

Report Item No: 1

APPLICATION No:	EPF/0417/12
SITE ADDRESS:	Block A Hawsted Buckhurst Hill Essex IG9 5SS
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Cricket View Ltd
DESCRIPTION OF PROPOSAL:	TPO/EPF/11/93 T3 - Cedar - Fell
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535551

CONDITIONS

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

Description of Proposal:

T3. Cedar - Fell to ground level.

Description of Site:

The Cedar is a fine young specimen, standing around 12 metres tall. It is located in a decorative border at the entrance of this modern apartment complex. It is highly visible from the main road and substantially screens views of the prominent garage block at the front of the site and softens the bulky flat block side elevation. The tree is an attractive feature and contributes to this residential development's formal planting scheme.

Relevant History:

While no history of pruning to the tree exists, concerns have been voiced in the past over the tree's extreme proximity to the garage block.

Relevant Policies:

Summary:

LL9 The Council will not give consent to fell a tree preserved tree unless it is satisfied that this is necessary and justified; any tree lost must be replaced.

Summary of Representations:

Braeside School was consulted but no response has been received.

BUCKHURST HILL PARISH COUNCIL objected on the grounds that the tree is a valuable visual amenity as all can be viewed from the public highway and the trees screen the developments. The tree was there when the property was built. Concerns were raised that the potential removal sets a precedent.

Issues and Considerations:

Issues

This application is based on the growing concern that the tree is growing too close to the garage block.

Considerations

i) Tree condition and life expectancy.

The young tree is vigorous and healthy tree with a long life expectancy. It is likely to have been planted as part of the original landscape scheme. This is a fast growing, long lived species capable of reaching this size in less than 30 years. Cedars have the capacity to grow to heights in excess of 30 metres. Maturing specimens can develop stems well in excess of 1 metre in diameter.

ii) Amenity value

The tree has high amenity value as a striking and attractive evergreen feature of good form and prominent position. It is valuable both in its own right and as a screen to the large building behind it and the garages beside it.

iii) Damage fears and suitability of location.

The tree stem is approximately 40 cm in diameter and 20 cm from the garage wall.

The tree is not well located for its long term retention and would be anticipated that the base of the stem may come into direct contact with the structure within the next 10 years.

Conclusion:

Despite the objection raised by the Parish Council in respect of the tree's amenity and the assertion that the tree was there before the flats were built, it is not likely that this fast growing young tree predates the development and has the capacity to become at least twice as large in height and girth. This future growth potential renders the tree ultimately unsustainable. It is, therefore, recommended that permission is granted to fell the tree on the grounds that it is incompatible with its location and its loss is justifiable in these circumstances. The proposal therefore accords to Local Plan Landscape Policy LL9.

It is recommended that, in the event of members granting permission to fell this tree, a condition be attached to the decision notice requiring the replanting of an agreed suitable replacement at an agreed location on the site.

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

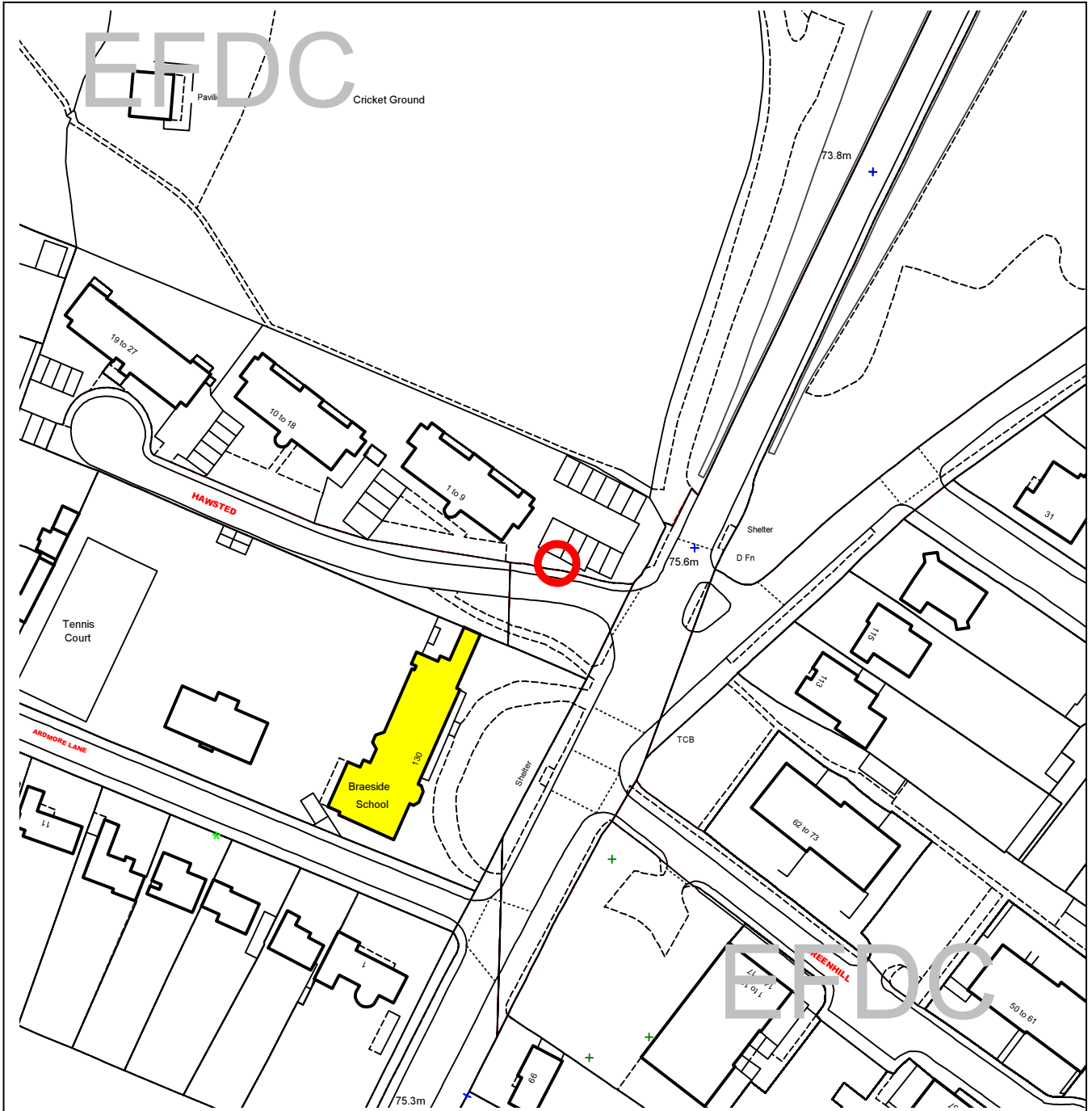
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/0417/12
Site Name:	Block A, Hawsted, Buckhurst Hill IG9 5SS
Scale of Plot:	1/1250

Report Item No:2

APPLICATION No:	EPF/0568/11
SITE ADDRESS:	Land to the south of Roding Lane Buckhurst Hill Essex IG9 6BJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Alliance Land (Properties) Ltd
DESCRIPTION OF PROPOSAL:	TPO/EPF/110/10 W1 - Woodland management as specified in attached management plan
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526550

REASON

- 1 Realisation of the potential benefits of the proposal would depend upon a sustained period of management following implementation of the initial works. The lack of any agreement to such management means that the Local Planning Authority has no reasonable surety that the necessary operations will be undertaken for a sufficient period for any significant level of benefit to be achieved. It is therefore preferable for the wood to be allowed to continue to develop naturally. The proposal is therefore contrary to policies LL7 and LL9 of the adopted Local Plan and Alterations.

This application is before this Committee since it is in part an application to fell preserved trees and is recommended for approval and so is outside the scope of delegated powers.

It was considered at the previous committee of 12/12/11 but deferred for investigation of whether the proposed benefits of management could be secured.

Description of Site:

The wood stands west of the Roding, off Roding lane, and to the rear of properties off Albert Rd and The Windsors, and Buckhurst Hill CP School.

Description of Proposal:

Selective thinning and coppicing of an area of woodland area and remedial pruning of veteran trees, as set out in the revised management plan dated May 2011. Members will note that this report and recommendation needs to be taken alongside EPF/0567/11.

Relevant History:

The TPO was made in 1983, when the wood was relatively young, as a result of concerns that it might be threatened by potential development. There have been no recent relevant applications. Access was agreed for site surveying and clearance of Japanese Knotweed that were in themselves exempt from planning control.

Relevant Policies:

LL3: Edge of settlement.

LL7: Planting, protection and care of trees.

LL8: Works to preserved trees.

LL9: Felling of preserved trees. (Summary: Felling must be demonstrated to be necessary and justified. Any felled trees must be replaced.)

Summary of Representations

BUCKHURST HILL PARISH COUNCIL: Objects: contrary to local plans and would destroy wildlife corridors.

CPRE: Support the application, because appears designed to enhance the conservation value of the wood, and there are proposals to involve the community.

