

Report Item No: 1

APPLICATION No:	EPF/1334/11
SITE ADDRESS:	1 Glenside Chigwell Essex IG7 5RE
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Crawford and Company
DESCRIPTION OF PROPOSAL:	TPO/EPF/17/09 T10 (T1 on plan) - Oak - Fell
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=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 item was deferred from the last meeting as Members sought further information in respect of the clarity of the measurement detail in the report, evidence of the cracks in the house and depth of foundations.

The original report is reproduced below with some amendments to include the requested information.

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 as follows:

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 was willing to waive its objection providing the tree officer deemed the works acceptable.

Issues and Considerations:

The home owner noticed further cracks in the front wall of the dining room in October 2009, following the completion of the original subsidence repairs, completed in November 2008. A

Technical Report was originally issued 29th December 2009 and received by the Council in May 2011 when the application was submitted.

Following initial receipt of the application, repeated requests were made for further technical information which resulted in the applicant's expert submitting a body of evidence designed to indicate a causal link between the damage occurring to the house and the roots of T1.

Monitoring data submitted in late June 2011 shows 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.

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, which consisted of a concrete ground slab extending to a depth of just 250mm. 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 deficient 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 months 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.
- e) The cracks in the wall have repeatedly reappeared following superficial repairs indicating a foundation based problem caused by tree roots

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) Potential underpinning claim

To underpin the front wall to an adequate depth is likely to remove the tree's influence on the house and ensure future building stability. An argument that this should have been done at the time of construction or in subsequent repairs has been made but, in this case, as presented, the considerable additional cost of this operation with the tree retained would potentially fall on the Council as a claim.

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 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:

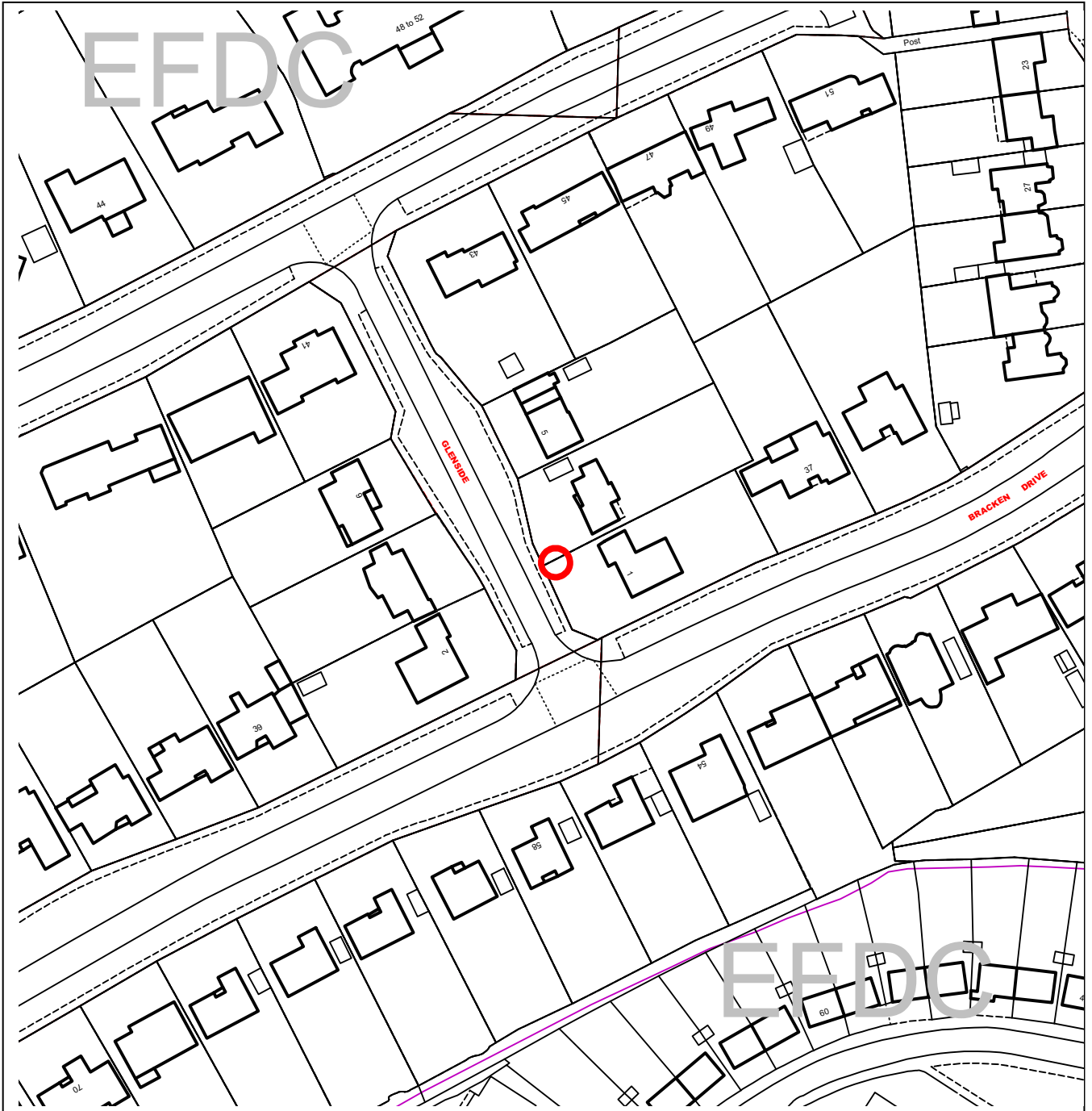
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

