

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1497/11
<b>SITE ADDRESS:</b>	Manor Hall 144 Manor Road Chigwell Essex IG7
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	W Spouse
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 19 'Highway Improvement' of planning permission EPF/2211/05 (Outline application for redevelopment of site with 10 no. two bedroom flats, parking and amenity areas -revised application) to allow works to be completed within 12 months.
<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=529879](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529879)

**CONDITIONS**

- 1 Prior to the first occupation of the 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.
- 2 If any plant planted in accordance with the Approved Landscaping Scheme (agreed through application ref. EPF/1496/11 on 13th September 2011) dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.
- 3 Hard and Soft landscaping shall be maintained for a minimum period of five years, in accordance with details approved in the Schedule of Landscape Maintenance, agreed under application ref. EPF/1496/11 on 13th September 2011.
- 4 Notwithstanding the detail shown on the approved plan, gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 5 Prior to the first occupation of the development, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out

and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the LPA and the completed phase 1 investigation shall be submitted to the LPA upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the LPA before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the LPA prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the LPA for approval prior to first occupation of the completed development.

- 6 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the development hereby approved and shall be adequately maintained.
- 7 Prior to the first use of the accesses a 1.5m x 1.5m pedestrian visibility sight splay as measured from the highway boundary shall be provided on both sides of each vehicular access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.
- 8 Prior to the occupation of the development, details of refuse collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided prior to the first occupation.
- 9 Prior to the occupation of the development hereby permitted the existing crossovers shall be removed and the footway reinstated.
- 10 Within 3 calendar months of the date of this decision, a scheme shall be submitted to the Local Planning Authority for approval in writing, detailing works to the adjacent highway necessitated by this scheme, including a tactile dropped footway and crossing point to Stanwyk Drive and improvements to the Bus Stop on the opposite side of Manor Road, just west of the site. These works should include a raised kerb and bus shelter. The agreed works shall be completed in accordance with the agreed detail within 12 calendar months of the date of their approval by the Local Planning Authority.

*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:**

This application seeks consent for a variation of a planning condition imposed on an outline planning permission for the erection of 10 flats at Manor Hall, 144 Manor Road Chigwell.

The planning condition (no.19) required:

***Before any part of the development hereby permitted commences at the site, a scheme shall be submitted to and approved in writing by the Local Planning Authority securing works to the adjacent highway necessitated by this scheme, including a tactile dropped footway and crossing point to Stanwyk Drive and improvements to the Bus Stop on the opposite side of Manor Road, just west of the site. These should include a raised kerb and bus shelter, and the moving of a lamp column if required and removal and replacement of bollards in Manor Road. The occupation of the development shall not begin until those works have been completed in accordance with the Local Planning Authority's approval and have been certified in writing as completed by or on behalf of the Local Planning Authority.***

The development has been completed without these highway works having been undertaken and the development is, therefore in breach of this planning condition. Accordingly, this application has been submitted to seek an additional period, of twelve months, to undertake these works, to regularise this breach.

### **Description of Site:**

The application site comprises the constructed flats, car parking and landscaped areas.

The site is located on the northern side of Manor Road, adjacent to its junction with Stanwyk Drive.

### **Relevant History:**

#### *The Planning Permission*

- |              |   |
|--------------|---|
| EPF/2211/05. | Outline application for redevelopment of site with 10 no. two bedroom flats, parking and amenity areas. (Revised application). Approved 02/03/2006. |
| EPF/0139/08  | Revised reserved matters application for 10 flats. Approved 12/06/2008.   |

#### *Non-Material Amendments*

- |             |  |
|-------------|--|
| EPF/2164/10 | Application for approval of details reserved by condition 8 'Landscape details' of planning permission EPF/2211/05. (Outline application for redevelopment of site with 10 no. two bedroom flats, parking and amenity areas - revised application). Approved 09/06/2011. |
| EPF/0703/11 | Non material amendment to EPF/0139/08. (Revised reserved matters application for 10 flats.) Refused 28/04/2011.  |

EPF/1377/11 Non material amendment on EPF/0139/08 to add plan numbers as a condition.(Revised reserved matters application for 10 flats). Approved 20/07/2011.

*Approval of details reserved by condition*

EPF/0138/09 Application for approval of details reserved by condition 3 'materials' on EPF/2211/05. Approved 04/02/2009.

EPF/2164/10 Application for approval of details reserved by condition 8 'Landscape details' of planning permission EPF/2211/05. (Outline application for redevelopment of site with 10 no. two bedroom flats, parking and amenity areas - revised application). Approved 09/06/2011.

EPF/1496/11 Application for approval of details reserved by condition 4 'Boundary Treatments', condition 6 'Landscaping', condition 7 'No Mounding', condition 9 'Landscape Maintenance', condition 10 'Surface Material', condition 11 'Gates', condition 13 Contamination', condition 14 'Flood Risk' and condition 16 Recycling and Refuse' of planning permission EPF/2211/05 (Outline application for redevelopment of site with 10 no. two bedroom flats, parking and amenity areas -revised application). Split decision 13/09/2011 with various details approved or partially approved and others refused.

**Policies Applied:**

Local Plan

ST4 – Road Safety

**Summary of Representations:**

Notification of this application was sent to Chigwell Parish Council and to 50 neighbouring properties.

The following representations have been received to date:

CHIGWELL PARISH COUNCIL. The Council has NO OBJECTION to this application but requests officers to speak to Essex County Council regarding the need and location for the bus stop and if not deemed to be required remove the condition.

146 MANOR ROAD. Objection raised on the following grounds:

1. There is no mention of the replacement of the bollard between my property and the entrance to 144 Manor Road, which the developer removed at the beginning of the building work.
2. There is no mention of where the lamppost will be resisted – I would not wish to see this nearer to my property.
3. Any financial contribution should be a significant amount.
4. How will the Council ensure any financial contribution is actually paid?

### **Issues and Considerations:**

The main issues to be considered are the impacts of the proposed variation of the planning condition upon highway safety and transportation within the area, as this was the reason for the imposition of the condition in the first place.

The proposed alterations are necessary to ensure that the suitable infrastructure is provided, for pedestrians and other highway users. Whilst this is necessary, it is considered that the area surrounding the site could operate adequately for a limited period while the improvements are undertaken. Chigwell Parish Council has questioned the need for the bus stop and Essex County Council as Highway Authority has confirmed one is required and that improvements sought to it are also required. In giving that advice the County Council also confirmed their agreement to extending the period of time allowed for the highways improvements to be undertaken.

Whilst the scope of this type of application is limited to consideration of the variation to the planning condition which has been sought, if approved, it will result in a new decision being issued in respect of the original planning permission. Accordingly, any conditions attached to the original consent which remain relevant will need to be imposed upon this decision. Whilst some conditions have been agreed, their ongoing compliance in accordance with those agreed details will need to be secured. Furthermore, there are other conditions where the Council has yet to fully agree details and those conditions will need to be repeated in their entirety, although in some cases with appropriate alteration to their compliance period having regard to the stage the development is at.

### **Conclusion:**

In light of the above appraisal, it is considered that the proposed variation to the condition is acceptable. It is, therefore, recommended that planning permission be granted.

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

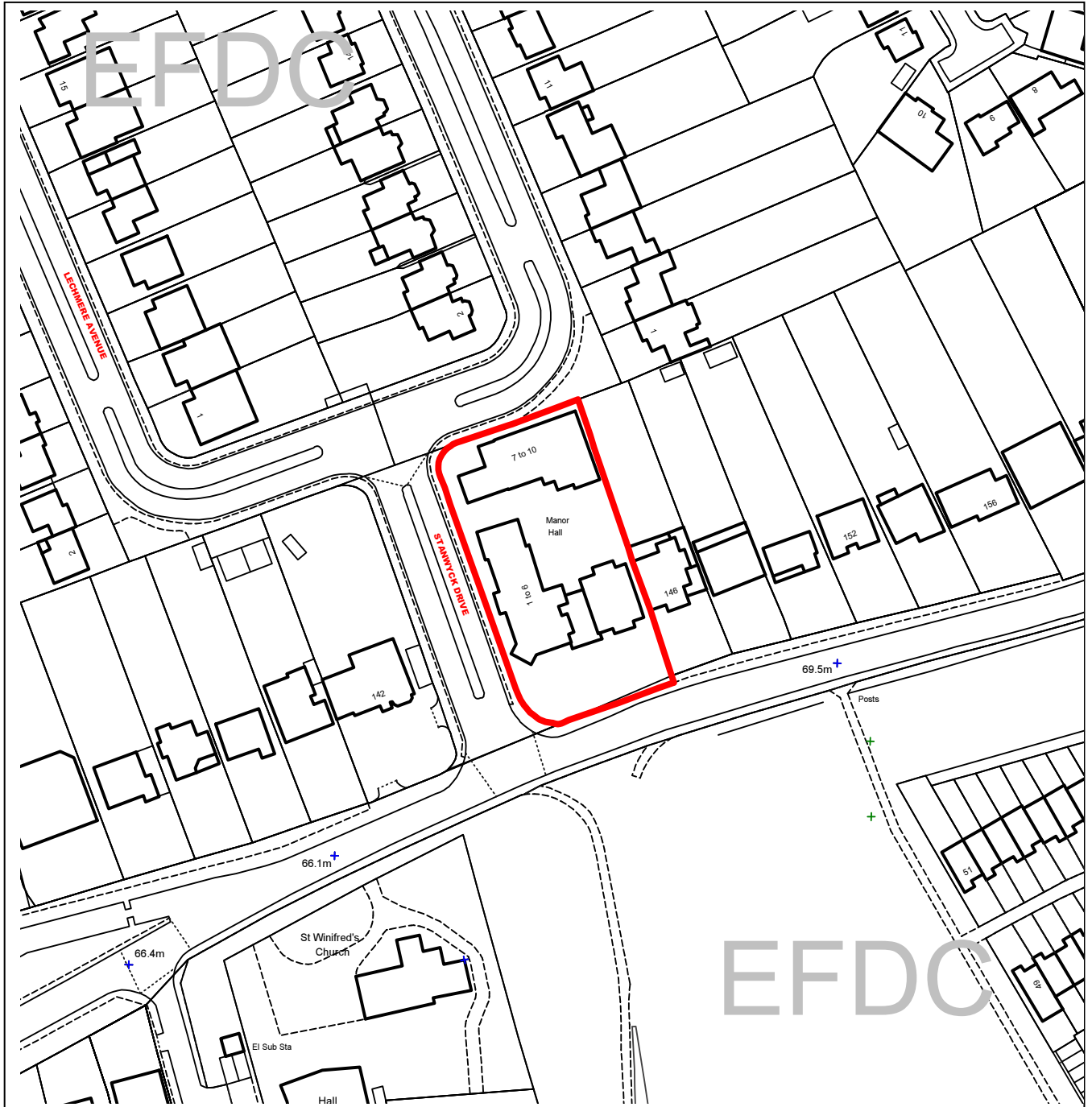
***Planning Application Case Officer: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564109***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/1497/11
Site Name:	Manor Hall, 144 Manor Road, Chigwell, IG7 5PX
Scale of Plot:	1/1250

## Report Item No 2

<b>APPLICATION No:</b>	EPF/1616/11
<b>SITE ADDRESS:</b>	1 Marjorams Avenue Loughton Essex IG10 1PT
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mrs Samina Dean
<b>DESCRIPTION OF PROPOSAL:</b>	Demolish side gable extension and adapt rear roof slope with new rear dormer and gable end roof.
<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=530271](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530271)

### 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 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

### **Description of proposal:**

This application proposes the following works:

1. Demolishing the existing side roof extension with parapet wall
2. Constructing gabled roof enlargement in place of demolished roof extension with a pitch matching that of the original roof

3. Reducing the pitch of the rear facing roof slope of the roof over a two-storey rear extension.
4. Retaining a rear facing dormer window that links into the east facing slope of the roof over the two-storey rear extension.

Roof tiles would match those of the original main roof.

### **Description of Site:**

The subject site is a corner plot and accommodates a two-storey semi detached dwelling at the junction with Marjoram's Avenue (front facing elevation) and Church Hill. The street scene is made up of detached and semi detached properties and town houses are situated to the west of the subject site. The site is on the crest of Church Hill and is screened by sparse vegetation on its western boundary.

The subject dwelling is finished in red-brown facing brick work and a first floor timber façade. The original roof was pitched and tiled with a gable end feature to the front and hip roof to the side profile. The front fenestration was of lattice glass, flush with the wall surface, and with corner windows at first floor level.

Whilst the dwellings on Marjorams Avenue vary in design and sizes, Nos. 1 to 17, form a row of eight semi-detached dwellings built to an identical design concept and despite subsequent additions and alterations, the properties retain common features.

### **Relevant History:**

EPF/0164/98	First floor side extension over existing garage. Refused
EPF/0862/09	Two storey side and rear extension, garage. Refused
EPF/1514/09	Two storey side and rear extensions, single storey rear extension (Revised application). Approved
EPF/0733/10	Erection of outbuilding. Approved
EPF/2015/10	Retention of two storey side and rear extension. Single storey front, side and rear extensions. Loft extension with dormer in roof. Refused 8 December 2010 on design grounds.

A subsequent appeal was dismissed on 8 March 2011. In dismissing the appeal the Inspector found the main issue to consider is the effect of the extensions on the character and appearance of the area around Marjorams Avenue and Church Hill. The Inspector concluded the dormer extensions to be harmful to that character and appearance because of their excessive scale, unsympathetic form and materials, incongruous side elevation and overbearing roof treatment.

ENF/0474/10	Enforcement notice issued on 3 February 2011 following the refusal of application EPF/2015/10. The notice alleges:
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Without planning permission, alterations to the roof of the dwelling consisting of the erection of a rear dormer with six windows and the extension of the roof to form a book end parapet.

The requirements of the notice are:



1. Reduce the rear dormer to no more than 3 metres in width and reduce the number of windows to 3 such that the development complies with approved Drawing No 1MR/PL2/01 Rev A under planning permission EPF/1514/09 and
2. Remodel the roof so as to remove the book end parapet and replace with a hipped roof in compliance with approved Drawing No 1MR/PL2/01 Rev A under planning permission EPF/1514/09

No appeal was made against the enforcement notice, which consequently became effective on 17 March 2011. The compliance period of 6 months expired on 17 September when this application was still being considered.

### **Policies Applied:**

#### **Adopted Local Plan and Alterations**

CP2	Protecting the Quality of the Built Environment
DBE9	Impact of New Development
DBE10	Design and Appearance

### **Summary of Representations Received**

6 properties were consulted and the following responses received:

LOUGHTON TOWN COUNCIL – The proposal provided a marginal improvement on the existing structure but members considered the works were still unsightly and intruded in the street scene.

3 MARJORAMS AVENUE – I would like to strongly object to the above application for the following reasons:

- Any alterations or changes to number 1 Marjorams Avenue have a significant impact on the quality of life and privacy at my own home.
- The owner of number 1 Marjorams Avenue was given permission for an already out of proportion conversion and decided to ignore it and build even bigger – adding the extra gable on the side, dormer on the back, dome on roof of the rear extension and making the roof line higher than it should be.
- The building is now of intimidating proportions and directly overlooks their house and garden. These semis are single family dwellings - and this is the case in every one of them, EXCEPT number 1 Marjorams Avenue which currently accommodates 9 people (in 3 separate family units). The number of windows on the back of the property makes it similar to block of flats and not a semi-detached house. The house originally had two upstairs windows and now has six! With the additional bungalow which has been erected at the bottom of the garden immediately facing my house (which has all the mains services connected to it) this project is just getting bigger and bigger.
- Currently the way the loft conversion at number 1 Marjorams Avenue has been built, with the extra dormer window on the back, looks completely different to No. 3 (which also has a loft conversion but no extra bits sticking out). I would like it to be brought back to the approved version as it would give a little more balance to the “semi” description.
- The roof of the rear double storey extension is overwhelmingly large. There has been no intention to make it look reasonable. Quite clearly from the plans, the change in the roof is another attempt to create extra living space as included in the application is a request for a roof light window to be fitted on the side of it. This is in addition to the original permission which turned 3 bedroom semi into 7 bedrooms, 4 bathrooms, 3 reception rooms, dining room and kitchen. The house will become an 8 bedroom semi.
- Light dome has also been installed, which is directly adjacent to my bedroom window and shines straight into my bedroom. This should be removed.

