

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0390/11
<b>SITE ADDRESS:</b>	Site Adj, 165 Manor Road Chigwell Essex IG7 5QA
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr M Harji
<b>DESCRIPTION OF PROPOSAL:</b>	Extension to shop unit with a one bedroom maisonette over.
<b>RECOMMENDED DECISION:</b>	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=525915](http://planpub.eppingforestdc.gov.uk/AniTelM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=525915)

**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 construction works above ground level shall have taken place until documentary and photographic 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 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.

*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 the erection of an extension to a three-storey building that would provide an enlarged floor area for an existing shop at ground floor level and a one bedroom maisonette on the first and second floors. The extension would be 3.1 metres wide, spanning the full depth of 165 Manor Road. Its roof would be very slightly subservient to that of the existing building.

The proposed development is similar to that for which approval was sought in 2007, with the exception that the previous application sought permission for an additional shop while this proposal seeks consent to enlarge the existing shop.

### **Description of Site:**

The application site is located at the end of a local parade of shops on Manor Road in Chigwell, close to its junction with the eastern side of Grange Crescent. The site is located within the Manor Road District shopping centre. Grange Hill Underground Station is located 100m to the east.

### **Relevant History:**

EPF/0413/91. Change of use to shop with sale of food reheated on premises by microwave. Refused 17/06/91.

EPF/0893/94. Installation of new shopfront. Approved 04/10/94.

A/EPF/0042/94. Externally illuminated fascia signs. Approved 04/10/94.

EPF/0050/07. Erection of a new shop unit with a one bedroom maisonette over. Withdrawn.

### **Policies Applied:**

CP2 – Protection the Quality of the Rural and Built Environment

CP3 – New Development

CP7 – Urban Form and Quality

TC1 – Town Centre Hierarchy

TC2 – Sequential Approach

TC3 – Town Centre Function

TC5 – Window Displays

DBE1 - Building in Context

DBE2 - Effect upon Existing Neighbours or Properties

DBE3 - The relationship between buildings and spaces

ST1 – Location of Development

ST6 – Vehicle Parking

### **Summary of Representations:**

Notification of this application was sent to Chigwell Parish Council and to 4 neighbouring properties.

The following representations have been received:

CHIGWELL PARISH COUNCIL: Objection. The Council OBJECTED to this application on the grounds that the proposal represents an over development and there is a potential conflict with the adjacent shop. The Parish Council also expressed concern regarding the lack of clarity in respect of the information provided as there appears to be a discrepancy between the proposal description (extension to shop unit) and the Design and Access Statement description (construction of a new/additional shop unit).

165 MANOR ROAD: Support. Lessee of the property (The Dry Cleaning centre) for over 20 years. Over time the shop has become too small to hold all the Dry cleaning. The application means I could extend my shop premises and be able to cope and manage stock whilst improving the workspace. Being a dry cleaner it is imperative to have an open and airy workspace.

## **Issues and Considerations:**

The main issues to be considered in this application are the impact on the occupiers of neighbouring dwellings, the impact on the character and appearance of the area, retail viability, amenities of the proposed maisonette and vehicle parking.

### *Impact on neighbouring residents*

The proposed development, by virtue of its location at the end of the existing parade of shops, would not result in any material loss of light, outlook or privacy to the occupiers of neighbouring residential units. The enlargement of the existing shop and associated increase in activity would not cause any harm to the living conditions of neighbouring residents.

### *Impact on Character and Appearance of the Area*

The proposed side extension would form a continuation to the existing building and would replicate the design features of the existing building, for example the window detailing. The proposal would abut the side boundary of the application site with the back edge of the pavement along Grange Crescent. However, there would be sufficient space around it such that it would not appear overly prominent and would not be detrimental to the visual amenity of the locality.

### *Retail Viability*

The shop extension would increase the floor area of a unit within an existing retail centre. The associated increase in retail activity would be limited by the relatively small size of the enlargement proposed but nevertheless would serve to enhance the vitality and viability of the retail centre.

### *Amenity of Maisonette*

The proposed maisonette is located in a sustainable location. Its habitable rooms would have an acceptable level of natural light, outlook and privacy. Concern has been raised by the Council's Environmental Health section regarding the impact of noise from the nearby Underground railway on the occupiers of the maisonette. However, the railway is at a much lower level, a reasonable distance away from the site and a significant number of other buildings including dwellings exist between the site and the railway. In the circumstances, while it is possible to require the implementation of sound insulation measures by condition, existing building regulation requirements are sufficient to mitigate any noise from the railway therefore such a condition is not necessary.

### *Vehicle Parking*

The site would not accommodate any off-street parking. With regard to the retail use, the limited enlargement of an existing shop within the retail centre would not result in a material increase in the number of trips to the centre. With regard to the proposed maisonette, having regard to the highly sustainable location of the site (which is well served by public transport and close to local shops and services) it is considered that the lack of parking would accord with the Council's requirements. Accordingly, the existing demand for on-street parking would not be materially increased by the proposal and it would therefore cause no harm to either the interests of amenity or highway safety.

### *Other Matters*

Chigwell Parish Council has raised an objection to this application, citing grounds of overdevelopment and potential conflicts between the development and existing retail uses. As outlined above, it is considered that the development would sit comfortably within the street scene,

as it would form a continuation of the existing pattern of development. The extension would therefore not appear as an overdevelopment.

Furthermore, consideration has been given to the impacts of the proposed development on retail viability and parking and these issues are considered to have been satisfactorily addressed. Accordingly, it is not considered that there would be a conflict between the proposal and existing retail uses.

Finally, the Parish Council questions whether the proposed is for an extension to the shop or an additional retail unit. The submitted plan and description of development clearly states that the development will be an extension to a shop unit and the proposal is assessed as such. However, the submitted Design and Access Statement appears to be a reproduction of that previously prepared in respect of the 2007 applications, which was for a new unit. It is therefore understandable why the Parish raised the question. By way of clarification it is pointed out that it is the application drawings, which clearly indicate an extension to the shop, which would form the basis of any planning permission. Accordingly, if consent is granted, then it would be for an extension to the existing unit as described in the application drawings and accompanying forms. No permission would be given for a new shop on the basis of this proposal.

Notwithstanding that any consent arising from this proposal would be for an extension to the existing shop, the Committee should be aware that planning permission would not be required for the future sub-division of the enlarged unit into two smaller units. Accordingly, if it is considered that there would be harm arising from this, consideration should be given to the imposition of a planning condition to prevent a subdivision from taking place in the future. However, it is the opinion of officers that such a condition would not be necessary because harm is very unlikely to be caused.

### **Conclusion:**

In light of the above appraisal, it is considered that the erection of the extension accommodating the retail extension and maisonette would be an acceptable form of development, which would accord with Local Plan policies. 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:***

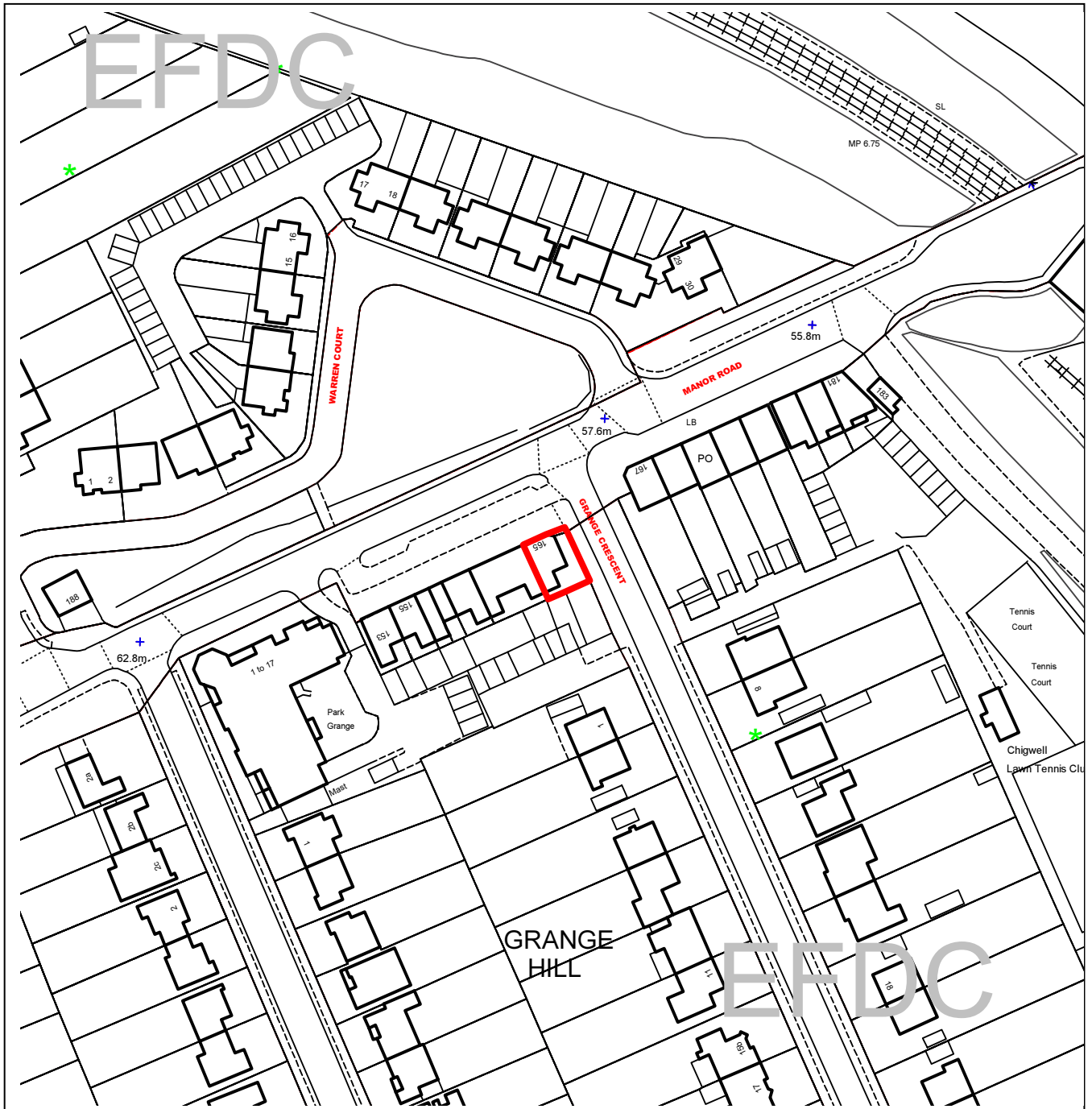
***Planning Application Case Officer: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564109***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/0390/11
Site Name:	Site Adj, 165 Manor Road, Chigwell IG7 5QA
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0598/11
<b>SITE ADDRESS:</b>	Broad Oaks High Road Chigwell Essex IG7 6DP
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Don Lewin OBE
<b>DESCRIPTION OF PROPOSAL:</b>	Two first floor front/ side extensions to existing detached dwelling.
<b>RECOMMENDED DECISION:</b>	Refuse Permission (Householder)