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



Epping Forest District Council

Area Planning Sub-Committee South



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

Report Item No: 2

APPLICATION No:	EPF/1221/11
SITE ADDRESS:	7 Great Oaks Chigwell Essex IG7 5ES
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr H Woods
DESCRIPTION OF PROPOSAL:	Erection of two storey side extension. (Renewal of lapsed planning permission EPF/0181/08.)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528870

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 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:

Erection of two storey side extension (renewal of lapsed planning permission EPF/0181/08).

Description of Site:

Two storey detached house in a cul-de-sac of 13 other houses built in the 1970's. Great Oaks slopes downwards away from its junction with Mount Pleasant Road.

Relevant History:

EPF/1767/07 was a refusal of permission for a two storey side extension, on grounds that the extension would extend to the side boundary creating a cramped appearance and which could cause a terracing effect.

EPF 0181/08 gave approval to a revised two storey side extension in which the first floor was set in 1metre from the side boundary. The current application seeks to renew this 2008 approval which lapsed in March 2011.

Policies Applied:

DBE9 – Loss of amenity.
DBE10 – Residential extensions.

Summary of Representations:

CHIGWELL PARISH COUNCIL – object on grounds there is no one metre gap and poor design.

NEIGHBOURS – 8 properties consulted and one reply received.

8, GREAT OAKS – object – how will we clean the gutter to our garage; will create a terracing effect; block our light, and concerned about possible damage from building works.

Issues and Considerations:

At first floor level the proposed side extension is set in from the side boundary by 1m. Although the ground floor side addition extends to the side boundary this form of development can be acceptable and indeed the neighbouring number 8 Great Oaks has a ground floor side addition on the boundary. Moreover the front wall of the proposed extension will be sited 2.5m behind the front elevation of the house, and in this recessed position it would only be viewed directly from the front. For these reasons the proposed extension will retain an acceptable visual break between houses, and the comments of the Parish Council and neighbour are not therefore shared on this issue.

In terms of design the extension is utilitarian in appearance. The narrow first floor addition, which will contain a bathroom, does not contain a front window. However, given the extension's recessed position it will be largely hidden from view and its design is satisfactory.

The neighbouring house 8, Great Oaks, lies in a more rearward position than number 7 and has no windows in its flank. The proposed extension will therefore have only a small effect on light and amenity to this neighbouring house.

Conclusion

This application proposes the same development as approved in March 2008. Relevant planning policies have remained unchanged, and the site's physical characteristics also remain much the same. The proposal has a very limited impact on the street scene and on neighbouring properties, and it is recommended that conditional permission be granted for this side 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:

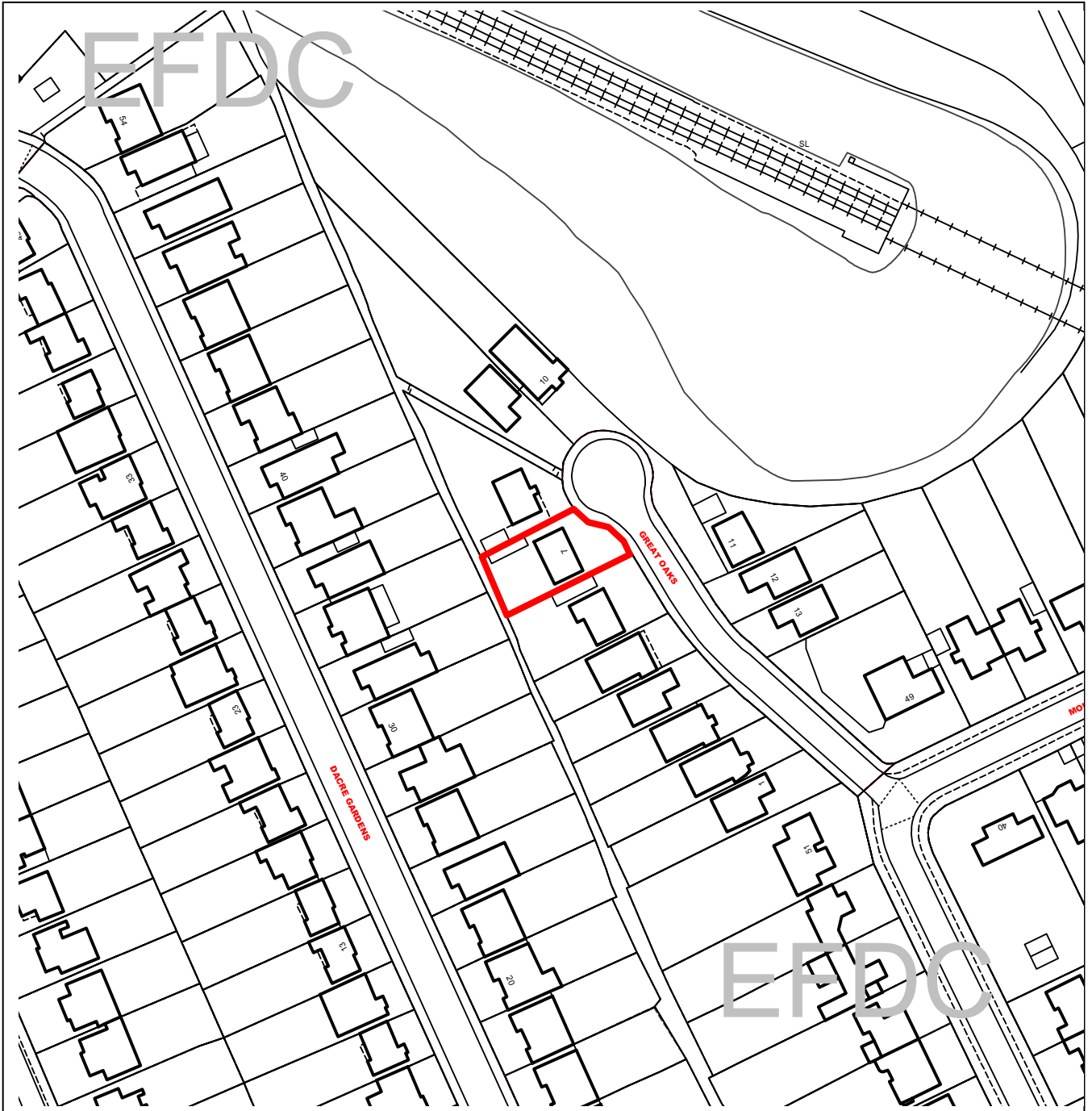
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