Have suggestions, including that grants may be available, that improvement of this area has positive implications for the wider green network, that arisings could be usefully put to conservation purpose and that care should be taken with seed sources. Hope that neighbours will continue to be informed.

Issues and Considerations:

Introduction

The application is presented as being for the benefit of the wildlife value and appearance of the wood. The proposals come as part of a comprehensive assessment of the site, in the form of a management plan leading to a 5 year programme of works, shown in plan form, with accompanying schedules of works.

The plan also gives details of works not controlled by the TPO, including re-profiling existing mounds of tipped material, restoration of ponds and ditches, planting of hedges and enhancement of the ground flora. These works do not form part of this application, and cannot be secured by conditions attached to it, but may be considered and secured under the accompanying planning application.

The wood is an important visual feature of the area, valued by local residents. It appears to have arisen by natural seeding from pre-existing hedgerow trees before being given blanket protection in 1983. The land had been previously used in part for brickworks.

The site may be divided into 2 areas, broadly north and south:

- 1) north of an old internal ditchline, and fronting Roding Lane, and
- 2) south of that ditch, and bounded by housing, and commercial premises on Alfred Rd, to the west, The Windsors to the south, and a playing field to the east.

The northern section seems to be on the original ground. Mostly it is thick with relatively young sapling trees, but there are important veteran trees along Roding Lane, and also towards the centre, by the old ditch and pond. There is little ground cover, and in parts it is impenetrable. The

southern section appears to be where excavation had previously taken place. There are groups of trees, but also open areas, with few or no trees, which are thickly covered by bramble. There are also substantial piles of surface debris, with hardcore, bricks, tyres and other materials. There has been an extensive infestation by Japanese Knotweed to the west. The owners have begun an eradication program.

According to the proposals, by year 5 small grassed glades would have been created in the northern section; restoration pruning would have been undertaken on the several veteran trees; the area around the central ditch and pond would have been opened up, and the more open southern area converted to meadow. In that southern area the main groups of trees and important individuals would be retained, including the most important in the spur linking the wood to the junction of Alfred Rd to Roding Lane, and providing visual screening for residents in Alfred Rd. and Windsor Wood.

Considerations

The key issues are considered to be whether:

- 1) The proposed staged thinning of younger trees will have beneficial results for biodiversity;
- 2) The formative pruning of the veteran trees has been justified;
- 3) Any potential negative consequences may be foreseen;
- 4) How the potential benefits may be secured.

In relation to these the increase in internal spaces, and increased habitat diversity would be beneficial for wildlife and the pruning of the veteran trees would help to secure their long-term retention.

The thinning proposals are quite modest, which should limit the change in external appearance of the site. The proposals include the proviso that the management should be assessed at the end of each year; the next year's proposals would not be allowed to commence if there had been any substantial departure from the proposals as agreed. Words to secure this are suggested as a Grampian condition.

Because of the very specific constraints in the legislation applying to replacing felled TPO trees the various wildlife and landscape benefits cannot be secured by condition under this application, but may be considered and conditioned to some extent and for a limited period under the accompanying planning application. However they might also be secured by means of a legal agreement for a longer period, subject to the consent of the applicants.

It has therefore been put to the applicants that they might demonstrate their good faith, and give reassurance as to the initial harmful effects of the proposals being compensated for by longer term management, that is for 15 years, rather than 5 as proposed. In particular an article 4 direction could secure the freedom from obstruction, such as fencing, of the internal area and a Section 106 direction could secure the active management of the site for the nature conservation purposes, as set out in the application, by the current owners or their successors. That has been put to the agents for the owners by letter, and at a subsequent meeting, but has not been agreed

Conclusion

That no weight may be placed upon the management proposals that support the application, and therefore these cannot be taken to counteract the initial adverse impact of the thinning of the woodland. It is therefore concluded that the proposal fails to accord with the relevant policies and should be refused.

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

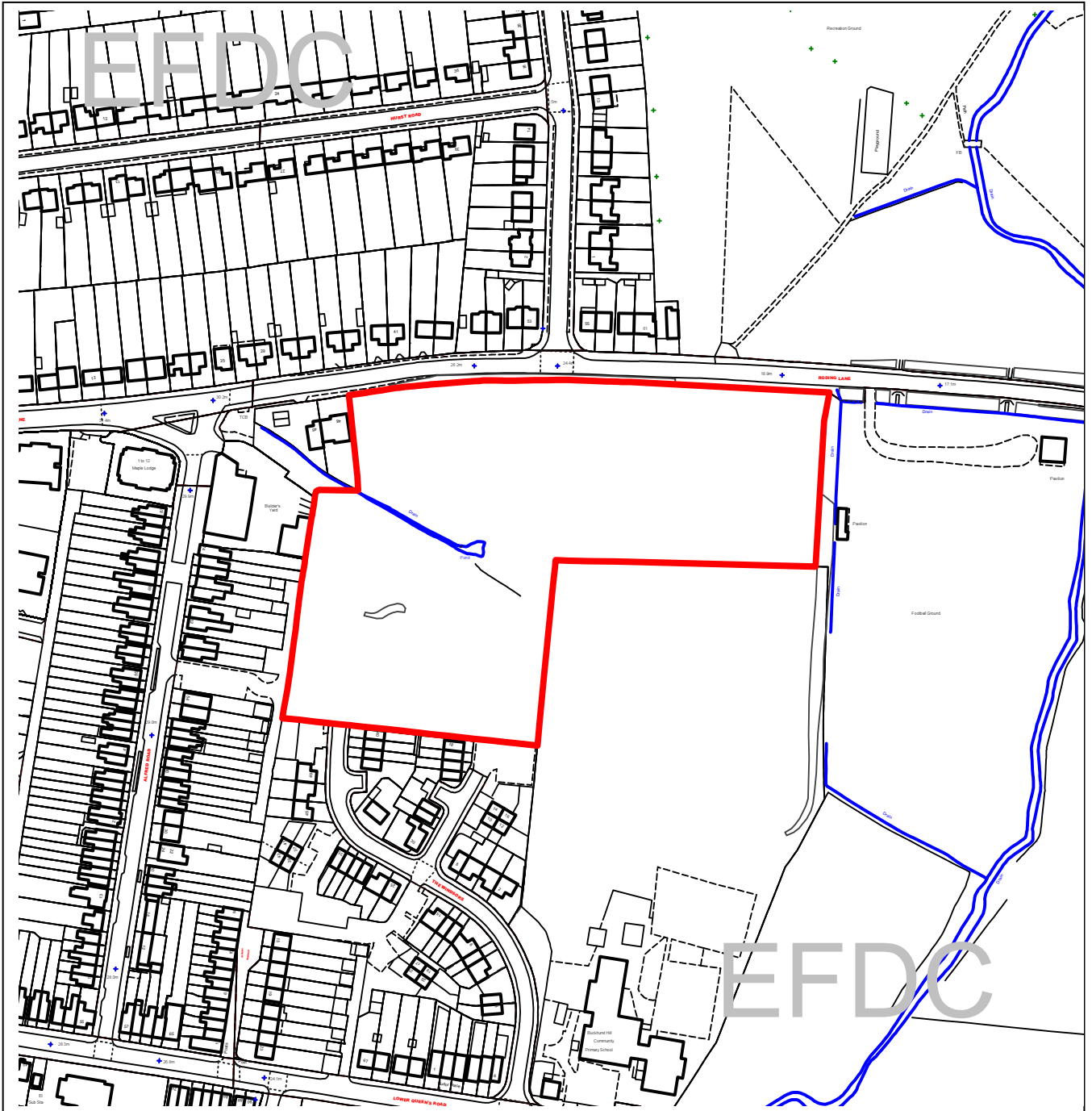
**TPO Application Case Officer: Christopher Neilan
Direct Line Telephone Number: 01992 564117**

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/0568/11
Site Name:	Land on south side of Roding Lane, opp. Junc. with Rous Road, Buckhurst Hill, IG9
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/0567/11
SITE ADDRESS:	Land on south side of Roding Lane, opposite junction with Rous Road and adjoining Buckhurst Hill Football Club Buckhurst Hill Essex IG9
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Alliance Land PLC
DESCRIPTION OF PROPOSAL:	Carrying out of site management works to land, consisting of clearing ditch, digging out of pond, and levelling of earth mounds.
RECOMMENDED DECISION:	Refuse Permission

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=526549

REASON

- 1 The site lies in the Metropolitan Green Belt, is subject to a blanket Tree Preservation Order, and constitutes a valuable environmental resource close to the urban settlement of Buckhurst Hill. Realisation of the proposed benefits of the proposal would depend upon a sustained period of management following the implementation of initial works. The lack of any agreement to such management means that the Local Planning Authority has no reasonable surety that the necessary operations will be undertaken for a sufficient period for any significant level of benefit to be achieved. It is therefore preferable for this wood to be allowed to develop naturally. The proposal is therefore contrary to policies GB2A, NC4, NC5, DBE9, and LL10 of the Epping Forest District Local Plan and Alterations.