**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=526644](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526644)

**REASON FOR REFUSAL**

- 1 The site is located in the Green Belt. The proposed extensions, due to their size and cumulative impact taken together with previous extensions to the dwelling, amount to more than limited additions and are therefore inappropriate development by definition harmful to the Green Belt. In addition they unacceptably extend the bulk and massing to the front elevation of the dwelling to create an excessive built form in this Green Belt location. No very special circumstances have been demonstrated with this proposal to justify a departure from Green Belt policy, as such, it fails to accord with policies GB2A, GB7A and CP2 of this Council's Adopted Local Plan and Alterations and ENV7 of the East of England Plan.
- 2 The design of the extension results in a building excessive in mass, bulk and appearance. The juxtaposed roof profile lacks uniformity and results in an unacceptable design out of keeping with the existing building, this fails to accord with policies DBE10, DBE4 and CP2 of the Council's Adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor Knapman (Pursuant to Section CL56, Schedule A (h) of the Council's Delegated Functions).*

**Description of Proposal:**

The proposal is to erect two first floor side extensions to the north and south wings of the main dwelling house.

Sited above an existing single storey extension approved in 2003, the north facing wing will measure 5.2 metres as seen from the rear aspect of the building and 8.5 metres wide when viewed from the front and will be 9.1 metres at its deepest point. This covers an area of approximately 45 square metres.

It is also proposed to add a first floor extension above the corresponding south wing this measures 5.3 metres when viewed from the rear aspect of the building, 8.0 metres from the widest point at the front and 9.0 metres deep. This covers an area of approximately 41 square metres.

Both wings will retain a recessed balcony area at first floor level and the overall height measures 7.3 metres to the edge of the external walls, this will be edged with a frieze and cornice with a flat crown roof. The overall height of the enlarged parts of the building would be 8.5 metres.

It should be noted that the proposed application is a resubmission of a previous application that was refused under delegated powers on the 19<sup>th</sup> April 2010 Ref: EPF/0373/10. No changes have been made to the proposal that was refused.

### **Description of Site:**

The subject site is located on the western side of High Road on the outskirts of Chigwell. The site itself is set within rather large grounds comprising of approximately 81 hectares. Undulating slopes are located throughout the grounds along with mature vegetation, some of which are protected by tree preservation orders.

Setback approximately 350 metres from the High Road is a large double storey Georgian/Classical style dwelling finished from facing brickwork and comprises a plain tile roof. Other large outbuildings are located throughout the property that are used in association with the dwelling such as garages and garden sheds. The dwelling is surrounded by a large private open space area. Vehicle access is via a private driveway that runs off the High Road. Parking is either within the detached garages or on the hard surface to the front of the dwelling.

It should be noted that the subject site and the surrounding area are located within the Metropolitan Green Belt. Surrounding the grounds within which the site is situated are large open fields that are mainly used for agriculture and include associated farm buildings.

### **Relevant History:**

EPF/1520/88 - Detached house to replace existing dwelling. Approved

EPF/0238/90 - New house of slightly increased size to that approved. Approved

EPF/0581/90 - Repositioning of storeroom to approved house. Approved

EPF/1268/90 - Demolition and rebuilding of garage block with self contained flat above, together with turning circle to driveway. Approved

EPF/0949/92 - Conservatory with garden store below. Approved

EPF/0863/93 - Swimming pool adjoining existing garage block. Approved

EPF/1319/03 - 3 single storey extensions and 2 first floor extensions. Approved

EPF/1440/09 – Two first floor extensions. Withdrawn

EPF/0373/10 - Two first floor side extensions. (revised application) Refused

## **Policies Applied:**

### East of England Plan:

ENV7 – Quality in the Built Environment

### Epping Forest District Local Plan and Alterations:

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development within the Green Belt

GB7A – Conspicuous Development

DBE4 – Development within the Green Belt

DBE9 – Loss of Amenity

DBE10 – Residential Extensions

### National Planning Policies relevant to this application are:

PPG2 (Green Belt)

## **Summary of Representations**

CHIGWELL PARISH COUNCIL: No objection

NEIGHBOURS: The application was advertised to adjoining property owners by mail. No representations were received by the Council at the time of writing this report.

## **Issues and Considerations:**

The main issues to be addressed in this case are as follows:

- Green Belt
- Design and Appearance
- Impact upon neighbouring amenities

### Green Belt:

Since the original building was approved as a replacement house in 1990, planning permission has been approved for a large conservatory, replacement garage block, new swimming pool block and the most recent proposal in 2003 was for three single storey and two first floor extensions to the original dwelling, these developments have all been implemented. The conservatory was constructed as part of the replacement house and is therefore considered to be part of the original house. The current application shows the site boundary running between the house the application relates to and the adjacent garage block and swimming pool that serve the house. No explanation is given for this and it is considered appropriate to assess the proposal within the context of these outbuildings as well as in isolation. The garage block and swimming pool are shown as within the grounds of the house.

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to guidance contained in PPG2 “Green Belt” not to grant planning permission except in very special circumstances, for new buildings/extensions if they will not preserve the openness of the Green Belt. Therefore, for this application to be acceptable, the extension needs to quantify as a ‘limited extension’ to the dwelling house. National planning policy is reflected in Policy GB2A.



In assessing the proposal, the previous constructed extensions approved in 2003 must be taken into account.

The proposed extensions along with the existing extensions that have been implemented would result in a cumulative increase in volume of approximately 37% over and above that of the original replacement dwelling house. Hence the question is whether the combined increase of 37% in volume is regarded as limited extensions to the original dwelling house. In principle, a 37% increase is regarded as being border line in whether it would result in disproportionate additions or not and whether it would be regarded as limited extensions.

If it was only a matter of whether the increase in volume was appropriate, then on balance an increase of 37% could be considered as being appropriate. However, before a view can be taken on the matter of appropriateness it is necessary to also assess the visual impact of the proposal with particular regard to its impact upon the openness and visual amenity of the Green Belt.

Policy GB7A deals specifically with the visual impact of development in the Green Belt, seeking to prevent harm to its openness and visual amenities. Policy DBE4 makes it clear that careful regard should be given to the scale, layout and size of new development in the Green Belt and that includes extensions to buildings.

Although there is no additional building footprint, the development would result in large first floor additions that, because of their bulk and height would be very prominent. Together with the cumulative impact of existing extensions; the overall dwelling house would appear excessively large in terms of its bulk, scale and massing. Consequently it would appear as a visually intrusive development within the Green Belt. It would appear out of scale within its setting of the Green Belt, to the detriment of its visual amenities and adversely affect the openness of the Green Belt.

The proposals would clearly be seen within the context of the adjacent garage block and swimming pool, outbuildings that serve the house but are shown as excluded from the application site. The overall visual impact of the proposal is that it would not only result in a conspicuous and disproportionate enlargement of the original house, but would together with the substantial adjacent outbuildings have a harmful cumulative visual impact on the openness and visual amenities of the Green Belt.

Having regard to its size and harmful visual impact the proposed additions are considered to be inappropriate development in the Green Belt. No very special circumstances have been submitted to demonstrate the need for such an extension to justify a departure from Green Belt policy. The proposal is therefore contrary to both policies GB2A and GB7A of the Local Plan and Alterations.

#### Design and appearance:

Policy DBE10 of the Epping Forest District Local Plan seeks to ensure that new residential extensions are designed to a high standard. The appearance of new developments should be compatible with the character of the surrounding area and the original building.