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Agenda Item Number:	2
Application Number:	EPF/1221/11
Site Name:	7 Great Oaks, Chigwell IG7 5ES
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1563/11
SITE ADDRESS:	Hedgeside 132 High Road Chigwell Essex IG7 5BQ
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Mark Baron
DESCRIPTION OF PROPOSAL:	Existing dwelling to be demolished and replaced with a two storey dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530091

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: BRD/11/037/001 rev. A to BRD/11/037/003 rev. A (Amended plans received 20 September 2011), BRD/11/037/004 to BRD/11/037/007 received 28 July 2011
- 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), the single-storey rear projection of the house and the roof of the house shall not be extended or enlarged without the prior written permission of the Local Planning Authority.
- 5 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.

- 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 Prior to occupation of the development, the existing vehicular access to the south of the site shall be permanently closed, incorporating the reinstatement to full height of the highway verge and kerbing, in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 8 The development hereby approved shall not be commenced until details of the proposed vehicular crossover to the north of the site and the proposed front boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, material and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the dwelling is occupied.

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

Description of Proposal:

The applicant seeks consent to demolish an existing detached house and erect a replacement, detached two storey dwelling with accommodation in the roof and a full basement level. This proposal is an amendment to a development allowed on appeal, ref EPF/1689/10.

The dwelling at its deepest point would measure 14.7 deep and 21.3 metres wide. There would be a ramped entry to the south west of the building into the basement. The highest point to the ridge measures 9.7 metres and steps down to a height of 8.1 metres.

The building would cover a larger footprint than the existing house, and it will be positioned 13.0 metres from the edge of the footpath and road edge. It will have a 1.4 metre separation from the boundary with No. 130 High Road and 1.5 metres from the boundary with no. 134 High Road.

An additional rearwards projection is the main difference between the proposal and the approved house. It would be sited on the property's southern boundary leaving a gap of some 0.6 metres from the property at 134 High Road. It will be 16.8 metres deep from the rear building line of the main dwelling house and some 7.5 metres wide. Its eaves height will be 2.8 metres and ridge height 4.0 metres.

The proposal also includes an enlargement of the approved basement to provide a wider light well towards the rear of the house. The internal layout has also been altered but it will still be laid out as a single family dwelling. There are also minor changes proposed to the rear fenestration of the building. These are described in more detail below.

Description of Site:

The application site accommodates a large, detached house on a rectangular plot situated on the east side of the High Road, some 250m south of Chigwell Station. The site backs onto Chigwell Golf Club. The street is characterised by a wide variety of large single detached houses.

Relevant History:

EPF/0548/09 Proposed redevelopment of existing dwelling to 7 apartments. Refused. Appeal dismissed.

EPF/0994/10 Existing dwelling to be demolished and replaced with a new two storey dwelling with rooms in the roof and a basement. Withdrawn.

EPF/1689/10 Demolition of existing dwelling and erection of a replacement detached dwelling house. Refused. Appeal allowed.

Policies Applied:

Epping Forest District Local Plan and Alterations

CP1, CP2, CP3, CP5, CP6 and CP7 – Achieving sustainable design objectives, building, urban form and quality and protecting the quality of the Rural and Built Environment

H1A – Housing provision

H2A – Previously developed land

DBE1 – Design of new buildings

DBE2 - Effect on neighbouring properties

DBE3 – Design in Urban Areas

DBE6 – Parking layout of new development

DBE8 – Private amenity space

DBE9 – Loss of amenity

ST04 – Road safety

ST06 – Vehicle Parking

LL10 – Provision of landscape retention

SUMMARY OF REPRESENTATIONS:

5 neighbours were sent letters and no letters of representation have been received

CHIGWELL TOWN COUNCIL: The Council OBJECTS to this application on the grounds it is overdevelopment

Issues and Considerations:

The main issues that arise with this application are the design of the new building, its appearance in the street scene and the amenity of neighbouring occupiers. On site parking provision is also considered together with sustainability and landscaping proposals for the site.

