced whilst the building works are carried out.

The Parish Council objects on grounds that the building will not be in keeping in the area. It is considered the proposed single unit will not result in visual harm to the appearance of the area.

The grounds for objection also questions why the need for a temporary portakabin did not form part of the planning application approved under EPF/0428/10. Whilst this may be justified the applicants supporting letter does clarify temporary off-site accommodation was the initial solution in which to decant staff. However, the hospital failed in its attempt to secure the lease. In the current economic climate, the applicant also states it has not been viable to continue to search for alternative off-site accommodation at this time.

The portakabin is however, only a short term solution and the hospital fully intends to have long term off-site-accommodation to house some of its administrative functions.

The existing portable building on the site is already being used for office accommodation and therefore the need should be overcome when the hospital is extended. There is also not sufficient room here for displaced staff so the proposal is needed in the short term.

Conclusion:

The erection of a double stacked portakabin on a temporary basis is acceptable at this site as it does not result in any harm to the character and appearance of the locality or harm the amenities of neighbouring occupiers.

Accordingly it complies with adopted local plan policies and it is recommended that planning permission be approved for a limited period of 2 years.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

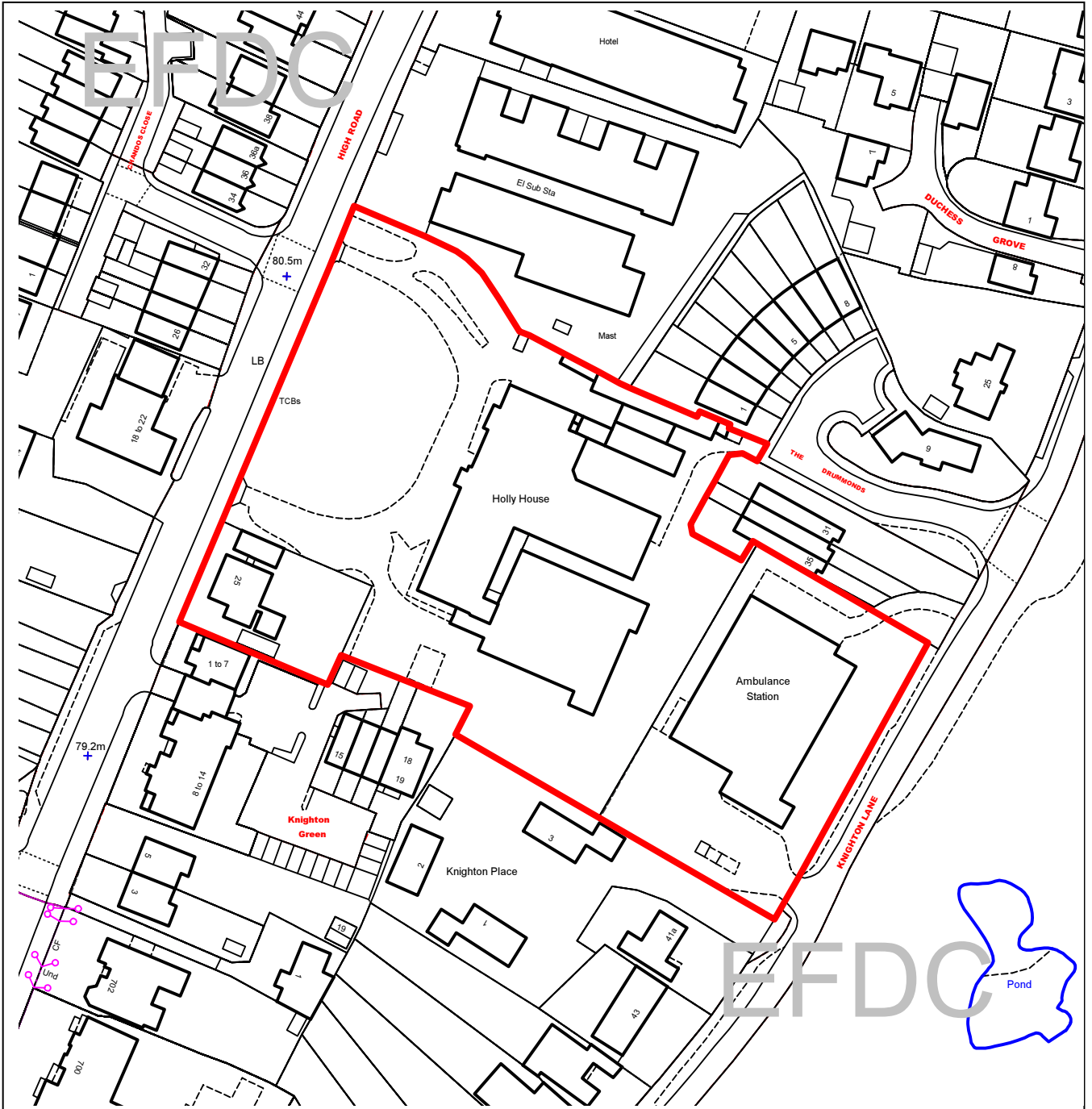
***Planning Application Case Officer: Paula Onyia
Direct Line Telephone Number: 01992 564103***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	11
Application Number:	EPF/2380/10
Site Name:	Holly House Private Hospital, High Road, Buckhurst Hill, IG9 5HX
Scale of Plot:	1/1250