This application is before this Committee since it needs to be considered alongside a concurrent application to carry out works to preserved trees on the site - which is a type of application that needs to be reported to Committee.

Background

This application, together with the concurrent application to fell trees ref: EPF/568/11, was deferred at the 12/12/11 meeting of this Committee to enable officers to investigate how the long term nature conservation interest of this site could be secured.

Description of Proposal

Carrying out of site management works to land including clearing ditch, digging out of pond, levelling of earth mounds, the provision of grassland areas, hedging and enclosing fence. These works would be carried out in 5 phases over a 5 year period. The site is covered by a blanket tree preservation order and a concurrent application (EPF/0568/11) seeks consent for the removal of some trees and associated undergrowth.

Description of Site

A sizeable 'L' shaped piece of land with an area of 0.17 hectares. It lies on the south side of Roding Lane opposite its junction with Rous Road, and lies close to the rears of properties in Alfred Road, and to the north of houses in the Windsors. Originally some, or all, of the site lay in the site of a brickworks factory, and the 49 houses to the south in The Windsors, and the adjoining Buckhurst Hill primary school, were built on this factory site.

The site is not publicly owned. It is densely covered with trees and scrub, with trees being protected by a blanket tree preservation order. The site lies in the Green Belt but adjoins the urban settlement of Buckhurst Hill. Some of the site has earth mounds which in part comprise of bricks and rubble used to fill the excavations associated with the original brickworks factory use. Whilst at present there is no fence around this site the density of trees, bushes, and scrub makes the site very difficult to enter.

Relevant History

None.

Policies Applied

DBE9 - Loss of amenity.
GB2A - Development in the Green Belt
NC4 - Protection of established habitat
NC5 - Promotion of Nature Conservation Schemes.
RP3 – Water Quality.
RP4 – Contaminated Land
LL10 – Adequacy of provision for landscape retention.

Summary of Representations

BUCKHURST HILL PARISH COUNCIL – object – insufficient information on works to be undertaken.

NEIGHBOURS – 36 properties consulted, and a site notice erected. Three replies received:-

72, ALFRED ROAD – comments that she would like to know what the future plans for the site are.

51, RODING LANE - why are these site management works proposed? Ditches need clearing, yes; ponds need managing at times also; but if the badgers and other wildlife are happy in/on the earth mounds then what reason has the present owner to level them? What concerns me is that 'levelling of earth mounds' (presumably using a mechanical digger) could involve disturbance of wildlife, removal of trees, and nibbling at an area of Green Belt.

55, ALFRED ROAD – We have grave concerns over this issue as we feel in due course the site may be built upon.

EFDC COUNTRYCARE SECTION – The management plan submitted with this application is satisfactory. I have requested a copy of Maydencroft Land Advisory's October 2010 report regarding surveys, methodologies, and findings, in order to make additional comments. (In this respect any additional comments will be presented orally at the Committee)

Issues and Considerations

The proposal in detail – as reported to Committee on 12/12/11

A detailed management (or environmental) plan produced by Maydencroft Land Advisory has been submitted with this and the concurrent application to thin and remove trees. It states that the key aims for the management of this site are a) to improve the amenity value of the site, b) to enhance the site for local wildlife, and c) clear the site of rubbish and fly tipping.

The whole of this 'Brickfields' site is understood to have been initially acquired by Beazer Homes, who in the 1980's developed the 49 homes on that part of the site to the immediate south now known as The Windsors. The current owners of the site are Alliance Land Properties, on behalf of whom the current application has been made. Their application is an unusual one and some concerns have been raised as to whether it is a precursor to future proposals to develop the site - although the site's current Green Belt designation and blanket tree preservation order would not allow for built development. The agents for the applicants have stated *'the applicants are land traders and seek to improve site values and then sell on. At present the site is an impenetrable jungle whose amenity potential few people can appreciate. Once the site is accessible and secure, with areas of wild flowers, more woodland fringe and more ecological value, it will be attractive to amenity purchasers'*

To complement any consent to remove/thin trees it is desirable to ensure that other ecological and environmental improvements to the site e.g. the creation of grassland glades, planting of wildlife flowers, and clearing of ditch and pond, are in fact carried out. To this end a condition is proposed which will ensure all aspects of the management plan are undertaken. A 1.2m high chain link fence is proposed on the highway boundaries to the site but will be accompanied by a thorn hedge planted behind it which will grow through the fence and screen it.

Although only environmental works are proposed for the site there are constraints to overcome in respect of works to the spoil heaps and mounds in the site. Firstly, these heaps and mounds accommodate badger setts and a licence will be need to be obtained from English Nature before any works commence. Secondly the proposal to break up these heaps and mounds and spread them around the site is likely to require an environmental permit from the Environment Agency since the mounds contain waste that could be contaminated. A condition is therefore proposed to be added to any planning permission requiring both these issues to have been resolved with the respective agencies before any works commence on site.

Negotiations since 12/12/11 regarding the long term management of the site

Negotiations with the applicants have identified some common ground over the terms of a S. 106 agreement designed to ensure this site is retained and properly managed as a nature conservation resource. However, the applicants have to date been unwilling to commit to a 15 year period for the management of the site, and anything less is not acceptable from a planning and environmental perspective.

Conclusion

That planning permission be refused.

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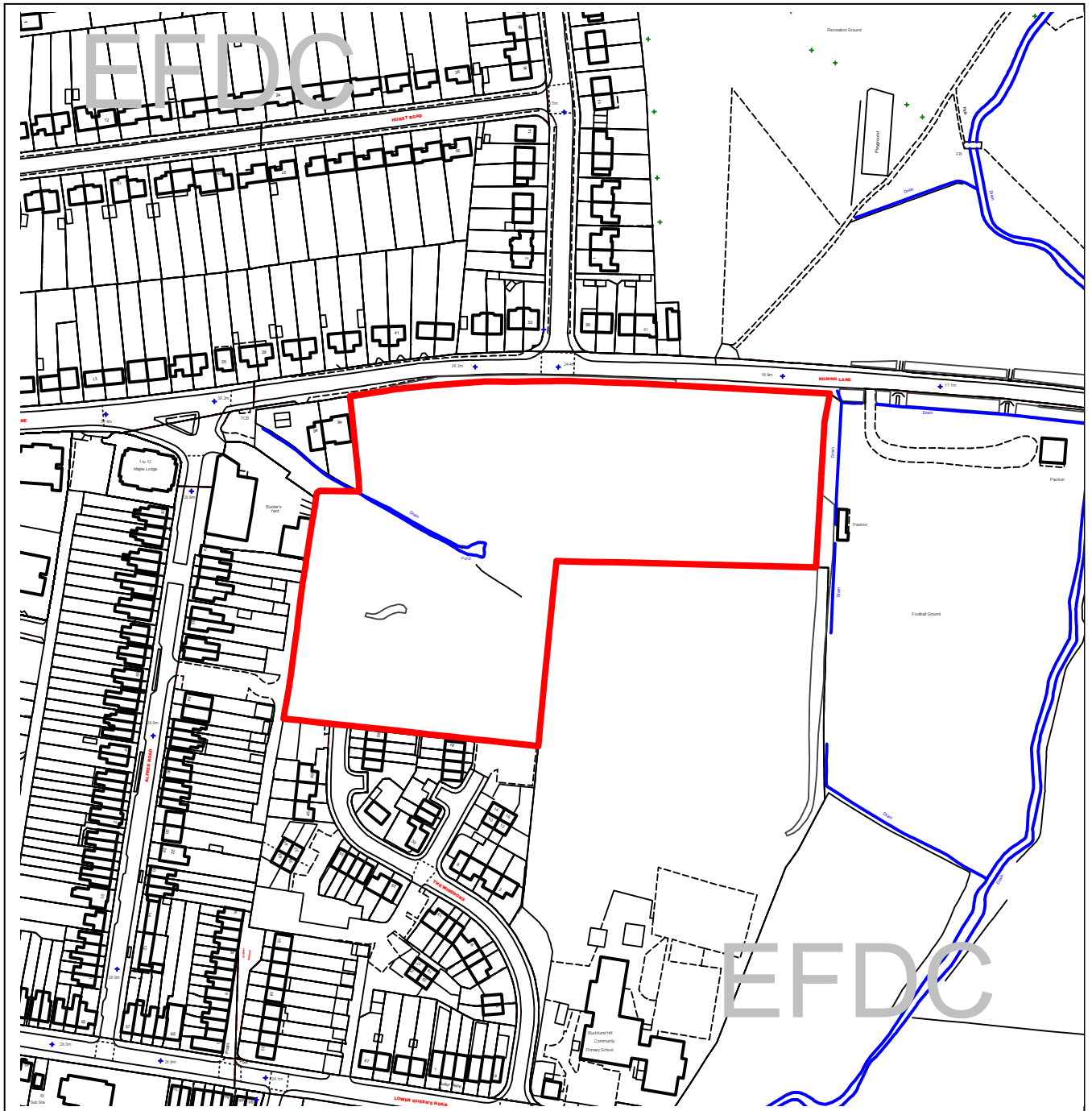
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/0567/11
Site Name:	Land on south side of Roding Lane, opp. Junc. with Rous Road, Buckhurst Hill, IG9
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/2371/11
SITE ADDRESS:	22 Forest Road Loughton Essex IG10 1DX
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Eldar Properties Ltd
DESCRIPTION OF PROPOSAL:	'Change of use of former tool shop (A1 retail shop) to A3 (restaurant/café) use - amended proposal now showing details of refuse store and extraction duct.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532991