- The number of the windows on the loft conversion has gone up from one to three! This should be kept in line with the permitted plans.
- The occupier has decided to alter the side gable extension which is an improvement; however this does not affect me so much as the changes on the back of the property. It appears that the most concern is to make changes to the side of number 1 Marjorams Avenue; however this does not affect anyone as there are no properties to the side of it, only the main road. Yet the impact on my family seems to be completely ignored. I have their windows within 2 meters directly looking onto my patio.
- There is lack of consideration shown and whatever work is done at this property, affects our property, not only in the way of appearance but also and mostly in the way of the putting up with the building work which has been ongoing for up to 18 months of very noisy and dirty building work.
- None of the staff of Epping Forest Planning Department or any other official body (Loughton Parish etc.) have actually visited the site properly as none of them have been IN MY property, checking the impact it has on my family.
- I would question how the building inspector did not immediately notice that this building work had not followed the plans. How can the building inspector fail to notice such major changes to the building as it is being built? I would be interested to know how this has been overlooked, especially when I had drawn it to the council's attention and I am no building expert.
- This application should be refused outright in order to return some much needed balance to our semi-detached properties. If permission is granted, it will send out the message to the general public: to build what you like and you WILL get away with it one way or the other.
- Due to the holiday period, I requested an extension to the 3 week deadline to respond to this current application but only got part of the time that is normally allowed. That doesn't seem consistent with the timescale and extensions granted to my neighbours over this entire matter.
- Finally in regard to the all plans submitted for number 1 Marjorams Avenue, none appear to have a drawn scale rather than description which I understand to be a requirement for all town planning drawing and applications. Therefore they should be rejected on that basis. Perhaps if they were drawn with a scale the Council would appreciate the size of the monstrosity that has been built.

5 MARJORAMS AVENUE: Objection raised to the overall scale of extension built on the basis that it is harmful to the character of the locality and results in a house so large it would generate additional demand for on-street parking that cannot easily be accommodated.

10 MARJORAMS AVENUE: Objection raised to the overall scale of extension built on the basis that it is harmful to the character of the locality and results in a house so large it would generate additional demand for on-street parking that cannot easily be accommodated.

15 MARJORAMS AVENUE: Strongly object. Proposal has been turned down by the Planning Inspector and there is an outstanding enforcement notice. This could set a precedent for other people to build without permission. Building is out of character with other semi. Parking is a big concern. There are 3 separate families occupying the premises. Neighbours have had to put up with dirt, dust, noise and disruption over a lengthy period. 3 months is adequate for the applicants to sort things out. The applicant should not be allowed to fail to comply with the enforcement notice.

21 MARJORAMS AVENUE: Concern because these plans are being considered when the original plans were nothing as agreed. This will allow others to build and get plans accepted at a later date.

21 HILL TOP: Objects. Have endured 18 months of inconvenience, noise, dust etc. only to discover the building has not been built in accordance with the approved plans,. The owner must stick to the plans and not flout the law. The site is overdeveloped. The house can accommodate multiple tenants and as a consequence multiple cars. The house no longer has a garage.

103/105 CHURCH HILL: The time scale given of 1 year to rectify the non-compliance of works carried is of concern because the house will not ever be modified. Conditions with any approval should therefore be sufficiently stringent to prevent this situation arising.

10 CHURCH LANE: Objection raised to the overall scale of extension built on the basis that it is harmful to the character of the locality. Concern that the Council is not being consistent in its decision making.

### **Issues and Considerations:**

Planning permission has previously been approved for a dormer window, hip to gable roof alteration, two storey and single storey extensions to this property under planning permission EPF/1514/09. The design was altered and as a consequence the extension has not been built in accordance with the approved plan. A planning application for the retention of the works carried out without planning consent was refused under ref. EPF/2015/10. An appeal was lodged and dismissed. In the meantime an enforcement notice was issued requiring alterations to the dormer window and roof form of the main part of the house to accord with planning permission EPF/1514/09 and that notice is effective. The enforcement notice does not capture the two-storey rear extension in its allegation and therefore the requirements of the notice do not relate to it.

This application is a response to the appeal decision and effective enforcement notice. The applicant proposes a design solution that largely accords with the roof design approved in the 2009 consent which the enforcement notice seeks to have implemented. It goes beyond the requirements of the enforcement notice in proposing corrective works to the two-storey extension. However, the proposal deviates from the 2009 permission and consequently the notice requirements by seeking the retention of the flat roofed dormer adjacent to the attached neighbour, 3 Marjorams Avenue, in its presently constructed form.

There is no difficulty with the proposed alterations to the roof of the two-storey rear extension which would achieve a roof form in accordance with that approved in the 2009 consent. Accordingly, and since effective enforcement notice requires the implementation of all the proposed works to the main roof with the exception of the proposed retention of the dormer window adjacent to 3 Marjorams Avenue, the main matter to assess in this application is the merits of that dormer window. The main planning issue raised by it is design, but impact on living conditions of neighbours will also be assessed in this report.

A matter of considerable importance for objectors is also the impact of the development as a whole. While Officers have sympathy for the sentiment of objections, the fact is this planning application does not relate to the whole development that has been carried out. Consequently, when deciding whether planning permission should be given for the proposal the District Council must restrict its assessment to the proposal before it. It cannot make a decision based an assessment of the impact of the two-storey rear extension, a single-storey extension erected on the boundary with 3 Marjorams Avenue or a first floor side extension. The District Council has already taken a clear position on them by giving planning permission in 2009 and subsequently taking enforcement action to secure the implementation of a design for the main roof of the house in accordance with that consent.

### *Design of dormer window:*

The approved rear dormer was smaller than that which presently exists with a single three pane glazed window. The existing dormer extends the approved design 2.5m such that it ties into the east facing roof slope of the two-storey rear extension. The additional part of the design projects a further 700mm rearwards giving the roof plan of the dormer as a whole an L shape.

The extended dormer is not seen from the street although it is particularly noticeable from the rear garden of 3 Marjorams Avenue its height and alignment is very similar to that of a rear dormer at 3 Marjorams Avenue. While the join with the roof over the two-storey rear extension is awkward, the original main roof of the house together with the roof of the two-storey extension screen views of it from Church Hill and Marjorams Avenue. Since it is not generally seen from any public area it is of no consequence for the character and appearance of the locality.

### *Impact of dormer window on living conditions:*

The dormer as constructed does not cause any greater degree of overlooking of neighbours than the dormer approved in the 2009 consent. That is because the additional windows are situated further from the boundary with 3 Marjorams Avenue than those of the approved dormer window and because one of them is obscure glazed in any event. The additional bulk of the dormer is not so great that it appears excessively overbearing when seen from neighbouring properties. Having regard to these facts it is clear that the dormer has no greater impact on the living conditions of neighbours than the approved dormer would.

### *Other considerations:*

The neighbours have requested because of the previous refusal supported by the Inspectors Decision to dismiss the appeal, that a condition should be imposed that requires the new works to commence and be completed within a prescribed time scale.

Since there is an effective enforcement notice dealing with works to the roof of the house it is therefore not necessary to impose a condition that requires works proposed in this application to be completed within a prescribed time as part of any consent given. That is because the main changes to the roof proposed are identical to the requirements of the enforcement notice. If the landowner fails to implement the proposal he would be at risk of prosecution for failing to comply with the requirements of the enforcement notice.

### **Conclusion:**

Considerable objection is raised to the proposal but the specific concerns raised are directed at the bulk of the additions approved under the 2009 consent. Since they are not directed at what is actually proposed their weight is very limited.

The proposal is equivalent to the main requirements of the enforcement notice issued in February 2011, which is now effective and seeks a roof form consistent with that approved in the 2009 consent. The proposal to reduce the pitch of the rear facing roof slope of a two-storey rear extension is acceptable in design terms, achieving the same pitch approved in the 2009 consent. The main proposed deviation from the requirement of the enforcement notice and the 2009 consent is the retention of a rear dormer built adjacent to the boundary with 3 Marjorams Avenue. While not ideal, it is of no consequence for the character and appearance of the locality and does not cause harm to the living conditions of neighbours. On that basis it is recommended that planning permission be given for the proposal.

**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:**

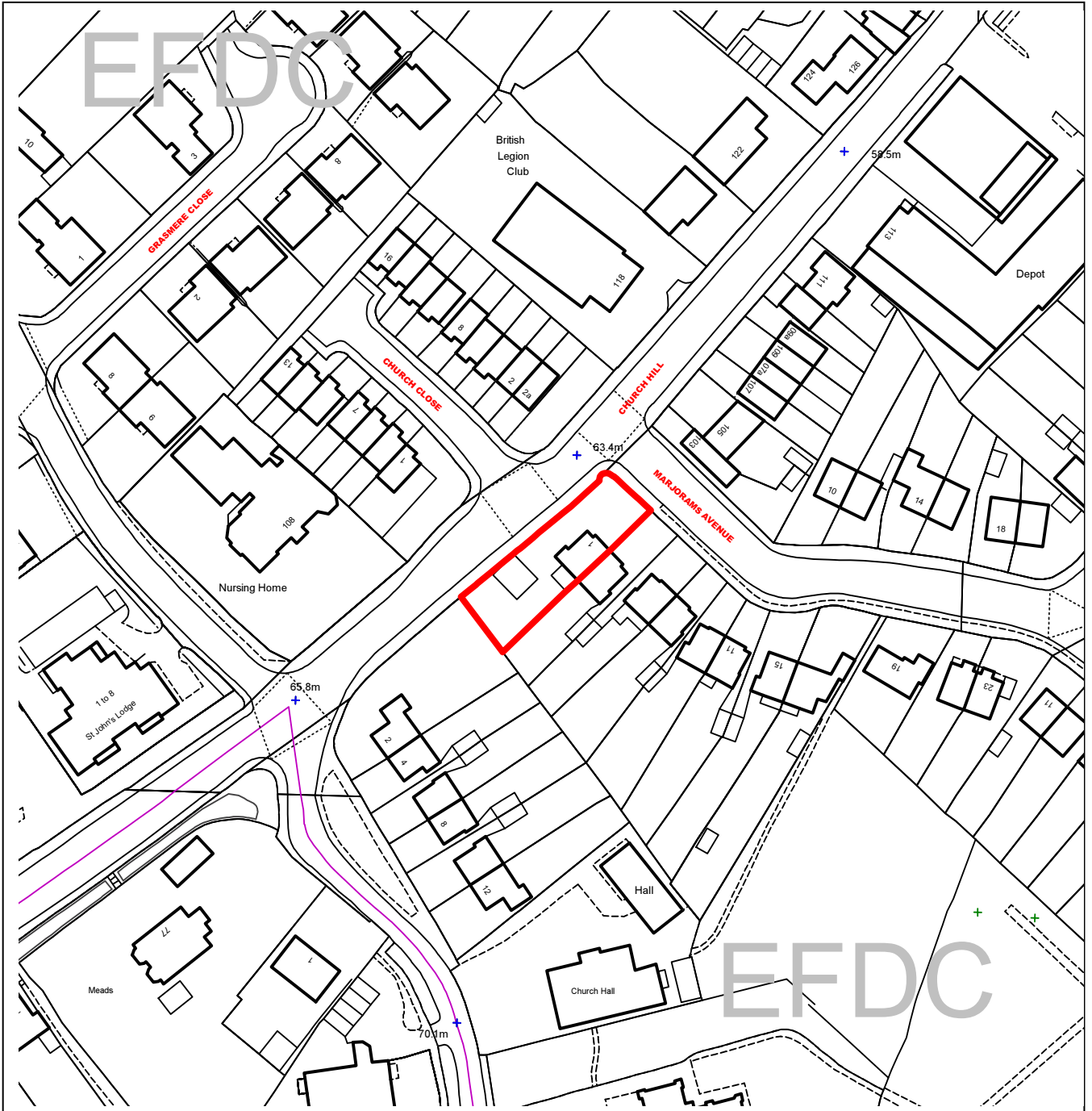
**Planning Application Case Officer: Paula Onyia**  
**Direct Line Telephone Number: 01992 564103**

**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>2</b>
Application Number:	EPF/1616/11
Site Name:	1 Marjorams Avenue, Loughton, IG10 1PT
Scale of Plot:	1/1250

### Report Item No 3

<b>APPLICATION No:</b>	EPF/1637/11
<b>SITE ADDRESS:</b>	6 Millwell Crescent Chigwell Essex IG7 5HY
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Stephen Smith
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension and internal alterations including garage conversion.
<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=530350](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530350)

### CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

*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 planning permission for the construction of a single storey rear extension and the conversion of an existing integral garage into a dining room.

The extension would be located on the north western corner of the dwelling house. It would project 2.4 metres from the original rear façade and have a width of 2.9 metres. The extension would have a flat roof with a roof light.

As a result of the garage conversion the only external change to the front façade of the building would be replacing the garage door with a bay window. Other internal alterations are required such as blocking up and creating new internal openings.

### **Description of Site:**

The subject site is located on the western side of Millwell Crescent approximately 35 metres south of Manor Road within Chigwell. The site itself is relatively level although there is a gradual slope that falls from north to south along Millwell Crescent.

A double storey detached dwelling house finished in render is located towards the front of the site. Off street parking is located on the hard surface towards the front of the dwelling or within the integral garage. A private open space area which is screened by a timber paling fence on the side and rear boundaries is located to the rear of the site.

The site is located within a well established residential area that mainly comprises of detached houses. Building form, shape and scale of surrounding dwellings are similar to the subject site. Front setbacks from the highway are consistent within the street scene. There are no parking restrictions along Millwell Crescent.

### **Relevant History:**

There is no relevant recorded planning history for the subject site.

### **Policies Applied:**

CP2	Protecting the rural and built environment
DBE9	Loss of Amenity
DBE10	Residential Extensions
ST4	Road Safety
ST6	Car Parking

### **Summary of Representations**

CHIGWELL PARISH COUNCIL: Objects.

The Council objects to this application on the grounds of the loss of parking.

NEIGHBOURS: No response received.

### **Issues and Considerations:**

The main issues are as follows:

- Design and appearance
- Neighbouring amenities
- Car parking

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

The proposed conversion of the garage into a habitable room would not result in a harmful impact upon the character and appearance of the street scene. The new bay window that would replace the garage door would be centrally positioned within the front projecting end and would be well balanced with the front dormer window above it providing symmetry to the building. The bay window provides articulation to the front façade of the dwelling house creating a visually interesting development.



Turning to the design of the rear extension, overall the development is appropriate. It is relatively small for a rear extension in terms of its scale and it would be set off the side boundary. It would appear subservient and form an integral part to the original dwelling. The extension would not result in a harmful impact upon the character and appearance of the surrounding area.

Neighbouring amenities:

Neither the proposed extension nor the garage conversion would result in any harm to the living conditions of neighbouring properties.