Report Item No: 12

APPLICATION No:	EPF/2354/10
SITE ADDRESS:	Holly House Private Hospital High Road Buckhurst Hill Essex IG9 5HX
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Andrew Van de Water
DESCRIPTION OF PROPOSAL:	Installation of 1 Portakabin in the grounds of the hospital for temporary office accommodation.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523041

CONDITIONS

- 1 This consent shall inure for a limited period expiring 2 year(s) from the date of this Notice, at which time the development permitted by this Notice shall be discontinued and the building shall be removed from the site.
- 2 No works or site clearance / site preparation, shall take place until a Method Statement has been submitted to the Local Planning Authority and approved in writing. The Method Statement shall include all operations required for the installation and removal of the Portakabin and in particular shall demonstrate that all the trees onsite are safely retained without damage to any part of them.. The development shall be carried out only in accordance with the approved Method Statement unless the Local Planning Authority gives its 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).

Description of Proposal:

Permission is sought for the installation of a single storey mobile unit to be used as office accommodation for existing staff to be displaced during the construction of new extensions to the existing hospital building and a proposed new build on the old ambulance station. This is as a result of a recent planning application approved under planning application reference EPF/0428/10.

The portakabin building will measure 14.8 metres in length by 4.1 metres wide and 2.97 metres high. It will be in place for a maximum time period of 2 years.

Description of Site:

The subject site is a private hospital on the east side of Buckhurst Hill High Road, to the south of a large electrical station. The main hospital is a large detached two-storey building with private parking.

There are residential dwellings to the south and east, and an Ambulance Station to the east facing Knighton Lane. There are a number of preserved trees on the site. Part of Epping Forest (Lords Bushes) is to the east of Knighton Lane, and is Green Belt land, a SSSI and a SAC.

No 25 High Road is currently used as offices for the Hospital and is within their ownership. The Ambulance Station site is lower than the Hospital site owing to the fall of the land across the site. The plot of land where the unit will be sited is relatively flat, with no significant changes to the ground level. There are presently a number of ancillary outbuildings located within the site.

Relevant History:

EPF/0428/10 - Existing hospital to be remodelled - partial demolition creating new radiotherapy department, goods inwards, stores etc. Enlarged staff restaurant and relocated Physio Department. Bedrooms re-configured on first and second floors increasing hospital from 42 to 52 bedrooms. New front entrance and corridor leading to redevelopment of the existing ambulance station site on Knighton Lane - providing 3 new replacement operating theatres and consulting rooms. Approved.