In this case, it is considered that the proposed extensions will not reflect and blend in with the existing architectural rhythm of the building. The development will not appear subservient and will not form an integral part of the original building due to its excessive additional bulk and mass. In particular, the proposed extensions with their separate roof forms along with their excessive floor area and forward projection compared to the existing front building line would result in the extensions appearing as separate components and disjointed in relation to the original building.

Although the proposed development will not be seen from the highway or other public vantage points, it should not mean that a poor standard of design for a development be accepted, as it should also reflect the character and appearance of the original building. Since it would be out of

keeping with the character and design of the original building the proposed development is contrary to policy DBE10 of the Local Plan and Alterations.

Neighbouring amenities:

Given the large distance the existing dwelling is setback from the boundaries of the site, there would not be a detrimental impact to the amenities of adjoining property occupiers in terms of loss of privacy, loss of light or visual blight.

**Conclusion:**

In conclusion it is considered the design and appearance of the development is not acceptable due to its poor relationship with the existing building. Also it is considered that it would have a detrimental impact to the openness and character of the Metropolitan Green Belt due to the extensions' additional bulk scale and massing. Accordingly, the proposal is inappropriate development in the Green Belt for which no very special circumstances are demonstrated. Therefore it is recommended that the application be refused for the reasons discussed throughout this report.

***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:***

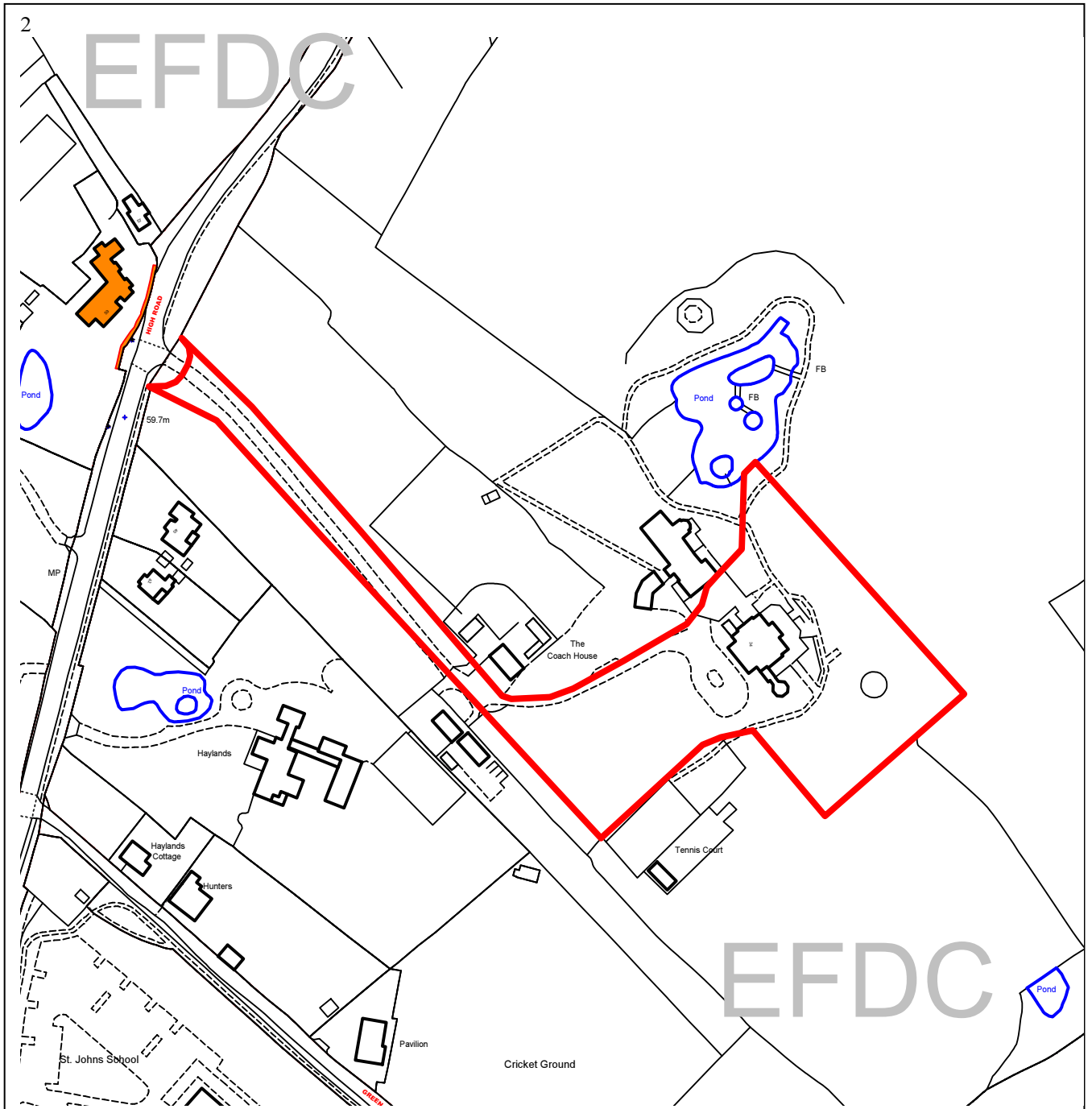
***Planning Application Case Officer: Lindsay Trevillian  
Direct Line Telephone Number: 01992 564 337***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/0598/11
Site Name:	Broad Oaks, High Road Chigwell, IG7 6DP
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0732/11
<b>SITE ADDRESS:</b>	206 Queens Road Buckhurst Hill Essex IG9 5AX
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Dr Sabu Jacob
<b>DESCRIPTION OF PROPOSAL:</b>	Demolish existing house and build new single family house. (Revised application)
<b>RECOMMENDED DECISION:</b>	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=527145](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527145)

**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 construction works above ground level 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 openings in the flank elevations at first and second floor level shall be 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 If any tree, shrub or hedge shown to be retained in accordance with the approved plan, TPC\_QR\_01, is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of hard and soft landscape works (including tree planting) and implementation programme have been submitted to and approved in writing by the

Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure and car parking layout. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.

- 6 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.
- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that Order) no extensions generally permitted by virtue of Class A of Part 1, Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 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.
- 9 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 garage that is integral to the house, hereby approved shall be retained so that it is capable of allowing the parking of cars and shall at no time be converted into a room or used for any other purpose.
- 10 Prior to the commencement of the development details showing the means to prevent the discharge of surface water from the development 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.
- 11 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.

*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) and*

*it is an application for commercial 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 a new detached structure. The building would have a main section with a deeply hipped roof with a lower set projection to the side. Two dormer windows would be inserted in the front roof slope, with a single flat roofed dormer on the rear.

**Description of Site:**

The proposal site contains a large detached dwelling which would be demolished to accommodate the works. The plot is more generous than those in the immediate vicinity and extends for some distance to the rear. The immediate area contains a mix of dwelling styles, including some Locally Listed Buildings. Neither neighbouring building is locally listed and the area is not within a Conservation Area.

**Relevant History:**

EPF/0085/11 - Demolish existing house and erection of new family dwelling. Withdrawn Decision - 16/03/2011.

**Policies Applied:**

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

**SUMMARY OF REPRESENTATIONS:**

BUCKHURST HILL PARISH COUNCIL: Objection. Not in keeping with the locality or the streetscene. No significant change to the previous application. Roof line is higher than adjacent properties. Parking is inadequate. Concerns during the construction phase in relation to parking and removal of waste.

(17 properties consulted – 6 replies received).

204 QUEENS ROAD: OBJECTION: Loss of light to our property, to a bedroom and living room, particularly in the later afternoon. No respect in design, scale and detail to neighbouring dwellings and offers up a disneyesque palette of mock period styles. To the east of No206 lies a preponderance of elegant Victorian and Edwardian Villas worthy of a Conservation Area. Buckhurst Hill has long been cherished for its Victorian character and this site, if developed, should set the character for the rest of the area. The immediate area contains a number of buildings of local interest. The new building should preserve and enhance the character and appearance of the immediate area.

189A QUEENS ROAD (2 letters): Objection. Traffic issues will be created. Impact on the streetscene. Size is inappropriate to the area and will dwarf neighbouring dwellings. Demolishing the building will create a very large carbon footprint with the amount of waste and associated pollution. Loss of light and privacy to adjacent neighbour. Overlooking of gardens in Knighton Lane. Parking is inadequate.

191 QUEENS ROAD: Objection. Noise, dust and pollution will affect my standard of living. My property will be overlooked. Lack of parking. It will destroy the appearance of Buckhurst Hill Village.

BUCKHURST HILL RESIDENTS SOCIETY: Objection. The design though revised is still incongruous with the local street scene. It is bulky and overbearing and too high. Neighbours have indicated that they will lose existing light to their windows as well as privacy where they will now be overlooked. There is inadequate parking for the number of residents and bedrooms in the plan. A local resident has advised that the house may be occupied by a number of cohabiting couples hence the number of rooms. This would change the property to a House of Multiple Occupation which is completely out of character with normal residential use in this area and would also cause further parking problems.

16 KINGS AVENUE: Objection. The proposal is totally out of character for Buckhurst Hill and will dwarf the surrounding properties. The existing dwelling fits in well within the streetscene. This stretch of road forms the approach to Buckhurst Hill and a characterless property of the type and size proposed, would in my view substantially detract from the unique feel of the neighbourhood, and open the floodgates for similar applications.