This is an amendment to an application which was previously refused and then subsequently allowed following an appeal under planning reference EPF/1689/10. The Planning Inspector's findings in his report are therefore a material consideration.

Principle of Development:

The site presently accommodates a detached single family dwelling house albeit a smaller sized building. The present proposal will be for a new larger replacement single family dwelling house.

The site is located in the built up urban area of Chigwell in a sustainable locality. The street scene is characterised by various examples of large, detached family dwelling houses. The principle of erecting a replacement single family dwelling house at this site is acceptable subject to the siting, design, appearance and size of the amendments to this proposal.

Scale and design:

The proposed house would be large and have a mock Tudor appearance. Its appearance would be very similar to the house allowed on appeal, especially when seen from the street. The Inspector's assessment of the scale and detailed design of the house was acceptable having regard to its context in a locality which includes large houses and a mix of styles. Since the appearance of the front elevation of the proposal is identical to the house allowed on appeal and its overall scale is very similar it would not be possible to sustain an objection to the present proposal on the basis of its size and design.

The main amendment to the approved house is the inclusion of a new, elongated rearwards addition. It will be up to 16.8 metres deep along and will be sited close to the property's southern boundary shared by No. 134 High Road. It will accommodate a pool room and changing facilities. In terms of its siting, the nearest neighbour is No. 134 High Road, which has an existing elongated single storey extension that projects rearwards at a depth that is 1.5 metres less than what is proposed. In design terms, therefore, it is considered the proposed rear projection will replicate a similar rear projection to an adjacent house and consequently is consistent with the character of the locality.

Other amendments involve a small increase in the depth of the building by 0.5 metres rearwards. The basement will also be increased by 1.7 metres rearwards with a wider light well and there are also minor changes to the fenestration of the rear elevation. These changes will only be seen from the rear of the property. The increased basement area will have little or no affect to neighbouring occupiers. The increase in the footprint of the building is considered to be marginal when compared to the overall size of the approved building. Moreover, the relationship of the main part of the amended house to neighbouring houses would be little different to that of the approved house.

The Parish Council have raised an objection on the basis that they consider the proposal to be an overdevelopment of the site. The fact that the proposal retains a generous rear garden area of some 850 square metres, providing more than sufficient private amenity space for the occupiers, is a clear indication that the proposal is easily accommodated within the site. Moreover, the scale of the development in its context respects the character of the locality. In the circumstances the concern expressed that the proposal would amount to an overdevelopment of the site cannot be supported and is certainly at odds with the Planning Inspector's assessment of the house which was allowed at appeal.

Impact on amenity:

The site benefits from a planning approval for a new dwelling of similar scale. In his reasoning, the Planning Inspector considered the main building will not result in harm to neighbouring occupier's amenity.

The internal changes, increase in size of the light well for the basement and changes to the fenestration will not prove to be detrimental to the neighbouring occupiers amenity.

The main issue is whether the additional rearwards projection will harm immediate neighbour's amenity. As previously mentioned, the adjacent occupiers, No 134 High Road, to the south east of the property have a single storey rearwards projecting pool extension that runs along the common boundary with the site.

The proposed single storey rearwards pool addition, whilst being close to the property boundary at 0.6 metres will however only project 1.5 metres beyond the rear building line of the rearwards projection at No. 134. The two properties will therefore have much of the same rear building line. This is acceptable in terms of the consequences for neighbour's amenities.

The property will retain more than adequate private amenity space. The built form for this site will more or less replicate the built form at the adjacent site No. 134, this is acceptable.

Due to the orientation of the building, the proposal will not result in significant loss of outlook or loss of light and neither will it appear visually obtrusive to the occupiers.

Landscaping:

There are no protected trees within the curtilage of the site. The scheme aims to retain many existing trees and add to the planting on the site. This can be subject to conditions to ensure the best scheme is put in place.

The details of the hard and soft landscaping proposals are acceptable and a condition can secure high quality surface materials, prior to implementation of the scheme.

Parking and access:

The applicant shows generous provision for parking in the basement for a minimum of four cars. The Highways Authority does not wish to raise an objection to the improved vehicle access arrangement into the site. The parking and access is considered acceptable.

Other consideration

The Inspector in his conclusion found the Council's request that the permitted development rights for extending the house be removed by condition to be unnecessary. In respect of the present proposal it is the case officer's opinion that it is necessary to remove the right to extend the rear projection of the house. That element of the proposal was not previously considered by the Inspector and should permitted development rights be fully taken up (by extending it 4m to the rear) the impact on the amenities of 134 High Road may well be harmful so the potential for excessive harm to be caused should be assessed before such an addition is permitted. Since the rear elevation of the proposed house is in approximate alignment with the rear of 130 High Road it is not considered necessary to remove permitted development rights to the main part of the house.