EPF/1143/09 - Existing Hospital to be remodelled to incorporate 11 new bedrooms and a new bed lift. New single storey bedroom block (10 new bedrooms) with plant room and screened area above. New front entrance and access corridor adjacent to the existing hospital leading to new redevelopment of the existing Ambulance station on Knighton Lane to become an extension to the hospital providing new operating theatres, consultant rooms etc. New Sub Station & Switch room. (Revised application.) Refused.

EPF/2033/08: Installation of 1 portable building in the grounds of the hospital for temporary office accommodation. Approved.

Withdrawn – EPF/1487/08: Installation of 2 x mobile office units

Policies Applied:

CP2 – Protecting the quality of the built environment
DBE1 – New buildings
DBE2 – Appearance of new buildings
DBE3 – Design in urban areas
DBE9 – Amenity considerations

Summary of representation

12 letters sent to neighbouring occupiers with no letters of representation received.

Buckhurst Hill Parish Council: Objection – Not in keeping with the area – should have been included as part of the application.

Issues and Considerations:

The main issues and considerations in relation to this application are its design and appearance, and the impact on the amenity enjoyed by occupants within the building and immediate neighbouring occupiers.

Principle of the development

The proposed building is required to be used as temporary office accommodation for a limited time period while extensive buildings works are carried out within the site. The building will be used by existing staff displaced as a result demolition of existing buildings within the site.

When considering the possible siting of such a building within the site, due to the size of the portakabin needed to accommodate displaced staff members and also as the site is restricted, there is limited scope within the site for a portakabin within its curtilage. Therefore, whilst the applicant has suggested a number of possible alternative locations, these have been considered unsuitable for its purpose even on a temporary basis. The reason for this is as a result of the possible loss of much needed parking spaces and also, the siting of a unit at the front entrance or close to the front entrance into the site from the High Road, will prove to be unsuitable as of a result of its visual harm when seen from the locality.

The location of the portakabin will be to the eastern aspect of the main hospital building where it forms a 'U' shape and results in a rectangular plan shape plot of land. The existing soft landscaping will be lost whilst the building is its place however; as it is for a temporary period its loss will not be detrimental in the long term.

The present use of this plot of land serves as private amenity space. It also forms part of the boundary with hard landscaped areas used by pedestrians and to its eastern boundary there are a number of ancillary buildings used as offices. The siting and location of the portakabin will therefore be acceptable on a temporary basis.

Siting and appearance of new building

The proposal is for a temporary building; as such the design of the unit is a basic, rectangular box-like grey coloured building.

It is considered that as it will only be in situ for a temporary maximum period of two years, and also, as it cannot easily be seen from the locality, its appearance is acceptable.

Neighbours amenity

The main neighbours that have the potential of being adversely impacted by the new building are in Knighton Lane and The Drummonds, (mainly Nos 31 – 35 Knighton Lane and No. 1 The Drummonds). The single unit will be sited approximately 20.0 metres from the nearest residential building.

As a result, there would be no adverse loss of sunlight or daylight to any of these neighbours due to the orientation and siting of the portakabin, which faces them at its shortest end.

Likewise, there would be no adverse overlooking of these properties private amenity areas.

The portakabin will be sited approximately 1.0 metre from the existing hospital building. However, the present use of the ground floor rooms where the building will be sited are used for consultation purposes, as such it will not result in direct overlooking of patients rooms.

Other considerations

The Parish Council objects on grounds that the building will not be in keeping in the area. It is considered the proposed single unit will not result in visual harm to the appearance of the area.

The grounds for objection also questions why the need for a temporary portakabin did not form part of the planning application approved under EPF/0428/10. Whilst this may be justified the applicants supporting letter does clarify temporary off-site accommodation was the initial solution in which to decant staff. However, the hospital failed in its attempt to secure the lease. In the current economic climate, the applicant also states it has not been viable to continue to search for alternative off-site accommodation at this time.

The portakabin is however, only a short term solution and the hospital fully intends to have long term off-site-accommodation to house some of its administrative functions.

