

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1334/11
<b>SITE ADDRESS:</b>	1 Glenside Chigwell Essex IG7 5RE
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Crawford and Company
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/17/09 T10 (T1 on plan) - Oak - Fell
<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=529254](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529254)

**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 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (2010) (or with any similar replacement Standard).
- 3 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

**Description of Proposal:**

T10. (T1) Oak. Fell.

### **Description of Site:**

An English Oak, shown as T1 on the application site plan, stands approximately 17 metres tall and 7 metres from the front corner of this two-storey detached 1960s residential dwelling. It forms part of a group of four trees on the property and in the public verge at the junction with Bracken Drive. Glenside benefits from numerous mature street and front garden trees, which strongly characterise this neighbourhood as remnant forest land, onto which development has been imposed.

The property is prominent at this junction and slightly elevated from Bracken Drive with three more Oaks in the rear garden. A Magnolia grows against the front wall of the house and the garden is bounded by a continuous screen of various large shrubs, which contribute positively to the green and leafy character of this locality. All the Oaks exceed the height of the house and enclose it on three aspects.

### **Relevant History:**

No pruning records exist since TPO/EPF/17/09 was served on seven trees, including this tree; T10, at this property as part of a resurvey of previously protected trees covered under a County Order; TPO/ESX/03/51. No objection was raised to a proposal TRE/EPF0475/04 to selectively prune three oaks and fell one oak.

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations:**

LL09 Felling of preserved trees.

### **Summary of Representations**

Three immediate neighbours were notified and one representation was received from 3 Glenside. A summary of points raised are listed, as follows:

1. An expression of extreme disappointment was made to see yet another healthy and beautiful oak lost in the area.
2. Historically, subsidence occurring 40 years ago resulted in underpinning without recourse to the felling of the tree.
3. Following the conversion of the garage into the dining room new cracks required remedial work and still no blame was attached to the tree.
4. The tree is as close to the neighbour's house and no movement has occurred.
5. A suggestion to prune rather than fell might be more appropriate.
6. If felling is allowed then the appointment of an approved tree surgeon is insisted upon and all debris or damage to neighbouring property is fully reimbursed.

CHIGWELL PARISH COUNCIL were willing to waive their objection providing the tree officer deemed the works acceptable.

### **Issues and Considerations:**

The home owner noticed further cracks in structural walls of the dining room in October 2009, following the completion of the original subsidence repairs completed in November 2008. A Technical Report dates from 29<sup>th</sup> December 2009, with data showing building level movements from January 2010 until May 2011. The allegation is that the closest Oak roots are taking moisture from soil beneath the concrete slab foundation of the front elevation, to the left hand side. This action is said to have caused a minor episode of subsidence to this part of the house, closest to the tree.

Following repeated requests for technical information the applicant's expert submitted a body of evidence designed to indicate a causal link between the damage occurring to the house and the roots of T1.

### Issues

An examination of the evidence to support the subsidence allegation is summarised below.

- a) A trial pit dug near the area of damage revealed abundant live Oak and dead Cypress roots beneath the building's footings. There are other oaks present in the vicinity but, at 13 metres or more, these other large oaks have not been implicated. However, there does remain a threat of future action against these trees should further cracking occur to the house.
- b) Samples from this trial pit showed a shrinkable, firm to stiff clay subsoil with rare sand and gravel and soft clay below with a significant moisture deficit at foundation level and to a considerable depth below. It was noted that no plasticity index was submitted but it is accepted that clay has the capacity for changes in volume when wet or dry.
- c) The soil moisture content was tested and showed significant drying in the area of damage.
- d) Building movement was monitored for over a year and shows the effects of tree roots at times of growth and during dormancy. The front left hand side corner of the house appears to have risen by 0.8 mm, from January 2010 to February 2010, when the tree is dormant and clay swells with rehydration. This part of the house then undergoes a downward movement of 8.2 mm during the summer growing period up to October 2010 before recovering over the winter by 7.9 mm to May 2011. 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 or settlement.

### Considerations

#### *i) Visual amenity*

This Oak, T1 on plan, does have some public amenity but is only partially visible from Bracken Drive. A Hornbeam growing in the public pavement partially screens views of T1 from the south and two large oaks also standing on the verge obscure all but the stem of the subject tree. It is not the dominant tree in the immediate group of three oaks and its loss will not create any gap in the remaining Glenside group. Its loss will not be greatly detrimental to the local landscape.

#### *ii) Tree condition and life expectancy*

The tree has a good form but is showing early signs of some loss in vigour, where outermost branchlets have died back in the upper crown. Despite these minor defects 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*

T1 contributes to the predominantly oak group at this point in Glenside. However, it does have the potential to overbear the two properties it stands close to and there are signs of previous branch reduction to the house side, which indicates that the tree has required containment management. These practical interventions suggest the tree is not well suited in this location.

#### *iv) Heave potential*

A heave assessment has been submitted with the application and it is asserted that the potential for heave is well within tolerable limits with, therefore no adverse effects to the house following the removal of Oak T1.

v) Replacement planting

There is ample space within the garden for a suitable replacement tree to be planted. Suggested species such as Holly or Yew which have less demanding root systems and would thrive amongst the remaining group of shading trees whilst providing valuable screening between properties.

vi) Response to written representation

1. Good and important trees are increasingly placed under threat from allegations of building movement. Such sentiments reinforce the council's aim to protect the loss of valuable landscape assets and strong evidence supporting a recommendation to fell must, therefore, be provided.
2. This is not a material consideration in this case.
3. As above
4. Different houses are built on different foundations and this may be the reason for the lack of apparent damage in the neighbouring property but this information is not a material consideration in this case.
5. To prune rather than fell the tree would require such disfiguring and repetitive works as to remove the tree's visual amenity and is therefore not a viable alternative in this case.
6. It is beyond the scope of the powers of the Council to insist on approved contractors when other, more economical means may be used to achieve the same result. Similarly, any ensuing damages to third party property is a private matter.

**Conclusion:**

The submitted technical evidence does appear to indicate that there is justification to remove this Oak, T1, (TPO T10) on grounds of root induced subsidence to the front left hand corner of the house. Therefore, it is recommended to grant permission to fell T1 Oak. The proposal 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**

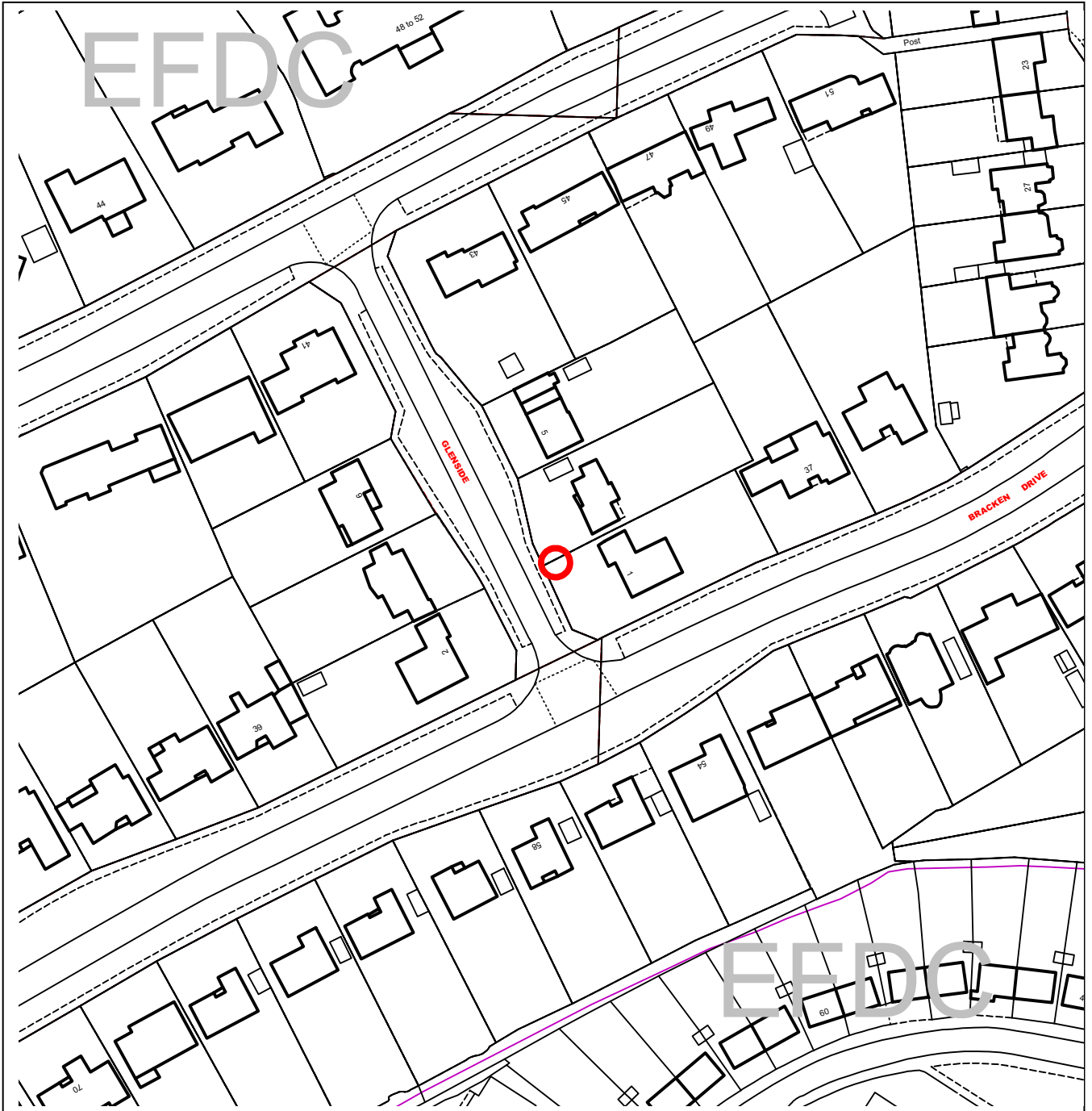
**Direct Line Telephone Number: 01992 564546**

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/1334/11
Site Name:	1 Glenside, Chigwell IG7 5RE
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0630/11
<b>SITE ADDRESS:</b>	North City (VOLVO) 177 High Road Chigwell Essex IG7 6QQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Ms Karen Smith
<b>DESCRIPTION OF PROPOSAL:</b>	Display of a free standing non illuminated double sided sign.
<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=526827](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526827)

**CONDITIONS**

- 1 No part of the sign hereby approved shall be nearer to the carriageway of High Road than 2.4 metres.

*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:**

Express consent is sought to display a free standing non illuminated double sided sign on the forecourt of a car dealership.

Precise drawings of the sign have been submitted. The sign, including its supporting structure, would have an overall height of just under 2m (1.98m) and a width of just under 1m (0.97m). It would have a slim profile with a total thickness of 80mm.

The sign would be displayed in the south-east corner of the forecourt of the premises adjacent to the ground floor entrance to a first floor flat at 181 High Road. The submitted sign location plan shows the approximate position of the sign and limits its position to within a confined area of the forecourt of the premises. It is sufficiently detailed to gauge its impact. The location plan indicates it would be a minimum of 1m from the nearest corner of 181 High Road and just over 3m from the carriageway of the High Road. It shows it would be a minimum of 4m from the vehicular access to the site off the High Road.

An existing private lighting column on the site with small non-illuminated sign affixed to it would have to be removed to allow for the proposed display.

### **Description of Site:**

A car dealership situated on the west side of the junction of High Road and Station Road, Chigwell. The access to the site is off the roundabout at the junction. The lowered kerb for the access extends either side of it across most of the site frontage with the High Road. Steel barriers effectively restrict the point of access to a minimum of 3m from the proposed display. Land rear of the barriers is used for the display of cars, beyond which is a part-single, part two-storey car-dealership building.

Four low-level non-illuminated signs, each with an adjacent flag sign, are displayed on the boundary of the car display area with the footway while a taller illuminated sign is displayed in the north-east corner of the forecourt.

To the south of the proposed display is a two-storey building with 2 shops at ground floor and flats above, nos 181 and 185 High Road. Both shops have window displays and fascia signage. Neither shop has any projecting signage. There is a pedestrian crossing opposite no. 181 that provides a link to Chigwell Underground Station.

Land levels fall gently to the north-east.

### **Relevant History:**

Various consents for the display of advertisements in connection with the use of the premises as a motor-vehicle dealership have been given over the past 50 years, but none are relevant to this proposal.

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations**

CP2	Quality of Rural and Built Environment
ST4	Road Safety
DBE13	Advertisements

### **SUMMARY OF REPRESENTATIONS:**

2 neighbours were consulted and a site notice was displayed but no comments were received;

CHIGWELL PARISH COUNCIL – “The Council OBJECTS to this application on the grounds that the proposal is poorly sited too close to the mini roundabout and pedestrian crossing and obscures the sight line on exiting the garage. It will also create a visual boundary with the shops.”

### **Issues and Considerations:**

Regulation 3 of the Advertisement Regulations 2007 makes it clear that the only issues to be addressed when assessing the merits of a display are amenity and public safety, taking into account the relevant provisions of the development plan and any other factors relevant to amenity and public safety. The precise siting of the proposed sign has been refined in response to the comments of the Parish Council and informal advice from the Highway Authority but the proposal remains essentially the same display the Parish considered.

#### **Amenity:**

The edge of the display nearest the carriageway would be positioned a maximum of 500mm forward of the shopfronts of 181 and 185 High Road and set a minimum of 2m from the shop front.

In that position the sign would obscure oblique views of the shopfronts from the footway in front of the car dealership. Due to its limited height and the higher ground level of the shops the sign would not obscure views of the fascia signage of the shops.

The view obscured is not a principal view of the shop front. Such views are mainly from the pedestrian crossing and footway adjacent to the shops. In the circumstances, and since views of both the greater part of the building and the footway in front of it would not be obscured, the impact of the sign on the appearance of the street scene would be limited.

The character of the locality is commercial with the small number of businesses in the vicinity of the sign depending on passing trade. As such they all rely on signage, which is generally non-illuminated. The proposed display is limited in terms of its size, is non-illuminated and would not be sited in a position where it would appear over-dominant in relation to the adjacent building. It is therefore consistent with the character of the locality.

The sign would appear prominent when entering and leaving the entrance to the flat at 181 High Road. That consists of a single door with obscure glass panels with a step up to it. The degree of prominence would not normally be apparent to people using the entrance for more than a moment and consequently would not have an excessively harmful impact on the amenities of those people. The sign would have no consequence for the living conditions of the occupants of the flat, which is at first floor.

#### Public Safety:

Due to the minimum distance that it would be from the vehicular access to the site (4m) and the distance it would be set in from the carriageway (3m) the proposed display would not obstruct any sight lines. Informal advice from the Highway Authority is that the signage would not affect the sight line provided it is set a minimum distance of 2.4m from the carriageway. A requirement to site the sign in accordance with that advice would be necessary and reasonable in the event of Express Consent for the display being given.

Having regard to its limited size, absence of illumination and siting outside of any visibility splay, the proposed sign would not interfere with the use of the adjacent pedestrian crossing. For the same reasons it would not appear distracting to drivers approaching the pedestrian crossing or using the roundabout junction.

The proposal would not obstruct the adjacent footway therefore there would be no consequence for the flow of pedestrians, including wheelchair users and blind/partially sighted people. Indeed there would be no material change from the existing situation where a private lighting column on the site is situated adjacent to the footway.

The field of view of any security camera would not be affected by the display. The only camera in the vicinity of the site surveys the footway in front of 181 High Road and points away from the site of the proposal. Since land both sides of the sign, including the entrance to the flat above 181 High Road, would be clearly visible from public areas it would not adversely impact on the security of people using the footway.

#### Conclusion:

The impact of the sign on the appearance of the street scene would be limited. It would be consistent with the character of the locality and would not have an excessively harmful impact on the amenities of those people entering and leaving the entrance to the flat at 181 High Road. The proposed display would not obstruct any sight lines, would not interfere with the use of the adjacent pedestrian crossing and would not appear distracting to drivers. It would have no



consequence for the flow of pedestrians along the adjacent footway. Finally, there would be no harmful consequence for the security of the locality.

Having regard to the above assessment the proposed display is acceptable in terms of its consequences for amenity and public safety. Accordingly it complies with development plan policy and it is recommended that express consent be granted subject to standard conditions and an additional condition requiring the sign to be set a minimum of 2.4m from the carriageway of the High Road in order to maintain visibility displays at the vehicular access to the site.