### **Issues and Considerations:**

The main issues that arise with this application relate to;

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

### **Design Considerations**

No206 Queens Road occupies a site at the entrance into the main built up area of Buckhurst Hill. There are dwellings on either side of the road which vary in style. Some are of clear architectural merit, but none of such merit that they are a listed building. Four are on the Local List of buildings which warrant special consideration in the exercise of the development process. They are 191 Queens Road, a detached house opposite the site, and 198 – 202 Queens Road, a terrace of three houses. Although there are no Conservation Areas within the locale it is recognised that the area is a pleasant environ with a number of individual buildings which contribute positively to the public realm.

The existing building on the site is not one that forms part of the Local List. It has a staggered front elevation with a deeply hipped roof which gives it some character. However its demolition would not impact seriously on the character and appearance of the immediate area. The issue is whether its replacement would have a detrimental impact on the character and appearance of the vicinity.

An objection letter states that the proposed replacement house is a general blend of mock period styles. The building is not a pastiche of previous styles but rather represents a relatively plain residential dwelling with classical pillars on the porch. The use of such pillars is a common reference to this historical style of architecture on new residential dwellings. The roof, and front elevation, have been broken which offers some level of interest, similar to the dwelling it replaces. A deeply hipped main roof is retained which is of similar height to the existing roof structure. The dormer windows are well proportioned within the proposed roof structure. The roof has been stepped down where it is adjacent to the eastern neighbouring dwelling, No204. This pays attention to the compact nature of this structure. Although this section of the dwelling does appear bulkier, and would be built on slightly higher ground, No204 is a much smaller structure than average with a particularly shallow roof.

The proposal would be considerably bulkier than the dwelling it replaces. However it enjoys the benefit of a larger frontage on to Queen's Road, and would be availing of this greater plot width. A gap of 1.0m is retained to the eastern boundary which would guard against a terracing affect and the single storey garage at the eastern boundary would ensure that some level of openness on the site would remain. The proposal contains a box dormer on the rear elevation. The design of this is generally acceptable. It would not be visible from within the streetscene and raises no serious design issues.

#### Neighbour Amenity

The single storey element of the house that includes a garage would be adjacent to the western neighbouring property, No208. This house is served by three side elevation windows. The siting of the single storey part of the new house adjacent to the boundary with 208 Queens Road would ensure that there would be no material reduction in light received by these windows. A window on the ground floor level already suffers some loss of light from an existing structure at the boundary, and there would be no material change to this scenario.

The proposed replacement dwelling would bring the bulk and scale of the dwelling much closer to the boundary with No204. This would not however result in a loss of light to rear facing windows. The side wall of the house would be clearly visible from the rear garden of this dwelling and would cast a shadow in the later part of the day. Although there would be some degree of impact from the development on the rear garden area of this dwelling, it would not be seriously harmful to amenity. The garden of this dwelling is a reasonable size in terms of the provision of amenity space which would reduce significantly any overbearing impact. Moreover, the roof of the proposed house would be hipped which would further reduce impact. Although some impact from the side wall of the development is recognised, it is not considered severe and not to a level to justify withholding planning consent.

The rear of the site abuts a garden area in Knighton Lane. The distance to the rear boundary from the rear elevation of the proposed house would be some 23.0m and the fact that this boundary is well screened would guard against any serious overlooking of this rear garden in Knighton Lane.

Both side elevations contain window openings at first and second floor level. These can be reasonably conditioned as obscure glazed which would guard against overlooking.



### Highway Matters/Parking

The proposed garage structure measures 5.9m x 3.4m internally which could reasonably be used to park a standard motor vehicle. At present two crossovers exist at the property for access to the highway. The reuse of these would have no impact on road safety. Although no parking layout at the front of the property has been provided this is something that can be agreed by condition. Recommended condition 5 would deal with this matter amongst others.

### Trees/Landscaping Issues

There is a group of trees in the rear garden (Yew, Scots Pine and Horse Chestnut) which provide good screening to the properties to the rear. The tree report submitted with this application shows that they can easily be accommodated for without being compromised during demolition and construction activities. The Trees section of the Council has been consulted and recommends tree protection and retention conditions to ensure that these trees are retained. A condition requiring hard and soft landscaping details has also been required. The application will be conditioned accordingly.

### Neighbour Comments

Some of the neighbour and Parish Council concerns have been addressed in the preceding text. However other issues have been raised. Concern about disturbance during the construction phase has been alluded to; this can be controlled to some degree by an 'hours of construction' condition. There is also concern that the house would be used as a House of Multiple Occupation (HMO). There is no clear evidence of this and any future HMO use which requires planning permission is capable of being controlled by the District Council.

### Other Matters

It is considered appropriate to remove permitted development rights for extensions to the dwelling as this could have an adverse impact on neighbour amenity and should fall under the control of the Local Planning Authority.

### **Conclusion:**

The proposed dwelling on this site would have no serious impact on the character and appearance of the immediate area. Impact on neighbour amenity would not be excessive. Having regard to all the matters considered the proposal is deemed an acceptable form of development and recommended for approval 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***

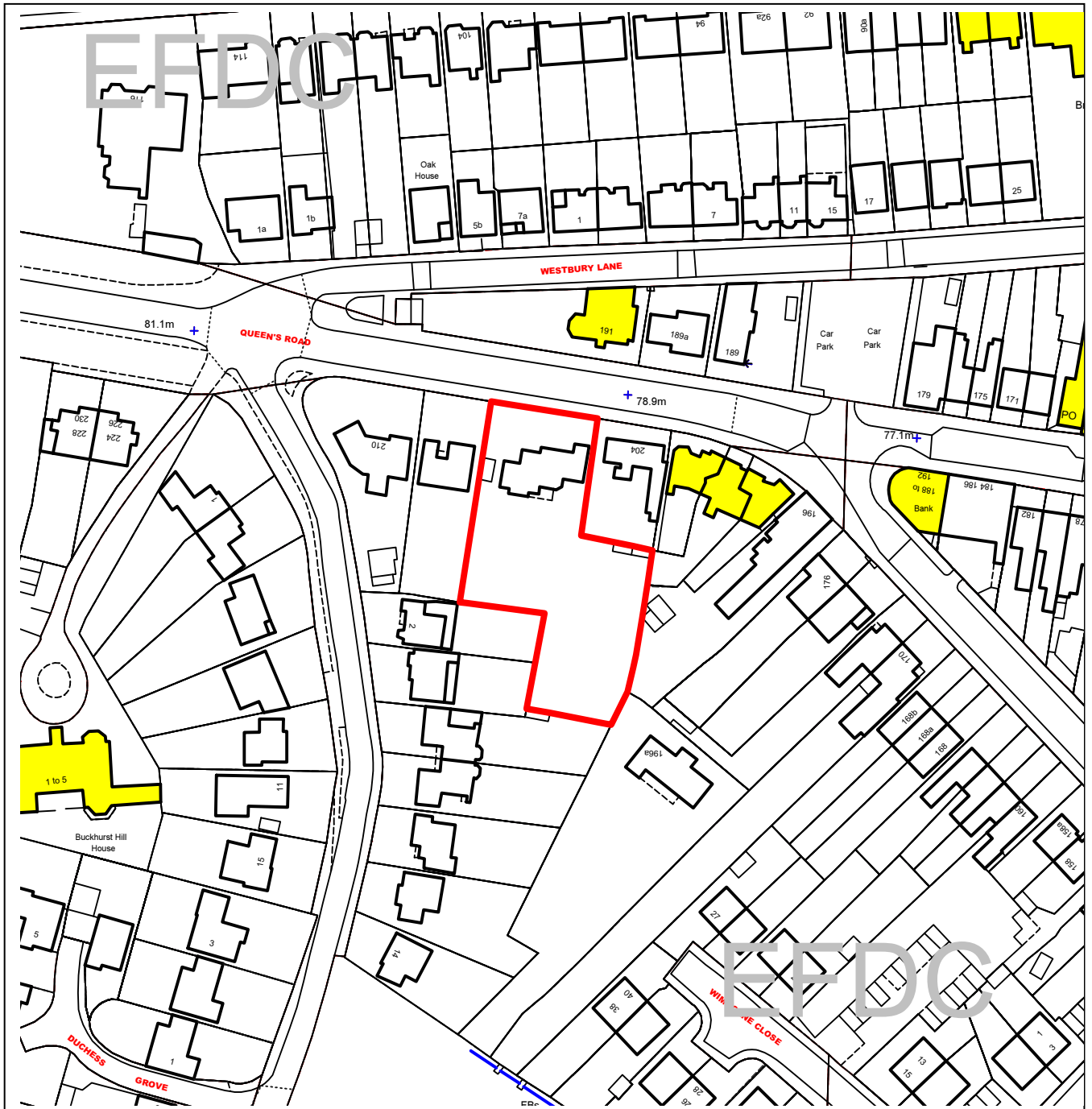
***Direct Line Telephone Number: 01992 56433***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0732/11
Site Name:	206 Queens Road, Buckhurst Hill IG9 5AX
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0754/11
<b>SITE ADDRESS:</b>	258 High Road Loughton Essex IG10 1RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Manos Filaitis
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of shop (Use Class A1) at the front of the unit to use for purposes in Use Class A3 (Restaurants and Cafes) including ancillary use of private forecourt for placing tables and chairs.
<b>RECOMMENDED DECISION:</b>	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=527223](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527223)

- 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 planting boxes and associated planting to be positioned around the outside front seating area shall be retained on a permanent basis, or replaced with a similar enclosure if necessary as long as the private forecourt is in regular use for placing tables and chairs.