Car Parking:

In relation to the Parish Council's concern regarding a loss of parking on the site, it is noted as a result of the garage conversion there would be a loss of one off street parking space. However there is still room for at least two off street car parking spaces on the hard standing area towards the front of the dwelling house which more than meets the car parking standards for a four bedroom house in this location. There are no parking restrictions along Millwell Crescent and as such there is also room for any overspill on the highway.

Also the subject site could not be in a better location when it comes to public transport links with the Grange Hill Underground Station located less than 300 metres away while a regular bus service runs along Manor Road, 30m north of the site.

The proposed development would not result in an unsatisfactory amount of off street parking or result in traffic congestion within the surrounding locality.

Conclusion:

In conclusion, the proposed development is acceptable in terms of its design and appearance in that it would reflect and maintain the character of the street scene and the surrounding area without causing a harmful impact to the amenities of adjoining property occupiers. There would also be sufficient parking on site to meet the needs of residents. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations and therefore it is recommended that the application be approved subject to conditions.

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

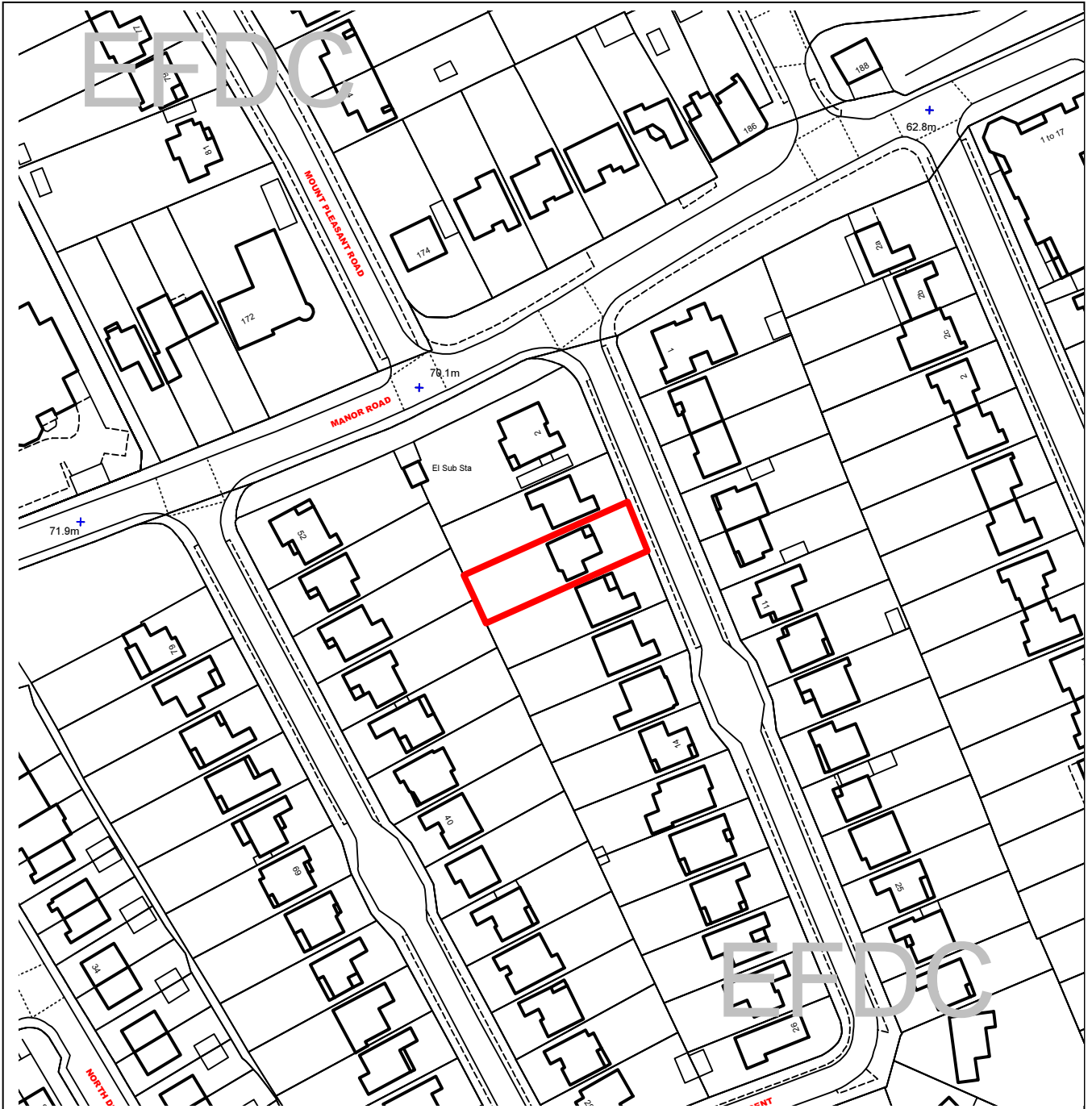
***Planning Application Case Officer: Lindsay Trevillian  
Direct Line Telephone Number: 01992 564337***

***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/1637/11
Site Name:	6 Millwell Crescent, Chigwell, IG7 5HY
Scale of Plot:	1/1250

## Report Item No 4

<b>APPLICATION No:</b>	EPF/1671/11
<b>SITE ADDRESS:</b>	Land adj 14 Ely Place Chigwell Essex IG8 8AG
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mrs Rose Kelly
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of time limit to EPF/0904/08. (Erection of 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=530400](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530400)

### 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: 17307/01D, 2F, 3E, 4L, 07, 08 and the submitted location plan.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and shall remain in use for the construction phase of the development. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 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 the proposed surface materials for the car parking area have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
- 7 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 8 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.
- 9 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 fences, walls, hedges or similar structure shall be formed or constructed in the front garden area beyond the proposed house without the prior written permission of the Local Planning Authority.
- 10 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]
- 11 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]

- 12 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]

- 13 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.

- 14 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.

- 15 Prior to first occupation of the development hereby approved, the proposed window opening in the west 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.
- 16 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other 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.

*This application is before this committee since it is for a type of development that can not be determined by officers if more than 2 objections material to the planning merits of the application have been received (Pursuant to The Constitution, Part Three: Planning Directorate-delegation of Council Function, Schedule 1, Appendix A.(f).)*

**Description of Proposal:**

The proposal is to extend the time limit on planning permission EPF/0904/08. This proposal is to erect a new two-storey dwelling on the side garden of 14 Ely Place. The development would include off-street parking for two vehicles to the front with private garden located at the rear. A 700mm high retaining wall is proposed on the boundary the parking area with 14 Ely Place.

**Description of Site:**

The site contains a detached house on an irregular plot in a cul de sac. The street is characterised by detached and semi detached houses of a similar type. The site slopes down to the west. The site is covered by an Area Tree Protection Order and is currently overgrown and disused.

**Relevant History:**

TPO/EPF/0053/84	Felling of oak tree. Grant Permission - 26/11/1984.
EPF/0406/86	Erection of dwelling house (outline). Refuse Permission - 28/04/1986.
EPF/2048/07	Erection of new house. Withdrawn Decision - 30/10/2007.
EPF/2664/07	Erection of a new house. (Revised application). Refuse Permission - 07/02/2008.
EPF/0904/08	Erection of new dwelling. (Revised application). Grant Permission (With Conditions) - 04/09/2008.

**Policies Applied:**

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

DBE3	Design in Urban Areas
DBE8	Private Amenity Space
DBE9	Excessive Loss of Amenity to Neighbouring Properties
ST1	Location of Development
ST2	Accessibility of Development
ST4	Road Safety
ST6	Vehicle Parking
H2A	Previously Developed Land
H3A	Housing Density
H4A	Dwelling Mix
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
RP4	Contaminated Land

### **SUMMARY OF REPRESENTATIONS:**

11 properties consulted – 3 replies received.

13 ELY PLACE: Objection. Drawing 17307/03 E shows our house much further from the proposal property than is the reality. The new house will look directly into our property. This form of development is against recent government guidance in relation to garden grabbing. Building another house will destroy the community feel in this quiet cul de sac. The proposed dwelling will result in a cramped form of development and would appear out of character. The proposed dwelling would look directly into three dwellings in Ely Place and dwellings in Saint Mary's Way at the rear. The necessary retaining wall would be totally out of character with the estate. The house will appear overbearing in the streetscene and not in keeping. The staggered roof line is not in character. Private amenity space to the rear would be extremely small. The loss of the tree which has amenity value would be disappointing. Car parking provision is not sufficient for the development proposed. The area is not well served by public transport. There is no garage proposed with is out of character. There would be potential impact on trees in the vicinity. Previous applications for a dwelling were refused.

21 ELY PLACE: Objection. The lack of a garage would be out of character. Parking concerns. Concern about overlooking of the front of our property. The proposal is against recent government guidance with regards to garden grabbing.

12 SAINT MARY'S WAY: Objection. This proposal now constitutes garden grabbing which is contrary to recent government guidance. Impact from the approved scheme is creating uncertainty for residents with regards to addressing its potential impact when built.

CHIGWELL PARISH COUNCIL: No Objection.

### **Issues and Considerations:**

The main issues in this application are:

1. Principle of the development
2. Context/Design
3. Neighbours Amenity
4. Landscaping
5. Parking

And whether there have been any material changes in the specific circumstances of the site since the 2008 approval.

## Principle of development

A number of objectors have raised the point that this proposal is now contrary to government guidance with regards to “garden grabbing”. Recent Government amendments to PPS3 have excluded residential gardens from the definition of previously developed land in Annex B and the minimum density of 30 dwellings per hectare has been deleted from paragraph 47. This is a material consideration when determining planning applications. PPS3 does however still promote the efficient use of land in the provision of housing, where it respects the character of the area.

In this case the proposed house would not be sited in within a rear garden area a position remote from any street such that it would have with no relationship to the road and consequently clearly conflict with the established pattern of development in the locality. Rather, it would be sited logically between houses at 12 and 14 Ely Place, respecting the building line of both and clearly forming an integral part of the street scene. Moreover, the immediate area is characterised by a specific style of dwelling which the design of the proposal pays close attention to. As a result of its sensitive siting and design the proposed building would therefore respect and indeed complement the character and appearance of the locality whilst providing a more efficient use of land in a sustainable location. Accordingly the proposal does not conflict with amendments to PPS3 and the principle of the development remains acceptable.

## Building in Context/Design

The proposed building would be located in the garden area to the side of No14 Ely Place. The plot would be approximately 11.9m wide by 20.0m deep. The proposed ridge level pays close attention to the fall in the ground level from No14 to the adjacent plot of No13 and in this regard the proposed dwelling would not appear overbearing or out of place. The proposed scheme retains a gap of 1.0m on either side which would mean that the development would not appear cramped in its context.

The proposed design is similar to the existing dwellings on the cul de sac. Although objectors have pointed out that the proposed dwelling would not have a detached garage, unlike the other properties, this is not considered a serious design flaw. The proposed retaining wall is necessary and because of its low height would not be clearly noticeable within the immediate area. Overall this building would not appear out of place within the streetscene.

Objectors have also expressed concern that the 2008 decision to grant consent was contrary to a decision to dismiss an appeal in 1986 against the refusal of Outline planning permission for a detached house on the site. The 1986 appeal is considered as a material consideration in this case but its weight has been much reduced following subsequent changes in national and local planning policy to encourage the reuse of previously developed urban land. As stated, it is not considered that the revisions to PPS3 remove this type of development from this policy aim.

In addition much of the 1986 appeal hinged on the provision of a replacement TPO tree on this site. Whilst permission was granted to fell the tree (an Oak) in 1984, a replacement was expected to be planted. However, following the appeal decision in 1989 the District Council, on advice from the Tree and Landscape Team, waived the requirement for a replacement tree on the basis that the area had a large number of mature trees remaining. Therefore much of the justification of the Inspector’s decision has been removed with the acceptance of the permanent removal of the TPO tree without replacement in the 1980’s. The consequence of that and the policy changes since were negate the weight of the 1986 appeal decision and subsequently planning permission for the proposal was granted in 2008.

There are no clear obvious changes in the circumstances at the site since the 2008 approval at committee level. Therefore it is considered that this scheme will provide housing on previously developed urban land and would not be excessively out of keeping or over dominant when viewed



against the other properties on this estate. The dwelling can be accommodated within the site without appearing cramped.

### Neighbour Amenity

The main neighbours that would be affected by the development are No 11, 12, 13 Ely Place, 8, 9 and 12 St Marys Way. Again there does not appear to be any material change in circumstances with regards to neighbour amenity and the original analysis as recorded below is still pertinent.

*The fronts of No 11, 12 and 13 Ely Place will not be adversely overlooked by this scheme. All of these properties have their front elevation to the cul-de-sac which is far less sensitive to overlooking than rear elevations. To the rear the properties in St Marys Way form a 'V' with the apex towards the rear garden of the proposal. Therefore both No 8 and 9 are at an angle of around 60° to this scheme, at a distance of 19.0m from the rear elevation of the proposal to the corner of the nearest property at No 9. No 12 is some 22.0m distant at an angle of 40°. The Essex Design Guide states that back to back distances between new and existing houses should be 25.0m, but if the properties are at an angle this distance can be reduced as the angle increases. Therefore in this case it is considered that due to the orientation of the buildings and the distances involved that no adverse overlooking of any of these properties would occur. It is also the case that some screening is provided by the mature trees on the boundaries and in gardens in this area.*

*There will be no adverse loss of light or sunlight to any neighbouring property due to the orientation and distances involved. No 13 to the west is about 1.5m lower than the scheme and therefore the impact on the outlook of this property should be considered. The new building will be a minimum of 8m from No 13, and offset to the left when viewed from the front of No 13, with the front building line being beyond the northern flank of No 13. Due to the siting and topography of the site it is considered that the scheme will not be overbearing to No 13. The proposed amenity spaces for the existing and proposed properties will be 220m<sup>2</sup> and 110m<sup>2</sup> respectively, which meet the requirements of the local plan.*

### Landscaping

Whilst an Area Tree Preservation Order covers the site there are no trees on the site which are covered by the order. There was a large conifer on the site which was removed in 2007, but this was not covered by the provisions of the TPO.

The front area to the road is grass with an ornamental tree. This will be removed, but this is a non-native species and the Council's Landscaping Officer could not support its retention on planning grounds, particularly as it is not worthy of retaining or preserving. A landscaping condition will be attached to any approved scheme.

### Parking

The area available for parking is 11.0m wide and 6.5m deep which provides adequate space for two cars to be parked, in line with current parking standards. This is an estate where many properties have vehicle parking at the front of the plot, so this is an acceptable scheme in this location once the landscape treatment is included.

### Contaminated Land

The Contaminated Land Officer has stated that due to the sites former use as a rubbish tip there may be a need for remedial work. Therefore the standard contaminated land conditions are deemed necessary.

**Conclusion:**

This is an application to extend the time limit on the previously approved scheme. Such applications require an analysis to determine if there have been any material changes in the interim period which would warrant a reversal of the original decision. As this is not the case with this application the proposed development is recommended for approval with conditions.