***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:***

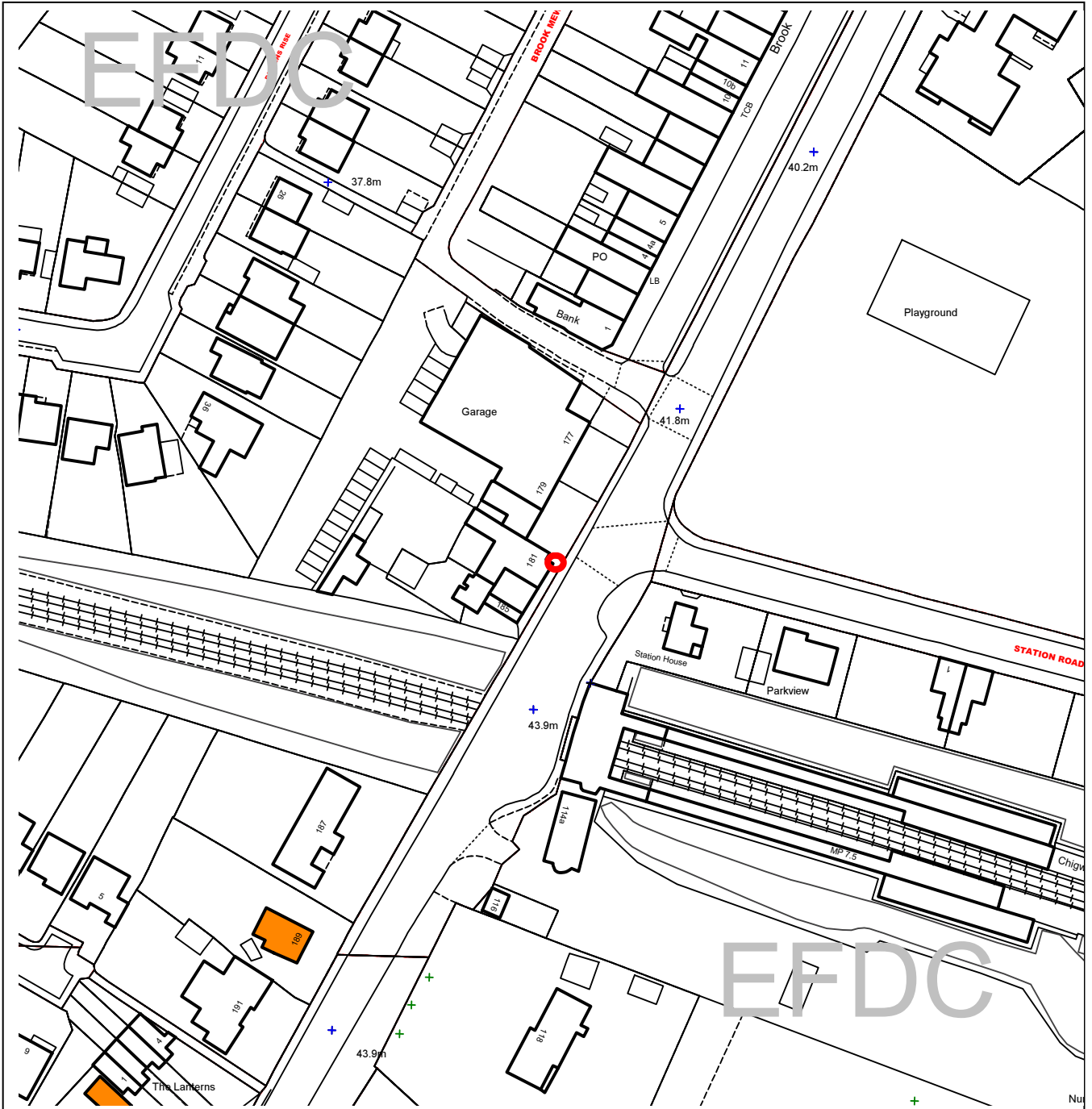
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

***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/0630/11
Site Name:	North City (VOLVO), 177 High Road Chigwell, IG7 6QQ
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0885/11
<b>SITE ADDRESS:</b>	8 Eleven Acre Rise Loughton Essex IG10 1AN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Mark Kass
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of time limit on EPF/0485/08 (Demolition of existing house and erection of new detached house of 3 storey and attic, - 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=527677](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527677)

**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 Prior to first occupation of the building hereby approved the proposed window openings in the side elevations shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 4 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.

- 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 extensions generally permitted by virtue of Part 1, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 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.
- 7 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.
- 8 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 9 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works, including demolition, shall be installed prior to the commencement of any works and shall be used to clean vehicles leaving the site.
- 10 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 11 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 01/03, 02/03, 03/03 received amended on 15/05/08.

*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:**

The proposal is an extension of time limit application following the granting of consent under planning permission EPF/0485/08 to demolish the existing dwelling on the site and replace it with a two storey dwelling. Accommodation would also be provided within the roof space and at basement level. The dwelling would actually appear as a three storey building from the rear as the ground to the rear of the basement would be cut out to form a patio area with a retaining wall to the rear.

The house would have a maximum height of approximately 11.3 metres. This would be approximately 10.4 metres above ground level at the front and approximately 8.8 metres above ground level at the rear along the south west side elevation (The heights above ground level on the other side of the dwelling would be less due to the rising land level.)

The original scheme had included in and out drives but was amended to make use of the existing crossover. This would prevent any damage to a street tree which is located along the highway verge adjacent to the site.

### **Description of Site:**

The application site is located towards the end of the cul-de-sac on the south eastern side of Eleven Acre Rise. The site is regular in shape and approximately 1500 square metres in area. There are significant changes in level across the site, with the land level rising considerably from the front of the site to the back and also from south to north along the road frontage.

Mature vegetation is scattered throughout the site and also on the side and rear boundaries. A retaining wall forms part of the rear boundary between the application site and the southern neighbour, No7. Located towards the middle of the site is a detached one and a half storey dwelling constructed from brick and render with a plain tiled roof. There is space for off street parking either within the existing garage or on the hard surface at the front of the dwelling. A large private open space area is located behind the dwelling.

Properties surrounding the site are mainly large detached dwellings of differing size and design. Spaces between buildings form part of the character of the area.

### **Relevant History:**

EPF/0871/97 – Front and side extensions (refused)

EPF/1260/02 – Formation of roof extension to convert bungalow into house (approved with conditions)

EPF/0101/03 – Loft conversion with front and rear dormers (approved with conditions)

EPF/1886/07 - Demolition of existing house and erection of new detached house of 3-storey and attic, also extra front driveway entrance (refused)

EPF/0485/08 - Demolition of existing house and erection of new detached house of 3-storey and attic, also extra front driveway entrance. (Revised application). (approved with conditions).

### **Summary of Representations**

12 neighbours consulted – 1 reply received.

18 ELEVEN ACRE RISE – Objection: Insufficient landscaping to the front. The proposal creates a significant step back to no 9 exposing the north flank to the street – the building line should be stepped between the neighbouring properties. Parking – If the property was moved back into the site this would create additional space for parking.

LOUGHTON TOWN COUNCIL: The Committee objected to this application which is contrary to policies DBE1(i) and (ii) and DBE2 of Epping Forest District Council's adopted Local Plan and Alterations due to the size of the proposed house being out of proportion to neighbouring properties and in front of the existing building line. The committee also requested the District Council to be mindful of any developments that have taken place in the vicinity in the intervening period.

## **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  
DBE9 – Excessive Loss of Amenity to Neighbouring Properties  
ST6 – Vehicle Parking  
H2A – Previously Developed Land  
LL11 – Landscaping Schemes

## **Issues and Considerations:**

The main issues in this case are:

1. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
2. The impacts of the proposed extensions on the character and appearance of the area; and
3. Trees and Landscaping.
4. Vehicle Parking

## **Neighbour Amenity**

The new dwelling would be set forward in relation to number 9. The proposed dwelling would be to the south of this neighbouring property. No9 is currently being extended on the side elevation adjacent to the application site. However it is not considered that there would be a serious loss of sunlight to windows on the extended dwelling. There would be some loss of light to side and front facing windows in the later part of the day but this would not have an excessive impact on the amenities of occupants. A good level of outlook from the dwelling would be retained.

There will be loss of light to the utility room and en suite bathrooms serving No7 Eleven Acre Rise, but these are all non-habitable rooms and as such any loss of light would not be a material planning concern. The kitchen is large enough to be considered as a habitable room. An extension to the rear of No7 has extended the building line of this dwelling, and the extended kitchen is served by a large, rear facing window. Due to the change in levels across the site the relationship between the rear extension at number 7 and the site is that the eaves height of the extension is approximately the same height as the retaining wall. This relationship would not be changed, as the new dwelling would be alongside the side wall of number 7. It is considered that, following the proposed development, there would not be a material reduction in light to the kitchen, as the larger, rear windows would not be affected.

A raised patio area is also proposed. This would be in a similar size and position to the existing raised patio area and would not, therefore, result in a material loss of amenity.

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

The building would be set off both side boundaries of the site by 1.5 metres. The ridge is lower than, the currently being extended, number 9 and approximately 0.3 metres higher than number 7. This respects the change in levels across the site. The development would not appear out of place

in the existing streetscene, where a range of styles exist. Whilst the rear elevation would appear as a three storey dwelling this would not be visible within the street and would not, therefore, be detrimental to the character and appearance of the area. It should also be noted (as it is not clear from the rear elevation drawing, although it is more visible from the side elevation) that much of the lower storey of the rear elevation would be located below the natural ground level. In summary, the proposed bulk and height of the dwelling are considerably greater than the existing building. However, on balance, the proposed dwelling would have an appearance that would not justify the withholding of planning permission.

The proposed house would be located much closer to the front boundary of the property than the existing house. Whilst the opposite side of Eleven Acre Rise and the dwellings around the turning area at the top have a less established building line, there is a clearer pattern on the application site's side of the road. On this side, there appear to be three quite clearly established building lines. The first is made up of numbers 1 to 3. Numbers 4-7 make up the next building line, being set slightly further back and the application dwelling through to number 11 make up the last building line, again set further back. As the application dwelling is at the end of one of these building lines it is considered that following the development it would move out of its existing building line group into the adjacent group, next to number 7. It is considered that this would not have a harmful effect on the street scene and the building, which would be only slightly higher than number 7, would not appear overly visually out of keeping.

#### Trees and Landscaping

The trees section of the Council have been consulted with reference to this application and raise no objections subject to a condition agreeing hard and soft landscaping of the site.

#### Vehicle Parking

There is adequate parking proposed both within the replacement building and to the front to meet the requirements for parking as outlined in the Essex County Council Parking Standards.

#### Other Matters

The initially proposed 'in and out' drive has been removed from the scheme and the existing access is to be retained. There was concern that street trees could have been lost. Accordingly, there would no longer be a threat to these trees, which would be harmful to the street scene were they to be removed or harmed.

Loughton Town Council has expressed concern about the development in line with previous objections. These have been addressed in the preceding text. A further point is made that the District Council should be mindful of other developments which have taken place in the intervening period from this original approval. It is evident that Eleven Acre Rise has recently witnessed, and continues to witness, replacement dwellings and alterations and extensions to a number of dwellings within the vicinity. However none of these changes now render what has been previously determined appropriate development, inappropriate.

Changes to the General Permitted Development Order in 2008 have increased the scope by which dwelling houses can extend without the need for a full planning application. In this instance the proposed house could increase in size quite considerably. This could have an adverse impact on neighbour amenity and could render the dwelling out of scale with neighbouring houses. It is therefore deemed necessary for the Local Planning Authority to retain control over extensions to the dwelling generally permitted under Class A of the General Permitted Development Order as Amended in 2008.

## **Conclusion**

In the intervening period since this proposal was first granted planning permission changes to permitted development regulations justify the removal of permitted development rights for extensions to the dwelling by Class A. The removal of the in and out drive would ensure the retention of the street tree to the front. The adjacent neighbour, number 9, is being extended but this change in circumstances is not material. The proposed development would not give rise to a material loss of amenity to the occupiers of neighbouring dwellings. The new house will however appear more prominent as viewed from the road compared with the current dwelling. It also has a larger footprint and in plan form is large, but this will not be evident from the street. The proposal will still be set substantially back from the road and it is considered that the proposed dwelling would have an acceptable appearance. Accordingly, it is concluded that the degree of change since the last approval of this scheme in 2008 is not material and the application is therefore 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***

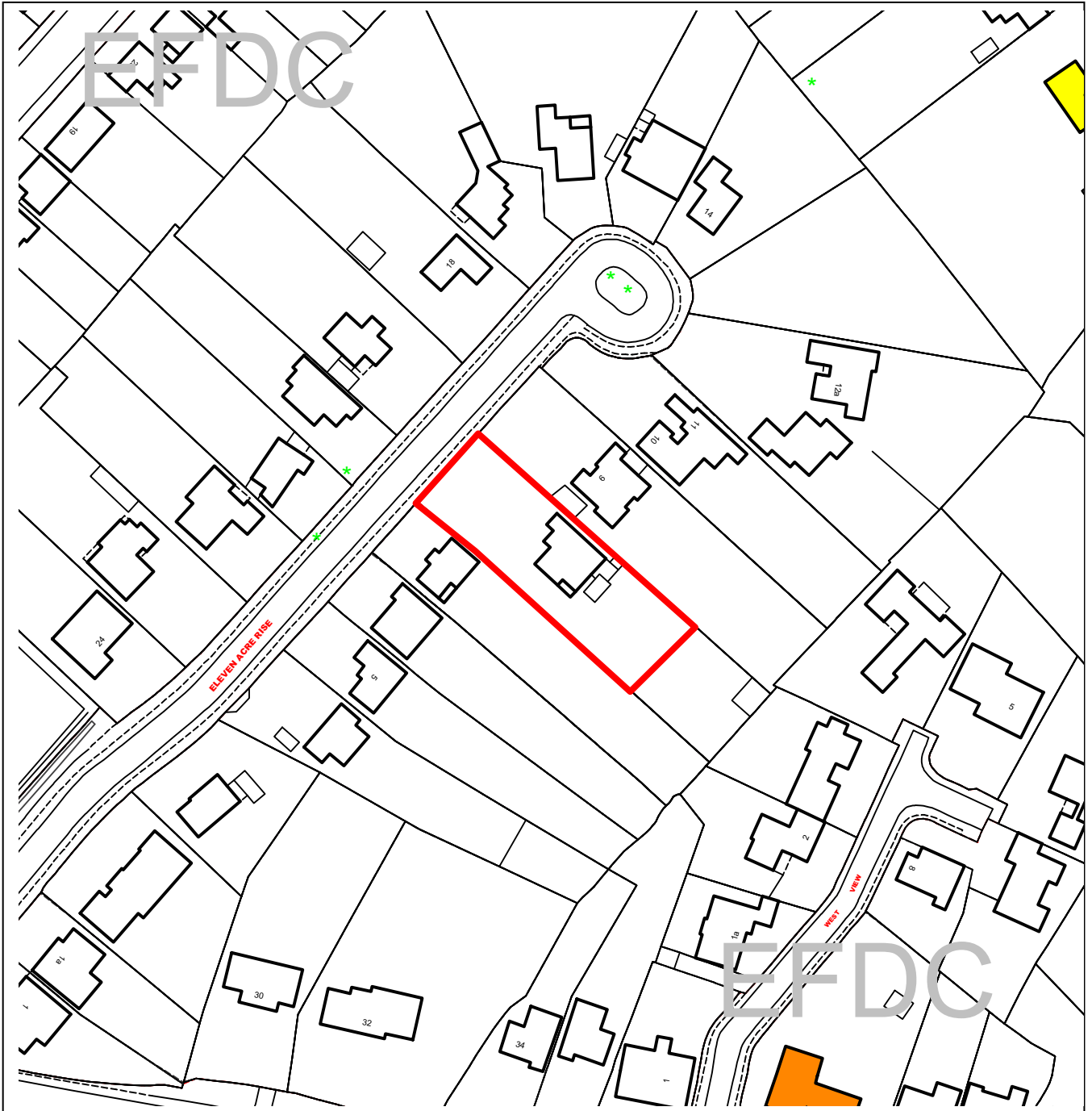
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0885/11
Site Name:	8 Eleven Acre Rise, Loughton IG10 1AN
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1061/11
<b>SITE ADDRESS:</b>	The Coach House Gravel Lane Chigwell Essex
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Graham Bayliss
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of existing Coach House into dwelling and extending stable buildings with store and garage, and change of use of stables into storage rooms. Demolition of existing concrete framed buildings.
<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=528316](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528316)

**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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1170/01; 1170/02; 1170/03; 1170/04a; 1170/05; 1170/06; 1170/07 (received 19/08/2011)
- 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 of additions generally permitted by virtue of Schedule 2, Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The areas annotated 'vineyard storage' on the approved plan 1170/04a shall be retained for storage related to the vineyard operation, or any agricultural use of the land edged blue on drawing no. 1170/07. At no time shall the areas annotated 'vineyard storage' be used for domestic storage.
- 6 Prior to the commencement of the development hereby approved, details of additional screening along the northern boundary of the site with the Farmhouse, Gravel Lane shall be submitted to the Local Planning Authority for approval in writing. The screening shall be erected in accordance with the agreed detail prior to the first occupation of the dwelling and permanently retained thereafter.

- 7 If any tree, shrub or hedge shown on the approved plans and particulars adjacent to the eastern boundary of the Applicant's land with Gravel Lane 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.
- 8 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 9 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 10 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 11 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been

submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 12 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 13 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

*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 conversion of the existing coach house for use as a two bedroom dwelling. Whilst the application refers to the existing agricultural use of the land for the growing of grape vines (presently there are 5000 grape vines on the site and the applicant advises he intends to add an additional 6000), it is not proposed that the dwelling be tied to the agricultural unit, for occupation by an agricultural worker. The application must, therefore, be considered on its own merits.

Physical alterations to the exterior of the dwelling would be minor and would include the addition of roof lights in the front/rear elevation, the addition of first floor flank windows; the removal of the timber doors from the rear elevation and the addition of a canopy above the main entrance door.

The application also proposes the removal of an existing outbuilding (approx. 170m<sup>2</sup>) and an extension (69m<sup>2</sup>) to the existing adjacent stable block to provide additional storage and a two bay car port. The extension would be a smaller version of a 132m<sup>2</sup> extension which was approved in 2002 and remains capable of being implemented due to the consent having been commenced.

### **Description of Site:**

The application site comprises the building known as The Coach House and the area of land surrounding it. The application drawings also indicate a larger area which lies within the applicant's ownership, which is largely planted with vines and also some fruit trees. To the rear of The Coach House is a dwelling called the Farmhouse, which is in separate ownership. The boundary between the two sites is marked by fairly low level, sparse Leylandii. The Farmhouse is presently being replaced by a larger dwelling, set back further within the site – construction appears almost complete. To the side of The Coach House is a stable block. The application site is accessed by a narrow track from Gravel Lane. The site is located within the Metropolitan Green Belt.

### **Relevant History:**

EPF/0641/89. Use of premises as a dwelling house. Refused 23/06/1989.

EPF/1309/97. Conversion of coach house into a dwelling. Refused 02/12/1997 and subsequently dismissed at appeal 15/07/1998.

EPF/0393/02. Refurbishment and replacement works to the coach house and barns to create stables and barn with tack room and store. Approved 10/07/2002.

EPF/2425/07. Change of use of Coach House to dwelling (revised application). Refused 18/12/2007 for the following reason:

*The Council is not satisfied that the works within the last ten years were not completed with a view to securing ostensibly a residential use of the building. It will therefore be inappropriate development in the Metropolitan Green Belt and be contrary to policies GB2A and GB8A of the Adopted Local Plan and Alterations.*

Subsequently dismissed at appeal.

EPF/1802/09. Retention of front dormers and doors and windows to tack room. Refused 22/12/2009 for the following reason:

*The cumulative impact of the alterations to the building results in it resembling a domestic property in its character. Such character is inappropriate within the Green Belt and harmful to the Green Belt, contrary to policy GB2A of the adopted Local Plan and Alterations.*

### **Planning Enforcement History**

ENF/0610/07. Physical alterations taken place. Enforcement Notice served 24/04/2008 requiring either removal of the works or alteration to accord with planning permission EPF/0393/02. Requirements complied with.

### **Policies Applied:**

DBE1 – Design of New Buildings  
DBE2/9 – Amenity of Neighbouring Properties  
DBE8 – Private Amenity Space  
GB2A – Development on the Green Belt  
GB8A – Change of use and adaptation of buildings  
GB9A – Residential conversions  
ST4 – Road Safety  
ST6 – Vehicle Parking

## **Summary of Representations:**

Notification of this application was sent to Chigwell Parish Council and to 1 neighbouring resident. A site notice has also been displayed on the entrance gate into the site.