*This application is before this Committee since a) the recommendation differs from the views of the local council (pursuant to section P4, Schedule A (g) of the Council's delegated functions) and b) the recommendation to approve the proposal is contrary to the local plan policy which protects key retail frontages from further non retail use.*

**Description of Proposal:**

Change of use of class A1 shop at the front of the unit to class A3 restaurant use in connection with the adjoining restaurant, including ancillary use of private forecourt for placing of tables and chairs.

**Description of Site:**

A row of three ground floor commercial units. The front of the application property, at unit 1, is vacant, adjoining it is the Olive Tree restaurant in unit 2 (which also extends into the rear of unit 1), and adjoining that in unit 3 is a Subway A1 'sandwich' shop. The upper floor of this block is used

as offices. The block is located in the key retail shopping frontage at the northern end of the High Road close to the junction with Traps Hill.

### **Relevant History:**

EPF/692/95 gave approval to the conversion of this shop at unit 1 into an A3 restaurant/café use but this consent was not implemented. This consent preceded the adoption of the local plan in 1998.

EPF/444/07 was a refusal of permission for change of use of unit 1 from a shop into an A3 use, to be used in connection with the existing restaurant in unit 2 – on grounds that 2 adjoining non retail uses would be created in the key retail frontage which would be detrimental to the vitality of the shopping centre. An appeal was lodged but was dismissed for the same reason.

EPF/1431/07 was a very similar application to EPF/444/07 and was refused for the same reasons.

EPF/2146/07 was a refusal of permission for the change of use of the office space to the immediate rear of the shop unit to restaurant use in connection with the existing restaurant use in the adjoining unit 2. It was refused on grounds that it would leave an under-sized front shop (25 square metres) which would be inadequate for retailing and hence would be harmful to the vitality of the town centre. This refusal went to appeal but in this instance the inspector upheld the appeal and granted permission since in his view the shop unit could still support a retail use.

EPF/0213/08 This application, in contrast to the previous applications, was submitted by the current applicants and it too proposed change of use of rear office space to use as a restaurant in connection with the A3 use in the adjoining unit 2. However it would have 'left' a larger front retail unit of 42 square metres, and planning permission was granted subject to conditions, one of which prohibited the placing of tables outside unit 1 i.e. tables and chairs were restricted to just the forecourt area outside unit 2. This planning approval was issued before the appeal decision on the previous EPF/2146/07 was arrived at.

### **Policies Applied:**

TC3 - Town centre function

TC4 – Non retail frontage.

DBE9 – Loss of amenity.

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – Object on basis of the loss of a retail unit that would breach the 30% rule within a key frontage zone. (Members additionally requested that no tables and chairs should be permitted to be stationed or stored on the forecourt or highway outside the A1 premises, so as to preserve and retain the integrity of the retail aspect of the High Road.)

LOUGHTON RESIDENTS ASSOCIATION – Object to the application since it would breach the conditions for the key retail frontage as set out in the local plan. Also concerned at what appears to be a step by step approach to circumvent the conditions of the local plan.

NEIGHBOURS – 10 properties consulted and no replies received.

EFDC Environmental Services – the proposal is merely adding space to an existing restaurant and there are no comments or requirements.

### **Issues and Considerations:**

At first sight this application for change of use from shop to restaurant appears to warrant a refusal of permission because it involves a clear breach of the key frontage local plan policy as set out in policy TC4. The next commercial unit to the south at number 252c (across a vehicular access) is a Bairstow Eves estate agents so the proposal would result in more than two 'adjacent' non retail

uses being formed in the key frontage, and this was the reason why previous applications EPF/444/07, and EPF/1431/07, were refused. In addition, unlike in 2007, the percentage of non retail uses in this key frontage has now risen above 30% threshold to 32.6%, and hence another retail use could be seen to harm the vitality and well being of the town centre.

However, a site visit to this vacant unit confirmed that it has a very small area of 25sq.m. Moreover there is no WC, hand wash facility, or stock room, and hence this unit falls well below modern day standards for a shop unit. This shop has been marketed by property surveyors since January 2011 but no firm offers have been made for retail use – indeed more interest has been expressed for use of the premises for catering purposes e.g. as a coffee shop. It is also relevant to point out that this shop unit historically has always been this small size and a dry cleaning reception shop was the last retail use of it. Given the very small size of the unit, and its lack of facilities, it is most unlikely that the unit will attract another retail use, and its continued vacancy could well be prolonged. In these circumstances change of use to provide an extension of the restaurant that lies to the side and to the rear has much to commend it.

There have been concerns raised that the current applicants and proprietors of the Olive Tree have lodged a series of applications in order to enlarge 'step by step' the restaurant in unit 2 into unit 1. However, the 3 applications lodged in 2007 were not submitted by the Olive Tree proprietors - they were submitted by property agents who were quite determined to establish a double-sized A3 use by combining the then vacant Indian restaurant in unit number 2 with unit number 1, possibly for a national chain such as Burger King or Macdonalds. To this end these agents did secure change of use of the offices at the rear of unit number 1 to restaurant use but they failed to gain approval for the change of use of the shop at the front, and it is understood they have now relinquished their interest in these properties. In 2008 the proprietors of the Olive Tree took over the vacant Indian restaurant at unit 2 and they have since been offered and taken up additional space for their restaurant behind the shop in unit 1. They state they have a long lease now on both of the units including the shop unit subject of this application. They did secure, via application EPF/0213/08, a change of use of the rear office part of unit 1 for restaurant use and this would have left a 42 sq. m. shop at the front. They wanted to set up an A1 delicatessen use in this shop in unit 1 but the imposition of the condition prohibiting tables and chairs outside discouraged them from proceeding - because they wished to supplement the proposed retail trade by offering snacks and drinks associated with the delicatessen. Then the outstanding appeal on application EPF/2146/07 was upheld, which in effect 'allowed' a smaller 25 sq. m. shop at the front, and the Olive Tree proprietors accepted an offer to provide additional restaurant seating immediately behind the shop in unit 1.

The current application proposes tables and chairs in the forecourt area outside unit 1 in the same way as they are stationed outside the restaurant frontage at unit 2. This forecourt is privately owned by the applicants, and it is not part of the public highway. In addition a white planting box some 0.5m high surrounds this forecourt area in which a small hedge is planted and maintained, and this hedge too is 0.5m high. This planting box and hedge provides an attractive and appropriate enclosure for tables and chairs, and alfresco areas are not only popular but they can provide more interest and variety in a high road and urban street scene. As mentioned above there are offices above these units and hence an outside area would not cause material harm to residents. For these reasons therefore the proposed outside eating/drinking area, to be extended from that currently outside unit 2, is acceptable.

### **Conclusions:**

This change of use application could be refused on policy grounds because it would create two or more adjoining non retail uses, and because it would result in a further increase in the non retail frontage which is already above 30% limit in this key shopping parade. However, the shop at only 25 sq. m in area, and without a WC, hand wash facility, and any storage area, is not really 'fit for purpose' and is most unlikely to attract a retail occupant. The proposed restaurant use is a use

appropriate to a shopping area, and this northern section of the key frontage is more physically fragmented than the middle and southern sections of the High Road. For these reasons, and to avoid continued vacancy, it is recommended that an exception to policy be made in this instance and conditional permission is therefore recommended. In making this recommendation it should be borne in mind that it is very unusual to come across a shop of this small size and which has no ancillary facilities, and hence any permission in this case would be most unlikely to set a precedent for similar change of use proposals.

***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](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/0754/11
Site Name:	258 High Road, Loughton IG10 1RB
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0797/11
<b>SITE ADDRESS:</b>	37 Upper Park Loughton Essex IG10 4EQ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Poalo Ingrao
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey front detached garage. (Revised application)
<b>RECOMMENDED DECISION:</b>	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=527414](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527414)

**CONDITIONS & REASONS**

- 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 be of a similar appearance to those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development shall take place on site until details of a landscaping scheme to screen the garage has been submitted to and approved by the Local Planning Authority in writing. The agreed scheme shall be implemented in the first planting season following the completion of the development and maintained to a height not less than the roof level of the garage structure thereafter.

*This application is before this Committee since it is a "householder" application and the recommendation differs from more than four expression's of objection (Pursuant to Section CL56, Schedule A (f) of the Council's Delegated Functions).*

**Description of Proposal**

The proposal is to construct a garage to the front of the dwelling. The site slopes upwards and the structure would be part below ground level as a section of the ground would be excavated. The floor area would measure 6.5m x 6.5m. The highest point of the structure above ground level would be 3.0m. Indicative screening is shown along two sides of the garage.



### **Description of Site:**

Upper Park is an area of spacious dwellings set on a steeply rising hill off Loughton High Road. The area is characterised by the number of established trees, indeed there are a number of area Tree Preservation Orders in the immediate vicinity. The site in question occupies a position on the corner with High Silver on a rise in the road. There are no garages to the front of dwellings along Upper Park. There are a number of differing dwelling styles on the road. The existing house has been recently extended and remodelled, as have a number of dwellings along the road.