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

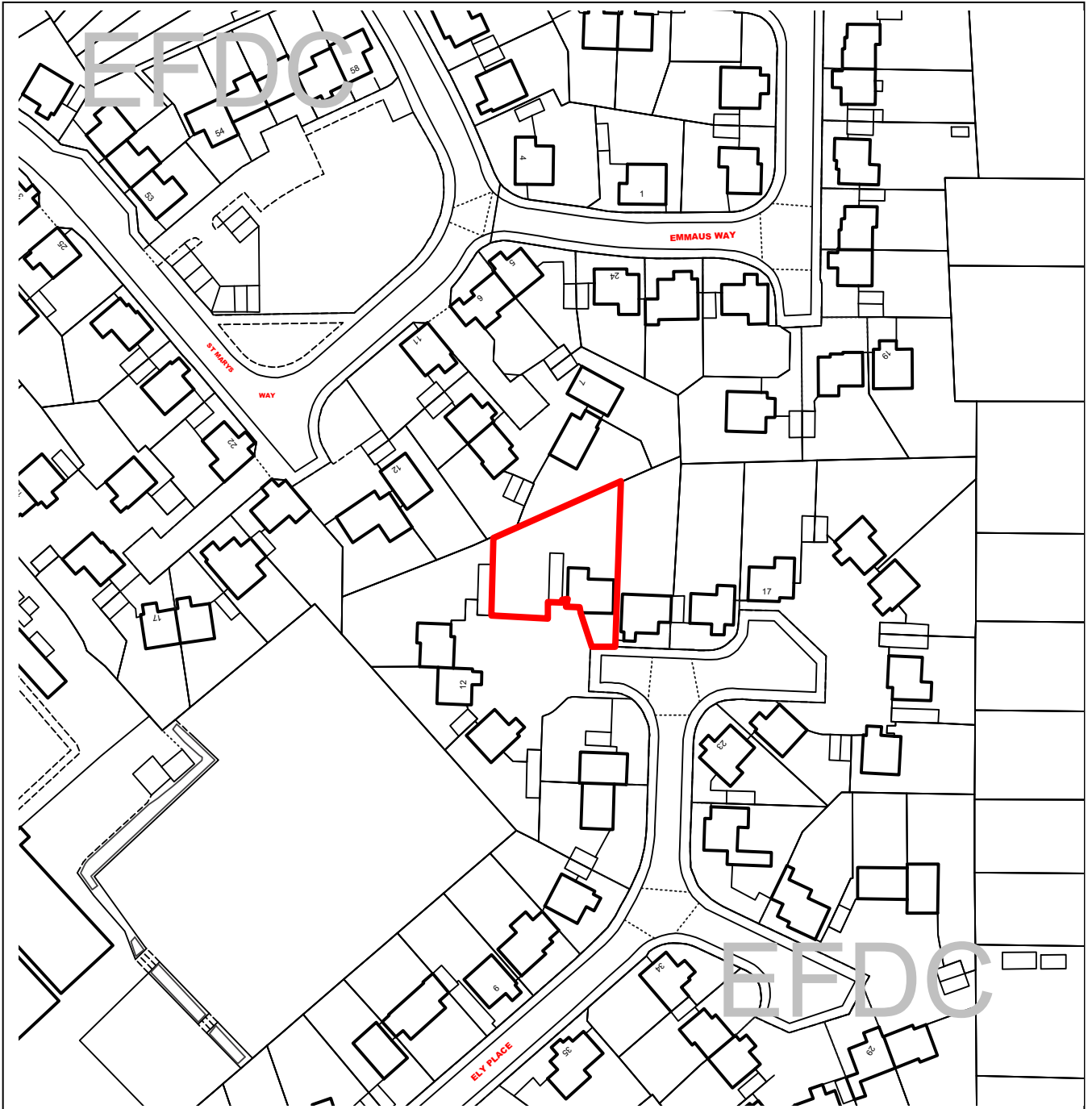
***Planning Application Case Officer: Dominic Duffin  
Direct Line Telephone Number: 01992 564336***

***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/1671/11
Site Name:	Land adj, 14 Ely Place, Chigwell, IG8 8AG
Scale of Plot:	1/1250

## Report Item No 5

<b>APPLICATION No:</b>	EPF/1686/11
<b>SITE ADDRESS:</b>	9 Field Close Buckhurst Hill Essex IG9 5AQ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Dr Siraj Adam
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of two rear dormer windows.
<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=530463](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530463)

### CONDITIONS

- 1 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 it is for a type of development that cannot be determined by officers because more than 4 objections material to the planning merits of the proposal have been received (pursuant to the Constitution, Part Three : Planning Directorate – Delegation of Council Function, Schedule 1, Appendix A (f.))*

#### **Description of Proposal:**

Provision of two rear dormer windows in connection with loft conversion.

#### **Description of Site:**

Two storey detached house in a cul de sac of similar dwellings. To the rear of the property lies two storey semi detached houses that front Forest Edge.

#### **Relevant History:**

EPF/761/03 gave permission for a two storey side extension and rear conservatory, and this permission has been implemented.

### **Policies Applied:**

DBE9            Loss of amenity.  
DBE10          Residential extensions.

### **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL – no objections.

NEIGHBOURS – 7 properties consulted and five replies received.

17, FOREST EDGE – The dormers have been mostly built. They cause significant overlooking to the rear of our house, particularly to my daughters bedroom.

8, FIELD CLOSE – This dormer has been built without prior permission and overlooks my property, thereby infringing upon my privacy.

15, FOREST EDGE – Work on the windows is almost complete. They could cause a potential loss of privacy although there is a large tree in the rear of no.17 obscuring views of our garden. However, there is a considerable loss of privacy to our neighbours gardens at numbers 17 and 19. Velux windows in the slope of the roof would be a fairer solution.

FOREST EDGE – email letter received but house number not given – the windows are already in place and as our property sits to the rear we are now permanently overlooked into our lounge and first floor bedroom, and when the winter comes and leaves fall we will be overlooked into our kitchen too. Also no other properties in the area have dormers and if lofts have been converted velux windows have been used - so these dormer windows are sorely out of character.

21, FOREST EDGE – Strongly object – the dormers overlook our rear bedroom, lounge, and garden beside the house and are at about a distance of 30 metres from these rooms

### **Issues and Considerations:**

The two dormer windows have already been installed although finishing works, e.g. installation of glazing, has ceased. Dormers such as this often fall within the remit of permitted development and hence planning permission would not normally be required, and the applicant states it was for this reason that works on the dormers commenced. However, a planning application was requested because a sizeable roof extension has already been built over the two storey extension allowed under EPF/761/03, and the volume of this roof extension, plus the two dormers, would exceed the 50 cubic metre permitted development tolerance for roof extensions.

The main issue raised by this application is one of overlooking of properties to the rear in Forest Edge – overlooking of the neighbouring house in Field Close is negligible. The houses in Forest Edge lie on land that is some 2-3 metres lower than the application property. Although there are mature trees and hedging close to the rear boundaries that has helped to reduce overlooking from first floor windows in the past, the new dormer windows are a storey higher and hence are conspicuous and clearly observed. For example in the case of 17 Forest Edge the tree screen prevents views between the ground and first floors of the properties but the two dormers are now located above this tree line.

There will be therefore some loss of privacy caused by the dormer windows - but is this overlooking serious enough to warrant a refusal of permission? The distance between the rear wall of the application property and the rears of the Forest Edge properties is some 37 to 39 metres

which is a relatively large amount and compares favourably with many other back to back relationships. Although the lower level of the Forest Edge houses increases the perception of being overlooked, at a distance of 37-39 metres the actual degree of overlooking is not material enough to justify withholding planning permission. That is because adopted planning policy only seeks to prevent excessive loss of amenity and any harm caused by the dormers is far from being of that order.

The applicant was asked whether he would consider use of obscured glazing to reduce loss of privacy but he does not wish to consider this option. Although obscured glazing is sometimes required by a planning condition, the distance involved between properties in this case mitigates the degree of overlooking to the extent that such a condition would not be necessary. Furthermore, since the dormer windows are the main source of light and outlook for a habitable room (a bedroom) the imposition of such a condition would also not be reasonable.

In terms of design, the dormers are modest in size with small hipped roofs and are subordinate to the roof as a whole. For these reasons their appearance is acceptable.

### **Conclusion:**

Whilst in this instance the dormers require planning permission they give rise to back to back habitable room relationships that occur in many other localities. Partly because of ground level differences it is unfortunate that the dormers are located above the height of trees that previously helped to screen views between properties. However, the distance between the application property and houses in Forest Edge is a significant one at 37-39 metres, and this distance is well above the 25 metres, for instance, recommended in the Essex design guide. Consequently, while the concerns of objectors are sympathised with, the level of overlooking is not to a degree sufficient to justify a refusal of planning permission.

***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***

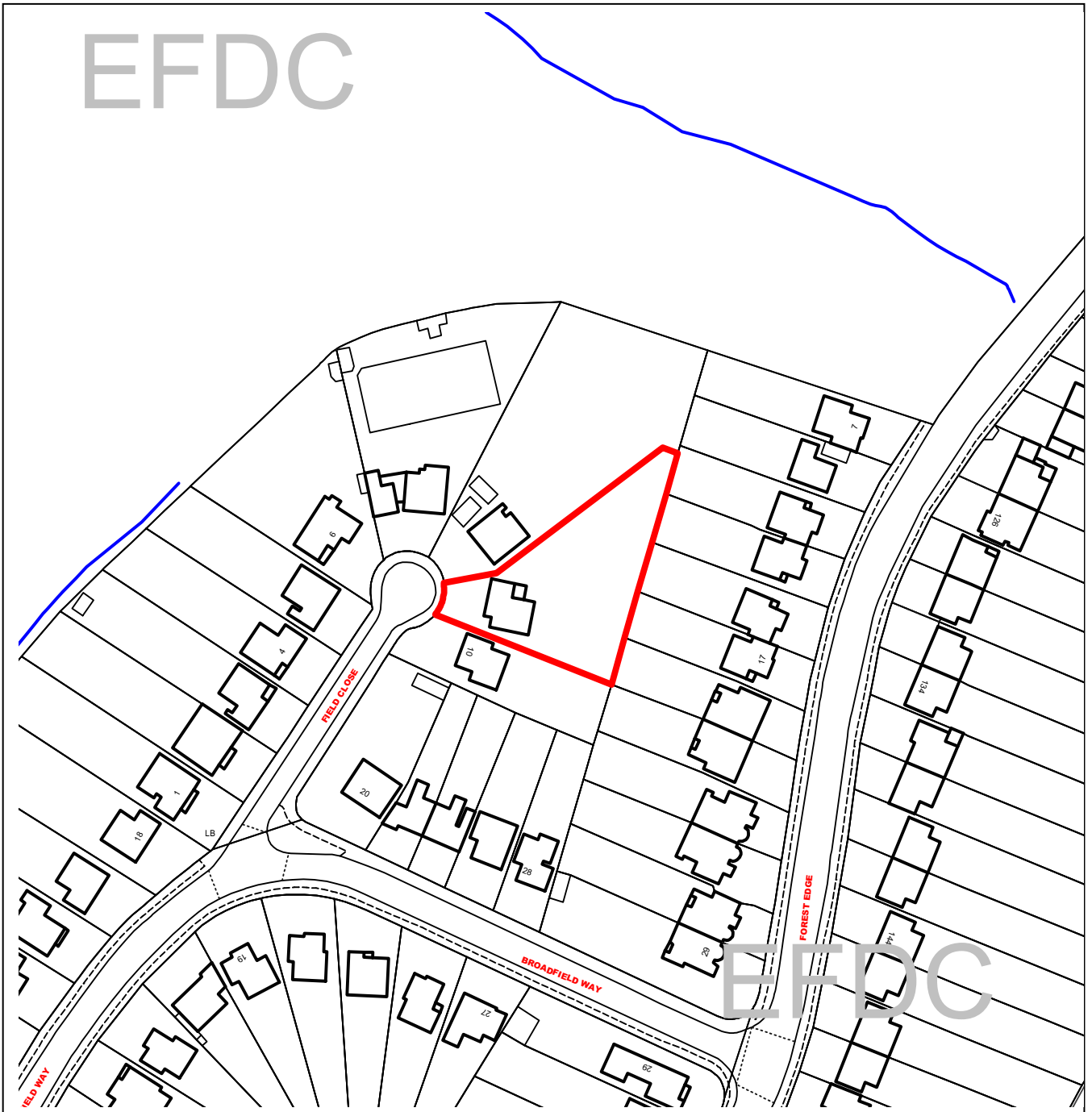
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South

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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/1686/11
Site Name:	9 Field Close, Buckhurst Hill, IG9 5AQ
Scale of Plot:	1/1250

## Report Item No 6

<b>APPLICATION No:</b>	EPF/1699/11
<b>SITE ADDRESS:</b>	15 Chigwell Rise Chigwell Essex IG7 6AQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Chahal
<b>DESCRIPTION OF PROPOSAL:</b>	Subdivision of site, demolition of brick wall and construction of four bedroom detached house on land adjoining 15 Chigwell rise.
<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=530542](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530542)

### 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: 1- 4.
- 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 openings in the flank elevations at first floor level shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 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 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.
- 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 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed for operational use during the construction phase of the development. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

*This application is before this committee since it is for a type of development that can not be determined by officers if more than 2 objections material to the planning merits of the application have been received (Pursuant to The Constitution, Part Three: Planning Directorate-delegation of Council Function, Schedule 1, Appendix A.(f).)*

#### **Description of Proposal:**

The proposal is to construct a four bedroom dwelling in the existing side garden area, to the west of No15 Chigwell Rise. The house would be an irregular shape, 14.0m long x 9.6m wide. The ridge level would measure 8.4m from the existing ground level. Private amenity space would be provided to the rear with parking space to the front.

#### **Description of Site:**

The site is currently in use as a residential garden. The existing dwelling is large, detached and this is the general style along the road. A large brick wall extends from the flank elevation of the dwelling to the western boundary of the plot. The plot rises by approximately 2.0m from the roadway to the rear boundary and has an existing wall and railing front boundary treatment. There are two existing accesses from the property on to Chigwell Rise. The side and rear of the site is well screened by existing trees.

### **Relevant History:**

There is an extensive history of householder developments at the site the most relevant and recent being;

EPF/0406/03	Retention of front boundary wall, railings and gates. Refuse Permission - 21/05/2003.
EPF/1295/03	Front boundary wall railings and gates (revised application to EPF/406/03 with amended gates). Grant Permission – 22/08/03.
EPF/0249/04	Two storey front extension and detached garage. Withdrawn - 05/04/2004.
EPF/0773/04	Two storey front extension and detached garage. (Revised application). Grant Permission (with conditions) - 08/06/2004.

### **Policies Applied:**

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP4	Energy Conservation
CP5	Sustainable Building
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE3	Design in Urban Areas
DBE8	Private Amenity Space
DBE9	Excessive Loss of Amenity to Neighbouring Properties
ST1	Location of Development
ST2	Accessibility of Development
ST4	Road Safety
ST6	Vehicle Parking
H2A	Previously Developed Land
H3A	Housing Density
H4A	Dwelling Mix
LL10	Landscaping Schemes

### **SUMMARY OF REPRESENTATIONS:**

10 neighbours consulted – 6 replies received.

2 Lee Grove: Objection. The building is in close proximity to the other dwellings and will cause overlooking and a loss of privacy.

4 Lee Grove: Objection. Loss of privacy and overlooking of our property. The building will appear bulky and overbearing. This proposal will alter the character of the street.