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 Details of adequate provision for foul drainage from the kitchen shall be submitted to and approved by the Local Authority before any A3 use commences. Drains serving the kitchens in the development shall be fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with BS EN 1825-1 and designed in accordance with BS EN 1825-2 (Installations for separation of grease) or other effective means of grease removal. The approved drainage shall be retained and maintained while the site is in use.
- 3 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority before any A3 use commences, and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
- 4 Details of measures to suppress noise from mechanical equipment to be used in connection with the A3 use, and details of insulation to be provided between this ground floor unit and the flat over, shall be submitted to and approved by the local planning authority before the A3 use commences, and once approved these details shall be implemented in full and maintained thereafter to the satisfaction of the local planning authority.

- 5 Except on the day of collection refuse bins for the A3 use hereby approved shall always be positioned in the area shown on plan number PAS/ELD/02 Rev A hereby approved.
- 6 Details of the opening times of the A3 use hereby approved shall be submitted to and approved by the local planning authority before the use commences, and once approved these opening times shall be adhered to on a permanent basis unless a variation is approved in writing by the local planning authority.

This application is before this Committee since 1) the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal, and 2) because more than 2 objections have been received that are material to the planning merits of the proposal - (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A. (g) and (f).

Description of Proposal:

Change of use of former tool shop (A1 retail shop) to A3 (restaurant/café use).

Background:

This application was deferred at the Area Plans Sub Committee on 1/2/12 in order that further information relating to odour extraction and refuse storage be obtained from the applicant/agent. The following report has therefore been amended to take on board these further issues.

Description of Site:

A vacant and recently modernised retail unit located on the west side of Forest Road some 55m from its junction with the High Road. The property has a flat over its front section but the middle and rear sections are just one storey. The property is not listed nor does it lie in a conservation area. Adjoining properties consist of a B1 office business premises at number 14-18 Forest Road which is set back from the road, and an opticians at 24 Forest Road.

Relevant History:

EPF/522/11 granted approval for alterations to the ground floor shop, including the provision of a new shop front, raised roof over the central section of the building, and the change of use of the first floor front storage are to a self contained flat. These works have been implemented.

Policies Applied:

DBE9 – Loss of amenity.
ST4 – Road safety.
TC1 – Town centre hierarchy.
TC3 –Town centre function.

Summary of Representations:

LOUGHTON TOWN COUNCIL – object – the applicant has not demonstrated that the recently refurbished premises could not be let as an A1 use outlet, as the site had been marketed only for

some 4 – 5 months. Members deplored the loss of another retail outlet and commented that Forest Road was already over supplied with restaurants and pubs.

Re consultation with Loughton Town Council - still object – the Committee considered the amended proposal for a refuse store and extraction duct. Members expressed concern over the positioning of the bins in the side alleyway, which also served as the fire exit, as if moved, they would cause an obstruction. The Committee was unaware of the ownership of this alleyway but thought it was also used by the adjoining property. The Committee asked for a planning condition to prevent refuse bins being placed on the highway prior to collection and emptying. Furthermore, concern was expressed at the potential emissions from the flue positioned outside a window of the self contained on the upper floor. These proposed arrangements reinforced the Committee's views that the change of use to A3 (restaurant) should not be permitted.

NEIGHBOURS – 25 properties consulted including houses to the rear in Smarts Lane, and four replies received:-

LOUGHTON RESIDENTS ASSOCIATION - The property has only been marketed in its current state since Aug 2011 and this is insufficient time in the current climate to justify a change of use, and it is unrealistic to take any account of any marketing done before the premises were so significantly modernised. In 2.17 of the supporting statement the applicants assert that the change of use will add to the vitality of the area - this is of course nonsense –as well as the restaurants on the High Road there are two restaurants in Forest Road itself (plus the pubs further down) and the loss of a retail outlet is likely to damage the vitality of the area. If however the Council approves the application we would ask for the standard condition limiting working hours.

ABACUS HOUSE, 14-18, FOREST ROAD – object since there are no parking facilities for customers; there are already 2 restaurants in Forest Road and plenty more on the High Road. If approved we would have a restaurant on either side of us and we would be affected by smells, aromas, extra litter and general noise.

BENGAL SPICE, 12, FOREST ROAD – object to a new restaurant due to parking difficulties in the road which prevent my business from opening during lunchtimes - and hence we are open only in the evenings. If another business is allowed to open parking problems will increase affecting homes, businesses and it would have a negative impact on my operations.

24, FOREST ROAD – we have a right of way over the passageway between our property and number 22 which is our means of escape. We are concerned that bin storage in the passageway could block this escape route.

EFDC ENVIRONMENTAL SERVICES – In respect of the extraction system indicated on the revised plans there is always concern that the discharge of fumes at a low level can be a concern - however the applicants can demonstrate, using best practicable means, that odours can be abated. Should consent be granted conditions should be applied concerning provisions to be made for a) foul drainage from the kitchen, b) further details of the extract system to disperse fumes, c) noise limit on mechanical plant, and d) insulation to prevent noise nuisance to the flat over. In respect of storage of waste the position of refuse bins shown on the revised plan is satisfactory, and putting the bin out on the day of collection or the night before, if the collection is very early, is reasonable and is general practice.

Issues and Considerations:

The main issues raised by this application are a) whether the proposed use conforms with town centre policies designed to safeguard the vitality of the High Road shopping centre, b) whether the

use is acceptable in terms of parking, and c) consideration of any amenity or odour nuisance the proposed use could cause to neighbours.

Does the use comply with town centre shopping policies?

The property is located within the Loughton town centre principal shopping area. However, it is located in a peripheral location outside of the key frontage, and hence the 30% non retail limit in a key frontage is not relevant to this application. Policies TC1 and in particular policy TC3 permit 'the provision of new retail and *other town centre uses* that make centres attractive and useful places to shop, work and visit throughout the day'. A café or restaurant comes within the terms of other town centre uses, and hence the proposal complies with this section of the policy. Objections received to this application from the Town Council and the Loughton Residents association argue that the property has only been marketed for retail use for only 4/5 months since it was modernised following the planning consent EPF/522/11. However the requirement that a shop has to be marketed for a period of time is in fact a part of policy TC6 which relates to local shopping parades and corner/village shops – and not to principal town centres in which this property is located. The property lies in a less favourable side street location close to a High Road, and given the changes to retail development in recent decades and it is not necessarily surprising that a retail tenant has not come forward to take this vacant shop on. While there is concern over the number of A3 uses in Loughton a café or restaurant use is better than a vacant unit, and it is clear that modern 'life styles' supports a large number of 'eating out' establishments that was not the case 20 or 30 years ago.. Policy TC3 does allow for the rejection of proposals which would result in stretches of 'dead' daytime frontages. However, this side street location is not a significant retail frontage - indeed on one side at number 14-18 Forest Road there is no frontage with an office building being recessed 12m away from the pavement. A refusal on these grounds would be unreasonable, and in any event a 'daytime' A3 use eg a cafe, (which could be proposed), would not constitute a dead frontage.

Parking issues.

Objections have been received on grounds of exacerbation of parking problems. However, while a café or restaurant use will attract some car borne trade this is true of all shops, including the longstanding previous use of the property as a tool shop and hardware store. Parking is not allowed on this west side of Forest Road during the working day but there are car spaces available on the opposite side of the road. There are also town centre car parks available to use including the two car parks at the foot of Smarts Lane and High Beech Road which are located some 150m away, and the Sainsbury's car park located some 400m away. As mentioned previously this is a town centre location served not only by car parks but by bus and tube services, and it would be unreasonable to refuse permission on grounds of aggravation of car parking problems.

Amenity issues.

The application is a speculative one because having marketed the property unsuccessfully for an A1 retail use the applicants hope that interest will be shown if they gain consent for an A3 use. Consequently, a specific A3 use has not yet been identified. However revised plans have been submitted showing a proposed extract duct/chimney projecting above the roof of the ground floor rear section of the premises. This duct would project 1.2m above the roof at a height which is the same level as the eaves of the front 2 storey section of the property.. This duct would be located 11m away from the proposed first floor flat in the front section of the premises. Having regard to these measurements it is most unlikely that an odour nuisance will be caused to this first floor flat, and Environmental Services concur with this view. Additionally conditions are imposed which require further details of the extraction equipment eg capacity, fans, and velocity to be approved prior to a specific A3 use commencing in the premises.