### **Relevant History:**

CHI/0667/73 - 2 storey extension. Grant Permission (with conditions) - 12/12/1973.

EPF/0970/07 - Single storey front extension, loft conversion with dormer windows and raised front gable. Refuse Permission - 26/06/2007.

EPF/1639/07 - Front single storey extension and front and rear dormer windows. (Revised application).

EPF/0023/08 - Front balcony extension. Grant Permission (With Conditions) - 11/02/2008.

EPF/0539/09 - Retention of boundary wall. Grant Permission - 09/06/2009.

EPF/0797/11 - Single storey front detached garage. Withdrawn Decision – 12/04/2011.

### **Policies Applied:**

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 – Design of Residential Extensions

LL11 – Landscaping Schemes

### **Summary of Representations**

LOUGHTON TOWN COUNCIL: Comment. The committee felt that the landscaping would mitigate some of the concerns previously outlined on application EPF/0377/11 but not them all, particularly the flat roof and intrusion into the building line.

(9 properties consulted – 5 replies received).

1 HIGH SILVER: Objection. The greenery proposed would make the development more obtrusive and would not hide it. This garage for three cars would make the area a less pleasant place to live. The garage would be an outbuilding beyond the building line by some 5.0m and totally out of keeping. The first planning consent recommended that the present building line should not extend more than 1.0m beyond the original building line. This would set a precedent for further similar developments. The present building would be bulky and overbearing where there is already a long fence that is over the regulatory 2.0m high. The structure would make access to Upper Park from High Silver more difficult. The proposed garage would add to the unsatisfactory appearance of the existing dwelling which stands out from neighbouring properties. The whole property is an overdevelopment which has suffered from building creep.

33 UPPER PARK: Objection. The proposed garage is well forward of the existing building line and an intrusion into the garden. It will intrude on sight lines both up and down High Silver and may be a danger to traffic exiting High Silver. This could set an undesirable precedent both within Upper Park and further afield.

35 UPPER PARK: Objection. This would be inappropriate to the area.

43 UPPER PARK: Objection. The proposed garage would be well forward of the existing building line. The garage could block sight lines from High Silver.

LOUGHTON RESIDENTS ASSOCIATION: Objection. We object to this application as out-of-keeping. Upper Park is characterised by properties with reasonably large and attractively landscaped front gardens. The site is a corner site on a steep hill. The proposed garage is well in front of the building line on Upper Park and because of the steep slope will appear even more overbearing to those coming up the hill, and to residents living lower down the road. There is also a danger that allowing this development would act as a precedent for other residents to build in front of the current building line, thus adversely affecting the current character of the road.

### **Issues and Considerations:**

The main issues to determine are whether the proposed development would have an impact on neighbour amenity or on the character and appearance of the area.

#### *Neighbour Amenity*

The proposed garage would be located close to the junction of Upper Park and High Silver. There would be no immediate neighbour and no impact on amenity.

#### *Impact on the Appearance of the Area*

This proposal follows on from a recently withdrawn application, the main change being that screening has been proposed along the side and rear elevations of the garage. The other side elevation would be formed by an existing wall. The building would be part sunk into the existing ground level. The proposed design of the extension is conventional and raises no issues. The main issue is whether a structure forward of the building line would have a detrimental impact on the character and appearance of the area.

This part of Upper Park is characterised by its relatively spacious and open feel. However vegetation in the immediate vicinity and the rise in the road does not result in a linear line of properties where a garage structure would appear incongruous or out of place. Indeed from the south east the structure would not be clearly visible. The proposed screening along two elevations with vegetation, and the sinking of the structure into the natural rise in the ground level, would further disguise the development. Its positioning on a corner plot is also of benefit, as the structure would not be located in the centre of a row of properties but rather on an end house close to a junction. The garage structure would not compromise openness to any great degree and the proposed screen would be similar to other vegetation to the front of properties along the road.

A number of points have been raised in objection letters which will now be addressed. Concern has been expressed that the proposal would impact on sight lines at the Upper Park/High Silver junction. However it would be located a reasonable distance from the corner and would not seriously impede road safety. Indeed, by resulting in the removal of an existing vehicular access adjacent to a junction the proposal would be beneficial to the interests of highway safety.

There is also concern that this would set an unwelcome precedent. Any future applications would have to be judged on their own individual merits with each site having its own individual characteristics. Indeed the proposal site's position on a corner plot renders it different from most sites in the immediate vicinity therefore should permission be granted there is little scope for the decision to serve as a precedent.

Reference is also made to a previous decision, (EPF/0970/07), which referred to a forward projection from the building line as a reason for refusal. This however was in respect of a higher level balcony area, which would have appeared much more conspicuous as a projection of the main house. That proposal was subsequently reduced in depth to overcome the objections to it.

This proposal is not comparable since it would be much lower set, part sunken, and would not be as prominent within the street scene.

**Conclusion:**

The proposed garage structure would have no impact on neighbour amenity and subject to a condition agreeing landscaping would have no serious impact on the character and appearance of the area. Consequently it is recommended for approval 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:***

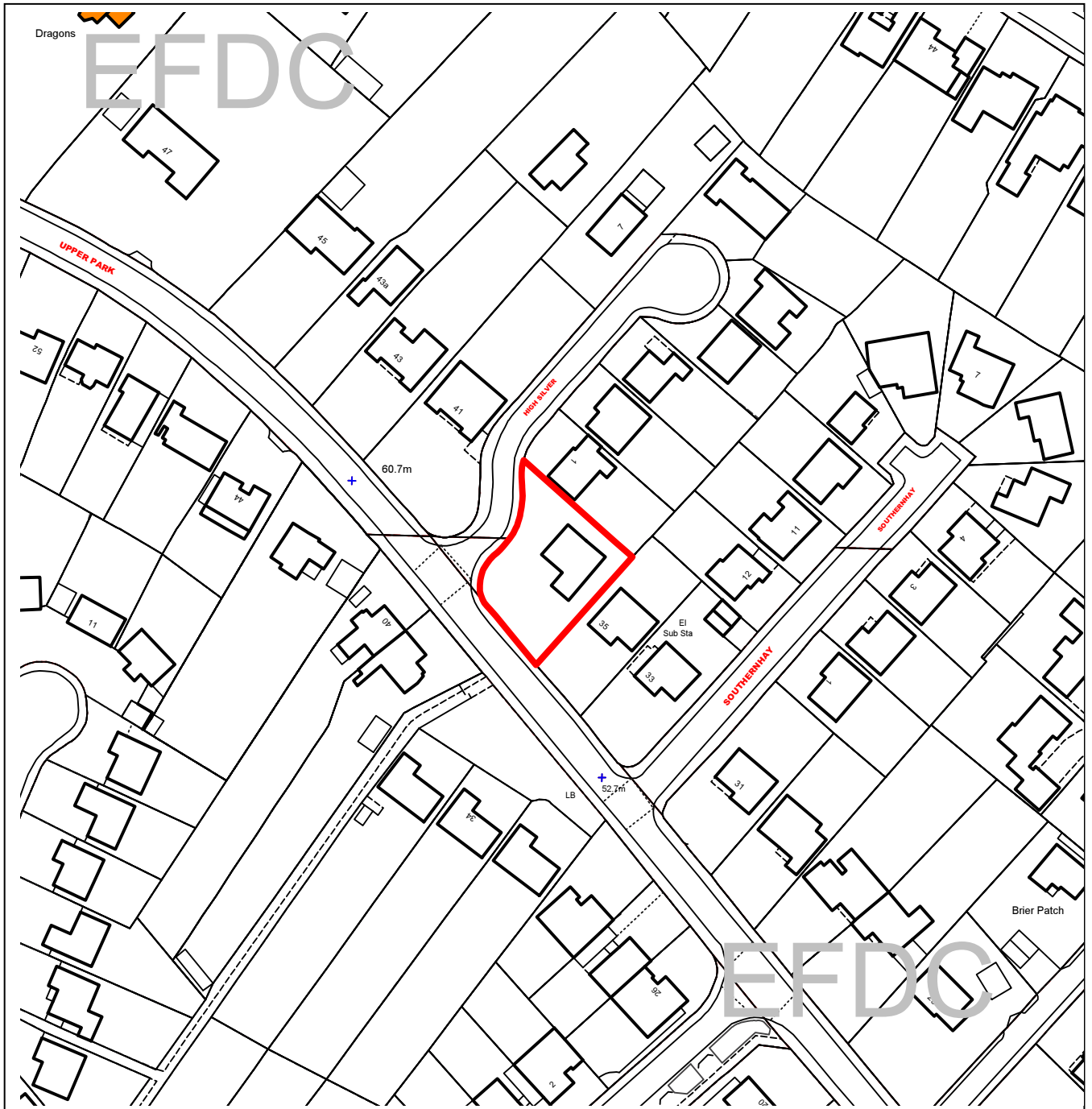
***Planning Application Case Officer: Dominic Duffin  
Direct Line Telephone Number: 01992 56433***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/0797/11
Site Name:	37 Upper Park, Loughton IG10 4EQ
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0893/11
<b>SITE ADDRESS:</b>	18 Eleven Acre Rise Loughton Essex IG10 1AN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Robert Shaw
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing house and erection of two four bedroom detached houses. (Revised application)
<b>RECOMMENDED DECISION:</b>	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=527684](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527684)

**CONDITIONS & REASONS**

- 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 construction works above ground level shall have taken place until documentary and photographic 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) on the flank elevations at first floor level for both dwellings and the ground floor flank window that services the sitting room for dwelling 18B 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 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.
- 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, Class A and B shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.
- 7 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 8 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 9 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.