The existing portable building on the site is already being used for office accommodation and therefore the need should be overcome when the hospital is extended. There is also not sufficient room here for displaced staff so the proposal is needed in the short term.

Conclusion:

The erection of a single mobile unit on a temporary basis is acceptable at this site as it does not result in any harm to the character and appearance of the locality or to the amenities of the neighbours. Accordingly it complies with adopted local plan policies and it is recommended that planning permission be approved for a limited period of 2 years.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

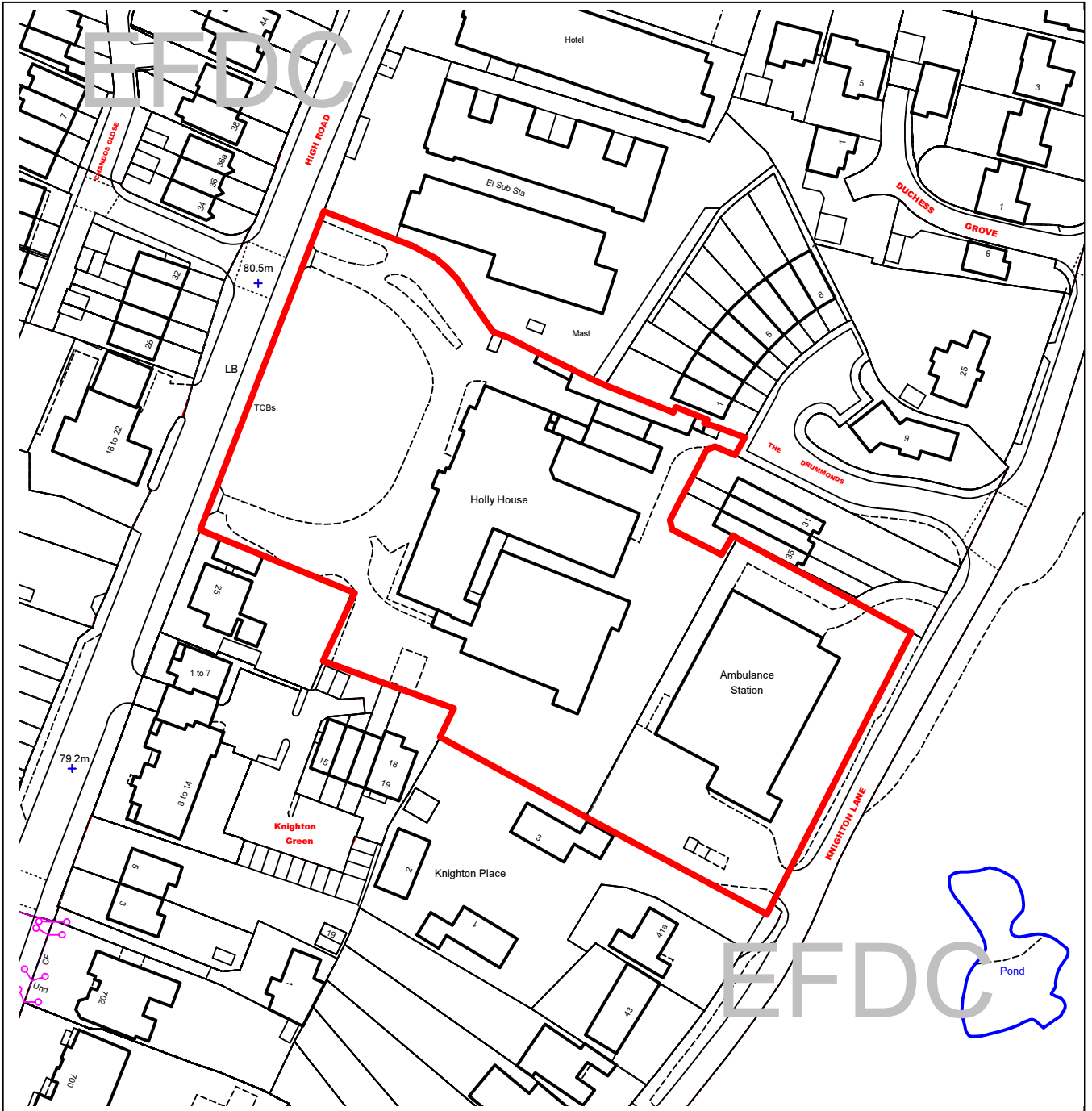
***Planning Application Case Officer: Paula Onyia
Direct Line Telephone Number: 01992 564103***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	12
Application Number:	EPF/2354/10
Site Name:	Holly House Private Hospital, High Road, Buckhurst Hill, IG9 5HX
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/2570/10
SITE ADDRESS:	10 Victoria Road Buckhurst Hill Essex IG9 5ES
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mrs Lenzen
DESCRIPTION OF PROPOSAL:	Single storey side and rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523752