The design of the proposed dwelling as proposed is good and includes well proportioned dormers of an appropriate scale in the rear elevation. That quality could be marred by the erection of unsightly large dormer additions replacing those presently proposed in the rear facing roof slope as permitted development. Similarly, side dormer windows may not appear appropriate. Such dormers should therefore not be permitted to proceed until an assessment of them has taken place in the context of a planning application therefore it is also considered to be necessary to remove permitted development rights for the enlargement of the roof.

Conclusion:

The proposed new dwelling together with the amendment is considered to be acceptable, in its siting, size, bulk and appearance.

The Parish Council's objection has been given sufficient weight when assessing the proposal however; it does not justify refusing planning permission on this basis. The proposal is considered to be acceptable in all other respects and complies with the Council's policies. As such it is recommended planning permission is approved subject to conditions.

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

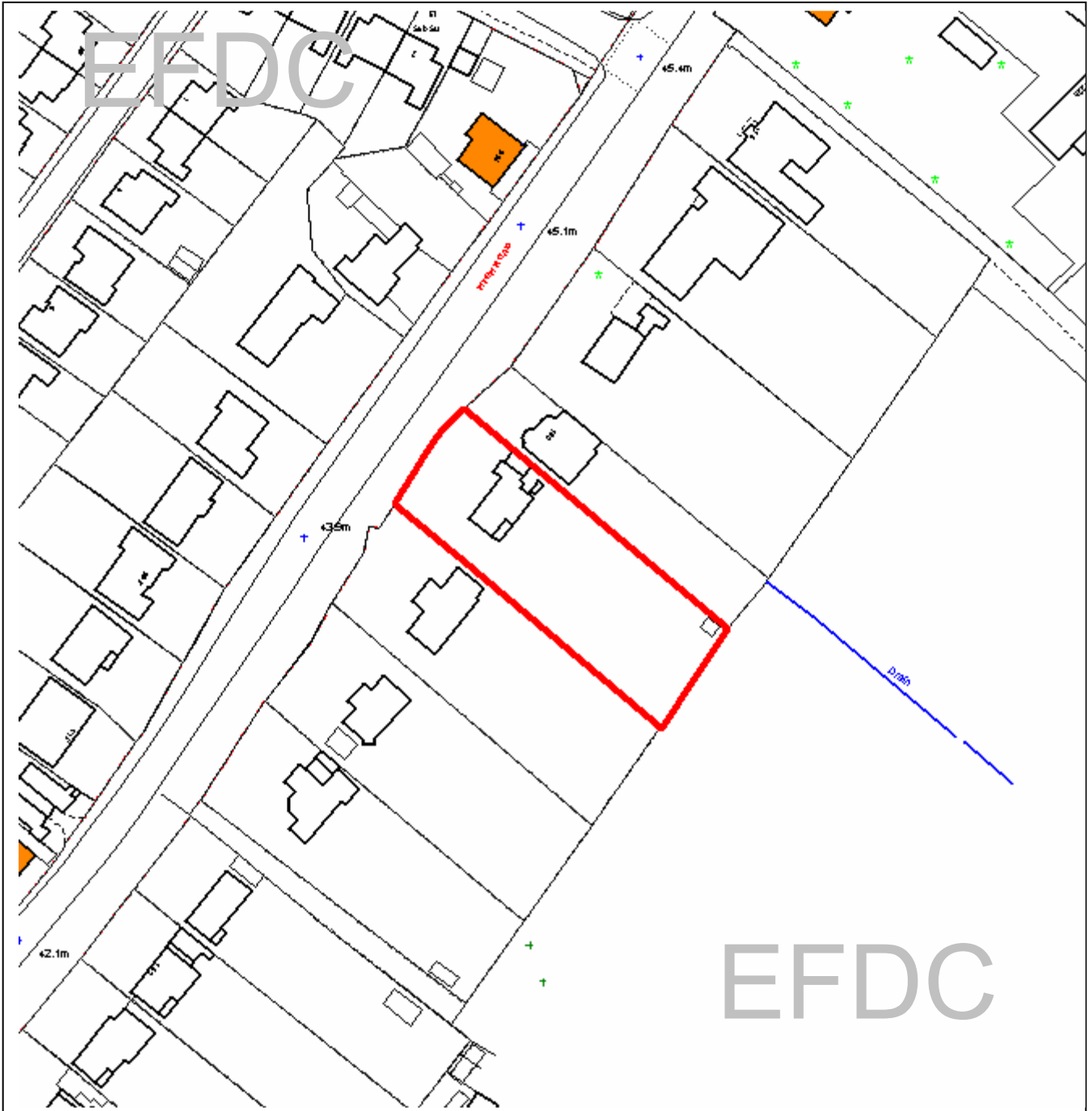
***Planning Application Case Officer: Paula Onyia
Direct Line Telephone Number: 01992 564103***

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/1563/11
Site Name:	Hedgeside, 132 High Road Chigwell, IG7 5BQ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1633/11
SITE ADDRESS:	182 Roding Road Loughton Essex IG10 3BS
PARISH:	Loughton
WARD:	Loughton Roding
APPLICANT:	Mr Vijay Patel
DESCRIPTION OF PROPOSAL:	Demolition of the existing house and garage. Construction of a block of five one-bedroom flats; new vehicle access crossover and external landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530333

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: 14420/SP-100, 01A, 02B - 10B, Location Plan.
- 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 The proposed window opening(in the north east flank elevation shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 Prior to the commencement of the development details of the refuse storage facility, including additional provision for future food waste, shall be submitted to the Local Planning Authority for approval. The agreed scheme shall be implemented prior to the first occupation of the development and thereafter be permanently retained.
- 6 Prior to the commencement of the development hereby approved, details of boundary treatments shall be submitted to the Local Planning Authority for approval in writing. The agreed boundary treatments shall be erected prior to the first occupation of the building and shall be retained in that form thereafter.