*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 applicant seeks planning permission to demolish an existing chalet bungalow that comprises of three bedrooms and erect two four bedroom dwelling houses.

The existing site would be split into two so that each new dwelling would be sited on a plot consisting of approximately 640 square metres. Each plot size would be 10.25 metres in width by 62.5 metres in depth.

Both dwellings would be double-storey with a single storey rear element and would comprise the same dimensions, 7.7 metres by 16 metres. Dwellings 18A and 18B would have heights 8.7 and 8.9 metres respectively to the ridgeline of the roofs when viewed from the highway. Both dwellings would be similar in terms of their form and size. The main difference between the two is that

dwelling 18A would have a gable end roof form whilst dwelling 18B would consist of a hipped roof form towards the front elevation with a front projecting gable end and front dormer window.

In terms of their siting, dwelling 18A would be setback 11.2 metres from the highway and 1.9 metres from the northern side boundary. Dwelling 18B would be setback 13.1 metres from the highway and 1.6 metres from the southern side boundary. There would be a separation distance of 2.2 metres between the proposed dwelling houses.

The existing crossover and driveway would provide off street parking for dwelling 18B. A new crossover and driveway would be constructed to provide off street parking for dwelling 18B. Each dwelling would have two off street parking spaces.

### **Description of Site:**

The subject site is located virtually at the end of a cul-de-sac, Eleven Acre Rise, on its north western side.

The site itself is approximately 20.5 metres in width by 62.5 metres in depth. There is a significant slope that falls away from the front of the site towards the rear and across the site from north to south. Boundary treatments include a small brick finished wall along the front boundary whilst a mixture of timber paling fencing and brick walls are located along the side and rear boundaries.

Currently located towards the front of the site is a chalet bungalow that comprises of living accommodation within the roof space. A detached double space garage with a workshop is located behind the bungalow approximately halfway down the site on the southern side boundary.

A large garden area is located behind the existing bungalow. Off street parking is located within the detached garage which is accessed via a driveway that runs along the southern side boundary of the site past the existing bungalow.

The subject site is located within a well established residential area that comprises a mixture of dwellings varying in style, form, sizes and scale. Front building lines from the highway are inconsistent, with many dwellings having different staggered setbacks. Spaces/gaps between buildings form an important component to the character of the street scene.

### **Relevant History:**

EPF/0311/11 - Demolition of existing house and erection of two four bedroom detached houses. (withdrawn 11<sup>th</sup> April 2011)

### **Policies Applied:**

#### Local Policies:

CP1 Achieving Sustainable Development Objectives  
CP2 Protecting the Quality of the Rural and Built Environment  
CP3 New Development  
CP7 Urban Form and Quality  
DBE1 Design of New Buildings  
DBE2 Detrimental Effect on Existing Surrounding Properties  
DBE6 Car Parking  
DBE8 Private Amenity Space  
DBE9 Loss of amenity  
ST4 Road Safety  
ST6 Vehicle Parking  
LL10 Adequacy of Provision for Retention

LL11 Landscaping Schemes  
H2A Previously Developed Land

National Policies:  
PPS3 – Housing

### **Summary of Representations**

LOUGHTON TOWN COUNCIL: The Committee had NO OBJECTION to this application but was concerned about the effect on the amenities of no. 19 from the rear extension, particularly because of the change in ground levels to no. 18B. Members were aware that the dimensions of no. 20 given on the plans were inaccurate, as habitable rooms continued behind the garage.

Members further observed that the proposed houses would be the only properties in Eleven Acre Rise not to be provided with garages. In addition, the Committee asked for an appropriate planting condition for the replacement of any trees lost in recent months and during planned development.

NEIGHBOURS/INTERESTED PARTIES:

The application was advertised to adjoining property occupiers and to those who made previous representations to the previous application that was withdrawn.

OBJECTIONS: Nine letters of objections were received from the following neighbouring occupiers:

3 ELEVEN ACRE RISE – Objects: The measurements within the design access statement in relation to number 20 do not take into account the single storey side element. This means the proposed houses are narrower than that of number 20. The houses would appear cramped, have insufficient parking and would result in an overdevelopment of the site. A better outcome would be to erect one large house and not two small houses on the site.

4 ELEVEN ACRE RISE – Objects: The development would be out of keeping with the area. Vegetation has been removed from the site. There has already been a considerable amount of development within the road and further development would add to noise and disruption.

9 ELEVEN ACRE RISE – Objects: The proposal would be an overdevelopment and spoil the aesthetics of the road. Two small houses would be out of character with the surrounding area.

12A ELEVEN ACRE RISE – Objects: The proposed development would be out of character with the surrounding area, in particular the narrow width of the dwellings, lack of separation distance between the two of them and they would lead to parking difficulties within the existing highway.

15 ELEVEN ACRE RISE – Objects: The development would be out of keeping with the current appearance of the road and could set a precedent for other similar developments. The dwellings would be the narrowest in the road and would also add to parking issues.

17 ELEVEN ACRE RISE – Objects: The proposed development would be the narrowest plots within the street scene and therefore out of character with the surrounding area. Misleading information has been given within the design and access statement particularly in relation to the statement of the width of plots in terms of numbers 10, 11 and 20 Eleven Acre Rise. Also a significant amount of vegetation has been removed from the site.

19 ELEVEN ACRE RISE – Objects: The proposed development would be inappropriate to the current street scene and would result in an overdevelopment of the plot which is emphasised by a lack of undercover parking. It would also have a detrimental impact upon the amenities; in



particular, it would result in a loss of privacy and cause visual blight. It was also mentioned that during construction there would be considerable impact in relation to noise and disturbance, drainage and traffic congestion.

20 ELEVEN ACRE RISE – Objects: The measurements given within the design and access statement are incorrect as the width of the house at number 20 is just over 10m and not 7.5 as suggested.

22 ELEVEN ACRE RISE – Objection

The proposal of erecting 2 four bedroom dwellings would be a substantial overdevelopment of the site. It would result in a harmful impact upon the character of the street scene and the surrounding area. There is also misleading information within the design and access statement regarding the widths of other dwellings and plots within the street scene.

SUPPORT: Twelve letters of support were received from interested parties at the following addresses:

3 POTTERS CLOSE: The two houses proposed are in keeping with the street scene in Eleven Acre Rise where there are many different house designs.

4B VALLEY HILL: The proposed dwellings would complement the street and the overall character.

6 WALLERS HOPPET: Every single house is individual and the proposed design of the two houses reflects this uniqueness. The proposed houses are totally in keeping with the street scene.

8 AVON TERRACE: Eleven Acre Rise is of very mix housing styles and sizes and the new proposal is actually in keeping with the majority of the existing houses.

9 DRAYTON AVENUE: The design of the new dwellings would fit in well with the street as the road is quite individual in terms of plot sizes, roof heights and siting.

12 ST JOHNS ROAD: The design of the two dwellings fits in exceedingly well with the existing varied houses in the road.

12 TEWKESBURY CLOSE: The development would be in keeping with the existing road.

14 THE LINDENS: The proposed houses are totally in keeping with existing houses within the street scene.

32 THE LINDENS: The proposed development is much more in keeping with the street scene compared to some over developments that have recently been constructed. There is a mixture of small, medium and large houses within the road.

33 THE LINDENS: The development would be in keeping with the majority of other houses within the street, not like some other recent developments.

42 UPPER PARK: Every house is different within the road and the proposed design of the two dwellings is entirely sympathetic to the street and incorporates features found on adjoining dwellings.

60 GREENSTEAD ROAD: The dwellings would fit perfectly well with other properties in Eleven Acre Rise and complement the overall character of the road.

## **Issues and Considerations:**

The main issues to address in this case are:

- Design and Appearance
- Neighbouring amenities

### *Design and Appearance:*

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. PPS3 does however still promote the efficient use of land in the provision of housing, where it respects the character of the area. This is not a residential garden site and the development is not below the minimum density.

There is no consistency within Eleven Acre Rise when it comes to plot sizes. There is a mix of plot sizes within the street in relation to depth and in particular their width along the frontage. That variety of plot sizes is a strong element of the character of the locality.

The width of each plot for the proposed dwelling houses is to be 10.5 metres. This would result in them being some of the smaller plots within the street scene in terms of their width to the frontage. However it should be noted that opposite the subject site there is a pair of semi-detached dwellings (numbers 10 & 11) that have frontage widths of approximately 7.5 and 8.5 metres.

Given the variety of plot widths evident within the street scene and that there are other examples of small frontages opposite to the site, the proposal to provide two dwelling houses on the site would be appropriate and would not be harmful to the character and appearance of the locality. The development would ensure a more efficient use of the land whilst at the same time respecting the character of the surrounding area and therefore it is in accordance with PPS3.