17 Chigwell Rise: Strong objection. Our objections are based on several points, the first of which is the consideration of our property in the projections offered for planning. Whilst we understand that when usually providing an application for a detached house on a plot of land, the proposed drawings simply need to apply to the plot in question, we feel that given the proximity to our property and the fact that the existing property on the plot next door will we remain, this is not sufficient in this case. Secondly, the west side elevation of the proposed house (adjacent to our property) shows one window on the first floor, which if the leylandii trees are removed as per the Site Plan document states, would mean that our property is directly overlooked. Furthermore, the proposed house itself would block all light coming into the windows that we have on that side of

our house and also block a proportion of the morning light coming into our rear garden. Lastly, there is no accurate representation of the front elevation of the proposed structure in comparison to the existing structures to fully portray the effect on the natural lighting received by our house and garden. I would also question what sort of fencing/brickwork the proposed property will have at the front and what this would potentially look like alongside ours and that of #15. As the Street Scene is only a proposed view of how the street may look and therefore inaccurate in both dimensions and elevations (as noted at the top right of all documents), we find it inconceivable that approval could be issued without further due diligence in this matter.

24 Chigwell Rise: Objection. The existing gap is a well planned vista. It would be a pity if our area was despoiled by the cramming in of this dwelling.

34 Chigwell Rise: Objection. The proposed house will appear very small in comparison with the other properties along Chigwell Rise. To squeeze a small dwelling in would be out of character.

46 Chigwell Rise: Objection. This proposal would not be in keeping with the road. The area is getting rather built up and this is people simply speculating to make a quick profit.

CHIGWELL PARISH COUNCIL: No Objection.

### **Issues and Considerations:**

The main issues in this application are:

6. Context/Design
7. Neighbours Amenity
8. Landscaping
9. Parking/Road Safety

### **Context/Design**

The proposed development would make better use of urban land in a sustainable location. The dwelling would be in character with the development along the road and as such would not be contrary to government changes to Planning Policy Statement 3 (PPS3) which aims to guard against so called "garden grabbing".

Chigwell Rise is characterised by relatively large dwellings which use the majority of the width of the plot. In this regard No15 Chigwell Rise is something of an oddity in the generosity of space. Ample space is available either side of the dwelling. The proposed dwelling could be comfortably accommodated to the west of the existing house. Adequate gaps could be retained to the boundaries on either side. A number of objectors have stated that the proposed house, due to its size, would appear out of place. However dwellings of a similar size are evident along both Chigwell Rise and on Lee Grove, the residential street running behind the site. This proposal would be a seamless addition to the streetscene.

This proposal would provide approximately 155 sq m of private amenity space. Policy DBE8 requires that new development provides 20 sq m of private amenity space per habitable room and this requirement is met. This is located at the rear and would remain sufficiently private. No15 Chigwell Rise would also be left with sufficient, useable amenity space.

Chigwell Rise contains a mix of dwelling styles. Therefore there is no dominant style to conform to. The proposed design is conventional and raises no issues. The use of hanging tile is also evident on neighbouring houses. The staggered front elevation steps out the building line from No15 to the adjacent neighbour No17. The use of suitable materials can be agreed by condition.

### Neighbour Amenity

The proposed structure would be bordered on three sides by residential properties. The host dwelling, No15, has a number of side facing windows which would suffer some loss of light. However they are secondary windows serving bedrooms so any impact is negligible. Rear facing windows would be unaffected and the proposed building would not appear overbearing.

The neighbour to the west, No17, has no side facing windows and rear facing windows would be unaffected. The existing screen of Conifer trees is to be removed, however the proposal would still have no material impact on the amenities of residents of this property.

There are a number of properties bordering the rear of the site and concern has been expressed about overlooking. The gap of 25.0m between rear facing elevations complies with the Essex Design Guides recommended standards. The house would form one of a row of conventional dwellings and it is not considered that overlooking would be any greater than the current scenario between dwellings on Chigwell Rise and Lee Grove. A heavy screen exists along the rear boundary which would further guard against excessive overlooking or loss of privacy.

The proposed flank elevation windows at first floor level can be reasonably conditioned as obscure glazed.

### Landscaping

There are no significant trees on or adjacent to this site. A condition agreeing hard and soft landscaping is deemed appropriate.

### Parking/Road Safety

There is adequate space for the parking of vehicles to the front of both the existing dwelling and the proposed house which would be compliant with current Essex County Council standards. There already is an existing access to the plot with very good visibility splays.

### **Conclusion:**

The proposed development would provide additional housing with no serious impact on either the appearance of the area or neighbour amenity. As there are no issues to determine otherwise this 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: Dominic Duffin  
Direct Line Telephone Number: 01992 564336***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/1699/11
Site Name:	15 Chigwell Rise, Chigwell, IG7 6AQ
Scale of Plot:	1/1250

## Report Item No 7

<b>APPLICATION No:</b>	EPF/1732/11
<b>SITE ADDRESS:</b>	Lingmere Vicarage Lane Chigwell Essex IG7 6LQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Martin Higgins
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing dwelling and erection of four detached dwellings, conversion of existing Coach House to a dwelling.
<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=530629](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530629)

### 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: 1191.4 Rev. A, 1191.5 Rev. A, 1191.6, 1191.7, 1208/07, 1208/09B (amended plan received 13 October 2011), and the following amended plan nos. 1208/01Q, 1208/02h, 1208/03h, 1208/04f, 1208/05G, 1208/06k and 1208/08B (Amended plans received 19 October 2011). Together with the supporting Design and Access Statement (August 2011 revised 12/08/11) and Great Crested Newt and Reptile surveys report date 10 July 2010
- 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 Prior to first occupation of the development hereby approved, the following proposed window opening(s) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently in that condition.
  - i) Plot 1, first floor flank south-east flank elevation
  - ii) Plot 3, first floor flank east and west flank elevation(s)
  - iii) Plot 4, first and second floor east and west flank elevation(s)
  - iv) Plot 5, first floor east and west flank elevation(s)

and the existing window opening in  
v) Plot 2, first floor front (west) elevation.

- 5 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved (Plots 1 to 5) shall be retained so that they are capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
  
- 6 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]
  
- 7 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]
  
- 8 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]

- 9 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.
- 10 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.
- 11 Prior to first occupation of the development the vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the accesses at the junction with the highway shall not be less than 3.6 metres and shall all be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 12 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14 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.
- 15 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and



associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

- 16 At least 48 hours prior notice shall be given to the Archaeological Advisory Group of Essex County Council of the date works will be commenced on this site or any part thereof, and persons authorised shall be afforded access for inspection of the site, and for carrying out works of excavation for the purpose of recording any features thereon of historical or archaeological significance.
- 17 Access to the flat roof areas of the approved dwellings Plot 3, 4, and 5, shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area. No furniture, including tables and chairs, shall be placed on the flat roof.
- 18 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 19 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 E shall be undertaken within Plot 1 and Plot 5 without the prior written permission of the Local Planning Authority.
- 20 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, B and C shall be undertaken to any of the approved dwelling(s) contained within Plot 1 to Plot 5, without the prior written permission of the Local Planning Authority.
- 21 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.
- 22 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.

- 23 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.
- 24 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.
- 25 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.

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

### **Description of Proposal:**

This proposal is to demolish an existing one and a half storey detached house, replace it with four detached dwellings and to convert an existing former coach house into a separate dwelling with associated works. The coach house building is presently used as an outbuilding in connection with the existing house.

The size of the proposed dwellings, are summarised as follows:

House 1 - A one and a half storey, 4-bed cottage style dwelling. Its access is the existing access off Vicarage Lane. Its appearance is a double gabled façade with a small, central dormer. It will be 7.2 metres high and its plan footprint measures 14.8 metres deep by 13.0 metres.

House 2 – This will be fashioned from the existing coach house that directly fronts onto Vicarage Lane. It is an elongated, timber clad building and it presently serves as ancillary accommodation to the main dwelling. This will be retained and converted into a one and a half storey, 3 bed dwelling. Its fenestration will be improved with new windows and roof lights to the bedroom at first floor level. The only addition will be a 2.2 metre deep by 6.0 metre wide extension to the west elevation of the building. This will provide the double garage for House 1. The height of the building is 5.6 metre high and its plan footprint 22.2 metres wide by 7.4 metres deep.

House 3 – This property will appear as a two and a half storey dwelling with a double integral garage. It is designed with a central dormer above a small portico entrance flanked by double storey front projections. The building will be 8.9 metres high and the plan footprint will be 14.1 metre deep by 17.6 metres wide. It will have its access off Lingmere Close and fronts onto Lingmere Close.

House 4 – This property will be a two and a half storey, 6 bed dwelling with a double integral garage. Its façade will have gable ends with 3, front facing dormers. It will be 9.5 metres high and its plan footprint measures 17.6 metres wide by 13.6 deep. This property will front onto Lingmere Close and its access will be off Lingmere Close.

House 5 - This site will accommodate a two and a half storey, 6-bed dwelling with a single integral garage. Its access will be off Lingmere Close. From the street its façade adopts 2, front facing dormers positioned to the side of a double storey front projection. It will be 8.6 metres high and its plan footprint will be 14.2 wide by 17.0 metres deep.

### **Description of Site:**

The application site comprises approximately 0.5 hectare of land sited at the western corner of Vicarage Lane and north of Lingmere Close. Lingmere Close is a small cul de sac with 4 detached properties. The site is bordered by residential developments to the south and west, and open fields to the east and north. The plot of land is located on the edge of the built up area of Chigwell village. Although the Chigwell conservation area lies to the immediate north of the plot, the site is not within the Conservation area boundary.

The buildings that occupy the site are presently a detached, red brick built one and a half storey 'L' plan shaped building. There is also an associated detached building historically used as a coach house, it is rendered with timber cladding and immediately fronts onto Vicarage Lane.

The site is heavily treed and contains several TPO trees. The north and eastern boundary is within the Green Belt however, the site does not lie within the Green belt.

### **Relevant History:**

EPF/0714/10 Demolition of existing dwelling and erection of five detached dwellings. Coach House to be retained for ancillary accommodation. Withdrawn

EPF/2678/10 Demolition of existing dwelling and erection of five detached dwellings. Coach House to be retained for ancillary accommodation. (Revised application). Refused for the following reasons.

1. The siting and location of proposed dwelling house Nos. 2, 3, 4 and 5, due to their overall size, height, bulk and proximity to their corresponding boundaries, would result in a cramped form of development detrimental to the character and appearance of the area.

2. By reason of its siting and scale, House 2 would appear in sharp contrast to an important element of the character of the locality: its open or landscaped frontage to Vicarage Lane. That contrast would detract from the character and appearance of the locality and underscore the cramped appearance of the development as a whole.

3. The proposed House No. 2, as a result of its height and siting, will appear prominent when seen from adjacent land in the Green Belt, particularly if existing trees adjacent to the site boundary are significantly reduced in height or removed. As such it will result in development conspicuous from the Green Belt that detracts from its visual amenities.

4. The size and layout of the proposed building within the curtilage of House No. 2 and position of the proposed vehicle and pedestrian access into this site would put undue stress on nearby trees that would be harmful to their future viability.

### **Policies Applied:**

GB7A	Conspicuous development in the green belt
CP1	Protecting the quality of the built environment
CP2-CP5	Sustainable design/ building objectives
CP7	Urban Form and Quality
DBE1	Design of New Buildings
DBE2	Effect of New Buildings on surroundings
DBE3/ DBE5	Design and layout of new development in urban areas
DBE6	Car parking in new development
DBE8	Provision of Private Amenity Space
DBE9	Amenity Considerations
H2A	Residential Development on Previously Developed Land
H3A	Housing Density
ST1	Location of Development
ST2	Accessibility of Development
ST4	Highway safety
ST6	Vehicle parking
NC4/ NC5	Protecting Established Habitats of Local Interest
LL10	Protecting Landscape Features
LL11	Adequate Landscaping

## **SUMMARY OF REPRESENTATIONS:**

8 letters were sent out to neighbouring occupiers and a site notice displayed at the front of the site and the following letters of representation have been received.

2 LINGMERE CLOSE – Objects because of the impact on the existing housing in the area and traffic concerns. Proposal will result in overdevelopment of the site and as such it is out of character and will be detrimental within the street scene. Plot 2 will be smaller than every other property. It has no garage and very little garden. An entrance immediately adjacent to the junction is proposed for Plot 2. There is not enough room to allow cars to turn around within the site. This will force vehicles to reverse and this is a highway safety concern.

If consent is however approved, the applicant through a Section 106 and Planning Conditions should pay for the cost to upgrade the existing pipe work for the sewage and water. The applicant should also pay for the cost to re-surface the entire road surface and pavement of Lingmere Close. Existing access from Lingmere should also be used for all construction traffic.

3 LINGMERE CLOSE – Strong objection on grounds that in broad terms, the existing dwellings that front onto Lingmere are of a similar size and footprint. The proposed houses are of a smaller footprint and different design. The street scene will become imbalanced. The proposal will see an overdevelopment of the site adversely affecting the character of the area to a significant and unacceptable degree. Proposal is too cramped and is not in keeping with existing houses. Impact on traffic generation. If consent is however approved, the applicant through a Section 106 should re-surface the entire road surface and pavement of Lingmere Close. All construction traffic should be through Vicarage Lane and 'not' Lingmere Close Proposal should have been discussed with the existing residents of Lingmere Close prior to submitting the application.

THE END HOUSE, 4 LINGMERE CLOSE – No objection to the three new houses proposed in Lingmere Close. However, would like the developer to upgrade the existing pipe work for the sewage and water. The applicant should also pay for the cost to re-surface the entire road surface and pavement of Lingmere Close. Existing access from Lingmere should also be used for all construction traffic. The increase traffic is also of great concern.

5 LINGMERE CLOSE – Raise concern on a number of issues, principal bedroom windows at first and second floor of plot 3 and 4 will have a line of sight to patio and rear facing master bedroom. This will reduce their level of privacy. On plot No. 2 there is insufficient space for vehicles to turn within the site and leave in forward gear. Potential increase in highway safety and ongoing parking issues within Lingmere Close.

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application unless the developer can reach agreement for the resurfacing of the highway and replacement of drainage.

## **Issues and Considerations:**

The main issues raised by this proposal are the appropriateness of the new housing development at this location, its design and appearance, effect on the amenity of neighbouring occupiers and impact on highway safety. Also considered is the effect on the local wildlife, the wider landscape and protected trees.

In addition, because this application has previously been refused it will need to be considered whether this revised scheme has overcome the reasons from the previous refusal.

### Sustainability of the sites location

The application site is on the edge of the Chigwell urban area it is within walking distance of Chigwell High Road and Chigwell Underground Station. There is a frequent bus route that serves the High Road. Given the proximity to the adjoining fields, it is also very close to public open space.

The application site is in a sustainable, urban location and is classed as previously developed Brownfield land. The principle for a housing development at this site is therefore acceptable.

### Density – amount of development

National planning policy seeks new housing development at a density of between 30 and 40 dwellings/hectare, however, where the established character of a locality is of more spacious development a lower density of 8-15 dwellings per hectare can be acceptable. Policy H3A allows for lower densities depending on “the size and shape of the site, including any significant heritage, landscape or wildlife features”.

At this site the proposed four new dwellings with the additional dwelling that will be converted from the coach house will provide less than 10 dwellings per hectare. Having regard to the generally low density of development in the locality, the density proposed is considered to be appropriate making more efficient use of the land while respecting the character of the locality.

### Scale, layout and siting of new development

For new development, the scale and layout will usually be required to conform to the existing street pattern. The Councils policies do not support a radical deviation from the general building line. Small deviations may however be a useful design feature depending on the existing layout of the street. Characteristic features at upper floor levels and articulation of the roof form, may also be incorporated in order to achieve an acceptable design.

Lingmere Close is a small cul de sac with only 4 dwellings. The character of the area is individually styled buildings set in wide, spacious plots and the layout of the street is a curved sweeping pattern. Within Lingmere Close all the properties are detached, double storey and some of these provide accommodation within the roof.