- 7 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development,
- 8 The cycle parking facilities as indicated on the submitted plans shall be provided prior to the first occupation of the development and permanently retained thereafter.
- 9 Notwithstanding the requirements of condition 2 of this permission, the development shall not be commenced until details of the main entrance and associated porch of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 11 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]
- 12 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]

- 13 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]
- 14 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.
- 15 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.
- 16 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 17 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.
- 18 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 since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions) and is also 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

The proposal is to demolish the existing dwelling and garage on the site and replace it with a two storey block of five one bedroom flats. This would include two flats at ground and first floor and one in a converted roof area. In this regard the roof would include three dormer windows. The building would have a frontage of 15.2m and an overall depth of 11.2m. The rear 4m of the building would be 3m narrower than the front. Parking spaces and refuse storage facilities would be provided to the front. Private amenity space would be provided to the rear. A new vehicle access would also be provided to the front.

Description of Proposal

The proposal site contains a detached dwelling with an attached garage to the side. The site is irregular in character and the rear garden is triangular in shape. The existing dwelling occupies the end plot in a row of residential dwellings and Roding Road follows around the flank of the site finishing in a cul de sac. The immediate area is residential in nature with two storey dwelling houses being the dominant style. The boundary of the Metropolitan Green Belt extends to the flank elevation of the site.

Relevant History:

- EPF/1289/05 Demolition of No.182 and garages and alterations to No.180, erection of new two storey building with rooms in roofspace to form 8 no. 1 & 2 bedroom flats, with associated car parking and amenity space. Refuse Permission - 04/10/2005.
- EPF/1349/06 Demolition of existing house and erection of a detached house and a pair of semi-detached houses. Withdrawn Decision - 01/12/2006.
- EPF/2365/07 Two storey side and rear extensions and a loft conversion. Refuse Permission - 14/12/2007.
- EPF/0370/08 Two storey side and rear extensions and a loft extension. (Resubmission). Withdrawn Decision - 18/04/2008.
- EPF/1013/08 Two storey side and rear extensions. Grant Permission (With Conditions) - 11/07/2008.
- EPF/0994/11 Demolition of the existing house and garage. Construction of a block of five one bedroom flats, new vehicle access crossover and external landscaping. Withdrawn Decision - 22/07/2011.

Policies Applied:

- CP1 – Achieving Sustainable Development Objectives
- CP2 – Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- CP4 – Energy Conservation
- CP5 – Sustainable Building
- CP6 – Achieving Sustainable Urban Development Patterns
- CP7 – Urban Form and Quality
- DBE1 – Design of New Buildings
- DBE2 – Effect on Neighbouring Properties
- DBE3 - Design in Urban Areas

DBE6 – Car Parking in New Development
DBE8 – Private Amenity Space
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H3A – Housing Density
H4A – Dwelling Mix
GB7A – Conspicuous Development

SUMMARY OF REPRESENTATIONS:

27 neighbours consulted – 3 replies received.

186 RODING ROAD: Objection. There are no flats in Roding Road and this will appear out of place and overbearing. Two mature trees will be removed from the front and some trees at the rear are at risk. Top floor windows will encroach on the existing amenity of 184 Roding Road. It is obvious these flats are being built as sheltered accommodation. Guidelines state that no more than 70% of an area fronting a highway should be hard surfaced; this is not the case here. This will lead to parking pressure along the road and there is a concern about road safety with another entrance onto the road.

190 RODING ROAD: Objection. Overlooking of neighbouring gardens to the side. Why the need for remote monitoring systems? Is this for social housing/sheltered accommodation/halfway house? A block of flats will be entirely out of keeping. The proposal would extend considerably closer to the flank boundary and will be an eyesore from my house. The application states there are no trees on site and this is not the case.

192 RODING ROAD: Objection. The applicant refers to previously approved schemes but this scheme is pertinently different. The top floor area is greater than previously approved schemes. This application also includes dormer windows. This proposal is for 5 dwellings as opposed to one. Loss of privacy to neighbours at the rear. I assume the proposal is for those with assisted needs however why are there no disabled parking spaces and no parking for carers? The scheme is bulky and out of place in this location. When approached from Avondale Avenue the proposed building would appear bulky and out of scale. The cycle store would need to be covered. Lack of amenity area for the number of dwellings provided. Inadequate parking. Inadequate privacy to residents of the second floor dwellings.