The following representations have been received:

CHIGWELL PARISH COUNCIL: Objection: The Council OBJECTS to this application on the grounds that the proposal would be an inappropriate use within the Green Belt and there are no special circumstances.

## **Issues and Considerations:**

The main issue in this case is the acceptability of the proposed development within the Metropolitan Green Belt. Other factors to be considered include the impact on neighbouring properties and the character and appearance of the physical development proposed.

### Green Belt

Applications for the change of use of buildings within the Green Belt are considered against criteria set out in Policy GB8A of the Local Plan. This policy supports such developments where:

- The building is of permanent and substantial construction and capable of conversion without major reconstruction – complied with by the proposal;
- The use would not have a materially greater impact on the Green Belt – whilst the proposed dwelling would have an associated residential curtilage, this would not be excessive and would be well screened by existing vegetation, on this basis it is considered that this criterion is addressed;
- The use and associated traffic generation would not be detrimental to the character or amenities of the countryside – complied with by the proposal;
- The Council is satisfied that works within the last ten years were not completed with a view to secure a use other than for which they were ostensibly carried out – see appraisal below; and
- The use would not adversely affect the vitality and viability of a retail centre – complied with by the proposal.

An application for the conversion of the Coach House to a residential dwelling has previously been considered. When the application was previously considered in 2007, the following consideration was applied:

*With regard to the acceptability of the proposed development within the green belt, policy GB8A states that planning permission will not be granted where the Council is satisfied that works within the last ten years were completed with a view to securing a use other than that for which they were ostensibly carried out. In this instance, the planning history of the site suggests that this has been the case, with planning permission for a dwelling being refused in 1989 and 1997, with subsequent applications for rebuilding and refurbishment. The permission for the refurbishment was granted only five years ago. Accordingly, it is considered likely that the refurbishment has been carried out with the intention of securing a planning permission for the use of the building as a dwelling, contrary to this policy. Indeed, the design and access statement submitted with the previous application on this site (withdrawn earlier this year) stated that the refurbishment was not fully completed at that time.*

*Furthermore, Policy GB9A states that residential conversions of rural buildings worthy of retention will not be permitted unless either it has been demonstrated that business reuse is unsuitable, the residential conversion is a subordinate part of a business scheme or the development is for the purposes of agriculture, horticulture or forestry. In the design and access statement, the applicant states that the reuse of the building for B1 or B8 would not be suitable due to the proximity of The Farm House. However, the applicant has provided little evidence to substantiate this claim, and it is considered that certain types of business development, particularly those falling within the B1 class and other recreational uses (such as the reuse relating to the stables) may be acceptable and should be investigated further.*

With regard to Policy GB8A, the issue remains that works have taken place within the last ten years, which were viewed by both the Council and the Planning Inspector to have been undertaken with an intention to secure residential use of the building. Notwithstanding this, following the dismissal of the appeal (and the service of an Enforcement Notice), works to remove unauthorised works from the site and to restore the building to a condition which adheres to that which was approved in 2002 have been completed, albeit with the approved dormers omitted. At the time that the 2002 consent was granted, it was accepted that those works were suited to the use proposed for the building. On this basis, whilst it remains the case that works have been undertaken within the last ten years, apparently to secure an alternate use, it is considered that the Applicant has not gained any advantage from the works that were undertaken.

Turning to Policy GB9A, this application is accompanied by information from local agents stating that the building would be unattractive to potential commercial tenants due to its height and layout. They have also confirmed that the costs of adapting the building would be considerable, and unlikely to be a viable option. Based on inspections of the building by Officers that verify the physical constraints, that assessment of viability for commercial use appears sound.

The proposed conversion of the Coach House to a residential dwelling would be an inappropriate development in the Green Belt, on the basis that it would not fully accord with Policy GB8A. Notwithstanding this, the lack of complete compliance with Policy GB8A is considered to be a technicality as, due to the corrective works undertaken, the Applicant has secured no practical advantage from those works. The proposal would create a modest sized unit, having only two bedrooms. The proposed development would result in a reduction in built form within the site and would prevent an approved extension to the existing stable block proceeding. Upon balance of all of these matters, it is considered that there is a case for very special circumstances for permitting the development within the Green Belt.

It will be necessary to require, by planning condition, that adequate storage is retained for the vineyard operation, to prevent future unmet demand for additional storage buildings within the site and the wider area within the Applicant's ownership.

### Neighbouring Amenities

The only neighbouring dwelling to be affected by the proposed conversion would be The Farm House, to the rear of The Coach House and presently being rebuilt. The rear elevation of The Farm House would contain windows at ground floor level facing towards The Farm House. However, as The Coach House is set forward of The Farm House it is not considered that there would be a material reduction in privacy – particularly if the screening along the boundary was strengthened. At first floor level, two roof lights would be inserted. The view from these would not cause a material reduction in privacy, due both to the position of the two dwellings and the angle of the roof slope.

### Design and Appearance

The design and appearance of the Coach House would remain similar to existing, with the notable changes being the addition of an open front porch and some additional windows/roof lights. The extension to the stable block would be in keeping within the existing building.

It is considered that the proposed physical alterations/additions would have an acceptable appearance.

The site is well screened from Gravel Lane by dense hedging and trees. It is considered necessary for this to be retained, to ensure that there is no harm to the rural character of the area.

### Other Matters

Flood Risk/Land Drainage - The development is of a size where it is necessary to avoid generating additional runoff and the development should be taken as an opportunity to improve existing surface water runoff. The submission of a flood risk assessment to achieve this may be secured by the imposition of a planning condition, if consent is granted.

Contaminated Land – The site has been identified as potentially contaminated due to its past use as a farmyard, stables and wood yard and also due to the presence of made ground. It is therefore, recommended that, if planning permission is granted, conditions are imposed to secure a contaminated land investigation and any necessary mitigation.

### **Conclusion:**

In light of the above appraisal, it is considered that whilst the proposal constitutes inappropriate development, a case for very special circumstances exist which would justify permitting the development within the Green Belt. The proposed development would have an acceptable appearance and would not materially harm the amenities enjoyed by the occupiers of neighbouring dwellings. Accordingly, it is recommended that planning permission be granted, subject to the imposition of the planning conditions discussed.

***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***

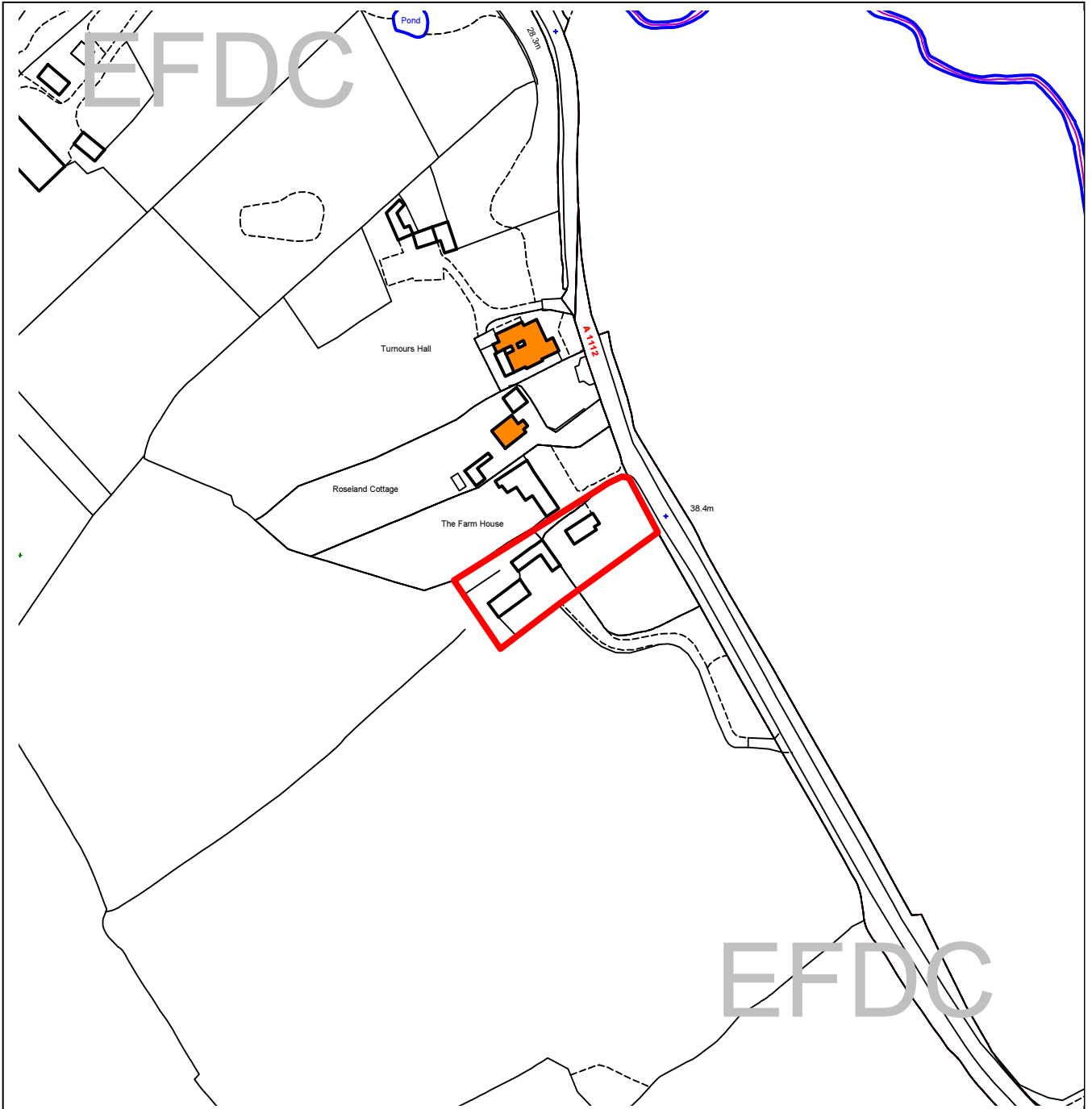
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/1061/11
Site Name:	The Coach House, Gravel Lane Chigwell
Scale of Plot:	1/2500

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1178/11
<b>SITE ADDRESS:</b>	Land Adj 48 Love Lane Woodford Green Essex IG8 8BB
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Fazal Illahi
<b>DESCRIPTION OF PROPOSAL:</b>	Amended proposal for the erection of an end of terrace two storey dwelling with a rear facing dormer window.
<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=528701](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528701)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 01 to 04 revision D and 05 to 08 revision E. Supporting Design and Access statement.
- 3 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.
- 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 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.
- 5 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.

- 6 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.
- 7 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.
- 8 No development shall take place until details of a satisfactory ground gas investigation and risk assessment has been carried out and submitted to the Local Planning Authority for approval in order to determine what if any ground gas remediation measures may be required or shall specify appropriate ground gas mitigation measures to be installed in the building(s) in lieu of any ground gas investigation.

The investigations, risk assessment and remediation methods, including remedial mitigation measures to be installed in lieu of investigation, shall be carried out or assessed in accordance with the guidance contained in BS 9485:2007 "Code of practice for the Characterisation and Remediation from Ground Gas in Affected Developments." Should the ground gas mitigation measures be installed, it is the responsibility of the developer to ensure that any mitigation measures are suitably maintained or to pass on this responsibility should ownership or responsibility for the buildings be transferred.

*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:**

Permission is sought to erect a new two-storey, end terrace dwelling with a rear dormer. This is an amendment to a previous approval under planning ref: EPF/1337/10. The details of the amendment will see the approved hip end roof altered into a gable end roof profile and the construction of a rear dormer.

The footprint of the new dwelling will be 10.6 metres deep by 5.6 metres wide with its first floor being 8.0 metres deep by 5.6 metres wide. The ridge height will be 8.6 metres and its eaves 5.6 metres. The flat top box dormer will be 4.0 metres wide by 2.0 metres high.

### **Description of Site:**

The site accommodates a two-storey end of terrace dwelling that forms a terrace block of four dwellings. The site is roughly rectangular plan shaped and it is a corner plot situated on the south side of Love Lane and wraps around on its western boundary with Hill Top View where the road

rises at a steep incline. There is a retaining wall on to the west boundary and a detached two storey dwelling 'Ashdene' flanks sideways onto the rear boundary with the site.

The street scene is varied, comprising of terraced blocks, semi-detached dwellings and flatted developments built to a uniform front building line. The site has rearwards private amenity space with off street parking at the front for up to two cars.

### **Relevant History:**

EPF/0320/08 - Approved - Demolition of existing garage and erection of 1 x three bedroom dwelling.

EPF/1895/08 - Refused – Amendment to planning approval EPF/0320/08 for a new dwelling, in respect of increased depth of rear ground floor and formation of room in loft with rear facing dormer window. Appeal/ Dismissed

*Reason: The proposed rear dormer window, due to its overall size and position will be an incongruous addition to the dwelling house and the prominence of the dormer, clearly visible from the street, will result in detrimental visual harm to the amenities of occupiers of neighbouring properties, the street scene and character of the surrounding area.*

EPF/1337/10 - Approved - Demolition of existing garage and erection of one, three bed house. (Amendment to EPF/0320/08 to increase depth of rear ground floor projection from 1.2m to 3m.)

### **Adopted Local Plan Policies**

DBE1 – Design of New Buildings  
DBE2 – Impact of New Development  
DBE6 - Parking for new residential developments  
DBE8 – Private Amenity Space  
DBE9 – Neighbours amenity  
LL10 – Retention of Site Landscaping  
ST4 – Road Safety  
ST6 – Vehicle Parking  
H2A - Previously Developed Land  
CP2 and CP3 – Sustainable new development

### **Representation**

20 neighbours were sent letters concerning details of this application and no letters of representation have been received.

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application on grounds that the ridge height is higher than the adjacent properties.

### **Issues and Considerations:**

The proposal involves alteration to the design and appearance for an approved end terrace dwelling. The main issue under consideration is its altered design and appearance. Also considered are its visual impact upon the locality and amenity of neighbouring occupiers.

#### **Design and appearance**

The proposal will see a new two-storey end-terrace dwelling that will form part of a block of 5 dwellings. The ground level for Love Lane rises east to west at a gradual incline. For this reason,

the properties currently within the terrace block of four have graduating ridge heights, with No. 48 Love Lane being the highest by comparison. The Parish Council objects on grounds that the ridge height for the new dwelling will be higher than that of the adjacent properties. The maximum ridge height for the proposed dwelling will be 8.6 metres and this will indeed result in a higher ridge than the adjoining building because it will be approximately 0.25 higher. This marginal increase does however, follow on in a logical sequence with the other properties that form part of this terraced block and is therefore acceptable.

The amendment to the roof involves alterations from the approved hip end to a new gable end roof with a rearwards dormer introduced. The overall height, bulk, size and profile of the building will be in keeping with the appearance of other properties within the street scene. The size of the flat top dormer is acceptable and it is appropriately sited within the rear roof slope.

With respect to the siting and position of the new dwelling, it respects the established front building line and is therefore in keeping with other properties within the block. The new dwelling will only retain a 0.5 metre separation gap from its western boundary. This side boundary will flank onto open green space. For this reason, there is no possibility of a future terracing effect which makes this acceptable.

The façade and fenestration replicates the design of front bay windows seen at other properties. The overall appearance of the new dwelling with matching materials will remain in keeping with the street scene.

It is considered that the amendments to the previous approval are acceptable because it does not result in harm to the character and appearance of the area.

#### Neighbours amenity, design & appearance

The most significant part of this amendment is the newly introduced rearwards dormer and this will be separated a minimum distance of 11.00 metres from Ashdene. The only immediate properties are No. 48 (the original property) and Ashdene which lies towards the rearmost end boundary of the site. With respect to the neighbour's amenity, Ashdene is well set back from the site and is at a raised level in comparison with the subject site. In addition this property has no windows on its flank wall that abuts onto the site. As a consequence, the proposed dwelling with the newly introduced rear dormer does not result in loss of privacy, outlook nor will it overshadow neighbouring occupier's properties. This proposal is therefore acceptable.

#### Landscaping

There are no landscaping concerns with this proposal however; a condition will secure additional soft landscaping for this site.

#### Car parking and road safety

The proposal shows two car parking spaces will be retained at the front of the site for the existing dwelling and two new car parking spaces are provided for the proposed dwelling, this complies with the parking standard requirement and is therefore acceptable. There are no highway safety concerns as a result of this proposal.

#### **Conclusion**

The views of the Parish Council have been considered however, for the reasons above, the amendments proposed are acceptable because it does not result in visual harm to the character and appearance of the area nor does it harm neighbouring occupier's amenity. As such this

proposal for a new dwelling is acceptable and is therefore 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: Paula Onyia  
Direct Line Telephone Number: 01992 564103***

***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/1178/11
Site Name:	Land Adj 48 Love Lane, Woodford Green, IG8 8BB
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1207/11
<b>SITE ADDRESS:</b>	Land adjacent to 16 Grasmere Close Loughton Essex IG10 1SL
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr Stuart Brazill
<b>DESCRIPTION OF PROPOSAL:</b>	New dwelling. (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=528845](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528845)

**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 Notwithstanding the detail shown on the approved plans, 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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1184/02F; 1184/03H (FOR SITE LOCATION PLAN ONLY - BLOCK PLAN REPLACED BY 1184/03J); 1184/03J; 1184/04; 1184/05B
- 4 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.
- 5 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.

- 6 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.

*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 erection of a new dwelling on the site, which, until recently, formed part of the gardens of 10 and 12 St. Johns Road.

The dwelling would be of rectangular plan (approximately 9.25 x 14.7m). It would have accommodation across three storeys, including the roof space, and would provide 5 bedrooms, a games room, study, kitchen, utility room and two reception rooms. It would have a dual pitched roof with an eaves height of 5.2 metres and a ridge height of 9 metres. Three dormer windows would be provided in the rear roof slopes. Chimney breasts would be attached to each flank of the dwelling. A wall (maximum one metre) would surround the front boundary.

### **Description of Site:**

The application site is a fenced off area of land which previously formed part of the rear gardens of 10 and 12 St Johns Road. Prior to the submission of the planning application, significant works to trees have been undertaken, including the removal of some established trees. The site has timber gates which secure a vehicular access onto Grasmere Close.