The layout proposed for House 3, 4 and 5 amounts to a continuation of the curved, sweeping pattern of development. The siting of the new buildings that will front onto Lingmere Close is slightly staggered and the design and scale of the buildings will vary to complement the existing street. The articulation of the roofs will add variety to the street and as a consequence, the overall built form will compliment the area. The retention of the substantive tree screening will serve to soften the appearance from the street.

When seen from Lingmere Close and Vicarage Lane variation in building heights, scale and siting will be apparent giving variety and interest and serving to prevent a cramped appearance. This design overcomes reasons 1 and 2 for refusing the previous proposal.

### Design and appearance

Policy DBE1 and DBE2 of the Local Plan requires new development to be of a good design that respects their settings in terms of scale, proportion, siting and massing.

The concept for these new buildings is such that they adopt traditional features in their design approach. These are typified by their hip and half hipped roof form that will fit in with the vernacular of the area. External finishes would be facing brick work, plain tiles roofs and timber frames for the

doors and windows. The proposed dwellings houses are modern in many respects and some have been designed with small pitched roof dormers together with other architectural design features that will result in an attractive frontage to the buildings façade.

The proposed cottage style dwelling House 1 is acceptable in size, design and its appearance. The proposed dwellings Nos. 3, 4 and 5 have been reduced and will appear more in keeping with the existing street pattern.

Paragraph 15.69 of the Local Plan requires a minimum gap of 1.0 metre between each detached dwelling house to its side boundary. House 3, 4 and 5 are all sited a minimum 1.0 metre from each corresponding side boundary. The single storey garage serves to reduce the bulk, size and scale of the houses.

#### Conspicuous development from the green belt

The plot lies to the south and west corner of the Green Belt. The site will be visible from an open area of Green belt to the north. The site is also clearly visible from a nearby public footpath east of Vicarage Lane.

The Council will not allow conspicuous development from within or beyond the green belt which would have an excessive adverse impact upon the openness of the Green Belt.

With the previous proposal, a new dwelling would have been sited on the corner of Vicarage Lane and Lingmere Close. This has been revised and omitted from the scheme. With this revised proposal, the most prominent new dwelling from the Green belt will be House 1 (The converted former coach house is now as House 2 in this proposal), which fronts onto Vicarage Lane. This property has been designed to appear as a cottage style dwelling with a lowered ridge and a more compact built form. House 3 the house immediately east of Vicarage Lane will be hidden in part by a tree on the corner of the plot. As a consequence of the revision, the proposal will not appear visibly conspicuous from the Green belt, thereby overcoming the third reason for refusal of the previous proposal.

#### Private amenity space provision and amenity of immediate neighbouring occupiers

The private amenity space each of the 5 new dwellings provides is as follows,

House 1 – (4, bed) 573 m<sup>2</sup>  
House 2 – (3, bed) 170m<sup>2</sup>  
House 3 – (6, bed) 320 m<sup>2</sup>;  
House 4 – (6, bed) 397m<sup>2</sup>  
House 5 – (6, bed) 483m<sup>2</sup>

The Councils policy expects rear gardens of new dwellings to have a minimum area of 20 square metres per habitable room in order to provide a reasonable area of outside amenity space. From the siting and layout of the new dwellings, each property will provide excess of the prescribed minimum. The private amenity space for all the dwellings is acceptable and will fit in with the scale and character of the area.

The neighbouring properties that will be most affected by the proposal will be dwellings in Lingmere Close. The properties closest to the site are No. 1 Lingmere Close and Brimure, which front onto Vicarage Lane.

The siting of House 5 will be a minimum 3.0 metres from the house at No. 1 Lingmere. There are several TPO trees along the boundary and this substantive attractive soft landscape feature that will be retained will to a great degree screen views of the proposed house from their view.

The closest building to Brimure will be sited some 16 metres from their rear garden fence. With new landscape features, this property will not be overlooked.

The siting of the new buildings has been carefully considered. The objections received from the occupiers of Lingmere Close have been taken into account and their grounds of objection considered in detail but it has been found that the siting, position and scale of the new buildings are such that no loss of light, outlook or privacy would be caused to the neighbouring occupiers.

#### Landscaping

There are a number of mature trees and hedgerows on the site. Several trees within the site have been recently been made the subject of a TPO. For this reason, there are significant landscaping implications for this site. The revised scheme has made considerable efforts to safeguard soft landscape features within the site and will also provide additional tree screening within the development to safeguard the amenity of the new House 1. On that basis the proposal overcomes the final reason for refusing the previous proposal.

In order to safeguard existing landscaping and provide sufficient screening for this development, any approval should include a landscape condition.

#### Effect on nearby Conservation Area

This site is set adjacent the Chigwell Village Conservation Area. Substantial greening on the north and western boundaries of this proposal will soften the impact of this new development in the landscape and enhance the screening that affords to this Conservation Area. As such, the Conservation Officer does not wish to raise any objections to this proposal as it will preserve the character and appearance of the Conservation Area.

#### Contaminated Land

The site has been identified as potentially contaminated due to the presence of an in-filled lake and man made ground. Any grant of planning permission should therefore have a phased land contamination investigation; this can be secured by a condition.

#### Land Drainage

The Land drainage officer does not wish to raise an objection because the site is not within a flood risk zone and no foul or surface water drainage is required. The size of the proposed development is such that it is necessary to avoid additional surface runoff. This can be secured with a planning condition.

#### Archaeological Implications of this site

The Historic Environment Management Team of Essex County Council has identified the site as having archaeological implications. Given the nature and scale of the proposals, this is the last chance to record the development of the site and to 'preserve by record' those structures targeted for demolition. In view of this, a condition will be made with the grant of planning approval in line with Planning Policy Statement 5: Planning for the Historic Environment

#### Parking and Highway safety

The new dwellings will each have one or two garage(s) and in addition, parking bays at the front for off street parking. The provision of garages is an appropriate design-led solution to the



provision of car parking and other storage needs which are likely to be associated with large family houses. Therefore this level of parking provision is acceptable.

The neighbours have raised objections on grounds that the proposal will raise highway safety concerns and exacerbate the parking situation. Although this development would result in more cars using the site, this will not result in harm to highway safety. The Highway Authority does not raise an objection to this scheme, subject to conditions.

It is also noted the comments received from neighbours request possible financial contributions should be secured from the developer/ applicant. A financial contribution towards roadway/ pavement improvements at Lingmere Close is not necessary or reasonable for this type of development because of the small number of dwellings proposed and consequently no such contributions are sought by the Highway Authority.

#### Other considerations

On the issue of possible contributions for this site for highway improvement and drainage, since the size of the plot is under 0.5 hectares it falls short of the size that would trigger a requirement for such contributions to be made. In addition, the number of dwellings proposed falls significantly short of the threshold for seeking contributions.

A number of neighbours in Lingmere and the Parish Council have raised objections on grounds that the applicant/ developer should improve the drainage and resurface the roadway of Lingmere Close and its footpath. Such a requirement would not be reasonably related in scale to the proposed development and is not demonstrably necessary for the development to be carried out. Moreover, the provision of foul water drainage is not a planning matter in this case and the matter of surface water drainage can be adequately dealt with by planning conditions as described above. Consequently a decision to give consent subject to a requirement that such financial contributions be secured through a Section 106 agreement would be unlawful.

#### Conclusion:

This proposal to redevelop this site to provide four new dwellings and to convert the existing former coach house into a separate dwelling is acceptable as part of a comprehensive development of this site. The layout, scale and siting will compliment and fit in with the character and appearance of the locality.

The proposal overcomes the reasons for the previous refusal and despite objections and concerns raised by neighbours and this has been addressed in the body of this report; the proposal complies with relevant Local Plan policies. It 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:***

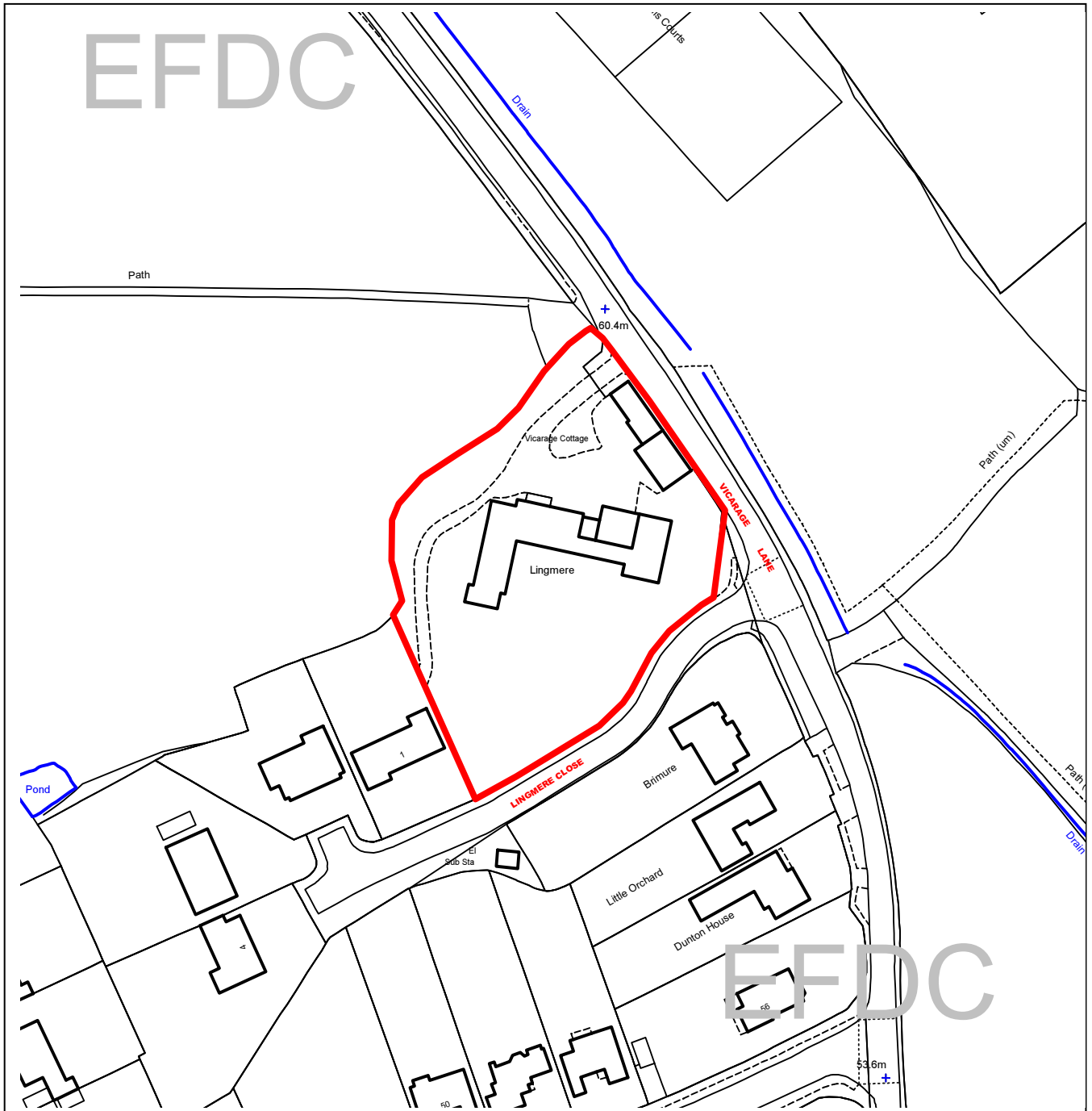
***Planning Application Case Officer: Ms Paula Onyia  
Direct Line Telephone Number: (01992) 564103***

***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>7</b>
<b>Application Number:</b>	EPF/1732/11
<b>Site Name:</b>	Lingmere, Vicarage Lane, Chigwell, IG7 6LQ
<b>Scale of Plot:</b>	1/1250

## Report Item No 8

<b>APPLICATION No:</b>	EPF/1745/11
<b>SITE ADDRESS:</b>	1 Pudding Lane Chigwell Essex IG7 6BY
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Row
<b>APPLICANT:</b>	Mr H Rana
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed attached garage extension to side of property with construction of new front boundary wall with piers and metal railings, with installation of new entrance gates.
<b>RECOMMENDED DECISION:</b>	Refuse Permission (Householder)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=530694](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530694)

### REASON FOR REFUSAL

- 1 The proposal is within the Metropolitan Green Belt. The gates and railings would result in a development which, by reason of the height and design would be a visually intrusive development, which would have an urbanising affect, detrimental to the character and appearance of the Green Belt. The proposed development is therefore at odds with Government advice and policies DBE4 and GB7A of the Adopted Local Plan and Alterations.

*This application is before this Committee since it would otherwise have been refused under delegated powers by the Director of Planning and Economic Development, but there is support from the relevant local Parish/Town Council and no other overriding planning consideration necessitates refusal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(I))*

### **Description of Proposal:**

The proposal is a revised application to extend a dwelling over one storey on the south west facing flank elevation in order to create an attached garage. This would have a hipped roof and a floor area of 12.0m x 3.1m. It is also proposed to erect metal railings, piers and in/out sliding gates, to a height of 1.8m along the front boundary. These would extend for a distance of 16.0m.

### **Description of Site:**

The dwelling is a detached two storey building bordered by a similar property on the south west boundary. There are no adjacent neighbours on the other sides. The property is located just off Pudding Lane on the entrance laneway to a water treatment works. The site is within the boundaries of The Metropolitan Green Belt.

### **Relevant History:**

CHI/0377/64	2 staff houses. Grant permission (with conditions) - 16/12/1964.
CHI/0377/64	removal of restriction limiting occupation to persons essential to operating water treatment works. Grant Permission - 20/07/1987.
EPF/1418/07	Demolition of existing garage and conservatory and erection of a two storey side extension. Grant Permission (With Conditions) - 20/08/2007.
EPF/1365/09	Proposed two storey pitched roof side extension and single storey pitched roof rear extension, ancillary internal alterations and demolition of existing conservatory. Grant Permission (With Conditions) – 10/09/09.
EPF/0985/11	Proposed attached garage extension to side of property with construction of new front boundary wall with piers and metal railings, with installation of new entrance gates. Refuse Permission (Householder) - 15/07/2011.
EPF/1754/11	Retention of rear two storey extension projecting 4 metres at ground floor level and 3 metres at first floor level. Approved 17/10/2011.

### **Policies Applied:**

CP2	Protecting the Quality of the Rural and Built Environment.
DBE1	New Buildings.
DBE4	Design in the Green Belt.
DBE9	Loss of Amenity.
DBE10	Design of Residential Extensions.
GB2A	Development in the Green Belt.
GB7A	Conspicuous Development.
ST4	Road Safety.

### **SUMMARY OF REPRESENTATIONS:**

Site Notice Displayed and 1 neighbour Consulted – No Replies Received.

Chigwell Parish Council: Support.

### **Issues and Considerations:**

The main issues to consider are impact on the Green Belt, neighbour amenity and the design of the extension in relation to the building and its setting. The impact of the boundary treatment on road safety and the Green Belt will be assessed.

#### **GARAGE EXTENSION:**

##### **Green Belt Considerations**

The property is located within the Metropolitan Green Belt where limited extensions to dwellings are permissible. The original floor space of the building amounts to 155.52 sq m. Increases in the size of the dwelling approved under permission EPF/1365/09, and which included the removal of the original garage, amounted to 50 sq m or a 32% increase over the original building. A two

storey extension erected at the rear of the building was approved under planning permission EPF/1754/11. It added a further 35.0 sq m to the original floor space and is not much more than what could be constructed under permitted development. The cumulative increase approved under both permissions has resulted in the floor space of the original house being increased by 58%.