LOUGHTON RESIDENTS ASSOCIATION: Objection. The proposal by reason of its scale, massing and appearance would be an over dominant addition to the streetscene. The development is conspicuous from the Metropolitan Green Belt. The vehicle access appears to be in a dangerous location. The applicants point that the building is of a similar scale to approved extensions bears little relevance.

LOUGHTON TOWN COUNCIL: Objection. This is contrary to government guidance with regards to guidelines on “garden grabbing” in PPS3. Unwarranted intensification and over development of the site which would be out of keeping in the streetscene contrary to DBE1 and DBE2. The scheme with its uncharacteristic design would be conspicuous from the Green Belt and would have a detrimental impact on neighbours. Concern about extra traffic and the site entrance being located adjacent to the corner. Waste storage to the front is not acceptable.

Issues and Considerations:

The main issues to consider include;

1. The principle of the development
2. Potential impact on the character and appearance of the area.
3. Amenity.
4. Parking and road safety.
5. Private amenity space provision
6. Trees and landscaping issues
7. Lifetime Homes Criteria

Principle of Development

Concern has been raised by Loughton Town Council that the proposed development is contrary to revised Government guidance as contained in Planning Policy Statement 3 (Housing). Although recent Government amendments to PPS3 have excluded residential gardens from the definition of previously developed land in Annex B and the minimum density of 30 dwellings per hectare has been deleted from paragraph 47, it still remains a key Government objective to promote the efficient use of land in the provision of housing, where it respects the character of the area. This development is for the redevelopment of a detached house rather than land that is wholly garden. It therefore relates to previously developed land and would amount to a more efficient use of previously developed land. The principle of a modest development of flats on this site is not considered significantly out of character with the wider locale, which includes similar flats at No's 1 – 4 Avondale Court opposite the site. The proposed block has also been designed to appear similar to the other pairs of semi detached dwellings along the street.

The adopted Local Plan and Alterations states that future trends point to an increase in single occupancy and smaller households and increased provision should be made for this demand. In this context the proposal would help meet current and future demands for smaller dwellings whilst complying with a specific point of Council policy as contained in Policy H4A. Policy H2A also promotes the reuse of previously developed land in the provision of housing. This proposal complies with this objective. The principle of the development is deemed acceptable.

Impact on the Appearance of the Area

There has been some concern expressed that the proposed development would appear bulky and out of scale with neighbouring development. The site enjoys the benefit of being on a corner plot where a desire to achieve complete conformity with an existing streetscene is not as keenly felt. The proposed frontage of the flats is similar in width to neighbouring semi detached dwellings. The height from ground to eaves level is also very similar to adjacent dwellings. The roof does appear slightly bulkier but this is not a serious flaw in the proposal. The proposed development does not appear excessively bulky when compared to surrounding development and would not be out of place.

The boundary of the Metropolitan Green Belt extends to the flank elevation of the site. This proposal does not encroach on the Green Belt and the site has already been developed for residential use. Although the use of the site would intensify there would be no serious transgression of Green Belt policy with an approval of this scheme.

The rear element of the building is akin to a reasonable two storey rear extension and the rear facing dormer windows are modest and well proportioned. A reasonable gap is retained to the boundary. The detailed design is relatively plain and raises no concerns.

Amenity

The narrower rear element of the building would be located in close proximity to the side boundary with No180 Roding Road. However it would not appear excessively overbearing. There may be some loss of mid morning light to a rear facing window but this would not seriously impinge on amenity.

Neighbours have also expressed concern that the proposed dormer windows would result in excessive overlooking, leading to a loss of amenity for neighbouring residents. The proposed dormer windows would not increase overlooking any more than what currently exists from existing first floor windows.

Gardens abutting the rear of the site would be generally unaffected. These gardens are set at an angle to the development and at a distance of 30 plus metres, overlooking would not be a concern.

A side facing window on the north east flank can be reasonably conditioned as obscure glazed.

Vehicular Access

The Highways Authority at Essex County Council has expressed no concern with regards to the proposed vehicle access to the site. Good visibility exists in both directions.

Vehicle Parking

The proposed development provides one space per dwelling. In an area generally well provided for by public transport this is deemed acceptable. The need for visitor parking would be infrequent and could be accommodated on the roadway which has no parking restrictions. Essex County Council Highways Section suggests a number of conditions which are deemed reasonable and necessary and these will be attached to any approved scheme.

Private Amenity Space Provision

Private amenity space is provided by way of a communal garden area to the rear. At approximately 170 sq m of useable amenity space, the provision complies with the recommendation of the Local Plan which advises 25 sq m per unit.

Trees and Landscaping

The Trees Officer of the Council has stated that the two small trees to the front of the property and the tree in the rear garden are not worthy of retention. Therefore their removal would not be contested and there are no trees or landscaping concerns with this development.

Land Contamination

The Council's Contaminated land Officer advises that a phased contaminated land investigation should be carried out prior to the commencement of works owing to the presence of a part infilled pond and the land raising which has occurred at the treatment works. This could give rise to the presence of contaminants at the site. The application can be conditioned accordingly.

Refuse Storage

The proposed refuse storage would be adequate for a development of five flats, subject to additional provision for a 180 litre future food waste bin. This can be agreed by condition, notwithstanding the submitted plans. A well designed storage area to the front would raise no issues. There are no issues with regards to access for refuse vehicles.