### **Relevant History:**

EPF/0538/11. New dwelling. Refused 09/05/2011 (under authority delegated to officers) for the following reasons:

1. *The proposed dwelling, by reason of its height, roof pitch and detailed design including the use of dormer windows would be an overly prominent addition to the cul-de-sac which would appear out of keeping with the adjacent dwelling. This would have an adverse impact on the character and visual amenity of the locality, contrary to policies CP2(iv), CP3(v) and DBE1 of the Adopted Local Plan and Alterations.*
2. *The position of the proposed garage close to the front boundary of the site would result in it having a dominant appearance that would be out of keeping with the character and appearance of the existing cul-de-sac, contrary to policies CP2(iv), CP3(v) and DBE1 of the Adopted Local Plan and Alterations.*

N.B. an appeal against the above refusal of planning permission is pending.

### **Policies Applied:**

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

### **Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 20 neighbouring properties.

The following representations have been received:

LOUGHTON TOWN COUNCIL: No objection. The Committee reiterated its comments made for EPF/0538/11, which were: The Committee had no objection to this application but was concerned about the proposal's effect on trees and planting, particularly on any trees that would be removed or had already been removed, and asked the District Council for a replanting condition to replace trees lost through the development. The Committee also expressed concern over the amenities of the neighbour at no.3 Grasmere Close and that the proposal could be considered as being contrary to Government recommendations given on Planning Policy Statement 3 on the issue of garden grabbing.

2 GRASMERE CLOSE: Objection. Concerned regarding tree-felling and support the views of Loughton TC regarding preserving/reinstating trees. Concerned regarding damage to footpaths from lorries, diggers etc. Dwelling is very large and situated on higher ground than neighbouring dwellings. Will unbalance the symmetry of the Close. Parking for 3-4 cars may not be sufficient. May affect existing house prices. Would prefer to see a house of similar size to those surrounding it and would support further revision of the plans.

8 GRASMERE CLOSE: Objection. Property will be overbearing, dominant and out of character with the existing houses in the cul-de-sac. The incline will add to the dominant nature of the dwelling, which will not fit in with the size and style of other properties.

16 GRASMERE CLOSE: Objection. Design of dwelling is totally out of character with Grasmere Close. Will devalue the other properties. The access was erected later than the Grasmere Close development and we believe without planning permission. Also believe that the access is not the property of 10 St John's Road. Height of the property is several metres higher than properties in Grasmere Close.

30 SEDLEY RISE: Objection. The development is not logical – it takes over existing gardens in adjacent properties. The ridge height reduction by 370mm will make no difference to the overall imposing impact of the development. Tegular paving may result in excess water run-off to adjacent properties. The proposal bears little resemblance to the appearance of adjacent properties. The site will not accommodate four vehicles, potential for a significant nuisance to

neighbours. The site has already been stripped of its trees in anticipation of a planning application. Concerns this may be a garden grabbing exercise. Lack of any ground floor bedrooms prevents the occupation of the dwelling by elderly or disabled persons.

LOUGHTON RESIDENTS ASSOCIATION: Objection. Since the previous application the Government has strengthened the presumption against building in what is currently garden land. Note the ridge height has been slightly reduced from that envisaged in the previous application, however the building would still be too bulky and appear out of keeping with the adjacent dwelling in this cul-de-sac, thus having an adverse impact on the character and visual amenity of the locality.

1 LONGFIELD: Support. The proposed house is situated in an individual plot which is much larger than other plots in the road. Consequently the density is far lower than the other houses in the Close. The proposed house is in an individual location set on higher ground away from other houses in the Close and consequently there is no specific ridge height for comparison. LRA state the proposal will have an adverse impact on character and visual amenity – this is totally subjective. To the contrary, I believe that architecturally the proposal will enhance the character of the street scene adding a property of good design with quality finishes and materials.

3 POTTERS CLOSE: Support. As a local resident I am familiar with the location and feel that a single dwelling on this substantial plot would be the correct development of the site. The classical design is in keeping with surrounding properties and will enhance the cul-de-sac which at present appears unfinished.

### **Issues and Considerations:**

The main issues to be considered in relation to this proposal are:

- The acceptability of the principle of residential development on the site
- The impact of the proposed development on the character and appearance of the locality
- The impact of the proposed development on the amenities enjoyed by the occupiers of neighbouring dwellings
- The impact of the proposed development on existing landscaping, and
- The impact of the proposed development on highway safety and the suitability of parking.

### **Principle of Residential Development**

As garden land, the application site is not considered as previously developed land and accordingly, for the purposes of policy H2A, must be considered as a Greenfield site. However, policy H2A does not preclude residential development of Greenfield sites. Amendments made to PPS3 allow for garden development provided it respects the character of the locality.

### **Impact on Character and Appearance**

The cul-de-sac has a distinct character with the dwellings being of uniform style, despite a few additions/alterations.

The proposed dwelling would be detached and would be similar to existing dwellings in terms of its footprint (although slightly wider), height and roof pitch. The dwelling would however, sit taller than other properties within Grasmere Close due to the elevated land level within the application site. The proposed dwelling would have chimneys either side of the roof. Whilst these would be new features introduced to the street scene, it is considered that they would complement the appearance of the area, rather than detract from it.

Since the refusal of the previous planning application, the design of the proposed dwelling has been altered. The front dormer windows have been removed from the proposal, which results in the dwelling integrating better into the street scene. Furthermore, the previously proposed detached garage to the front of the dwelling has been omitted and a far less prominent single garage proposed to the side of the dwelling.

The proposed dwelling would be constructed in red brick, which would be in contrast with existing dwellings which are built in a buff multi brick. Careful consideration needs to be given to the acceptability of such materials. However, this matter may be controlled with the use of a planning condition.

#### Impact on Neighbouring Amenity

The layout of the site and the position of the dwellings (and fenestration within) are such that there would not be a material loss of amenity to the occupiers of neighbouring dwellings, subject to the proposed first floor flank windows (serving bed 4 and its connecting bathroom), being obscure glazed and fixed closed.

Future occupiers of the proposed dwelling would have acceptable levels of amenity in terms of natural light and outlook to habitable rooms, privacy and external amenity space.

#### Trees and Landscaping

The submitted plans show before and after levels, there will be a lowering of levels in the area for the house (and drive and garage) – if permission is granted it is important that excavated material is removed from site to prevent it raising ground levels in relation to adjacent properties. Therefore the condition requiring removal of excavated material should be included.

As with any new house, hard and soft landscaping schemes should also be included. Following a revision to the proposal, it is proposed that the dwelling would have a 1 metre high wall to the front, with landscaping behind. This is considered acceptable.

#### Parking and Highway Safety

The access onto the highway would be via the existing access, which joins at the end of the cul-de-sac. A neighbouring resident has questioned whether or not the application has a right to access the site in this location. However, the Applicant has confirmed that he does have a right of way and County Highways have advised that it is likely that the land is highway land, despite part of it having been planted.

Sufficient parking for the proposed dwelling would be available within a double detached garage and also on a hard surface to the front of the dwelling that would accommodate at least a further three vehicles.

#### **Conclusion:**

In light of the above appraisal, it is considered that the proposed new dwelling would be an acceptable form of development, which would fit in well with the existing cul-de-sac. It therefore complies with planning policy relating to the principle of new housing as well as adopted design policy. It would not give rise to any material harm to the amenities enjoyed by the occupiers of neighbouring dwellings and would provide adequately for off-street car parking. It is, therefore, recommended that planning permission should 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**

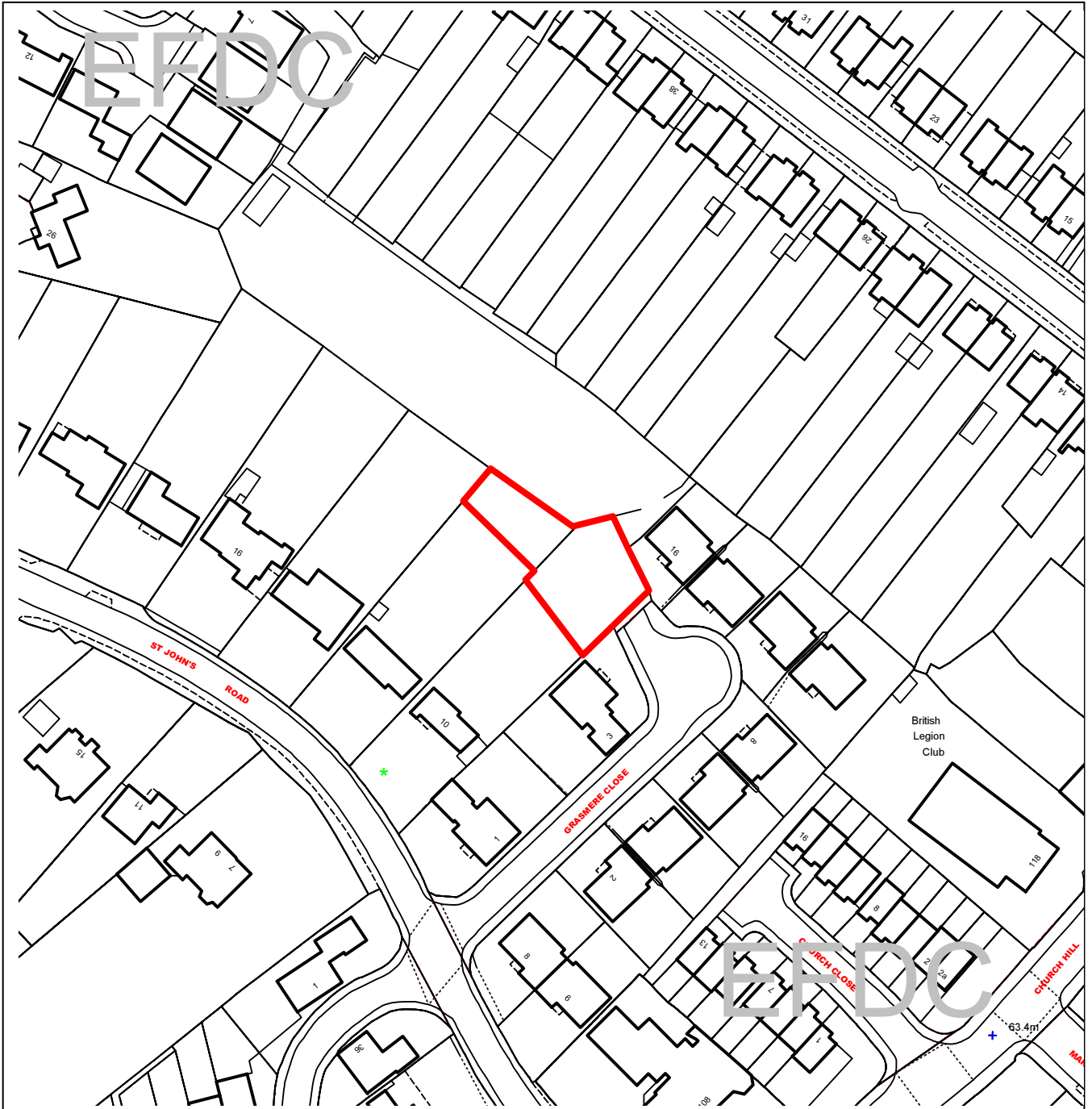
**Direct Line Telephone Number: (01992) 564109**

**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>6</b>
<b>Application Number:</b>	EPF/1207/11
<b>Site Name:</b>	Land adjacent to 16 Grasmere Close Loughton, IG10 1SL
<b>Scale of Plot:</b>	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1228/11
<b>SITE ADDRESS:</b>	114,116,118 Manor Road Chigwell Essex IG7 5PW
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village  Grange Hill
<b>APPLICANT:</b>	Mr Neil Cottrell
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement of 3 no. existing detached dwellings with the erection of 11 no. apartments served by vehicular access and car parking.
<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=528903](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528903)

**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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 No development shall take place until details indicating the form and nature of the glazing and of any opening lights of all windows in the east and west elevations of each of the apartment blocks has been submitted to and approved in writing by the Local Planning Authority. The windows shall be installed in accordance with the approved details and shall thereafter be maintained in that form.
- 5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

- 6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the apartments hereby permitted. The landscape management plan shall be carried out as approved.
- 7 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any of the apartments hereby permitted or in accordance with the programme of implementation agree with the Local Planning Authority.
- 8 No development shall take place until a schedule of landscape maintenance for a minimum of 5 years has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule
- 9 Prior to first occupation of the development hereby approved, the cycle parking shown on the approved plans shall be implemented on site and retained thereafter.
- 10 Notwithstanding the details shown on the approved plans, the balcony screens proposed on the rear elevation of the buildings hereby approved, shall have a height of 1.7 metres on the side of the balconies and shall be built into the building before first occupation of any of the flats and retained permanently thereafter.
- 11 The development hereby approved shall be required to meet Code Level 3\* of the Code for Sustainable Homes assessment for residential development or as may be agreed by the Local Planning Authority demonstrating incorporation of energy conservation in the form of a Sustainability Report.
- 12 No less than two of the proposed apartments shall be constructed in accordance with Lifetime Homes standards of the Joseph Rowntree Foundation.
- 13 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details indicating visitor parking arrangements and the details of the position and opening arrangements of any gate to be installed in access drive. Development shall be carried out in accordance with the approved details.
- 14 No construction or demolition works or ancillary operations, including deliveries or other commercial vehicles visiting the site, shall take place which are audible at the boundary of the site with 112 Manor Road or with Montpellier House outside the hours of 7:30 to 18:30 on Monday to Friday and 08:00 to 13:00 on Saturday and at no time on any Sunday or Public or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 Prior to commencement of development, details of levels shall be submitted to and approved in writing by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.



- 16 No development shall take place until further details of the refuse collection area to the front of the site in relation to its design and appearance has been submitted and approved in writing by the Local Planning Authority. Once acceptable the refuse collection area shall be maintained to the satisfaction of the Local Planning Authority.
- 17 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 010723/PL.102 to 010723/PL.109 inclusive.

*This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section CL56, Schedule A (c) of the Council's Delegated Functions).*

### **Description of Proposal:**

Firstly, it should be noted that planning permission was granted in January 2008 by the Planning Inspectorate, Ref: EPF/1824/07, for the replacement of three detached dwellings with 11 residential apartments (8 x 3 bedroom and 3 x 2 bedroom units).

Planning application EPF/1325/10 then sought an extension of time to the above permission. Permission was granted for the extension in September 2010.

The applicant now seeks to amend the above granted permission. The proposal follows the general layout, scale and bulk of the already granted permission. The difference between the approved permission and the proposed application in relation to the scale, form and bulk of the development is clearly identified on drawing numbers 010723/PL.107 to 010723/PL.109. The proposed development would still consist of two detached buildings comprising of 11 residential apartments and 28 vehicle spaces within the basement area.

The main difference between the granted permission and the proposed application is in terms of its overall appearance, in particular the front façade of the two buildings. The design of the development would take on more of a traditional form that would comprise of Dutch gables, parapets, sash windows with keystones, recess front entrances with porticos of classical design. Other alterations from the approved permission include different positions for window openings, the use of different materials and adjustments to the layout of the basement area and residential apartments themselves.

### **Description of Site:**

Site of about 0.24ha with a road frontage of 35m and max. depth of 72m, located on the north side of the eastern end of Manor Road, about 100m west of the traffic controlled junction with Fencepiece Road and Hainault Road. The site is currently occupied by three detached 1930's/1950's houses and detached housing prevails west of the site and directly opposite. The site backs onto Chigwell Golf Course. Montpellier House is situated immediately east of the application site and is a mainly three storey block of flats. It has some further accommodation in the roof space and consists of 20 apartments, with underground parking. Beyond this, further east, is a Shell filling station with the site of the Bald Hind pub behind.

## **Relevant History**

EPF/2230/06 - Replacement of 3 no. existing detached dwellings and erection of 14 no. apartments. (refused)

EPF/0800/07 - Replacement of 3 no. existing detached dwellings and erection of 2 blocks of 6 apartments. (withdrawn)

EPF/1065/07 - Replacement of 3 no. existing detached dwellings with the erection of 12 no. residential apartments (Revised application) (refused and dismissed at appeal)

EPF/1824/07 - Replacement of 3 no. existing detached dwellings with the erection of 11 no. residential apartments. (refused but allowed at appeal, subject to conditions)

EPF/1325/10 - Extension of time limit on planning permission EPF/1824/07 allowed on appeal PINS ref APP/J1535/A/07/2057133 (Replacement of 3 no. existing detached dwellings with the erection of 11 no. residential apartments.) (Approved with conditions)

## **Policies Applied:**

Local Plan policies relevant to this application are:

- DBE1 – Design of New Buildings
- DBE2 – Impact of New Buildings
- DBE6 – Car Parking
- DBE8 – Private Amenity Space
- DBE9 – Loss of Amenity
- CP1 – Achieving Sustainable Development Objectives
- CP2 – Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- LL10 - Landscaping
- H1A – Housing Provision
- H4A – Dwelling Mix
- H9A – Lifetime Homes
- ST4 – Road Safety
- ST6 – Vehicle Parking

## **Summary of Representations**

CHIGWELL PARISH COUNCIL: The Council has NO OBJECTION to this application, but raises the following concerns:

- An appropriate condition be raised regarding the siting of the bin store to ensure it is not visible from the street.
- Any roof lights that overlook other properties are secured and/or glazed.
- The overlooking balcony towards number 112 is appropriately screened.

NEIGHBOURS:

73 MILLWELL CRESCENT: Objection. The proposed development of 11 apartments will increase traffic and secondly the erection of apartments would be out of character with the surrounding area that mainly consists of detached dwelling houses.

## **Issues and Considerations:**

The principle of the development which comprises of two detached buildings consisting of 11 residential apartments with ancillary facilities was granted permission by the Planning Inspectorate in January 2008 and subsequently renewed in September 2010.

Therefore the main issues to be addressed are whether the amendments to the previous permission are appropriate in terms of:

- Design and appearance
- Neighbouring amenities

### **Design and appearance:**

The building footprint of the two buildings is virtually in the same position as the previous approved permission in relation to its setbacks from the highway and boundaries. It is therefore appropriate.

Likewise, the overall form and scale of the development would not be too dissimilar from the already granted permission. The proposed development, in particular the addition of parapets and Dutch gables would not add an excessive amount of bulk and massing to the development and therefore the size and scale of it is appropriate.

Turning to the appearance of the building and in particular the front façade of the two buildings, although a completely different design from the previous permission, it is considered to be appropriate.

There is no consistency within this part of Manor Road when it comes to building styles, form and size. There is a wide range of building design and scale within the road giving it a mixed character.