In respect of refuse storage the revised plans received show bins to be located right at the rear end of the passageway which runs between numbers 22 and 24. This bin storage area is located behind the fire escape door to number 24 and hence this escape route will not be blocked. Additionally, the applicants have agreed to a condition which requires this bin storage area to be retained in this rearward position. The applicants' agent has also confirmed that their clients own this passageway and that number 24 has a right of way over it, and that they have resolved any issues over access with the neighbour. The Town Council request a condition be imposed to prevent bins being placed on the highway prior to emptying by the refuse collector. Such a condition is considered unreasonable and impractical, and as Environmental Services point out in their comments above, putting bins out on the day of collection, or the night before, is a reasonable and general practice. In conclusion the arrangements for storage of refuse are satisfactory, and meet some of the concerns raised by the Town Council.

A residential flat has now been created above the ground floor front section of the property. Sound insulation can be provided between the two floors, and this too can be covered by a condition. When carrying out modernisation of the premises last year the applicants provided this first floor flat in what was previously a storage area to the former tool shop, and new first floor windows have been installed in previously bricked up openings which has considerably improved the appearance of the property. Apart from this first floor flat there are no other residential dwellings that physically adjoin the property. It should be stressed that an A3 use can include a daytime café which is not open at night and which does not carry out intensive cooking, and such a use has limited potential to detract from amenity. However, imposition of relevant conditions will ensure that appropriate controls on amenity issues will still be available if required.

Conclusions:

While there are some understandable concerns about the number of A3 uses in the town centre an A3 use in this peripheral side street location is allowed by town centre policies. It would be unreasonable to refuse consent to this acceptable town centre use on grounds of aggravation of parking problems. The revised plans show that an acceptable provision can be made for fumes extraction and refuse storage, and conditions to be imposed will provide for further controls once the specific type of A3 end user is identified. With these points in mind conditional planning permission is therefore recommended.

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

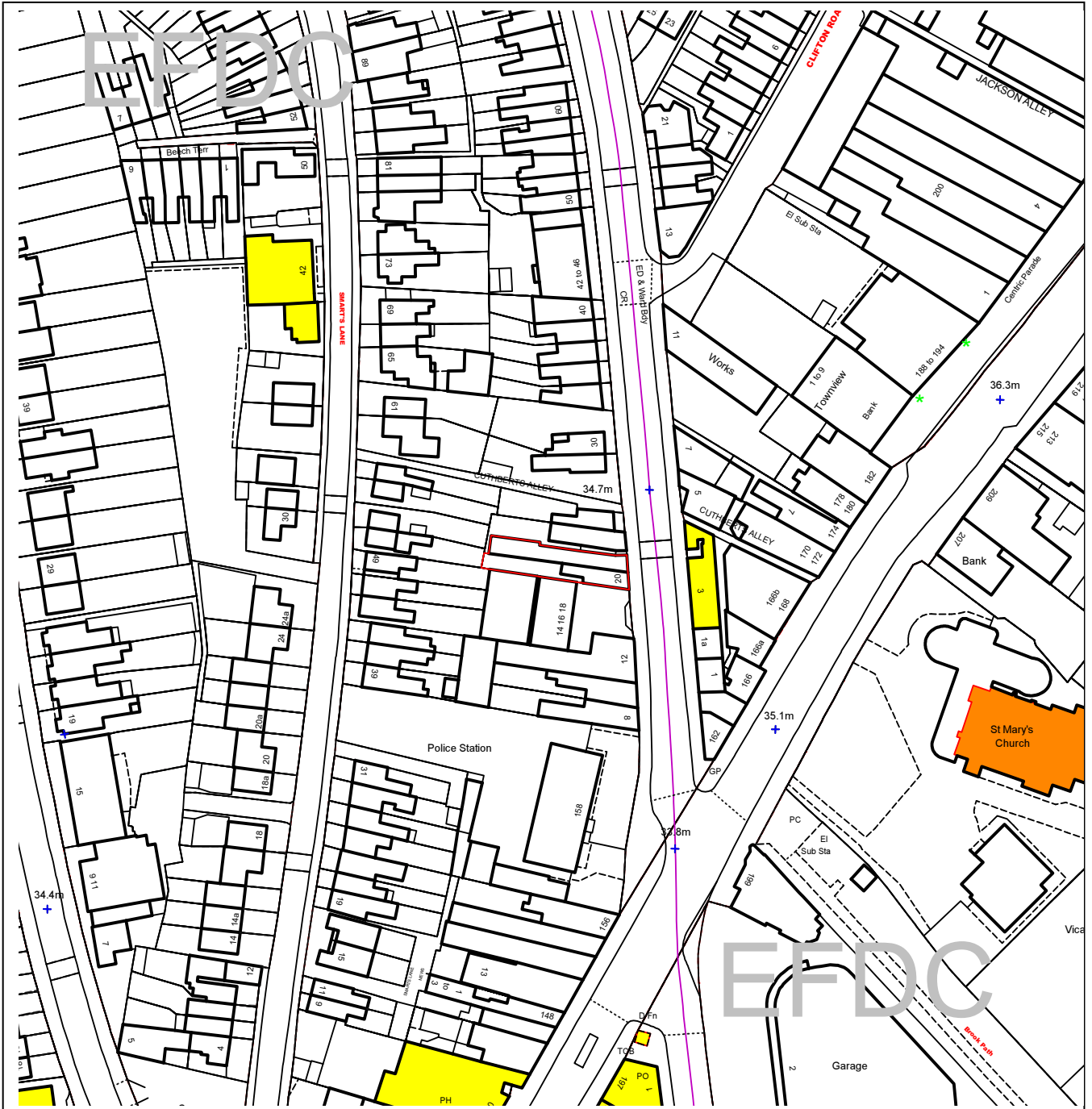
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/2371/11
Site Name:	22 Forest Road, Loughton, IG10 1DX
Scale of Plot:	1/1250

Report Item No 5

APPLICATION No:	EPF/0161/12
SITE ADDRESS:	6 Chigwell Rise Chigwell Essex IG7 6AB
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Ashish B Parmer
DESCRIPTION OF PROPOSAL:	Removal of condition 8 of planning permission EPF/0594/10 to allow D1 use without employee living on site.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534627

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 hereby permitted use shall not be open to customers/patients outside the hours of 8:30am to 6:00pm on Monday to Fridays and 8:30am to 12:30pm on Saturdays, and not at all on Sundays or public holidays.
- 3 The parking area shown on the approved plan shall be provided prior to the commencement of the use as a dental surgery and shall be retained free of obstruction for the parking of residents, staff and visitors vehicles.
- 4 No deliveries or collections shall be made to or from the property outside of the hours of 07:30 and 18:30 Monday to Friday, 08:00 and 14:00 Saturday, and not at all on Sundays or Public/Bank Holidays.
- 5 The use hereby approved shall not be commenced until a scheme providing for the adequate storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The approved scheme implemented prior to the commencement of the use shall be carried out and retained thereafter.
- 6 All internal walls separating consultation rooms or surgeries from other rooms associated with the residential use within the building and all external walls shall comply with the current Approved Document E of the Building Regulations 2003 as a minimum.
- 7 The part of the house hereby approved to be used as a dental surgery shall only be used as a dental surgery and not be used for any other purposes in Use Class D1.

- 8 No external plant or equipment shall be fixed to the exterior of the house or garage at 6 Chigwell Rise without the prior written permission of the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The subject site is located on the southern side of Chigwell Rise approximately 100 metres west of the High Road within the village of Chigwell. There is a slight slope that falls across the site from west to east. It is regular in shape and comprises of approximately 750 square metres.

Located towards the front of the site is a single storey detached building with living accommodation within the roof space. The building is currently being used as a mix D1 use (dental surgery) and C3 use (residential).

Just over half of the ground floor is used as a dental surgery which includes two surgeries, waiting room and an admin/store area. This acquires to approximately 35% of the total floor area of the building. The remainder of the building is used as residential.

A detached double car space garage is located to the side/rear of the existing building.

The subject site is located within a well established residential area comprising mainly of large double storey detached dwelling houses. These dwellings vary in size, shape and scale. Spaces/gaps between building blocks form an important component to the character of the surrounding area and front set backs from the highway are mainly consistent. Local shops and amenities are located south east of the subject site approximately 200 metre away.

Description of Proposal:

The applicant seeks planning permission for the removal of condition 8 of planning permission EPF/0594/10. The condition states:

“The dental surgery hereby approved shall only operate where at least one full time member of surgery staff occupies the residential part of 6 Chigwell Rise as their main residence. The use shall cease if no full time member of the surgery staff occupies 6 Chigwell Rise as their main residence”

The stated reason for the condition is:

“To safeguard the character and amenities of the locality and to minimize the demand for on-street parking generated by the use of the site as a whole.”