Lifetime Homes Criteria

A number of objectors have raised concern about terminology in the Design and Access Statement which outlines how the development would be built to meet Lifetime Homes criteria. This would include Remote Monitoring Systems. There is concern about the future habitation of the site. The Lifetime Homes criteria is a set of principles which ensures that all new housing remains open to all sections of the community, including those with disabilities. This proposal ensures that the development is open to a greater number of potential future occupants who might otherwise be debarred from new development owing to the design.

Conclusion:

The principle of this development is deemed acceptable in regards to Local Plan policies and national policy guidance relating to the more efficient use of previously developed land, and the revisions to PPS3. The design and appearance would not stray excessively from the character of the area and the development would not appear out of place. This proposal would not appear excessively conspicuous from the adjacent Green Belt. There would be no serious loss of amenity with this scheme. The parking and road safety requirements are deemed to have been adequately dealt with. All the material planning considerations that have arisen in the course of this application have been given due weight and having regard to these matters it is considered that the development is appropriate at this location. Accordingly it is recommended that the scheme is approved with conditions.

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

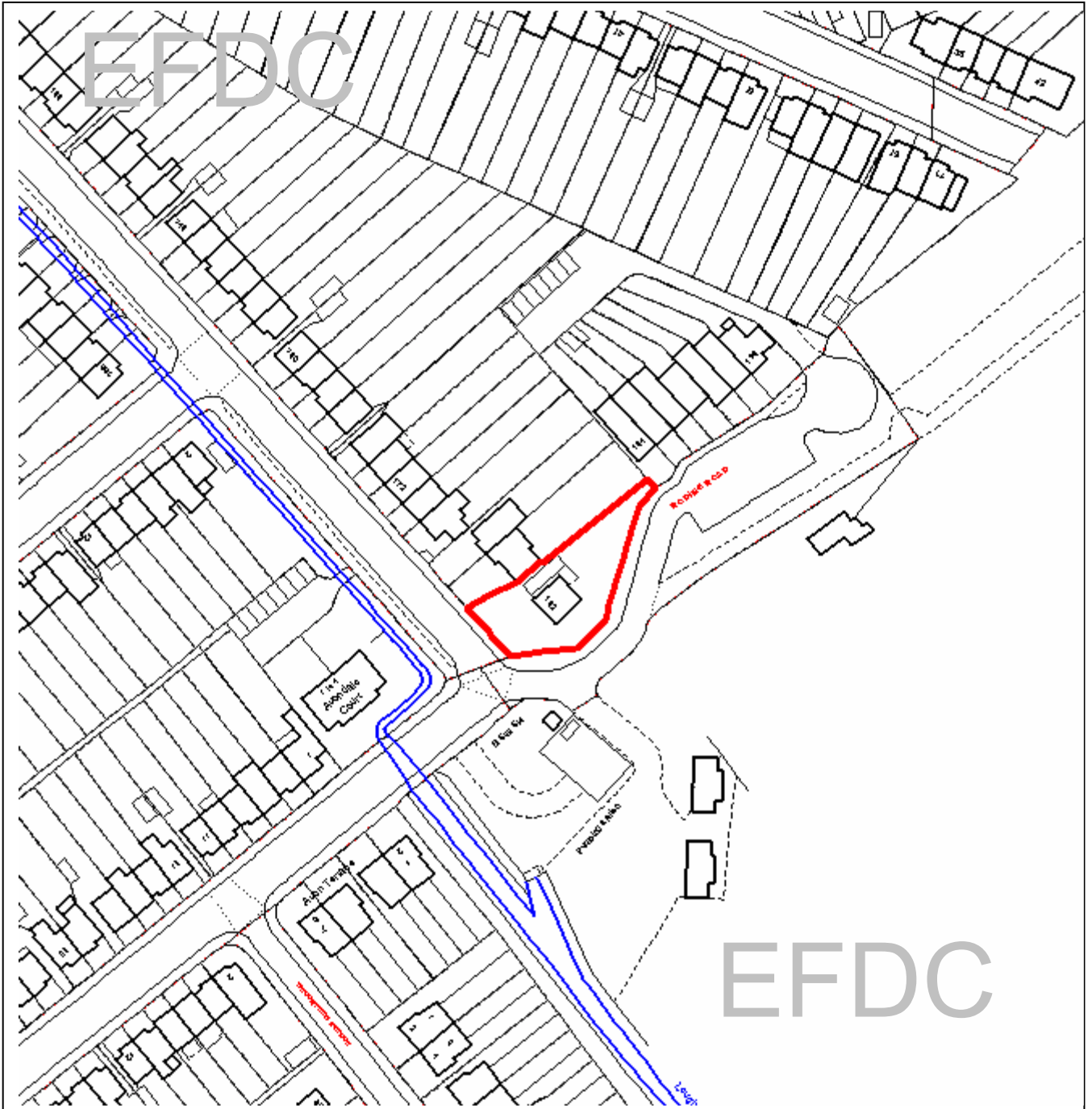
***Planning Application Case Officer: Dominic Duffin
Direct Line Telephone Number: 01992 564336***

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/1633/11
Site Name:	182 Roding Road, Loughton IG10 3BS
Scale of Plot:	1/1250