Although the Dutch gables are a unique design feature within the immediate vicinity, they are not an uncommon feature and are found on many local buildings including Chigwell Underground Station. Also given that there is not a set character in relation to building styles and designs, it is considered the development comprising of Dutch gables would not result in a harmful impact upon the character and appearance of the street scene.

The front projecting Dutch gables, along with the lining up of the sash window openings, would give each building a symmetrical appearance ensuring a well balanced and unified development. Along with the Dutch gables the front projecting porticos would become the prominent features along the front facades of the buildings. They would ensure that the buildings would be well articulated and visually interesting within the street scene.

### **Neighbouring amenities:**

In relation to privacy of adjoining occupiers, it is noted that a number of windows have either been deleted or added to the facades of the buildings and even located in a different position compared to the previous granted permission. Likewise, the position and size of balconies are slightly different from the granted permission.

Nevertheless, once again it would be enforced by way of a condition that all flank window openings would be required to be fixed shut to a height of 1.7 metres above ground floor level and glazed to prevent any direct overlooking of adjoining properties and of each other.

Also, notwithstanding the details shown on the submitted plans, all balconies would be required to have screening to a height of 1.7 metres to prevent any direct overlooking of adjoining properties and shall be enforced by a way of a condition. Given that the size and scale of the development is

virtually identical to the previous granted permission, it is considered that there would not be a greater material detriment to adjoining occupiers in relation to a loss of light or visual blight.

Other issues:

Waste

Negotiations have taken place between the applicant and Council's Waste Management officer in relation to what is appropriate in terms of bin storage and waste collection. It has been agreed that a total of 7 x 340 litre wheeled bins is sufficient to meet the needs of future occupiers of the apartments. These would be stored within the area designated for bin storage within the basement of the development. On collection days the bins would be brought up to the refuse collection area near the front entrance of the site. Although the location of the collection area has been marked out on drawing number 010723/PL.02, no details of its appearance have been submitted. As such the details of the bin collection area would be required via a condition in order to maintain the visual amenity of the area.

Highway safety and parking

Since the previous approval, new parking standards have been adopted. The parking standards seek a minimum of 2 spaces per 2 bedroom unit or larger, together with visitor space provision at 0.25 spaces per dwelling. Although there are some slight modifications to the layout of the basement area, a total of 28 spaces are proposed on site, including room for cycle storage, resulting in a level of provision in excess of the minimum requirement for this development.

No material changes have been made in relation to the vehicle access to the site from that which has already been granted permission. The development would still maintain a central vehicle crossover point leading to the underground basement car parking area. As such the impact of the development upon highway safety would not be materially different to that of the approved development.

Conclusion

It is concluded that the proposed development is appropriate in terms of its design and appearance and it would not result in a harmful impact upon the amenities of adjoining occupiers. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations and therefore it is recommended that permission be granted 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:***

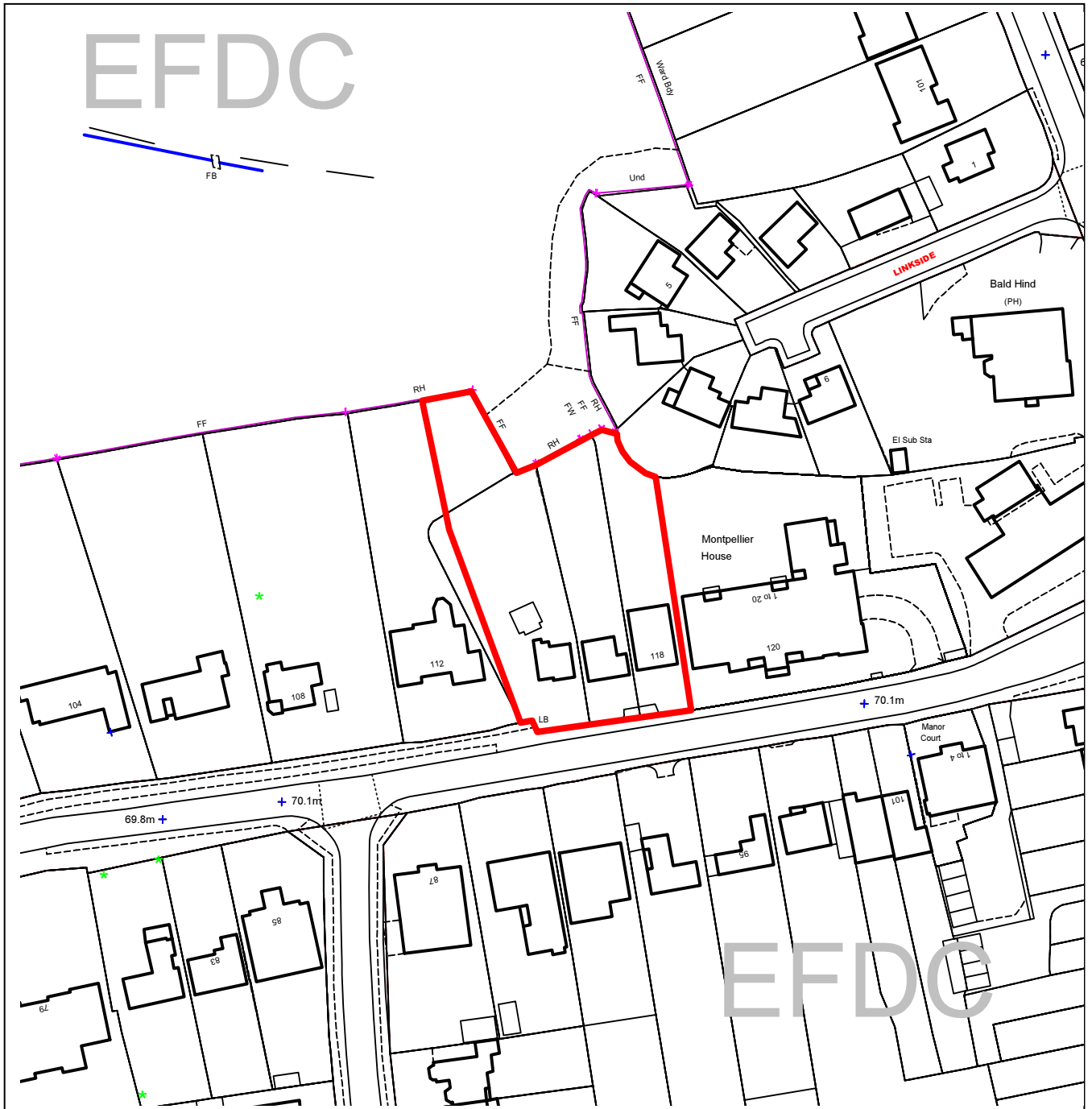
***Planning Application Case Officer: Lindsay Trevillian  
Direct Line Telephone Number: 01992 564 337***

***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>7</b>
Application Number:	EPF/1228/11
Site Name:	114,116,118 Manor Road, Chigwell IG7 5PW
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1264/11
<b>SITE ADDRESS:</b>	23 Tomswood Road Chigwell Essex IG7 5QP
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr D Sunger
<b>DESCRIPTION OF PROPOSAL:</b>	Demolish existing bungalow and erection of a two storey dwelling with loft, and erection of front boundary wall and gates. (Amendment to application EPF/0428/11.)
<b>RECOMMENDED DECISION:</b>	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=529045](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529045)

**REASON FOR REFUSAL**

- 1 By reason of its close proximity to adjoining boundaries and its excessive size and scale the proposed development would appear disproportionately large on the site and in relation to 21 and 25 Tomswood Road. As such it would be harmful to the character and appearance of the locality and the surrounding area contrary to policies CP2 and DBE1 of the Adopted Local Plan and Alterations.
- 2 By reason of its poor design the proposed first floor rear projection would appear as a box attached to the rear façade of the building. As a result the rear projection would form a poor relationship with the rear facade of the building and the rear dormer window in that it would appear disjointed and unbalanced. As such, it would be contrary to policies CP2 and DBE1 of the Adopted Local Plan and Alterations.
- 3 The proposed development, by reason of its excessive size, scale and its siting in close proximity to both adjoining bungalows, would result in an intrusive and unneighbourly development that would appear overbearing. It would consequently be harmful to the amenities of the occupiers of 21 and 25 Tomswood Road, contrary to Policies DBE2 and DBE9 of the Adopted Local Plan and Alterations.
- 4 By way of its poor design, in particular its size, scale and excessive use of brickwork, the proposed front boundary wall and gates would appear as a visually intrusive and over-dominant feature that would be harmful to the character and appearance of the locality contrary to policies CP2 and DBE1 of the adopted Local Plan and Alterations.

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

### **Description of Proposal:**

Planning permission was recently granted for the demolition of an existing bungalow and the erection of a two storey 4 bedroom dwelling house ref: EPF/0428/11.

The applicant now seeks planning permission to amend the above granted permission. The amendments proposed are as follows:

- The flank walls of the dwelling house are to be nearer to both side boundaries, from 1.5 metres to 1 metre.
- The single storey rear element of the dwelling house would be re-positioned so that it would be constructed in line with the eastern flank elevation instead of being centrally located along the rear façade.
- Construct a first floor rear extension over the single storey element to provide en-suites to first floor bedrooms.
- Some changes have been made to the internal layout and as a result adjustments have been made to window and door openings.
- New front boundary wall with iron railings and gates.

### **Description of Site:**

The subject site is located on the southern side of Tomswood Road approximately 110 metres east of Audleigh Place within Chigwell. The site itself is regular in shape however there is a slight slope that falls across the land from east to west.

Currently located on the site is a small bungalow finished from facing brickwork. Off street parking is located on the hardstanding area towards the front of the bungalow and a private open space area is located towards the rear of the site.

The subject site is located within a built up residential area that comprises a mixture of building forms, styles and sizes. A bungalow is located on the plots either side of the subject site. Further along Tomswood Road there are a number of double storey dwellings.

### **Relevant History:**

EPF/2627/10 - Demolish existing bungalow and erection of a two storey dwelling with loft. (withdrawn)

EPF/0428/11 - Demolish existing bungalow and erection of a two storey dwelling with loft. (Revised application) (approved with conditions)

### **Policies Applied:**

Local Plan policies relevant to this application are:

CP1 Achieving Sustainable development objectives  
CP2 Protecting the quality of the rural and built environment  
DBE1 Design of new buildings  
DBE2 Detrimental effect on existing surrounding properties  
DBE6 Car Parking in new development  
DBE8 Private amenity space

DBE9 Loss of Amenity  
LL10 Protecting existing landscaping features  
ST4 Highway safety  
ST6 Vehicle parking

### **Summary of Representations**

CHIGWELL PARISH COUNCIL – No objection.

NEIGHBOURS – No objections.

### **Issues and Considerations:**

It should be noted that the application that was withdrawn (EPF/2627/10) would have been recommended for refusal if it was not withdrawn. There were a number of concerns with the application in terms of the development's siting, design and appearance as well as it having a harmful impact to adjoining property occupiers.

Subsequently, extensive pre-application advice and negotiations took place with the applicant's agent. As a result of these discussions, a revised application was submitted (EPF/0428/11) which addressed and overcame the above concerns that were raised. As such permission was granted for the revised application subject to conditions.

Since the principle of siting and design of a two storey house has been accepted, the main issues to be addressed are whether the proposed amendments are appropriate in terms of:

- Design and appearance
- Neighbouring amenities

#### **Design and appearance:**

The proposed amendments, in particular reducing the setbacks from the side boundary, re-positioning the single storey element, and the construction of a first floor rear extension would result in a development similar to that of the original withdrawn application with which there were major concerns.

In particular, it is not appropriate for a development of this size and scale to only be set back a metre from both side boundaries since that would result in a house that appears disproportionately wide in relation to its plot and over dominant in relation to adjacent houses. As a consequence, it would appear overbearing when seen from the neighbouring houses. During pre-application discussions before the previous application was granted permission, it was negotiated with the applicant that the new dwelling house would be setback 1.5 metres from both side boundaries to not only protect the appearance of the street scene but also to protect the amenities of adjoining occupiers.

Under the previous approved application, the agent himself agreed, within a covering letter that accompanied the application, that the additional setback from the boundaries would be a better design response overall:

*“Space between flank walls of the proposed house and the boundaries of number 21 and 25 increased from 1m to 1.5m, thus reducing the overall width of the two storey house by 1m. This would result in much better street scene and relationship of the proposed house to adjoining bungalows”.*



Reducing the setback distance from both side boundaries to 1 metre would increase the overall size, scale and bulk of the dwelling house and would occupy virtually the whole width of the plot. As such the dwelling house would not provide a smooth transition between both adjoining bungalows and would appear as a large visually intrusive and overbearing development dwarfing the bungalows and as a result be harmful to the character and appearance of the street scene.

Turning to the proposed first floor rear projection, overall it is considered that it is of a poor design.

In particular the first floor extension looks like a small box has just been attached onto the rear façade without any thought to its relationship with the dwelling. The proposed two small windows do not respect the size and proportions of other first floor windows, which together with their spacing provides an unbalancing effect to the rest of the rear façade. Not only would the projection not appear sympathetic or form an integral part with the rear façade but it would also be discordant with the rear dormer window due to its pitch roof cutting into the dormer.

The proposed first floor enlargement is required solely to provide a 1.8m by 1.8m en-suite to each of the first floor bedrooms. Each bedroom is already of a considerable size in that each of them could easily fit an en-suite to the specifications proposed within them. As such there is no need for the addition since the required facilities can be provided in a way that would not disrupt the appearance of the elevation.

The amendments to the window and door openings are considered to be acceptable as they would not result in a greater material detriment from those conditions that have already been granted permission. The rest of the amendments would undo all the work of pre-application discussions and negotiations in coming to an appropriate design that would complement the character of the surrounding area.

The overall impact of the proposed amendments would result in going back to square one and bring up the same concerns and issues leading to the first application being withdrawn. As a whole the amendments would result in a development that would be harmful to the character and appearance of the locality, result in the dwelling appearing disproportionately large in its context with a discordant rear elevation, all of which is contrary to policies DBE1 and CP2.

The applicant also proposes to construct a front boundary wall. Front boundary treatments along Tomswood Road mainly consist of low lying brick walls or small hedges resulting in an open aspect along the street scene. It is noted that there are some larger fences spotted up and down Tomswood Road however these fences consist of low brick plinths with the remaining being iron railings. The proposed front boundary treatment consists of a brick plinth 0.9 metres in height with brick pillars up to 1.8 metres in height and iron railings in between and two iron railing gates. It is considered that the size, scale and the amount of brickwork proposed would result in the boundary treatment being a visually intrusive development that would be harmful to the open aspect that is a key component of the character and appearance of the locality. As such the front wall and gates would also be contrary to policies DBE1 and CP2.

#### Neighbouring amenities:

It was concluded under the previous granted application that there would not have been a detrimental impact to the amenities of adjoining occupiers subject to some conditions that certain windows would need to be obscured glazed to prevent any overlooking.

However the same cannot be said in respect of the proposed amendments to that application. Although, once again the development would not result in an unreasonable amount of overlooking and overshadowing, it would result in visual blight. Given the additional size and scale of the dwelling house, by moving it closer to both side boundaries, it would result in it being a visually

intrusive and overbearing development harmful to the occupiers of neighbouring dwellings, contrary to policy DBE2 and DBE9.

**Conclusion:**

In conclusion, the proposed development as a whole is not appropriate in terms of its design and appearance and it would be harmful to the amenities of the adjoining property occupiers. The development is contrary to policies CP2, DBE1, DBE2 and DBE9 of the Adopted Local Plan and Alterations and therefore it is recommended that the application be refused.

***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:***

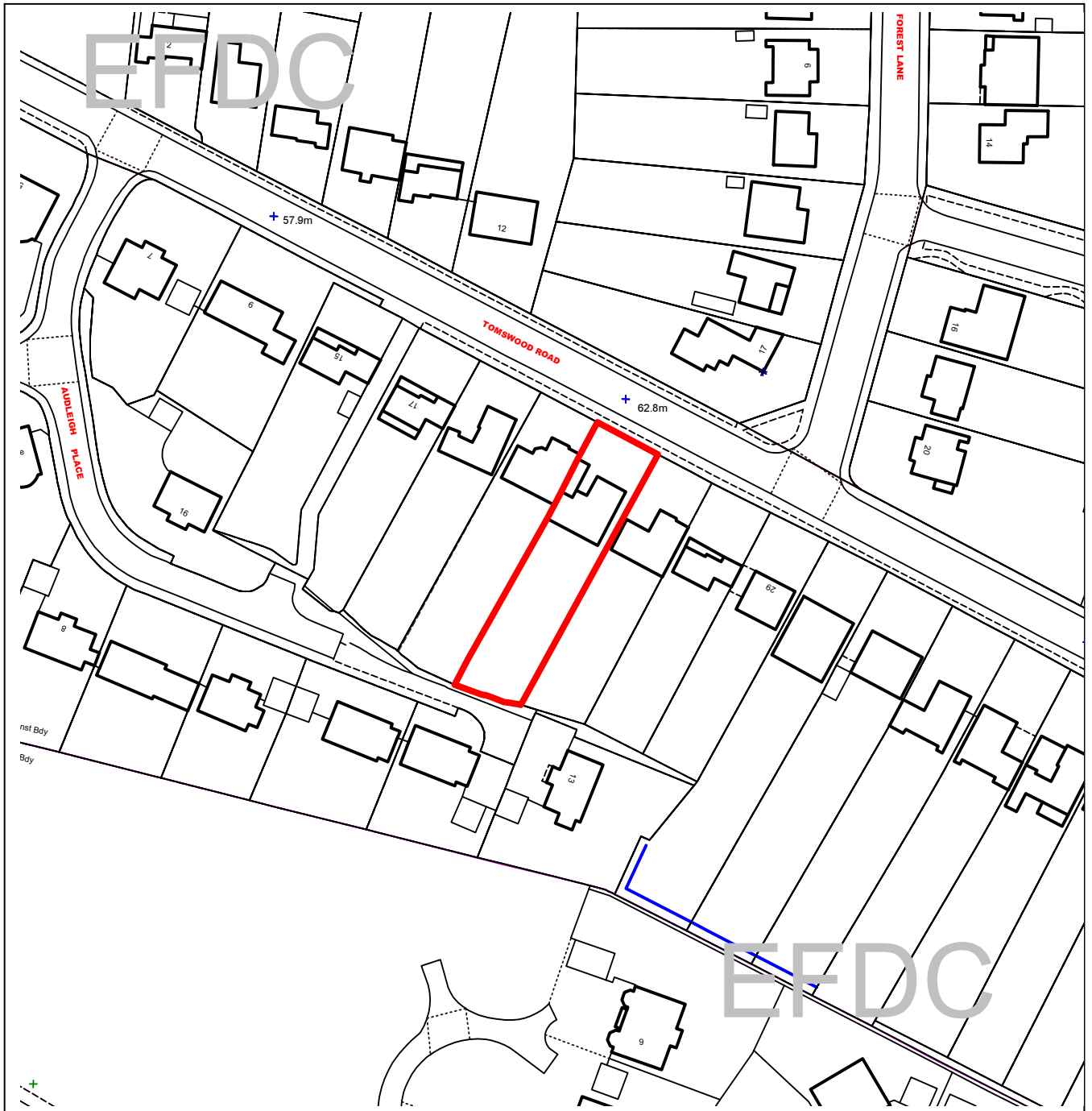
***Planning Application Case Officer: Lindsay Trevillian  
Direct Line Telephone Number: 01992 564 337***

***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>8</b>
Application Number:	EPF/1264/11
Site Name:	23 Tomswood Road, Chigwell IG7 5QP
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/1297/11
<b>SITE ADDRESS:</b>	47 Harvey Gardens Loughton Essex IG10 2AD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Fairmead
<b>APPLICANT:</b>	Mrs Maha Kouzbor
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from residential dwelling (C3) to multiple occupancy (7 persons) (sui generis) and erection of front porch.
<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=529135](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529135)

**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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 47-HGL-C4-01; 47-HGL-C4-02; 47-HGL-C4-03; 47-HGL-C4-04; 47-HGL-C4-05; 47-HGL-C4-06; 47-HGL-C4-07
- 4 The house in multiple occupancy (HMO) which is hereby permitted shall be occupied by a maximum of seven individuals at any one time.
- 5 The occupiers of the HMO shall only be students enrolled at either Epping Forest College (Borders Lane, Loughton) or East 15 Acting School (Hatfields, Rectory Lane, Loughton) (or at educational institutions which supersede those institutions and occupy those campuses).