Both the proposed dwellings would be set further back from the highway than the existing chalet style bungalow and would be more or less in line with the adjacent properties. The setback from the highway is consistent with the street scene, maximises space for landscaping and off street parking towards the front and would provide a better relationship between adjoining dwellings than currently exists.

The dwellings would achieve an appropriate amount of spacing not only between one another (2.2m) but also from adjacent dwellings, numbers 17 and 19. Although there is no consistent spacing between buildings within Eleven Acre Rise, the proposed development would provide a reasonable distance between buildings to ensure that the character of the surrounding area is maintained.

Not only is there a variety of plot sizes within Eleven Acre Rise but also in the style and size of the dwelling houses that occupy them. As a result there is no uniform character in terms of the architectural rhythm of the street scene. As previously stated, an essential component of the character of the street is its variety.

The applicant has picked up on this fact and has deliberately designed the front elevation of each house differently ensuring that the two dwellings are not alike. One would have a gable end whilst the other would have a hipped roof form with a front projecting gable and front dormer window. Both dwellings would be well articulated and would incorporate features and materials found within the street scene ensuring that they would be visually interesting and pleasing to the eye.

The dwellings themselves are appropriate in terms of their form, size and scale ensuring that they are not excessive in relation to bulk and massing. Due to the slope of the land, the overall height of

the dwellings to the ridgeline and the angle of the pitch makes sure there is a smooth transition between the adjoining dwellings of numbers 17 and 19 Eleven Acre Rise and as a result they do not result in an overbearing or dominant features within the street scene.

In summary, the proposed development of the two dwellings is appropriate in terms of their siting, size and scale and that they would not have a detrimental impact upon the character of the street scene or the surrounding area.

#### Neighbouring amenities:

Both dwellings would have ground and first floor windows within the flank elevations and a number of roof lights.

All first floor flank windows of both dwellings and the ground floor flank window that services the sitting room for dwelling 18B are to be conditioned to be obscured glazed to prevent any direct overlooking to adjoining properties.

First floor windows are also proposed on the rear and front elevations of both dwellings including a dormer window to 18B's front elevation. Windows on the front elevation would not overlook any private areas of adjoining properties and therefore is acceptable. The rear windows would have the potential to overlook private open space areas of adjoining properties, however this is not uncommon within a built up residential area where some overlooking is likely to occur. In saying this, there would be no direct overlooking into rear patio areas. Also there is a large distance between the rear facades of the proposed dwellings and those dwellings that front onto 'The Uplands' which are located behind the subject site as not to cause any harm.

Due to the orientation of the site and the position of the proposed dwellings in relation to boundaries and adjoining dwellings, there would not be a significant amount of overshadowing of adjoining properties' habitable room windows and private open space areas. Adjoining dwellings would still achieve adequate sunlight and daylight throughout the majority of the day.

Both dwellings would not appear as overbearing or dominant features when viewed from adjoining property occupiers, particular those of number 17 and 19 Eleven Acre Rise. The double storey component of the buildings would be more or less in line with the rear façade of the adjoining properties with only the single storey elements projecting further.

The projection of the single storey element for dwelling 18A would cause no harm to the adjoining occupier of number 17 as, due to the slope of the land, the wall height of the single storey element would be considerably lower than the adjoining property and therefore it would not appear bulky or be visually intrusive.

The single storey part of dwelling 18B would be more prominent to the adjoining occupiers of number 19 and would essentially appear more like a one and a half storey rear element. Nevertheless, this element would be constructed off the side boundary, would not infringe upon the imaginary 45 degree line from the adjacent properties rear windows and would not extend as far as the existing detached garage.

The proposed dwellings would not result in a detrimental impact upon the amenities of adjoining property occupiers in relation to a loss of privacy, loss of light or visual blight.

#### Other issues:

For a two or more bedroom dwelling house, the required amount of off-street parking spaces required within the Adopted Parking Standards is 2. There would be room on the driveways for 2 vehicle spaces each, which meets the requirements. There is no requirement for undercover

parking to be provided. The proposed development would also not lead to traffic congestion or parking difficulties within the street.

It is noted that before the application was submitted the applicant had cleared vegetation off the site. As none of the vegetation was protected under tree preservation orders the applicant is entitled to do so without permission. Although there are some indicative plans of potential re-planting on the site, a condition should be placed on any granted permission requiring that a full landscape plan be approved prior to works commencing. The only trees likely to be affected by any development of this site are the two street trees to the frontage of the property. However, as they are outside the site boundary we cannot condition tree protection. If any damage is sustained it would be a matter for Environment and Street Scene / Highways to take up.

The site does not lie within an Epping Forest flood risk assessment zone. However the development is of a size where it is necessary to avoid generating additional runoff and the opportunity of a new development should be taken to improve existing surface water runoff and therefore Council's drainage officer has requested that a condition be placed on the granted permission for a flood risk assessment to be carried out.

A condition can be used to restrict the times of any noisy construction activity, which would deal with local residents concerns about noise during construction.

**Conclusion:**

In conclusion, the proposed development is appropriate in terms of its design and appearance in that it would reflect the street scene and the character of the surrounding area. It would also not have a detrimental impact to the amenities of adjoining property occupiers. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations and therefore it is recommended that the application be approved subject to 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:***

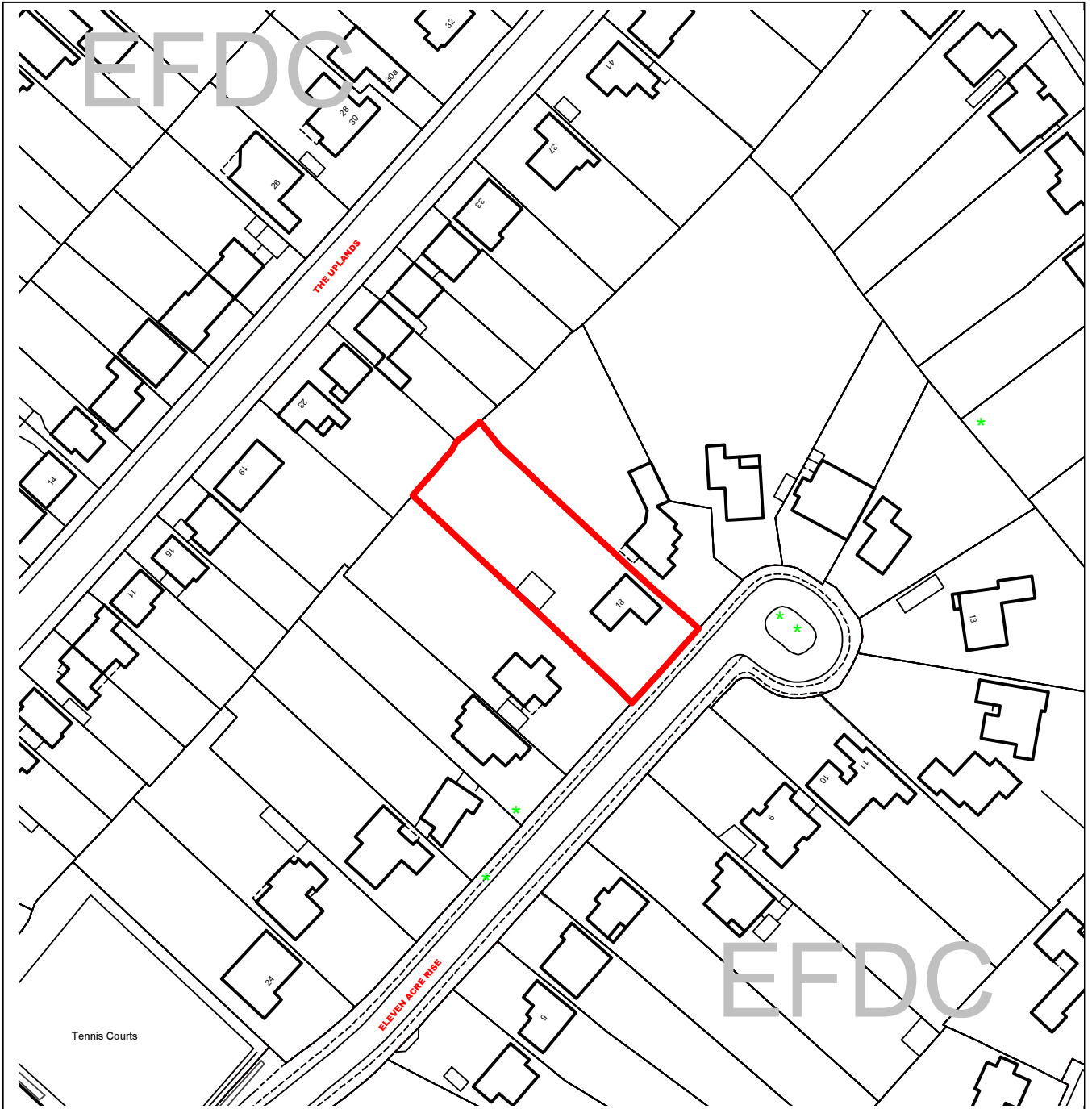
***Planning Application Case Officer: Lindsay Trevillian  
Direct Line Telephone Number: 01992 564 337***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/0893/11
Site Name:	18 Eleven Acre Rise, Loughton IG10 1AN
Scale of Plot:	1/1250