The proposed garage would add another 34.5 sq m to the house. This would result in total additions over the original building of 120.5 sq m or a 77% increase. Although this would result in an overall disproportionate enlargement of the original house, the vast majority of this proposed single storey side addition would also be permitted development. Consequently the applicant has a reasonable fallback position that would have a very similar impact on the Green Belt. The existence of that particular fall back position and particularly constitutes very special circumstances that render the proposed extension acceptable in this case.

### Design

The design of the garage extension is fairly conventional and raises no issues.

### Amenity

The garage extension would be located between the existing dwelling and the common boundary with No2 Pudding Lane. However it would have no serious impact on amenity.

### BOUNDARY ENCLOSURE:

#### Highway Safety

The proposed enclosure would have no impact on road safety. Motorists could enter and exit in a forward gear and on to an accessway with very limited traffic. Therefore there would be no safety concerns.

#### Design/Green Belt

The proposed railing, piers and fence would measure 1.8m at the highest point and would be erected along the entire front boundary (16.0m). The only neighbouring dwelling, No2, has a boundary treatment which consists of an approximately 1.0m high post and rail fence. By contrast the proposed boundary treatment is urban in nature. Despite being adjacent to a water treatment works the site retains its rural nature and is in a relatively open location and does not form part of a ribbon development. Given the fact that there are two entrance gates, and having regard to the proposed landscaping, only approximately 33% of the boundary treatment would be softened by vegetation. The railings and piers would have a detrimental impact on the character of the countryside at this location and would compromise openness. Notwithstanding the wire, link fence around the water treatment plant it would appear out of character. Taking in the context of the adjacent neighbour and nearby hedgerows the boundary treatment would have a suburban character. Although a more traditional rural finish of, for example, post and rail fencing would be preferred having regard to permitted development regulations a similar structure which measured 1.4m at its highest point would be acceptable.

The applicant has supplied a supporting statement with reasoning for this proposal. This states a need for greater security for this property. Crime prevention is recognised as a material planning consideration. However it remains one of a number of material planning considerations pertinent to this application. Design in the Green Belt, as outlined in local plan policy DBE4, is also a relevant consideration. This outlines that development within the Green Belt should respect its location and the wider landscape, and use traditional detailing. As stated there are more traditional forms of

enclosure which could be used. While the need for security is recognised, given the weight of other material planning considerations this proposal is inappropriate. As stated above, Officers advice, having regard to a fall back position of a 1m high enclosure allowed under permitted development rights, a 1.4m high enclosure is likely to be an acceptable height for a suitably designed means of enclosure. Such an alternative design would still provide adequate security at this property.

The applicant has also provided a photo montage of examples of boundary enclosures in the area which it is claimed justify this proposal in its current form. The fencing and gates around the water works have evidently been in place for some time. A number of photographic examples have also been provided of boundary treatments further along Pudding Lane. The history of these properties has been checked and these seem to have evidently been in place for some time, or do not benefit from a planning consent. In any case these structures were not judged under current local plan policies.

**Conclusion:**

The proposed side extension is deemed acceptable. The boundary treatment is considered excessively high and would have an urbanising impact on the Metropolitan Green Belt. For this reason it is recommended that the application is 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:***

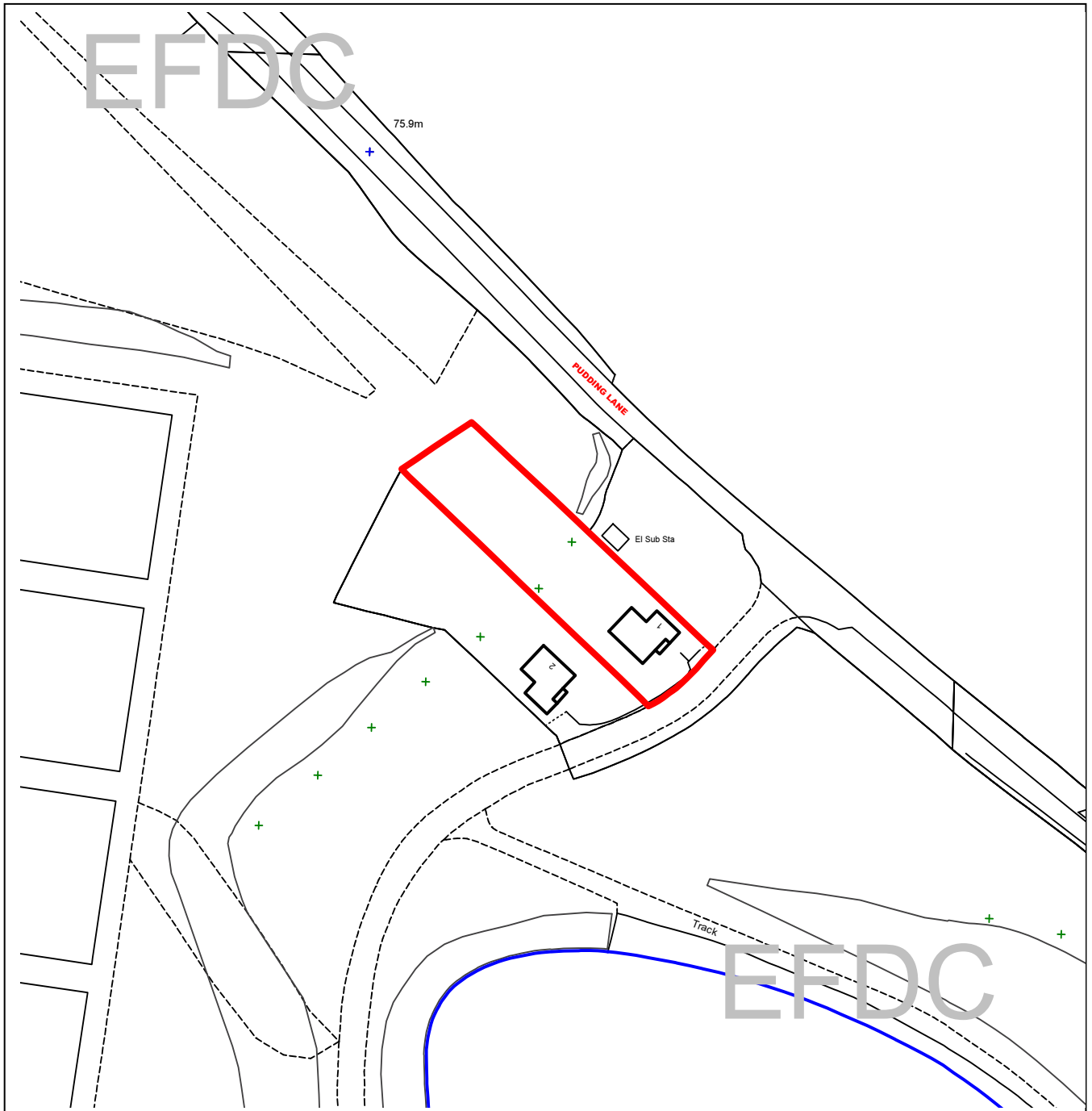
***Planning Application Case Officer: Dominic Duffin  
Direct Line Telephone Number: 01992 564336***

***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/1745/11
Site Name:	1 Pudding Lane, Chigwell, IG7 6BY
Scale of Plot:	1/1250

## Report Item No 9

<b>APPLICATION No:</b>	EPF/1857/11
<b>SITE ADDRESS:</b>	20 Lechmere Avenue Chigwell Essex IG7 5ET
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Y Kanzaria
<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=531103](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531103)

### 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 P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

Permission is sought to erect a single storey rear extension.

It will be 4.0 deep by 6.05 metres wide by with a 3.5 metres high mono-pitch sloping tiled roof. The external materials will be facing brick and tile that will match the existing building.

### **Description of Site:**

The subject site is located to the west of Lechmere Avenue. The site is a rectangular plan shaped and accommodates a detached 1950s two-storey dwelling. The properties on this side of the street are built to a roughly similar front building line.

### **Relevant History:**



ENF/0269/11 Outbuilding close to boundary over 2.5m high.

EPF/1470/87 Two storey side and single storey rear extensions. Approved

EPF/0765/02 Retention of garage conversion to study and WC, together with single storey side extension. Approved

EPF/1555/11 Retain a single storey rear extension. Refused

### **Adopted Policies:**

CP2	Protecting the quality of the built environment
DBE 9	Neighbour Amenity
DBE10	Design/appearance

### **Representation**

4 neighbours were sent letters concerning details of this application and the following responses were received.

Chigwell Parish Council – The Council OBJECTS to this application as it gathers it is a retrospective application which is to alter further on the first extension consent, it is overdevelopment. The circumstances sufficiently concern the committee to request that planning application EPF/1555/11 and this application go before District Development Control.

### **Issues and Considerations:**

The main issue is whether the proposal will have a detrimental impact upon the locality and/or the amenities of residents living in the vicinity of the site.

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

This application seeks planning permission to demolish the existing single storey rear extension and conservatory and replace it will be a single storey brick built extension. The height, scale, form and size of the proposed single storey rear extension is acceptable.

The Parish Council have objected to this scheme on grounds of overdevelopment. The site retains adequate amenity space at the rear as such this is not considered to be an overdevelopment of this site and does not justify a refusal on this basis.

From a site inspection it can also be confirmed this part of the development has not commenced. The extension to be demolished and present conservatory remains as the existing plans show.

The block plan is inaccurate because No. 22 has no previous extension and this extension will project 4.0 metre beyond the line of its original rear wall. Despite this inaccuracy, it will not alter the decision.

Finally, with respect to the comments from the parish on planning application EPF/155/11, this application has been refused although it is subject to an ongoing enforcement investigation.

This proposal is for the single storey rear extension only. It is acceptable in design and appearance and it will be seen from the street.

### Neighbours amenity

The immediate neighbouring occupiers to the subject site are adjacent properties Nos. 18 and 22 Lechmere Avenue and neither of these neighbours has written with concerns about the proposal.

The extension will see a 1.0 metre gap retained from the boundary with adjacent site No. 22. Whilst No. 22 has not been extended rearwards the extension will not easily be seen because there is a high hedge on the boundary with this property.

Also, because the proposal is for a single storey extension, it provides an acceptable setback from this property and its depth at 4.0 metre is acceptable. There will be no loss of light, overshadowing or harm caused to the amenity of neighbouring occupiers.

### **Conclusion:**

For the reasons above, this application is acceptable because it will not result in visual harm to the character of the area and it will not harm neighbouring occupier's amenity. As such it is recommended for approval and complies with plan policies CP2, DBE9 and DBE10 of this Councils Adopted Local Plan and Alterations.

***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:***

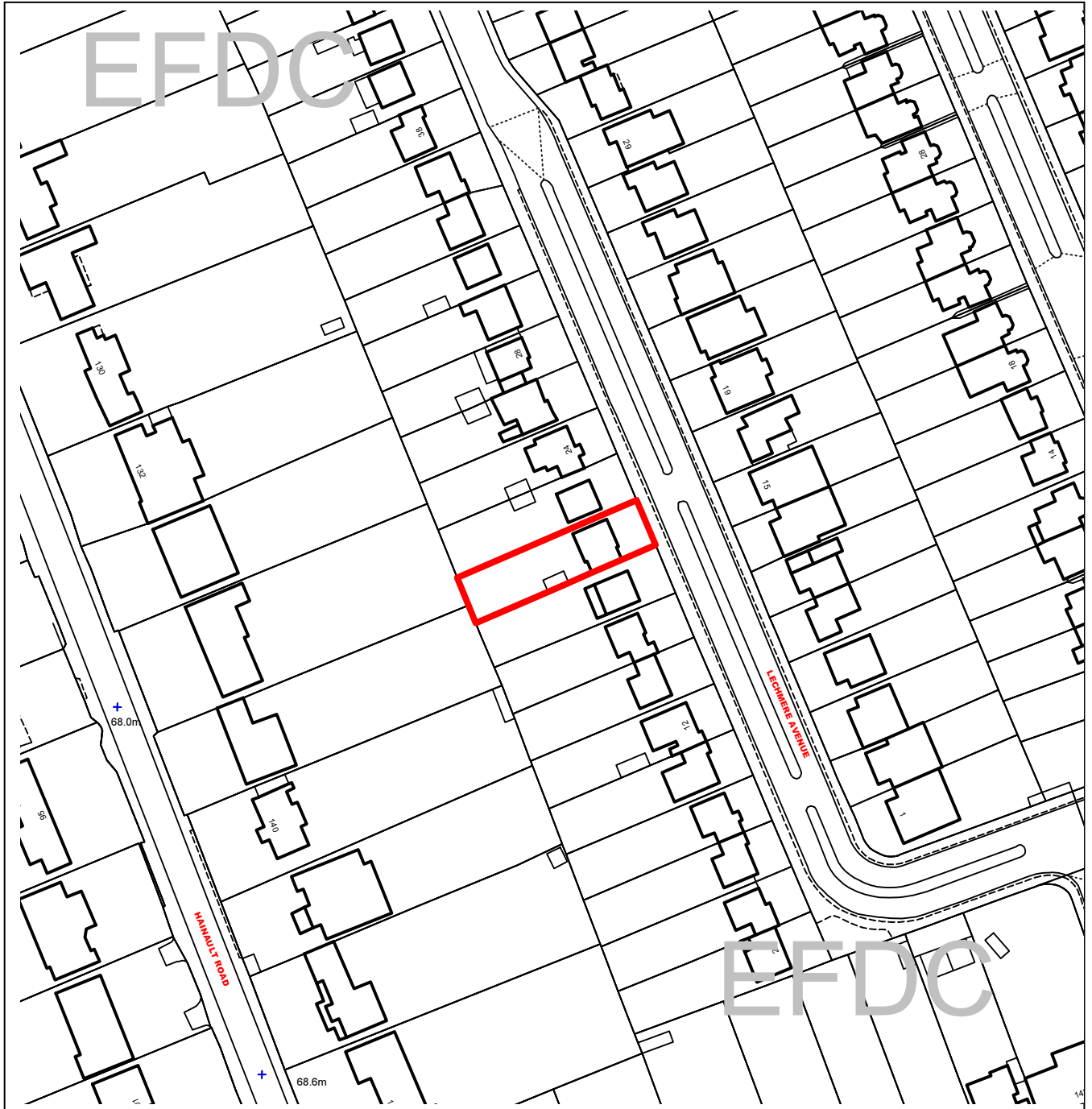
***Planning Application Case Officer: Ms Paula Onyia  
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# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>9</b>
Application Number:	EPF/1857/11
Site Name:	20 Lechmere Avenue, Chigwell, IG7 5ET
Scale of Plot:	1/1250

## Report Item No 10

<b>APPLICATION No:</b>	EPF/1895/11
<b>SITE ADDRESS:</b>	49 Lee Grove Chigwell Essex IG7 6AD
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr David Shternzis
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of time limit on EPF/2097/08 (Erection of iron railings to existing brick boundary walls -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=531277](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531277)

### 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.

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

### **Description of Proposal:**

The proposal is for an extension of time limit to planning permission EPF/2097/08 for the installation of iron railings to existing brick boundary walls. (Revised application).

### **Description of Site:**

A two-storey detached house on a rectangular plot. The road has a varied mix of detached styles of two storey houses.

### **Relevant History**

Various extensions in the late 1990s and early 2000 including:

EPF/0433/01 Front and rear extensions. Approved

EPF/0669/08. Loft conversion with front dormer windows and first floor extension. Approved 14/05/08.