*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 conversion of the dwelling into a 'house in multiple occupancy' (HMO). The application assumes the completion of extensions to the property which were approved earlier this year and also proposes a slight increase to the depth of the approved front porch.

Following an amendment to the application, the proposal is for seven bedrooms, three communal living areas, a kitchen and three bathrooms/WC's.

### **Description of Site:**

The application site comprises a semi detached dwelling located in Harvey Gardens, close to the junction of the cul-de-sac with Conyers Way. Properties to the rear of the site (facing onto Lawton Road) are terraced. However, all the dwellings in Harvey Gardens and in Conyers Way within the vicinity of the site are semi-detached. They are of a simple, traditional design, with shallow pitched roofs.

The dwelling is presently being extended to the front, side and rear. Substantial works have taken place in respect of those extensions. Following these extensions, there would be space for up to two cars to be parked off-street.

Along the boundary of the site with the adjoining dwelling house and garden is a 1.8 metre high close boarded timber fence.

### **Relevant History:**

EPF/2123/05. Two storey side extension, rear conservatory and front porch. Approved 10/05/06.

EPF/1885/07. Double storey side extension, porch, conservatory and conversion of a house to two dwellings. Refused 08/10/2007 for the following reason:

*The proposed new dwelling, by virtue of its narrow width and creating a terrace, would be detrimental to the character and appearance of the area, which is characterised by uniform pairs of semi detached dwellings. Accordingly, the development would be contrary to policy DBE1 of the Adopted Local Plan and Alterations.*

EPF/2103/10. Double storey side extension, front porch and conservatory to the rear of the house. Withdrawn.

EPF/2571/10. Double storey side extension, front porch and conservatory to the rear of the house. Approved 31/01/2011.

EPF/0351/11. Double storey side extension, front porch, and conservatory to the rear.  
27/04/2011

### **Policies Applied:**

CP2 - Protecting the Quality of the Rural and Built Environment  
DBE1 – New Development  
DBE2/9 – Impact of New Development  
DBE6 – Vehicle Parking  
DBE8 – Private Amenity Space  
DBE11 - Subdivision  
ST4 – Road Safety

## ST6 – Vehicle Parking

### **Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 9 neighbouring residents.

The following representations have been received:

LOUGHTON TOWN COUNCIL: Objection: The Committee OBJECTED to this application and considered the development a gross overuse of a small plot, which would set an undesirable precedent. It would have a detrimental effect on the amenities of the neighbours owing to bed-sitting provision on the first floor, which would adjoin the bedrooms of the adjacent dwelling. The proposed scheme was considered contrary to Policies DBE11 (i) & (ii)

32 HARVEY GARDENS: Objection: Parking area will be inadequate. Harvey Gardens is a cul-de-sac, cars and vans presently park on both sides of the road, partly or wholly obstructing pavements. Can be difficult for fire engines/refuse vehicles to pass. The proposed build is not appropriate to the neighbourhood and will be out of scale with the surrounding semi-detached properties both as to size and to construction.

### **Issues and Considerations:**

The main issues to be considered are the impacts of the proposed development on neighbouring amenities, on the character and appearance of the area and the adequacy of parking provision for the development.

#### Background information/legislation

Legislation relating to houses in multiple occupancy (HMO's) and the need for planning permission changed last year. Circular 08/2010 was issued in November last year to provide guidance on the new regulations.

An amendment to the Use Classes Order in April 2010 introduced an additional use class (C4) for HMO's. In October 2010 an amendment was made to allow the change of use from class C3 (dwelling house) to C4 (HMO) without the need for express planning permission. The C4 use class is described as 'shared houses occupied by 3-6 unrelated individuals who share basic amenities', whilst properties occupied by more than six individuals fall outside of the Use Classes Order, as a *sui generis* use.

Accordingly, whilst the conversion of the dwelling into an HMO for seven individuals would require planning permission, conversion for occupancy by six or less individuals would not require express planning permission. This, therefore, provides a reasonable and sensible fall back position.

#### Neighbouring Amenity

The application property is semi detached and therefore shares a party wall with 45 Harvey Gardens. At ground floor level, the communal areas would adjoin the party wall and at first floor level bedrooms would adjoin the party wall – similar to the existing layout. The number of occupiers of the HMO may exceed that which might occupy a single family dwelling house, although it is possible that a single family dwelling could be occupied by the same, or indeed a greater, number of people.

It is, therefore likely (although not certain) that the proposal for an HMO occupied by seven individuals would give rise to additional disturbance than that generated by a dwelling house. However, on balance it is not considered that the disturbance caused by one additional person

would be so much greater than that if the dwelling were converted to an HMO within use class C4 (i.e. occupied by up to six people) that sufficient weight should be applied to this matter to refuse planning permission.

### Character and Appearance

The proposed change of use would not give rise to any physical alterations to the appearance of the building. Due to the limited space available to the front of the dwelling, large numbers of cars would not be parked on the property frontage, which may otherwise have caused some harm to character.

The extensions to the dwelling are as approved (and commenced) with the exception of the increased depth of the front porch. The porch as approved was 1.2 metres deep and the current proposal is for it to be 1.6 metres deep. It is considered that the altered design would continue to have an acceptable appearance.

### Car Parking

Contrary to information provided on the application form and shown on the submitted plans, up to two cars may be parked off street, on the property frontage. Harvey Gardens has no parking restrictions and appears capable of accommodating some on-street parking without causing material harm to amenity.

The use of the building as an HMO is likely to give rise to increased levels of car ownership by comparison with a single family dwelling. If inadequate provision is made for parking for these additional vehicles, then there may be some harm caused to neighbouring amenity. However, the Applicant has advised that the future occupiers of the HMO will be students attending Epping Forest College. Due to the proximity of the site to the College (and also the East 15 Acting School on a nearby site) it is considered that car ownership levels amongst this group would be considerably lower than for other individuals (who may have a greater commute to educational institutions, workplaces etc).

Accordingly, whilst two car parking spaces is low for a property occupied by 7 unrelated individuals, a planning condition could reasonably be imposed requiring the occupiers to be students at either Epping Forest College or East 15 Acting School which would minimise car ownership. Alternatively, if the planning application was refused consent, the Applicant could implement a fall back position, whereby six individuals could occupy the property as a C4 HMO, but without any restriction on occupancy. Having regard to this fall back position and applying significant weight to it due to the likelihood of it being implemented, it is considered on balance that the parking provision would be satisfactory.

### Conclusion:

In light of the above appraisal, it is considered that the proposed development would not cause materially greater harm than that which could arise from an HMO occupied by six people, which would not be limited to the occupiers attending one of the nearby colleges. Accordingly, it is recommended that planning permission be granted, subject to the imposition of the condition as discussed.

**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>9</b>
Application Number:	EPF/1297/11
Site Name:	47 Harvey Gardens, Loughton IG10 2AD
Scale of Plot:	1/1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/1327/11
<b>SITE ADDRESS:</b>	54 Coolgardie Avenue Chigwell Essex IG7 5AY
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr T Bansal
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed double storey side and rear extension and single storey front extension.
<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=529247](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529247)

**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:**

Permission is sought to extend the property with single and double-storey side and rear extensions with a front projecting canopy. The side addition will be 2.7 metres wide and this will project 7.0 metres rearwards beyond the present side garage and 0.7 metres forwards. The rearwards extension will be up to 3.0 metres deep by 9.9 metres wide. The first floor side addition will be 1.7 metres wide by 10.4 metres deep and the rear extension will be 2.1 metres by 5.5 metres wide. The double storey rear/ side addition will be up to 8.3 metres high and the eaves will match that of the present building at 5.4 metres.

**Description of Site:**

The application site accommodates a two-storey semi detached dwelling on a rectangular plan shaped plot. The property is sited on the southern side of Coolgardie Avenue in the built up urban area of Chigwell. The street has a mix of building styles and sizes, the majority of these are two-storey semi's with fewer examples of detached dwellings and a large number of these properties

have been modified with additions to the front, side and rear. The property has recently been extended with a half hip end roof and the construction of a large rear box dormer.

### **Relevant History:**

EPF/0927/11 – Certificate of Lawful Development for a proposed hip to gable roof extension and rear dormer extension. Approved

EPF/0109/11- Demolish existing garage and lean-to, erection of double storey side extension with hipped roof, erection of single/first floor extension and loft conversion with rear dormer window.  
*Withdrawn*

### **Adopted Policies:**

CP2 – Protecting the quality of the built environment  
DBE 9 - Neighbour Amenity  
DBE10 – Design/appearance  
ST6 - Parking

### **Representation**

8 neighbours were sent letters concerning details of this application and no letters of representation were received.

CHIGWELL PARISH COUNCIL – The Council OBJECTS on the grounds it is concerned over the loss of garage space.

### **Issues and Considerations:**

The main issues to consider are the impact of the proposed development on the amenities enjoyed by the occupants of neighbouring dwellings and the character and appearance of the area. A Certificate of Lawful Development (EPF/0927/11) has been given for altering the original hip roof into a half hip/ gable end roof and construction of a rear dormer and that development is substantially complete.

#### ***Design and appearance within the street scene***

The proposal is for a double storey side and rear extension to the property with a front canopy projection. Presently, the dwelling adopts a half-hip end roof. The proposed double storey side/rear additions will extend upon and continue along the building's present roof. A vertical tiled hung roof would wrap around the corner of the building, allowing the half hip end roof to be retained.

Whilst this is not the most successful design, because of what presently exists the proposed bulk, height, size, and profile of the roof reflects the character of the existing dwelling and will not adversely impact the visual amenity of the area.

The first floor will retain a 1.0 metre gap from its side boundary and this will prevent a terracing effect with the adjacent property at No. 52 in accordance with Local Plan policy.

#### ***Neighbouring occupier's amenity***

No. 52 Coolgardie Avenue has been extended with a double storey side extension set in approximately 1m from the boundary of that property with the application site. A first floor side window serves a stairwell. There are no windows that serve habitable rooms on its flank wall. The proposed double storey side and rearward projection will be sufficiently separated from both the

adjacent and adjoining properties such that it will not impact upon the amount of daylight, privacy or the outlook enjoyed by the immediate neighbours.

The alterations to the roof will introduce new high level roof lights, however this would not result in overlooking, loss of privacy or harm neighbouring occupier's amenity.

### Parking

The Parish Council objects on the grounds that the garage will be lost. Whilst this loss is regrettable, the property provides adequate off street parking at the front to park up to 3 cars. This accords with the parking standard requirement for a 5 bedroom dwelling in an urban area. For this reason, the loss of the existing garage is acceptable.

### **Conclusion:**

This application is considered based on the amended plan received 22 August 2011. It is acceptable because it will not result in visual harm to the character of the area and will not harm neighbouring occupier's amenity. For these reasons, the proposal 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:***

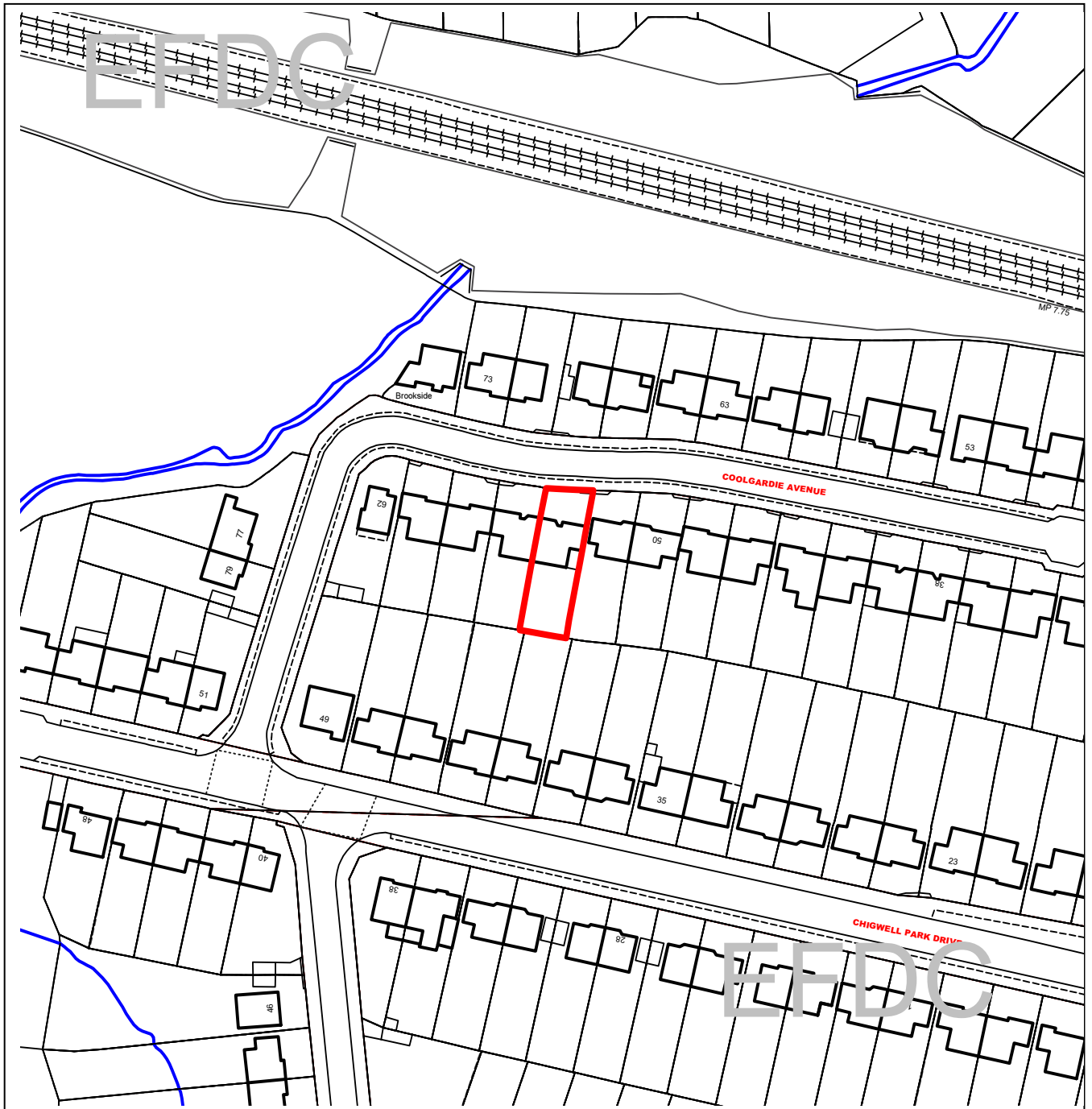
***Planning Application Case Officer: Paula Onyia  
Direct Line Telephone Number: 01992 564103***

***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>10</b>
Application Number:	EPF/1327/11
Site Name:	54 Coolgardie Avenue, Chigwell IG7 5AY
Scale of Plot:	1/1250

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/1358/11
<b>SITE ADDRESS:</b>	Greengates 24-26 Albion Hill Loughton Essex IG10 4RD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr T Breyer
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of time limit on EPF/1627/08 (Proposed new garage to no. 24 and new house to 26 Albion Hill -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=529371](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529371)

**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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 26AH-101A, 102A, 103A, 104
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development

4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 
- 6 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars 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.
  - 7 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.
  - 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 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
  - 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

*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) and also 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 an extension of time to the period permitted for the commencement of the development approved under planning permission reference EPF/1627/08. That consent permitted the erection of a replacement garage for 24 Albion Hill and the erection of a new dwelling at 26 Albion Hill (on land presently occupied by a garage).

Planning permission EPF/1627/08 is due to expire on 26<sup>th</sup> September (unless works commence prior to that date).

### **Description of Site:**

A 2 storey detached house with a detached double garage on a large double 'L' shaped site on the south side of Albion Hill. The area has a mixture of types and styles of dwellings. The land drops down steeply to the south. The dwelling has a three storey aspect when viewed from the rear elevation due to the fall of the land. The wall to the front of the property is Grade II listed for a distance of 6m either side of the prominent wooden gates. No changes are proposed for this structure.

A replacement dwelling has recently been erected at no. 22, to the side of the application site.