Relevant History:

EPF/0071/12 - Single storey rear extension with flat roof. (Awaiting decision)

EPF/0160/12 - Part change of use on the ground floor from C3 Residential to D1 in order to extend the current dental surgery space. (awaiting decision).

EPF/0161/12 - Removal of condition 8 of planning permission EPF/0594/10 to allow D1 use without employee living on site. (current application).

EPF/2557/10 - 2 no. non illuminated wall signs to front and side, 1 no. non illuminated double sided free standing sign to front boundary. (Withdrawn 31/1/11).

EPF/0594/10 - Change of use of part of existing dwelling house to form 'dental surgery' (Use class D1). (Approved with conditions 22/6/10).

Policies Applied:

Local Plan policies relevant to this application are:

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
DBE1 Design of New Buildings
DBE2 Effect on Neighbouring Properties
DBE9 Loss of Amenity
ST1 Location of Development
ST4 Road Safety
ST6 Vehicle Parking

Summary of Representations

CHIGWELL PARISH COUNCIL: The Council OBJECTED to this application as it is flagrant contradiction to the original application, which was only agreed under specific understanding that condition 8 was in place. There is proliferation of cars at this site and this will cause even more problems. This is inappropriate for the area.

NEIGHBOURS:

Five letters were sent to adjoining occupiers by mail. Three representations were received. It should be noted that all representations have based their comments regarding all three applications that are being heard in front of the area plans south committee and not just this single application.

3 CHIGWELL RISE, CHIGWELL – Objects. I wish to object on the grounds of insufficient parking space and potential obstruction on Chigwell Rise.

4 CHIGWELL RISE, CHIGWELL – Objects. The new applications will expand the business and turn the house totally over to a commercial enterprise. This would increase the amount of vehicle traffic which would in turn result in increase congestion, noise and pollution. Furthermore it would increase the number of people coming and going from the practice which would affect privacy and general ambiance. It would also change the character of the surrounding area; given it would be the only commercial property within the street.

8 CHIGWELL RISE, CHIGWELL – Objects. The existing building has not been used as residential and is purely a business premises only. The business is not in keeping with the surrounding residential area. The parking area is inadequate with overspill often parked on the road outside adjacent properties.

Issues and Considerations:

Condition 8 of planning application EPF/0594/10 was considered necessary on the basis that the occupation of the residential use of the site by members of the dental surgery's staff would minimise the amount of comings and goings from the site together with the potential demand for on street parking. As a consequence that arrangement would serve to safeguard the character and the amenities of the surrounding area.

Therefore the main issue to be addressed is whether there would the removal of the condition restricting occupancy of the dwelling would be likely to cause demonstrable harm to the character and amenities of the surrounding locality. A component of that assessment is whether the proposal would generate a harmful increase in demand for on street parking if member of the surgery staff did not occupy the residential part of the building.

The dwelling has two bedrooms within the roof space of the building and three ground floor rooms. Regardless of whether it has been occupied or not since the surgery use started the size of the dwelling is modest and would not be likely to accommodate a great number people. The most severe impact of the proposal is likely to amount to approximately two people accessing and leaving the site daily in connection with journeys to work elsewhere rather than working on site together with not more than two staff accessing the site to work there. All other trips generated by the use would be similar to those generated by occupation in connection with the surgery. In the circumstances, if the dwelling were not occupied by surgery staff the impact on activity on site would be modest and not of an order that is likely to be of consequence for the character of the locality or the amenities of neighbours.

When assessing the merits of the application EPF/0594/12, one important issue was the amount of off street parking that the new mix use would require.

Although a maximum of ten off street vehicle spaces was required for both the surgery and dwelling under the Adopted Parking Standards 2009, six off street parking spaces was considered to be appropriate due to the sites sustainable location in relation to public transport links.

Two off street spaces were provided for the residential use of the building and four spaces for the dental surgery.

Six off street parking spaces are still proposed for the site, although none are specifically designated for the residential use. The occupants of the dwelling would use whichever space is available and if none were they would have to park on the street. There are no parking restrictions that limit on-street parking.

The mix use has been in operation for approximately 18 months, and while there has been an increase in on-street parking as a consequence, it is at a level that is not harmful to the character of the locality. If the occupancy restriction were removed there would be no change in the demand for on-street parking since the same number of people would use the site. The consequences for the demand for on-street parking spaces would be very limited and certainly not of an order that could be harmful to the character of the locality or amenities of neighbours.

In the circumstances the condition does not properly serve to safeguard the interests it is intended to. It therefore fails the tests for conditions set out in circular 01/1995 since it is not necessary for the development to function without causing harm and, in that context, the requirement that the use cease in the event of non-compliance is not reasonable.

Conclusion:

In conclusion, it is considered that the removal of condition 8 from planning permission EPF/0594/10 would not cause demonstrable harm and consequently it is recommended that the proposal to remove the condition from the permission be approved.

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

Planning Application Case Officer: Lindsay Trevillian

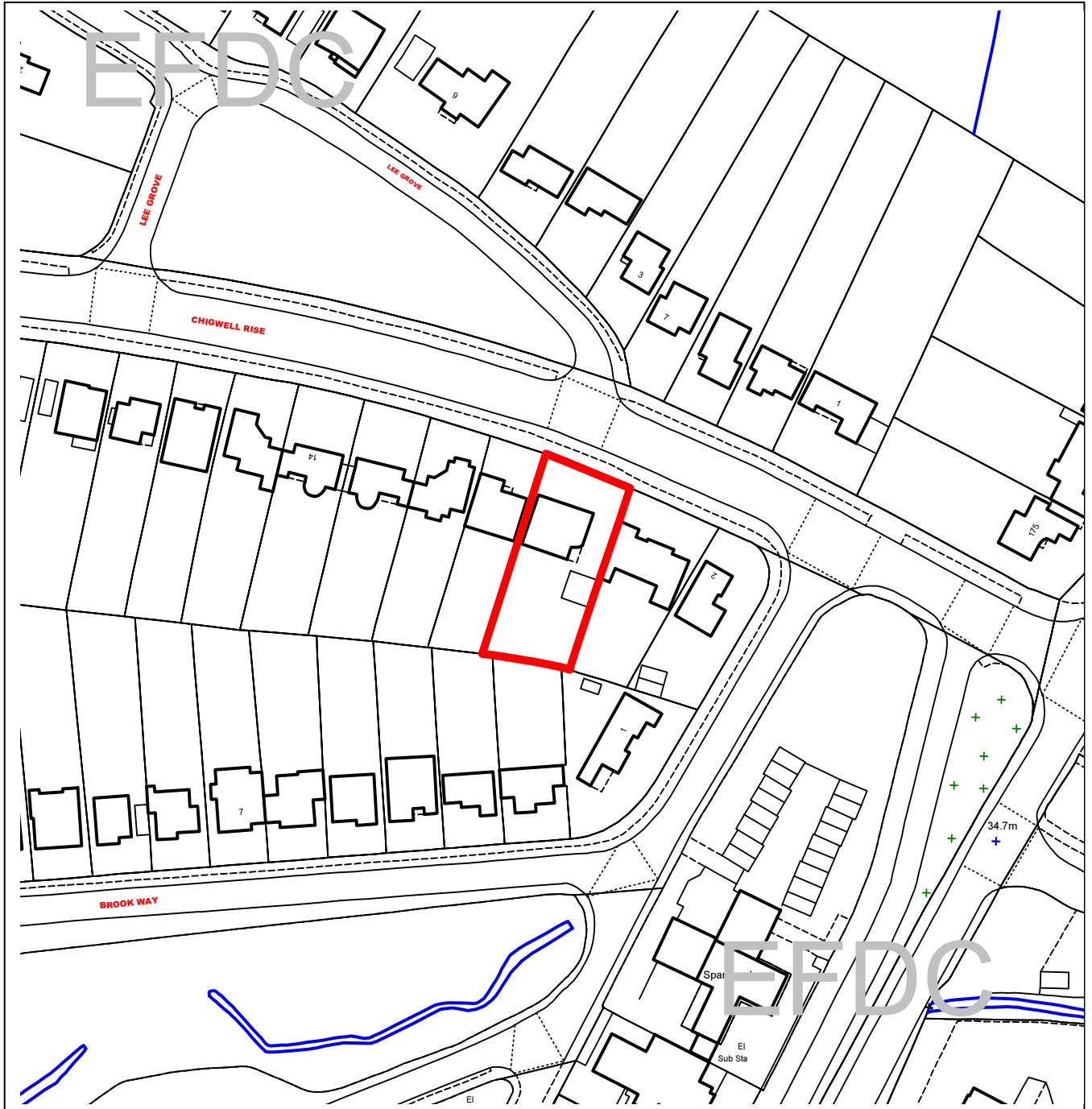
Direct Line Telephone Number: 01992 564 337

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/0161/12
Site Name:	6 Chigwell Rise, Chigwell, IG7 6AB
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0071/12
SITE ADDRESS:	6 Chigwell Rise Chigwell Essex IG7 6AB
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Ashish B Parmer
DESCRIPTION OF PROPOSAL:	Single storey rear extension with flat roof.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534209

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The extension hereby approved shall remain as an office in association with the D1 use (dental surgery) and shall not be used or converted into a consulting room without the prior written approval from the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The subject site is located on the southern side of Chigwell Rise approximately 100 metres west of the High Road within the village of Chigwell. There is a slight slope that falls across the site from west to east. It is regular in shape and comprises of approximately 750 square metres.