EPF/1450/08 Erection of iron railings and gates to existing brick boundary wall. Withdrawn.

EPF/2097/08 Erection of iron railings to existing brick boundary walls. (Revised application). Approved 19/12/08.

EPF/2319/08 Loft conversion with front dormer windows and first floor extension. (Amendment to ridge height on planning approval EPF/669/08). Withdrawn.

EPF/0369/09 Loft conversion with front dormer windows and first floor extension. (Amendment to ridge height on planning approval EPF/669/08). Approved

**Policies Applied:**

CP2 Protecting the Quality of the Rural and Built Environment

DBE1 New development

DBE9 Loss of amenity

**SUMMARY OF REPRESENTATIONS:**

5 properties consulted and no letters in response received.

CHIGWELL PARISH COUNCIL: The Council OBJECTS to this application unless the extension of time limit is for one year.

**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.

The fact that the District Council previously gave a planning permission for the development in 2008 is a material consideration.

**Design and Impact on Street scene**

The proposal is to install iron railings above the existing brick boundary walls. The railings will sit above an existing 650mm high dwarf front wall and will have an overall height of 1.7m. The brick piers currently at a height of approx. 800mm will be extended to 2m high. Whilst there is not an abundance of railings along Lee Grove, there are 3 other properties along the road that benefit from similar railings and brick piers. Furthermore, this type of front boundary treatment is increasingly commonplace in urban residential streets throughout the district as not to be considered out of keeping in this location.

**Impact on Neighbouring Amenity**

There will be no impact to neighbours as a result of this proposal.

**Comments received from the Parish Council:**

The Parish Council have objected to this application on the grounds that any approval should be given on the proviso the applicant will commence works within a maximum time period of 1 year.

Extensions to the time limit for implementing existing planning permission was brought into force on 1 October 2009. The reason for this measure was to make it easier to keep planning permissions alive during the economic downturn in order to facilitate their implementation when economic conditions improve. It would therefore be presumptive in the present economic climate to expect the works to commence within 12 months.

In addition, without knowing what the applicants personal circumstances are (the applicant is not expected to provide any supporting evidence of this), it is not reasonable to expect works to commence within 12 months. It is therefore recommended permission is given for a further 3 year time period to give the applicant sufficient time to commence.

**Conclusion:**

The Area Plan South Committee previously allowed this development under planning permission EPF/2097/08. There has been no material change in the physical or policy context within which the development should be considered therefore no new issues have arisen in the period since the grant of planning permission which would warrant a different assessment of the development.

This application is recommended for approval with the same conditions carried forward to this decision. Whilst the parish Council's comments have been taken into consideration, there is no justifiable reason why this conditional planning consent should be limited to a period of 1 year. Therefore, the recommendation is approval should be given with a time limit period of 3 years in order facilitate implementation of the development.

***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:***

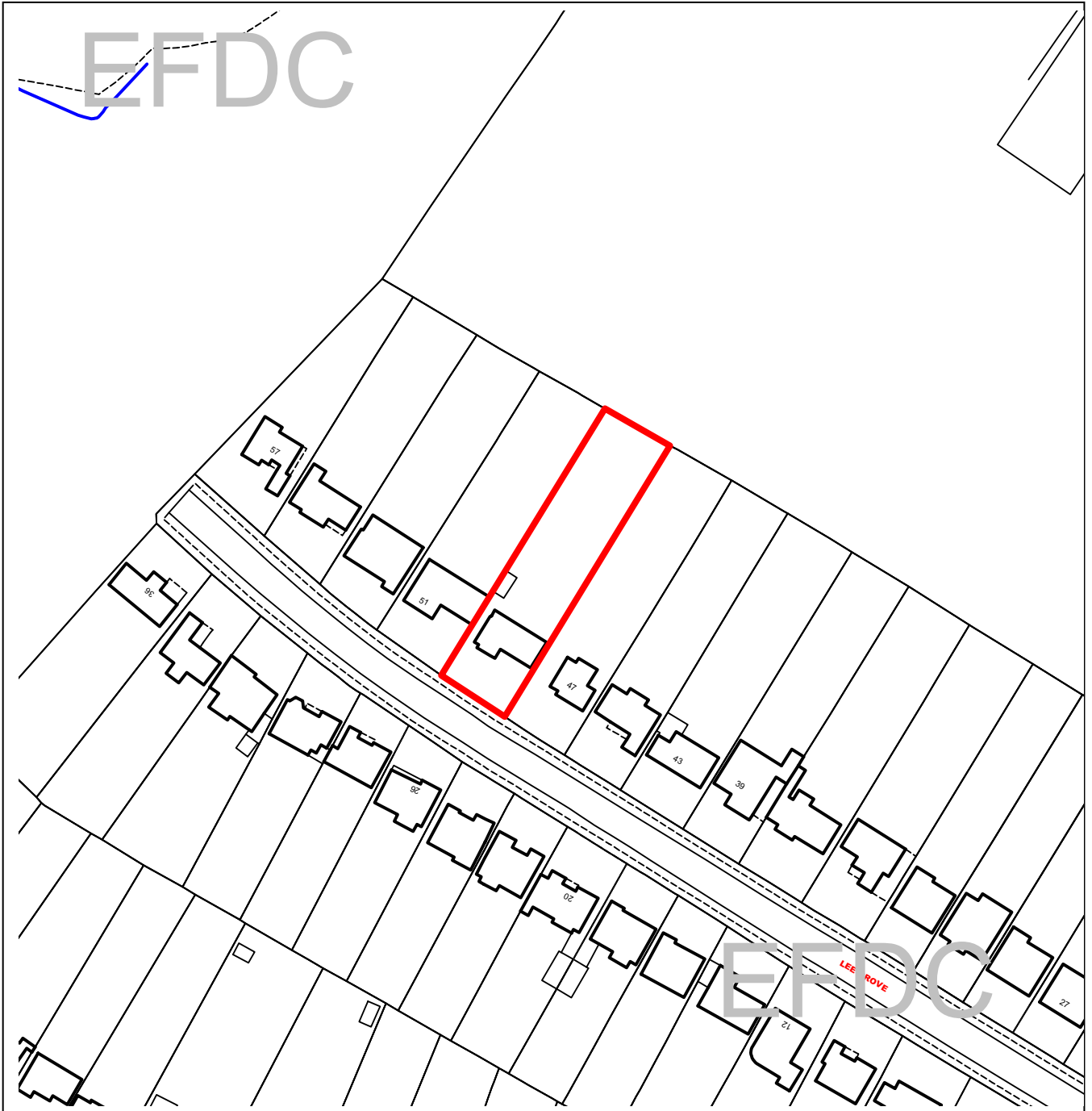
***Planning Application Case Officer: Ms Paula Onyia  
Direct Line Telephone Number: (01992) 564103***

***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/1895/11
Site Name:	49 Lee Grove, Chigwell, IG7 6AD
Scale of Plot:	1/1250

## Report Item No 11

<b>APPLICATION No:</b>	EPF/1896/11
<b>SITE ADDRESS:</b>	49 Lee Grove Chigwell Essex IG7 6AD
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr David Shternzis
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of time limit on EPF/0369/09 (Loft conversion with front dormer windows and first floor extension -Amendment to ridge height on planning approval EPF/669/08).
<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=531278](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531278)

### 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 P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

The proposal is for an extension of time limit to planning permission EPF/0369/09 (amendment to ridge height on planning approval EPF/0669/08) for a previously approved loft conversion, with two front roof slope pitched roof dormers, and a first floor rear extension measuring 4.1m x 3.7m by 4m high with a gable end pitched roof.

### **Description of Site:**

A two-storey detached house on a rectangular plot. The road has a varied mix of detached styles of two storey houses.



## **Relevant History**

Various extensions in the late 1990s and early 2000 including:

EPF/0433/01 Front and rear extensions

Approved

EPF/0669/08. Loft conversion with front dormer windows and first floor extension. Approved 14/05/08.

EPF/1450/08. Erection of iron railings and gates to existing brick boundary wall. Withdrawn.

EPF/2097/08. Erection of iron railings to existing brick boundary walls. (Revised application). Approved 19/12/08.

EPF/2319/08. Loft conversion with front dormer windows and first floor extension. (Amendment to ridge height on planning approval EPF/669/08). Withdrawn.

EPF/0369/09 Loft conversion with front dormer windows and first floor extension. (Amendment to ridge height on planning approval EPF/669/08). Approved

## **Policies Applied:**

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

Policy DBE9 – Loss of Amenity

Policy DBE10 – Design of Residential Extension

## **SUMMARY OF REPRESENTATIONS:**

5 properties consulted and no letters in response received.

CHIGWELL PARISH COUNCIL: The Council OBJECTS to this application unless the extension of time limit is for one year.

## **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.

The fact that the District Council previously gave a planning permission for the development in 2008 and also approved the revision to this application in 2009, is a material consideration.

### Impact on Street Scene

- The two front dormers are modest and appropriate to this property. The street is diverse in style and appearance and the dormers will cause no adverse impact to the street scene.
- The first floor rear extension is at the less sensitive rear and side elevations and there is no noticeable change from the front of the property.
- The existing 1m gap to the side boundaries will remain.
- Therefore there is no harm caused to the character and appearance of the street scene.

### Design

- The dormers are small scale and well proportioned.
- The rear extension will result in an elevation which has two large rear gable end projections and a smaller central one. This has a balancing effect on the rear elevation and is acceptable.
- Materials will match.

### Residential Amenity

- There will be no adverse overlooking as a result of the scheme.
- The main neighbour which would be affected is No 47 to the east. This property has a first floor balcony adjacent to the flank which will be extended. Due to the orientation of the dwellings there will be no further significant loss of sunlight to No 47 than already occurs.
- The new extension does not intrude into the 45° line from the patio doors of No 47 and there is no unacceptable loss of light caused.
- Whilst this is a significant scheme when view from the balcony area, it is considered that it is just acceptable and is not excessively overbearing on the amenities of No 47.

### Revision in 2009 in conjunction with report for EPF/0669/08

The only alteration to the approved scheme in 2008 is the increased roof height. This would not give rise to a material loss of amenity to the occupiers of neighbouring properties.

With regard to the impact of the proposed development on the character and appearance of the area, the street elevation submitted with the application indicates that the proposed roof would be higher than the roof of 47 Lee Grove by approximately 0.4 metres and would be marginally higher than that of 51 Lee Grove. The submitted street scene does not show the change in levels across the site, but this is not considerable. It is considered that, having regard to the varying property styles within the street, the increased roof height would not be detrimental to the character of the street scene.

### Comments received from the Parish Council:

The Parish Council have objected to this application on the grounds that any approval should be given on the proviso the applicant will commence works within a maximum time period of 1 year.

Extensions to the time limit for implementing existing planning permission was brought into force on 1 October 2009. The reason for this measure was in order to make it easier to keep planning permission alive for longer during the economic downturn to allow development to be implemented when economic conditions improve. It would therefore be presumptive in the present economic climate to expect the works to commence within 12 months.

In addition, without knowing what the applicants personal circumstances are (the applicant is not expected to provide any supporting evidence of this), it is not reasonable to expect works to commence within 12 months. It is therefore recommended permission is given for a further 3 year time period to give the applicant sufficient time to commence.

### Conclusion:

The District Council previously allowed this development under planning permission EPF/0669/08. There has been no material change in the physical or policy context within which the development should be considered therefore no new issues have arisen in the period since the grant of planning permission which would warrant a different assessment of the development.

This application is recommended for approval with the same conditions carried forward to this decision. Whilst the parish Council's comments have been taken into consideration, there is no justifiable reason why this conditional planning consent should be limited to a period of 1 year. Therefore, the recommendation is approval should be given with a time limit period of 3 years in order for works to commence.

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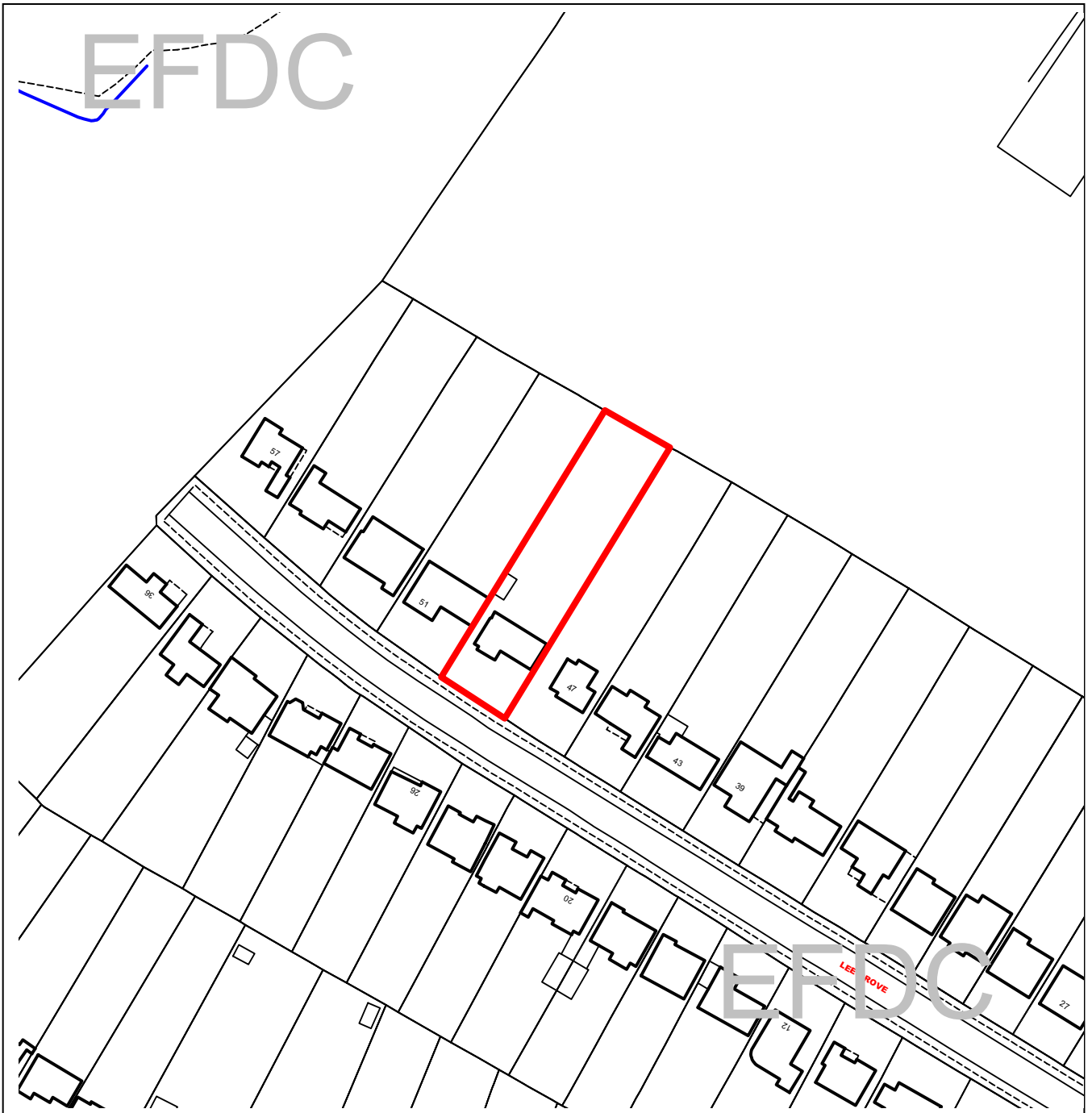
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## Area Planning Sub-Committee South



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Application Number:	EPF/1896/11
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