### **Relevant History:**

EPF/1627/08: Proposed new garage to no. 24 and new house to 26 Albion Hill. (Revised Application) Approved 26/09/2008

### **Policies Applied:**

CP2 Protecting the quality of the built environment  
CP3 – CP5 Policies specifically relating to sustainability  
CP7 Urban Form and Quality  
H2A Previously Developed Land  
DBE1 New buildings  
DBE2 New buildings amenity  
DBE8 Private Amenity Space  
DBE 9 Neighbour Amenity  
LL10 Landscaping  
ST4, ST6 & DBE6 Highways & Parking  
HC10 Listed Building

### **Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 10 neighbouring properties. The following representations have been received:

LOUGHTON TOWN COUNCIL: Objection: The Committee drew the District Council Planning Officer's attention to the letter dated 18<sup>th</sup> July 2011 from a neighbour, Mr M Saunders, which had been copied to the Committee, and reiterated the objections previously made for planning application EPF/1627/08:

The Committee NOTED the removal of the balconies but reiterated its previous objection as follows: The Committee OBJECTED to this application which was contrary to Policies DBE1(i) and (ii), DBE2 and DBE9 of Epping Forest District Council's adopted Local Plan and Alterations as it considered the proposal an overdevelopment of the site and creating a visual impact which resulted in a loss of amenity for the surrounding properties. The Committee also drew attention to



the significance of 24 Albion Hill and its walls and gates, which appeared as “listed’ in the Buildings of Loughton book by Chris Pond.

In addition, the Committee had particular concerns about the overlooking of the nearby property ‘Thurlestone’ due to the sloping nature of the site, as the protection afforded by the tree screen could not be guaranteed and was in part deciduous.

“THURLESTONE”, POLLARDS CLOSE: Objection: Previous objections reiterated (including the scale of the proposal which would be exacerbated by the height of Albion Hill in relation to Pollards Close; the need to prevent balconies by condition; the cramped nature of the proposal – ‘garden grabbing’; drainage implications; the impact on the historic context of ‘Greengates’; disruption within Albion Hill caused by the construction works. There have been changes since the original proposal was approved including: we have a better informed idea of what the finished product will look like, in my opinion (22 Albion Hill is comparable) bleak, overbearing and out of context; knowledge of recent examples of working practices of the developer; given the confined space, concerns as to access, parking and safety. Concerns regarding the likely adherence to imposed planning conditions due to the developer’s record. If conditional approval is allowed, conditions would need to be strictly drawn and policed and include the prevention of a balcony, preservation of screening/vegetation, drainage, adherence to working practices (i.e. in relation to noise, tidiness, hours of work and respecting the local area and environment). Also request, due to concerns relating to drainage and privacy, excavated material is removed from the site.

28 ALBION HILL: Objection: Have had to cope with disruption and noise caused by the building of the new house at 22 Albion Hill for 3-4 years. More building will complete infilling on that side of the road, which is particularly narrow there. An area with views to Buckhurst Hill would become blocked out. Traffic congestion, especially during term times, would be a joke.

37 ALBION HILL: Objection: Albion Hill is narrow and there has been considerable damage to road surfaces and driveway entrances by 3-4 years of construction vehicles visiting the site adjacent to 24 Albion Hill. Having another development will create more heavy traffic, disruption to neighbours and overdevelopment in the area.

### **Issues and Considerations:**

The main issues to be considered are any changes in circumstances since the approval of the previous consent, in order that they may be given consideration. For convenience, the report for the original consent is attached as Appendix 1, as it appraises all material planning considerations.

The main change in circumstance, as identified by neighbouring residents, has been the erection of the dwelling at 22 Albion Hill. However, the planning permission for that replacement dwelling was granted on September 2007 (prior to the approval of the consent for this application site) and the development would, therefore have been taken into consideration at the time. Whilst the dwelling constructed at no.22 has deviated slightly from the plans approved in 2007, it is generally very similar, particularly from the front elevation. The dwelling proposed at 26 would share the same design principles as that built at no.22 and it is, therefore, considered that it would be in keeping with the character and appearance of the area.

As also referred to by neighbouring residents, the Council is aware of complaints regarding excessive disturbance caused by the construction of 22 Albion Hill. Due to the constraints of the site, in particular the close proximity of neighbouring dwellings and the width of the road, some disturbance during construction is, unfortunately, inevitable. A relevant change in circumstance since the previous consent was granted is a change to the standard planning conditions imposed by the Council. These now include a condition (normally used for major types of development) which requires work to take place in accordance with an agreed Construction Method Statement. The use of such a condition would enable the Council to agree and then enforce details relating to

parking, the loading/unloading/storage of plant and materials, security hoarding and dust/dirt emission from the site. Having regard to the confined nature of the site (exacerbated by the presence of the listed wall to the front) it is considered that the use of this condition in slightly varied form would be both reasonable and necessary.

Since the previous consent was granted, there have been changes made to national planning guidance relating to developments on garden land. However, the amended PPS3 does not prevent development on garden land where it would be in keeping with the character and pattern of surrounding development. The proposal is for a dwelling similar in size and plot to others within the locality and it would be similar in design to that constructed at no. 22.

When the previous planning permission was granted there was a condition attached which prevented the addition of side windows. Whilst changes to the General Permitted Development Order now require the side windows in the upper floors of dwelling are obscure glazed, it is still necessary to impose this condition, as the fall in levels across the site may mean that clear windows are unacceptable even at ground floor level.

A neighbouring resident has suggested the imposition of a planning condition preventing the erection of a balcony. Whilst it is accepted that the creation of a balcony at the rear of the building would be likely to cause a material reduction in privacy to the occupiers of neighbouring properties, a balcony could not be erected without the need for further planning permission, either during construction or following, under current permitted development guidelines. The imposition of such a condition is therefore considered unnecessary.

When the original planning permission was granted, it was not subject to a planning condition removing permitted development rights. Since then, the regulations relating to permitted development have changed. However, having considered the proposal in light of the amended regulations, it is still not thought to be necessary to remove the right to extend the dwelling under permitted development rights.

### **Conclusion:**

In light of the above appraisal, it is considered that while there have been changes in circumstances since the existing consent was given that justify some alteration and addition to the conditions imposed on the consent, there has not been any change that would justify withholding consent. The development remains acceptable on its planning merits and, as before, there are no matters that cannot be properly addressed through the imposition of conditions on a planning permission. It is, therefore, recommended that a conditional 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)***

## Appendix 1: Report to Area Plans South 26/09/2008 for EPF/1627/08:

*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:**

Demolition of existing two storey house and erection of a two storey detached dwelling (revised application).

### **Description of Site:**

A 2 storey detached house with a detached double garage on a large double 'L' shaped site on the south side of Albion Hill. The area has a mixture of types and styles of dwellings. The land drops down steeply to the south. The dwelling has a three storey aspect when viewed from the rear elevation due to the fall of the land. The wall to the front of the property is Grade II listed for a distance of 6m either side of the prominent wooden gates. No changes are proposed for this structure.

An existing cottage to the east of the site (No 22), in the ownership of the applicant has been demolished and a replacement dwelling is currently being erected (permission granted in 2007).

### **Relevant History:**

CHI/0337/63	Detached house and garage	approved
EPF/0100/93	3 bed dwelling for staff	refused
EPF/0638/96	Front boundary wall	approved
LB/EPF/0091/95	LB application for removing garage doors	approved
LB/EPF/0639/96	LB application for new wall	approved
EPF/1153/08	New detached house	refused

### **Policies Applied:**

DBE 1 New buildings  
DBE 2 New buildings amenity  
DBE 9 Neighbour Amenity  
LL10 Landscaping  
ST4 & 6 Highways & Parking  
HC10 Listed Building

### **Issues and Considerations:**

The main issues in this application are whether this is:

1. Building in Context and Effect on the street scene
2. Design
3. Residential amenity
4. Highway safety and car parking
5. Landscaping
6. Listed Buildings

It is the case that the site is covered by an extant partially implemented planning permission from the early 1960s for the development of 10 houses in the Pollards Close development (CHI/0114A/60), 9 of which have been built. Therefore the principle of a further property on this site was accepted in the 1960s.

It is also germane to consider whether this scheme has overcome the reasons for the refusal of the last application for a similar scheme, which was the material loss of privacy to neighbouring properties from the proposed rear balcony.

The scheme has been revised to delete the rear balcony and an appraisal of overlooking issues has been undertaken by the applicant.

#### Building in Context

- This is a residential area and there are a number of different types and styles of housing in the area. To the east and west are large detached houses with No 24 to the east having a deeper than usual garden in this area.
- The scheme would see the existing detached double garage of No 24 Albion Hill removed and a two storey house with a room in the roof erected in its place, creating a subdivision of the existing plot. The new dwelling would have three storeys when viewed from the rear due to the change in levels, in a similar fashion to that which exists at No 24.
- A new attached double garage would be erected on the west flank of No 24.
- The site which would be created is 15.5m wide and 34m deep, and it is proposed to erect a new detached 2 storey 4 bedroom dwelling on the site, a maximum of 13.5m wide x 12m deep, by 8.9m high on the Albion Road frontage, with a outward hipped roof on the west flank, with the bottom floor built in to the side of the hill.
- A rear garden with a swimming pool would be provided.
- An integral single garage would be provided on the front (north) elevation.
- The dwelling will be set back from the footway by 8m.
- A gap of 1m would be left to each flank boundary.
- A single storey double garage would be erected on the west flank of No 24, with a 1m gap to the new boundary with the new dwelling.
- The ridgeline is very similar to the two adjacent buildings.
- This is a significant scheme and replaces a modest structure with a large and impressive building.
- It is accepted that this building is wider and higher than the one which it replaces and would be more dramatic in the street. However, this is a very mixed area in terms of styles, and large buildings which take advantage of the topography of the area are not unusual. It is also the case that this is an urban area, albeit with a fairly spacious feel, and this scheme respects the character of the area.
- It is noted that there are several fairly high boundary and retaining walls, and screening walls on the south and east elevation. Due to the topography of the site there are a number of similar walls on neighbouring properties and these structures will cause little harm and not appear out of place.
- The scheme leaves a visible gap of 7m to the dwelling at No 24 and 2.2m to No 28 and thus does not result in a cramped development, but one which is easily accommodated on the plot without detracting from the character and appearance of the street scene in this location.
- The proposal is also in keeping with recent government advice on the reuse of urban land.
- Therefore this scheme, whilst significant is not alien or incongruous on the site and will not have an adverse effect on the character and appearance of the street scene. Indeed this is a scheme which will add an interesting building to this diverse area by a careful use of the fall of the land.

#### Design

- The design of the new dwelling is mostly traditional with rendered walls and a slate roof, with the outward flare of the hipped roof adding an element of interest and modernity to the scheme, and is not out of keeping with this urban area and is considered acceptable.
- The materials proposed are acceptable subject to conditions.

### Residential Amenity

- The main neighbouring properties that will be affected by this scheme will be 24 and 28 Albion Hill and Thurlestone in Pollards Close to the south.
- 24 Albion Hill will have a negligible loss of amenity as a result of this scheme and would have a similar rear elevation to the proposed scheme.
- No 28 would not suffer any loss of light or sunlight from this scheme, and there will be no adverse overlooking of either property as a result of this scheme.
- This scheme has removed the previous rear balcony which was the focal point of the Committees objection to the scheme, and the main property that has the potential to be affected by overlooking is Thurlestone, which is some 26m from the rear elevation of the scheme at an angle of 90°.
- This potential for overlooking from the rear windows is partially due to the property being on a lower level than the new house due to the topography of the area.
- However, Thurlestone was not readily visible at the time of the officer's site visit due to extensive screening from mature trees along the site boundaries.
- The screening on the boundary consists of a 2m wooden fence and a mature tree line which is a mixture of deciduous and conifer trees, rising to a height of 16m
- Officers have also visited Thurlestone and viewed the site from this property and garden. This visit has confirmed that the screening and distance involved would not result in a material loss of amenity for this property as a result of overlooking. It is acknowledged that the screening provided is better in the summer rather than the winter due to the type of trees, but there would still be a significant screening impact from the trees during the winter months.
- Therefore the cumulative effect of the distances involved, the angles of the respective houses and the existing screening reduce the potential impact from overlooking of Thurlestone to one which could not justify a refusal on these grounds.
- Whilst the scheme is a significant change from the building currently on site it is considered that it is not overbearing nor would it result in any significant loss of outlook for neighbouring properties.

### Landscaping

- The scheme does not propose the removal of any significant trees (such as the two in the front garden area) and the retention of the screening trees on the rear boundary can be safeguarded by condition.

### Highways

- The scheme will see the continued use of two existing accesses, and provides sufficient off street parking, with parking areas available as well as the proposed garages, which is a necessity in this narrow road where on street parking causes traffic congestion, especially during school times (there is a school further down the road).
- Some of the objections centre on damage alleged to have been caused to the highway and footpaths by vehicles during the construction of several other schemes in the area, especially that at No 22. It is also the case that delivery lorries have caused traffic congestion during deliveries to this site.
- Neither of these matters would justify the refusal of planning permission. It is the case that other agencies have powers to deal with these issues that the planning legislation does not possess, such as the Police and Essex Highways (who are aware of this issue).

### Listed Building

- There is no harm caused to the historic character and appearance of the walls and gates as a result of this scheme.

### Other Matters

- Several objectors have commented that their view across the valley will be lost, however this is not a matter on which permission could be refused, as there is no right to a view.
- The Land Drainage section has asked for suitable conditions to be imposed to alleviate any possible risk from the scheme.

## **Conclusion**

The application is not out of place in this urban area and causes no adverse harm to neighbouring properties; therefore recommended for approval.

## **SUMMARY OF REPRESENTATIONS**

TOWN COUNCIL – Objected, noted the removal of the balconies, but reiterated its previous objection as it is contrary to policies DBE1 (i) & (ii), DBE 2 and DBE 9 as it is an overdevelopment of the site, detrimental to the street scene and creating a visual impact which results in a loss of amenity for the surrounding properties. The Council also drew attention to the significance of 24 Albion Hill and its wall and gates, which appear as listed buildings in the Buildings of Loughton book by Chris Pond. In addition the Committee had particular concerns about the overlooking of the nearby property ‘Thurlestone’ due to the sloping nature of the site as the protection afforded by the tree screen could not be guaranteed and was in part deciduous.

37 ALBION HILL – object as previously, a narrow road and this will cause further damage to the road surfaces, there will be more traffic noise and disruption. I will lose my view towards Buckhurst Hill.

37A ALBION HILL – Object as before, road is narrow and the traffic is horrendous already, I will lose my view across the valley.

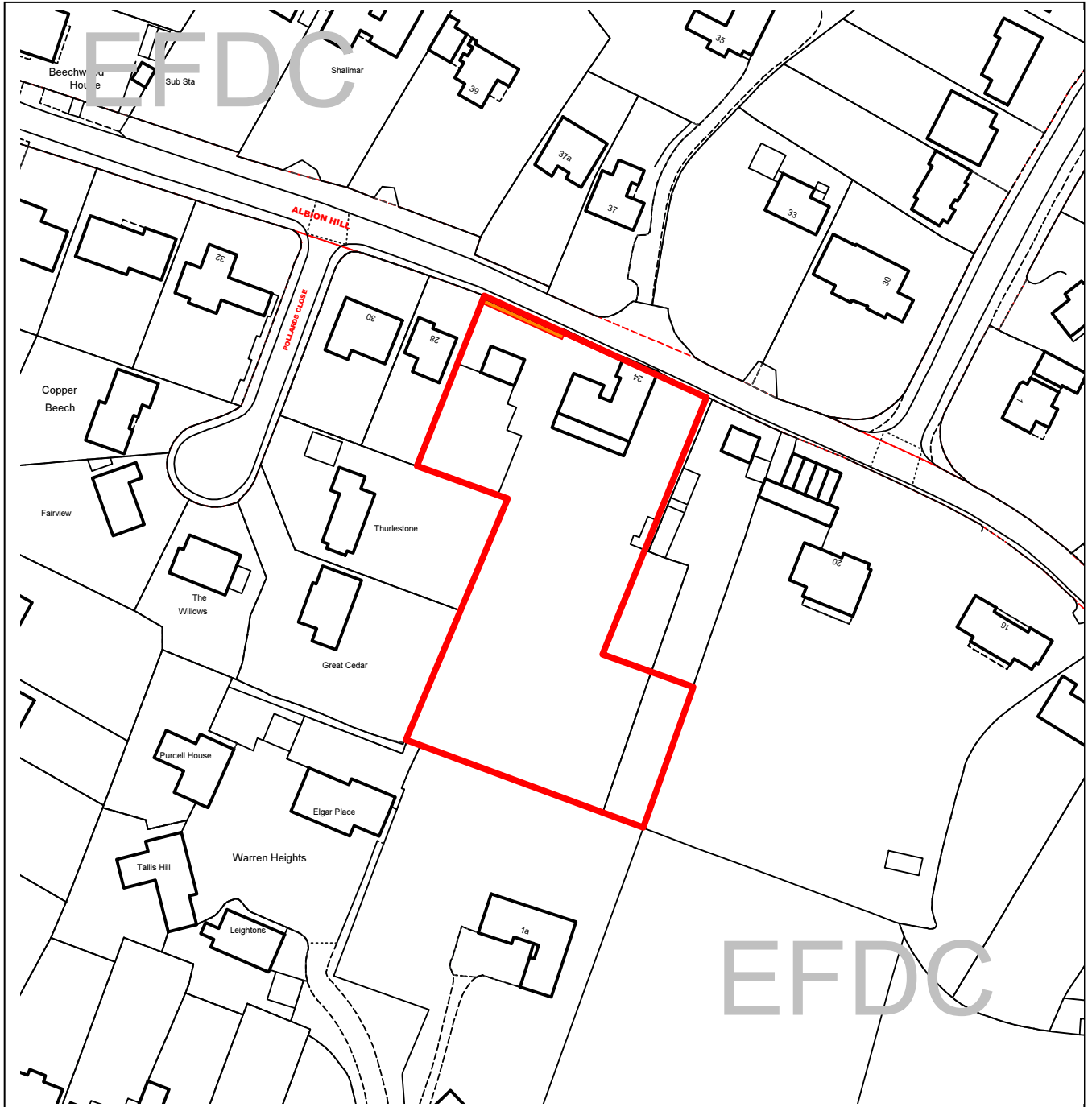
THURLESTONE, POLLARDS CLOSE – Object, the Proposal needs to be considered therefore on its own merits (or lack of them) and in conjunction with an appeal which will consider in particular the impact of a possible balcony. The respective elevations of my property and the Proposal exacerbate my concern, the Proposal will tower above my property, as can be seen by the works ongoing at No 22 Albion Hill, the Proposal would dwarf my garden and the privacy of that and my house. The scope for overlooking my property (and others) by the Proposal is considerable whether or not there is a balcony (of whatever type) given the height of the Proposal and its sheer size relative to neighbouring properties. Apart from the natural screening being less in winter owing to its part deciduous nature, the natural screen could diminish or die in any event. Any house on the Proposal would be fixed, permanent and, unfortunately, not capable of diminishing according to the seasons. The Proposal is a cramped and inappropriate development which fails to integrate with the street scene in this edge of forest location and would further “urbanise” a formerly pleasant road approaching forest land. The Proposal would by reason of design and massing lead to a cramped quasi terrace particularly in context of the applicant’s other plans for 24 and 22 Albion Hill, and does not maintain visual gaps in the street scene. This scheme will have an adverse effect on the safety of pedestrians, especially children in the street.