Located towards the front of the site is a single storey detached building with living accommodation within the roof space. The building is currently being used as a mix D1 use (dental surgery) and C3 use (residential).

Just over half of the ground floor is used as a dental surgery which includes two surgeries, waiting room and an admin/store area. This acquires to approximately 35% of the total floor area of the building. The remainder of the building is used as residential.

A detached double car space garage is located to the side/rear of the existing building.

The subject site is located within a well established residential area comprising mainly of large double storey detached dwelling houses. These dwellings vary in size, shape and scale. Spaces/gaps between building blocks form an important component to the character of the surrounding area and front set backs from the highway are mainly consistent. Local shops and amenities are located south east of the subject site approximately 200 metre away.

Description of Proposal:

The applicant seeks planning permission for a single storey extension to the rear of the existing building. The extension would project 5.75 metres from the existing rear façade of the building and have a width of 4.1 metres. It would link the existing building to the existing detached garage. The extension would provide additional office space for the existing dental practice within the building.

Relevant History:

EPF/0071/12 – Single storey rear extension with flat roof (current application)

EPF/0160/12 - Part change of use on the ground floor from C3 Residential to D1 in order to extend the current dental surgery space. (Awaiting decision).

EPF/0161/12 - Removal of condition 8 of planning permission EPF/0594/10 to allow D1 use without employee living on site. (Awaiting decision).

EPF/2557/10 - 2 no. non illuminated wall signs to front and side, 1 no. non illuminated double sided free standing sign to front boundary. (Withdrawn 31/1/11).

EPF/0594/10 - Change of use of part of existing dwelling house to form 'dental surgery' (Use class D1). (Approved with conditions 22/6/10).

Policies Applied:

Local Plan policies relevant to this application are:

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
DBE1 Design of New Buildings
DBE2 Effect on Neighbouring Properties
DBE9 Loss of Amenity
ST1 Location of Development
ST4 Road Safety
ST6 Vehicle Parking

Summary of Representations

CHIGWELL PARISH COUNCIL: The Council OBJECTED to this application as it is considered it was inappropriate development and encourages commercial use not residential.

NEIGHBOURS:

Five letters were sent to adjoining occupiers by mail. Two representations were received. It should be noted that both representations have based their comments regarding all three applications that are being heard in front of the area plans south committee and not just this single application.

4 CHIGWELL RISE, CHIGWELL – Objects. The new applications will expand the business and turn the house totally over to a commercial enterprise. This would increase the amount of vehicle traffic which would intern result in increase congestion, noise and pollution. Furthermore it would increase the number of people coming and going from the practice which would affect privacy and general ambiance. It would also change the character of the surrounding area; given it would be the only commercial property within the street.

8 CHIGWELL RISE, CHIGWELL – Objects. The existing building has not been used as residential and is purely a business premises only. The business is not in keeping with the surrounding residential area. The parking area is inadequate with overspill often parked on the road outside adjacent properties.

Issues and Considerations:

The main issues to be addressed are:

- Design and appearance
- Neighbouring amenities

Design and appearance:

The proposed extension is located to the rear of the existing building and to the side of the detached garage. As such it would not be seen from Chigwell Rise and hence there would not be a detrimental impact to the character and appearance of the street scene.

Turning to the development size, it is considered to be appropriate as it would not result in an excessive amount of bulk or massing. Although the extension comprises a flat roof which is not ideal in design terms, it would match the flat roof form of the existing garage and would appear subservient to the existing building. The siting of the development is also deemed to be appropriate. Even though it would project beyond the rear building lines of adjoining properties, the extension would be set well off the side boundaries and it would not project beyond the rear wall of the existing garage.

The proposed development would not result in a harmful impact to the character and appearance of the surrounding locality.

Neighbouring amenities:

The proposed rear extension would not result in an overbearing or a dominant feature when viewed from adjoining properties.

Given that the extension is single storey and that there is existing screening on the boundaries in the form of fencing, it is considered that there would be no overlooking into adjoining properties.

The proposed development would not result in an unacceptable amount of overshadowing to adjoining properties due to its single storey height and since it is located a reasonable distance from adjoining boundaries.

The proposed single storey rear extension would not result in a detrimental impact to the amenities enjoyed by adjoining occupiers.

Other issues:

The proposed extension is to provide additional office space for the dental surgery. The expansion to include office space is not considered to result in an increase in the intensification of the dental surgery and therefore is appropriate. Given that it is just office space and not a third consulting room, it would not result in additional cliental coming and going from the site and hence it would not result in a greater material detriment than those of existing conditions. However to ensure that the office space would never be converted into an additional consulting room, a condition would be placed on the granted permission restricting this.

Conclusion:

The proposed extension is appropriate in relation to its design and appearance and it would not result in a harmful impact to the amenities of adjoining property occupiers. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations and therefore it is recommended that permission be granted subject to conditions.

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

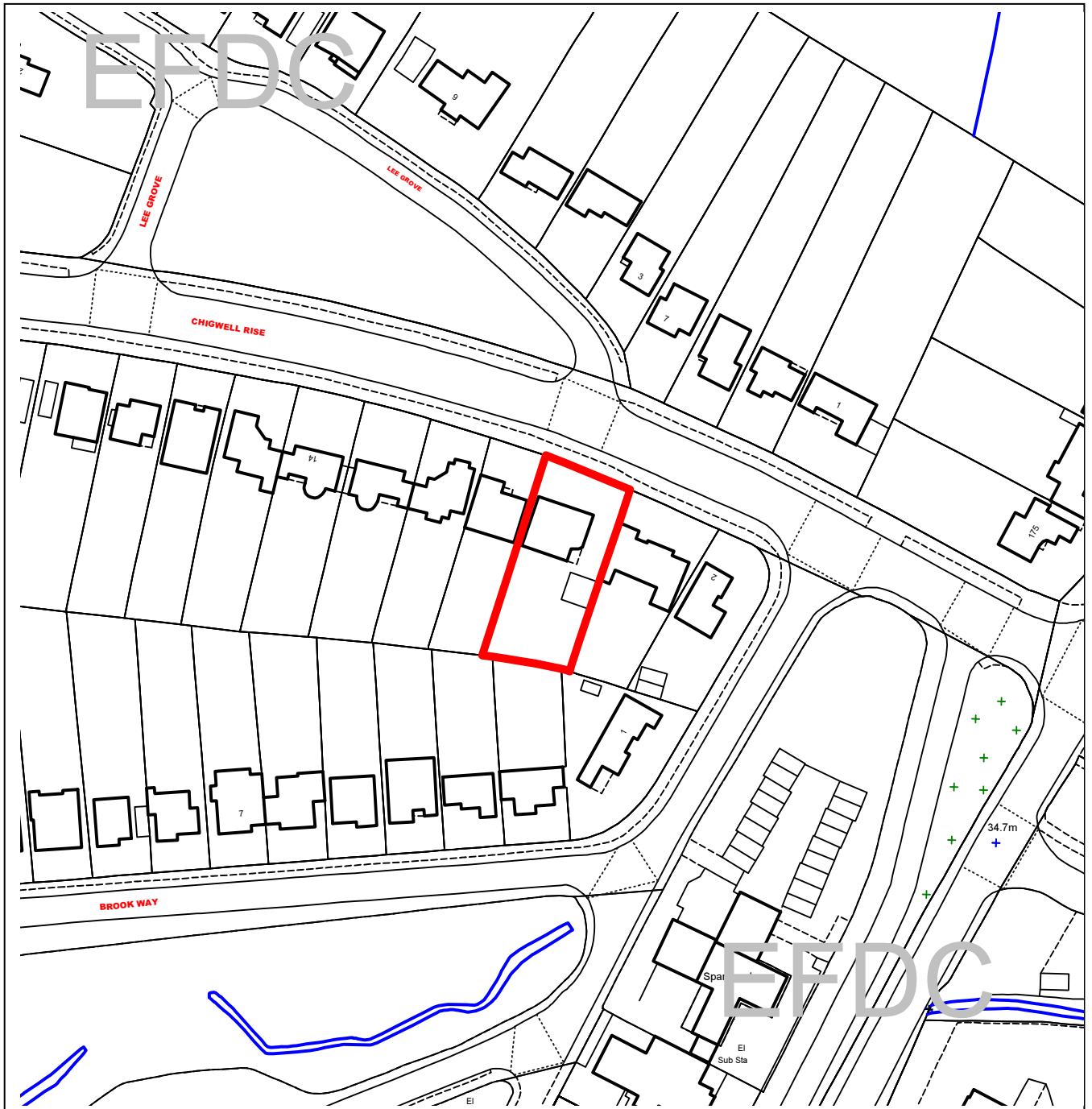
***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/0071/12
Site Name:	6 Chigwell Rise, Chigwell, IG7 6AB
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0160/12
SITE ADDRESS:	6 Chigwell Rise Chigwell Essex IG7 6AB
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Ashish B Parmer
DESCRIPTION OF PROPOSAL:	Part change of use on the ground floor from C3 Residential to D1 in order to extend the current dental surgery space.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534626

REASON

- 1 The proposal to increase the floor area of the dental surgery would result in an increase in the intensity of the use on the site. As a result the proposal would lead to an increase of vehicle and pedestrian movements to and from the site together with associated noise. Moreover, since no additional off-street parking spaces are proposed or can be provided, the level of off-street parking provision for the uses on site would be much less than the maximum level of provision specified in the adopted Vehicle Parking Standards, 2009. It is therefore very likely the proposal will generate a significant and uncharacteristic level of on-street parking in the locality.