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 facing brick and roof tile to be used on the proposed extension shall match those on the existing house, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To safeguard the visual amenities of the locality.

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 Councils delegated functions).

Description of Proposal:

Single storey side and rear extension.

Description of Site:

A semi detached Victorian style two storey house on the west side of Victoria Road close to the Waitrose car park.

Relevant History:

None relevant.

Policies Applied:

DBE9 – Loss of amenity; DBE9 – Residential extensions.

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL – Object – overdevelopment of site.

NEIGHBOURS – 3 properties consulted and one reply received.

12, VICTORIA ROAD – object because 1) would result in considerable loss of light to our kitchen the window to which lies in a corridor between our two houses, 2) the extension is out of scale with the character of the house which is a locally listed building, and 3) because of its locally listed status listing building consent is required and we would wish to know the comments of your conservation department on this application..

EFDC CONSERVATION TEAM – no objection subject to suitable materials being used.

Issues and Considerations:

The house has a 2 storey back addition or outrigger typical of Victorian houses. It is proposed to extend this ground floor of this outrigger by a wrap round extension which will project 3m into the rear garden and extend its width by 2.3m so that it aligns with the flank wall of the main house - and will therefore be 0.9m away from the boundary with number 12. The extension will have a shallow pitch sloping roof and its eaves level will be 2.6m high.

The 3m depth extension into the rear garden is modest in size and is allowed by policy DBE10. In any event the adjoining no.8 Victoria Road already has a 2.5m depth extension in the same position on their house, and therefore the proposed extension will have a minimal effect on the amenity and outlook of number 8.

An objection has been received from the neighbouring property on the other side i.e. number 12, Victoria Road. As mentioned above, however, the extension will be 2.6m to eaves and will be set in by 0.9m from the common boundary, which is formed by a 1.7m high fence. Therefore the sideways extension of the ground floor of the existing back addition will have a negligible impact to the side facing kitchen window in number 10. It is acknowledged that this kitchen window, located in a recessed position in the gap between the flanks of these houses, does not receive a lot of light but the proposed extension will only have a minimal further impact on access of light to this window.

In respect of other concerns raised by the neighbour this is not a listed building but it is a locally listed building. Listed building consent is not required for this extension, and the Council's conservation team have no objections to the proposals subject to matching or similar brick and tile being used – which is the applicants intention.

The Parish Council raise an objection on grounds of overdevelopment. The extension is a fairly typical form of extension to this type of Victorian house, and is not an excessive form of development. The sideways extension is sited well in from the 1.7m high boundary fence with number 12 and its height of 2.6m to eaves means that it will not be an overbearing or out of scale development. The rear garden is a long 39m garden, and the proposed extension will only project 3m into this length. The proposed extension will abut a similar extension to the adjoining number 8 and hence will not be overbearing to that property.

Conclusion:

The proposed extension complies with local planning policies DBE9 and DBE10 and conditional planning permission is recommended.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	13
Application Number:	EPF/2570/10
Site Name:	10 Victoria Road, Buckhurst Hill, IG9 5ES
Scale of Plot:	1/1250