Any further objections received will be reported orally.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>11</b>
Application Number:	EPF/1358/11
Site Name:	Greengates, 24/26 Albion Hill Loughton, IG10 4RD
Scale of Plot:	1/1250

**Report Item No: 12**

<b>APPLICATION No:</b>	EPF/1307/11
<b>SITE ADDRESS:</b>	The Bridge Church Princes Road Buckhurst Hill Essex IG9 5EE
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Rev Chris Scott
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension.
<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=529156](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529156)

**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 side facing windows shall be installed in the flanks of the extension hereby approved.

*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).*

**Description of Proposal:**

Single storey rear extension.

**Description of Site:**

A timber clad church building with main hall at the front with ancillary rooms that extend towards the rear of the site. The church was built in about 1970 and was known as the Evangelical Church. It was taken over by the current applicants, the Bridge Church three years ago. On either side in Princes Road lie houses, but to the rear of the site lies a two storey club premises at the rear of number 50, Queens Road.

**Relevant History:**

CHI/298/69 gave approval to the erection of a church building.



### **Policies Applied:**

CF8 – Public halls and places of religious worship.

DBE1 – Design of new buildings.

DBE9 – Loss of amenity.

### **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL – side elevation shows an outside door which is not detailed in the Design and Access statement, and there are concerns as to the effect on the neighbouring property; no evidence of soundproofing; inadequate parking.

NEIGHBOURS – 3 properties consulted and one reply received.

31, PRINCES ROAD – object – the design and access statement states the current use has got local support but this is not the case with the neighbours; management and users at times are rude and offensive when asked to reduce noise or move cars that are blocking accesses and footpaths; the design and access statement states that 8 car spaces are available but in reality there is only 4; dance classes and evening activities are often disruptive well past 10.30 at night; side facing windows exist and permanent office use will exacerbate overlooking; the site is already a series of extensions and a further one is overdevelopment of the site; the facility is not used by locals with a majority coming by car causing disruption, and where will daytime users park if car park full.

### **Issues and Considerations:**

A timber clad extension is proposed at the rear of the site measuring 3.7m in depth, 9.7m in width, with a flat roof some 3m above ground level. It is located well away from the 1.8m high fences that form the boundaries with the rearmost sections of adjoining gardens to houses at numbers 27, and 31, Princes Road, and a two storey end wall of the adjoining social club lies close to the rear boundary of the site. The proposed extension will therefore have a limited effect on the outlook and amenity of neighbours. No side facing windows are proposed so the extension will not exacerbate the problems of overlooking as described by the objector at number 31. The extension will result in more of the site being covered by buildings but this cannot be reasonably classed as an overdevelopment of the site. The new door referred to by the parish council is in the flank of the existing building and does not itself require planning permission. The proposed extension will be used to accommodate the Church's office staff since the current office premises, a commercial unit in Woodford, is being vacated in part because the lease is due to expire and a higher rent is to be charged.

With regard to the objections received from the parish council and a neighbour some of them relate more to the existing use of the site as a whole rather than the modest sized extension now applied for. While it can be argued that the extension will provide some enlargement of the use it would be disproportionate to refuse this application on grounds of an increase in noise and car parking problems. Use of church buildings for community use is authorised by Class D1 of the Use Classes Order, and many churches are used for a variety of leisure and community uses which provide valuable services to their communities. In this respect the applicants state that the Bridge Church receives funding from Epping Forest District Council for its community work. It is acknowledged that this church building lies on a constrained site with limited parking facilities in a road where car parking is controlled via a residents parking permit scheme. However, this Church has stood on the site for some 40 years and the proposal is consistent with policy CF8, which states that the Council will facilitate the establishment, improvement, or appropriate replacement of existing public halls and places of worship where this is in accordance with other policies of the plan.

The objections raised have been brought to the attention of the pastor of the church and it is to be hoped that the Church can resolve some of the differences with its neighbours. In this connection the case planning officer has been informed that the latest use of the church is a service for youth on Fridays which finishes at 9.30pm with the premises being vacated by 10.30 pm.

### **Conclusion**

This is a small extension at the rear of the site which, in physical terms, will have a very small effect on the amenity of neighbours. While the extension may result in a small increase in the overall usage of the site, policy CF8 allows for the improvement of churches and church halls given the local community services they provide. It is recommended therefore that conditional planning permission be granted for this church extension.

***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:***

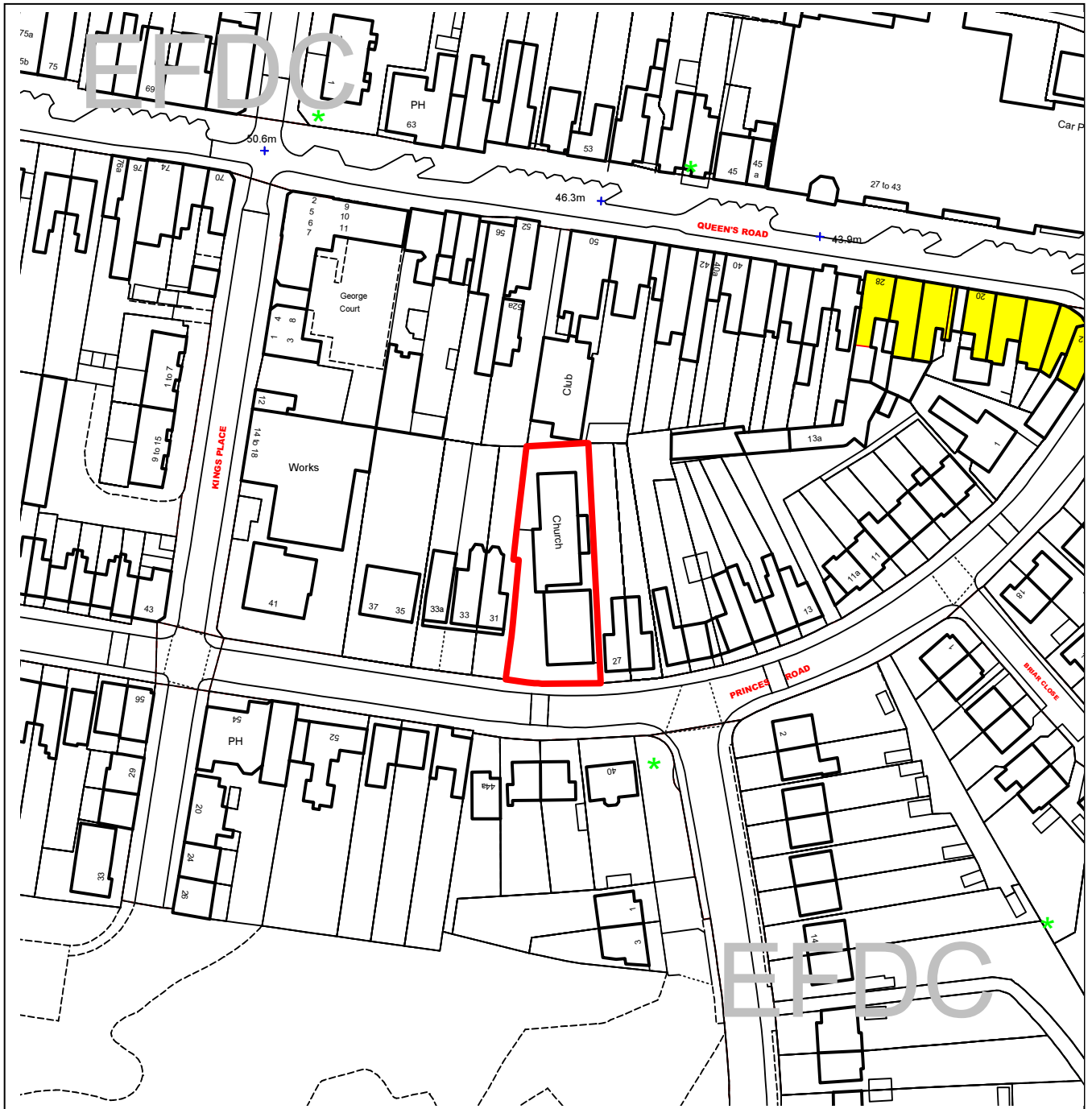
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

***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>12</b>
Application Number:	EPF/1307/11
Site Name:	The Bridge Church, Princes Road Buckhurst Hill, IG9 5EE
Scale of Plot:	1/1250

**Report Item No: 13**

<b>APPLICATION No:</b>	EPF/1498/11
<b>SITE ADDRESS:</b>	Wentworth Court Albert Road Buckhurst Hill Essex IG9 6EH
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mr Melvin Wright
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for provision of bin store area at front of site, with timber doors, existing close boarded fence to rear, and roofed over with ply and mineral felt covering.
<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=529880](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529880)

**CONDITIONS**

- 1 The doors to the bin enclosure hereby approved shall be closed at all times except when being used for the deposit of refuse, and the bolts/mechanisms for ensuring the doors are closed shall be serviced and maintained on a permanent basis.

*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).*

**Description of Proposal:**

Retrospective application for provision of bin store area at front of site with timber doors, existing close boarded fence to the rear, and roofed over with ply and mineral felt covering.

**Description of Site:**

Wentworth Court is a new development of flats with six flats in the larger front block towards the front of the site and 3 flats in the smaller block at the rear of the site. It lies on the west side of Albert Road adjoining a footpath that goes over the central line footbridge which provides access to the Buckhurst Hill tube station car park and to Forest Edge.

**Relevant History:**

EPF/1757/05 gave approval to the erection of two blocks of flats and EPF/820/08 allowed a variation proposing an increase in height of the forward block.

### **Policies Applied:**

DBE1 – Design of new buildings. DBE9 – Loss of amenity.  
ST4 – Road safety. ST6 – Vehicle parking.

### **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL – object – unsightly design; out of keeping with the street scene; too near to the footpath, and poor driver visibility due to the location of the bin store.

NEIGHBOURS – 26 properties consulted, including the Wentworth Court flats, and one reply received.

FLAT 3, WENTWORTH COURT – object – our flat and balcony lies just above the proposed bin storage area which was built in an unauthorised position seven and a half months ago. It causes fetid odours which prevents the use of our balcony and even discourages us to open our windows, particularly when refuse is not collected on time. The bin enclosure gives rise to mosquitoes and other insects, and given that the only windows we can open face Albert Road, they are constantly penetrating our flat and contaminating our food. When residents leave the doors to the bin enclosures open they often cause a noise when wind causes banging which is disturbing, especially at night. The bin enclosure provides burglars with access to our property. Our visual amenity has been ruined. We bought the flat expecting the bin enclosure to be sited underneath the block, but in its current position the bin enclosure reduces the value of our flat and we would not have bought it if we knew the bin enclosure was to be relocated to the front. Other bin enclosures in the locality are located in positions difficult to access, and the location of this bin enclosure at Wentworth Court should be changed.

PUBLIC HEALTH MANAGER, EFDC ENVIRONMENT AND STREET SCENE – I have no doubt that the situation of the bin store could cause the type of nuisance detailed in the letter from the occupiers of 3, Wentworth Court, if the bins were not used correctly or the doors left open. It should be noted, however, that we have no record of complaint from anyone at these flats to the Public Health or neighbourhood Teams about such issues, nor can I find any complaints on the Waste Management system related to uncollected bins. The obvious problem with such an application for a bin enclosure, and any comments about it, is that the siting of bins is bound to affect one or more of the residents to some degree, either in terms of nuisance or visual amenity. As this was a retrospective application, and no complaints have been received by us, no comments from the team were considered necessary. Had there been a history of complaints about the storage area those issues would have been commented on.

EFDC WASTE MANAGEMENT SECTION – The bin enclosure has already been built although not in the originally proposed position. We have no objections with carrying out collections from the new position.

ESSEX CC HIGHWAYS DEPARTMENT – The bin store does not interfere with the visibility splay of drivers exiting the site, nor, owing to the width of the access and footway, does it pose a hazard to pedestrians on the footway. The Highways Authority has no objections to this proposal as it is not contrary to the Highway Authority's Development management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 and ST6 of the Local Plan.

### **Issues and Considerations:**

This bin enclosure serves the 9 flats on the site and it is located at the front of the site adjoining the north boundary. It is a timber structure which now has a roof over it, and it measures 6.9m in length, 1m in width, and 2.1m in height. Because it is orientated at right angles to the road only end or angled views of it are seen from the street and the structure is also clad in timber. While

ideally a location at the rear of the site may have been more discreet, the bin enclosure is felt to have a satisfactory appearance that does not greatly impact on visual amenity in the street scene - and hence the views of the parish council that it is an unsightly structure are not shared.

The strong concerns of residents in the nearest flat to this bin enclosure are acknowledged and there is sympathy with some of the points they raise. However, a roof has recently been erected to enclose this bin enclosure, and on the case officer's site visit all the doors to the enclosure were closed and no odour problem could be identified – although clearly one visit does not necessarily provide a true picture. The original position for the bin store was to have been underneath the larger more forward block on the site but this was found to be too small and in any event the headroom underneath the block was inadequate for the Council's refuse vehicle to access. To this end therefore the bin enclosure was placed in its current position which satisfies the requirement of this Council's refuse section. Although it is recognised that this position is close to flats, and bearing in mind the comments from the Council's public health manager, the odour problem complained of is not considered to be a sufficient ground to refuse permission for this bin enclosure. In this regard a condition is proposed requiring that the 9 doors to the enclosure are closed at all times except when used for disposal of rubbish. Other measures such as allocation of bins to each of the flats could be instigated by the freehold owners of this new development.

The parish council have raised concerns that the enclosure impedes the vision of drivers leaving the site. However, the access is quite wide, and the County Council Highways Authority is of the view that driver visibility is not impaired.

### **Conclusion**

The building of these blocks of flats without an acceptable position for a bin enclosure having been identified is a matter of considerable concern. However, there is no ready alternative to this current position. In any event views of the enclosure are limited owing to its orientation and it has been enclosed in timber. The concerns of smell can be minimised by ensuring doors to the enclosure are closed, and by other measures within the remit of the management company responsible for this development. Bearing these points in mind it is recommended that conditional planning permission for this bin enclosure is 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:***

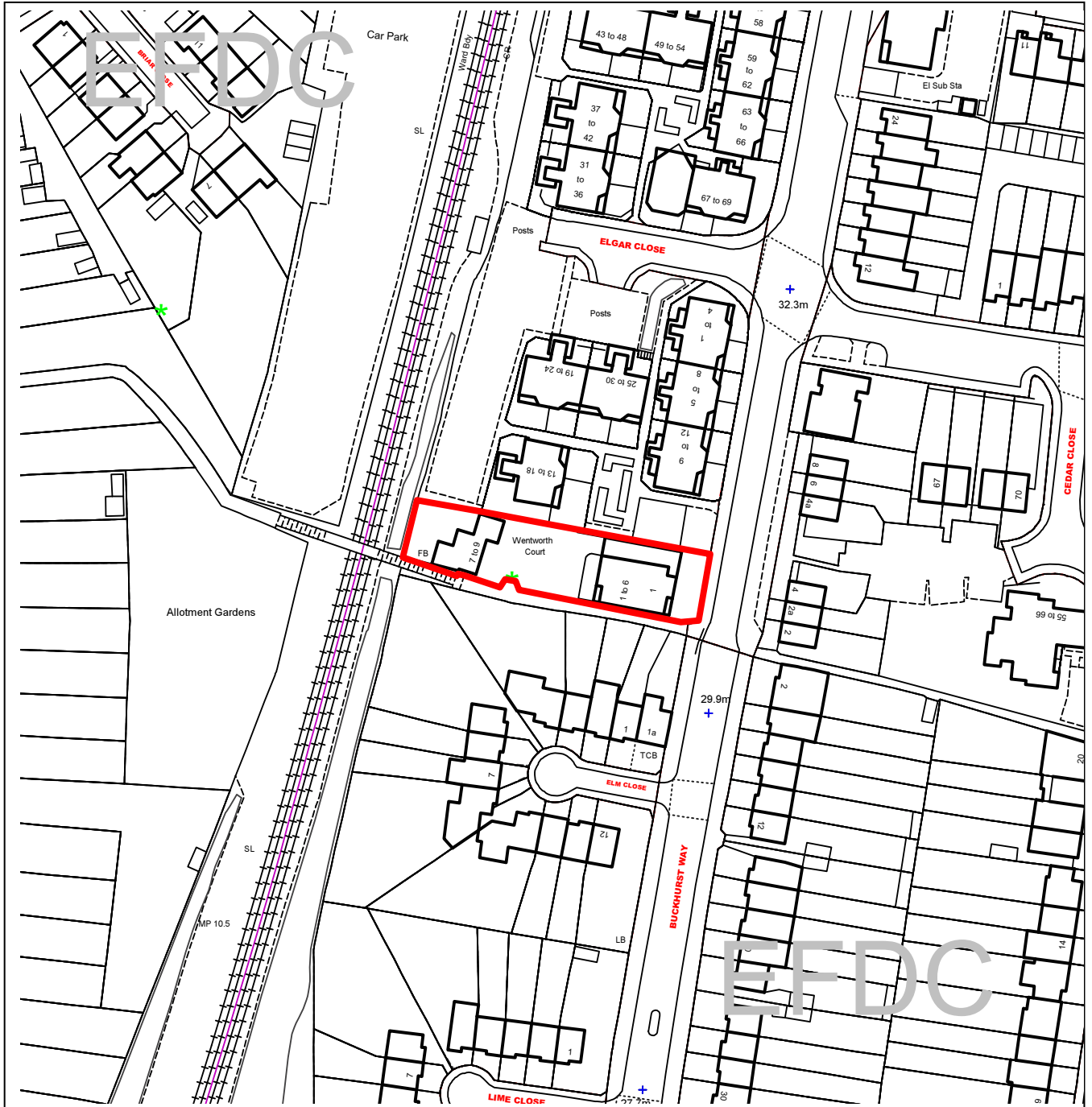
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

***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>13</b>
Application Number:	EPF/1498/11
Site Name:	Wentworth Court, Albert Road Buckhurst Hill, IG9 6EH
Scale of Plot:	1/1250