The proposal would therefore give the site an uncharacteristically commercial character that would be in sharp contrast to the established residential character of the locality. As a consequence the proposal would be harmful to the character of the locality, contrary to policy CP2 of the Adopted Local Plan and Alterations.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to Section CL56, Schedule A (k) of the Council's Delegated Functions).

Description of Site:

The subject site is located on the southern side of Chigwell Rise approximately 100 metres west of the High Road within the village of Chigwell. There is a slight slope that falls across the site from west to east. It is regular in shape and comprises of approximately 750 square metres.

Located towards the front of the site is a single storey detached building with living accommodation within the roof space. The building is currently being used as a mix D1 use (dental surgery) and C3 use (residential).

Just over half of the ground floor is used as a dental surgery which includes two surgeries, waiting room and an admin/store area. This acquires to approximately 35% of the total floor area of the building. The remainder of the building is used as residential.

A detached double car space garage is located to the side/rear of the existing building.

The subject site is located within a well established residential area comprising mainly of large double storey detached dwelling houses. These dwellings vary in size, shape and scale. Spaces/gaps between building blocks form an important component to the character of the surrounding area and front set backs from the highway are mainly consistent. Local shops and amenities are located south east of the subject site approximately 200 metre away.

Description of Proposal:

The applicant seeks planning permission to extend the D1 use (dental surgery) to encompass the entire the ground floor of the existing building. Apart from the front entrance and hall which would remain as C3 (residential) in order provide access to the residential accommodation within the roof space, the remainder of the ground floor would be used for the dental surgery. No external changes are proposed to the building itself.

The proposal would primarily facilitate the creation of up to two additional consultation rooms and result in the loss of three habitable rooms from the existing dwelling, which would become a one bedroom flat.

Relevant History:

EPF/0071/12 - Single storey rear extension with flat roof. (Awaiting decision)

EPF/0160/12 - Part change of use on the ground floor from C3 Residential to D1 in order to extend the current dental surgery space. (current application).

EPF/0161/12 - Removal of condition 8 of planning permission EPF/0594/10 to allow D1 use without employee living on site. (Awaiting decision).

EPF/2557/10 - 2 no. non illuminated wall signs to front and side, 1 no. non illuminated double sided free standing sign to front boundary. (Withdrawn 31/1/11).

EPF/0594/10 - Change of use of part of existing dwelling house to form 'dental surgery' (Use class D1). (Approved with conditions 22/6/10).

Policies Applied:

Local Plan policies relevant to this application are:

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
DBE1 Design of New Buildings
DBE2 Effect on Neighbouring Properties
DBE9 Loss of Amenity
ST1 Location of Development
ST4 Road Safety
ST6 Vehicle Parking

Summary of Representations

CHIGWELL PARISH COUNCIL: The Council OBJECTED to this application as it is flagrant contradiction to the original application. There is proliferation of cars at this site and this will cause even more problems. This is inappropriate for the area.

NEIGHBOURS:

Five letters were sent to adjoining occupiers by mail. Three representations were received. It should be noted that all representations have based their comments regarding all three applications that are being heard in front of the area plans south committee and not just this single application.

3 CHIGWELL RISE, CHIGWELL – Objects. I wish to object on the grounds of insufficient parking space and potential obstruction on Chigwell Rise.

4 CHIGWELL RISE, CHIGWELL – Objects. The new applications will expand the business and turn the house totally over to a commercial enterprise. This would increase the amount of vehicle traffic which would intern result in increase congestion, noise and pollution. Furthermore it would increase the number of people coming and going from the practice which would affect privacy and general ambiance. It would also change the character of the surrounding area; given it would be the only commercial property within the street.

8 CHIGWELL RISE, CHIGWELL – Objects. The existing building has not been used as residential and is purely a business premises only. The business is not in keeping with the surrounding residential area. The parking area is inadequate with overspill often parked on the road outside adjacent properties.

Issues and Considerations:

Although marked on the submitted plans as there would only be one additional consulting room as a result of the extended floor area for the dental surgery, it is considered that the proposed relaxation room could easily be converted or used as a further consulting room. Therefore for the

purpose of assessing the merits of this application, the proposal has been assessed as if there were four consulting rooms within the dental surgery and not three as described by the applicant.

As there are currently only two consulting rooms within the building, the main issues to be addressed is whether doubling the size of the dental surgery to four consulting rooms would have a detrimental impact to the character and amenities of the surrounding locality.

Since there are no external physical changes to the building as a result of extending the floor area of the dental surgery, there would not be a harmful impact to the character and appearance of the existing building.

Although a maximum of ten off street vehicle spaces was required for both the surgery and dwelling under the Adopted Parking Standards 2009, six off street parking spaces was considered to be appropriate under the previous granted permission (EPF/0594/10) due to the sites sustainable location in relation to public transport links. As a result of doubling the amount of consulting rooms within the building, the proposal would clearly intensify the dental surgery use at the site and, notwithstanding the smaller residential component on site, it would increase the amount of off street parking spaces required.

The requirement for off street parking for a medical centre under the Adopted Parking Standards 2009 is that a maximum of one off street parking space per full time staff member plus three off street spaces per consulting room. A further space is required for the residential unit within the roof space. As such the maximum requirement for off street parking for this proposal would be eighteen. The proposal does not provide for any more additional parking spaces than the current six on site.

In terms of access by public transport an Underground station is located approximately 500m away and a bus stop virtually opposite the site. As such a reasonable reduction from the maximum amount of off street parking spaces can be considered and it is not unreasonable that there should be twelve to thirteen off street spaces on site (eight for consulting rooms, four for staff and one for the residential unit).

Given that the proposal only proposes half the amount of off street parking spaces that is deemed to be reasonable, the proposal is clearly contrary to requirements that are acceptable within the Adopted Local Plan and Alterations 2009. As such there is more than likely to be a large overspill of vehicles parking along Chigwell Rise itself.

It is therefore necessary to consider whether the overspill of vehicles would result in and detrimental harm.

The application was referred to Essex County Council's highways officer who stated that although we do not advocate on-street parking, Chigwell Rise has no parking restrictions on it (so parking can occur) and it is wide enough that any parked cars will not cause any interruption to the 2-way flow along it. Consequently there are no demonstrable highway safety issues.

Although there would not be any highway safety concerns as a result of the overspill of vehicles onto Chigwell Rise, it is considered that they would result in a harmful impact to the character and amenities of the surrounding locality.

This part of Chigwell Rise is predominately a residential area with virtually every dwelling having enough room for at least two off street parking spaces within each site. This is sufficient for the dwelling houses and consequently there is very little need for any on street parking. The amount of comings and goings of vehicle traffic from the site as a result of the increased intensity of the use and the lack of unobtrusive off street parking to accommodate the demand for vehicle parking generated by the use would significantly change the residential appearance of the building and the character of this part of Chigwell Rise. It would create a more obviously commercial character in very sharp contrast with the established character of the locality. The change in character would be underscored by the noise associated with the increased on-street vehicle movements and of people entering and leaving the site. Although the associated noise would not cause excessive harm to the living conditions of neighbours, it would emphasise the commercial character of the proposal and its contrast with the much quieter residential character of the wider locality. In the circumstances the proposal is contrary to policy CP2 of the Adopted Local Plan and Alterations.

Conclusion:

In conclusion, it is considered that the proposal to increase the floor area of the dental surgery would result in an increase in the intensity of the use on the site. As a result the proposal would lead to an increase in vehicle and pedestrian movements to and from the site and uncharacteristic levels of on-street parking. The nature and intensity of the proposed use would consequently be in sharp contrast to the established quiet residential character of the locality. That contrast would be detrimental to character of the locality and therefore the proposal is contrary to policy CP2 of the Adopted Local Plan and Alterations. Accordingly it is recommended that planning permission be refused.

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

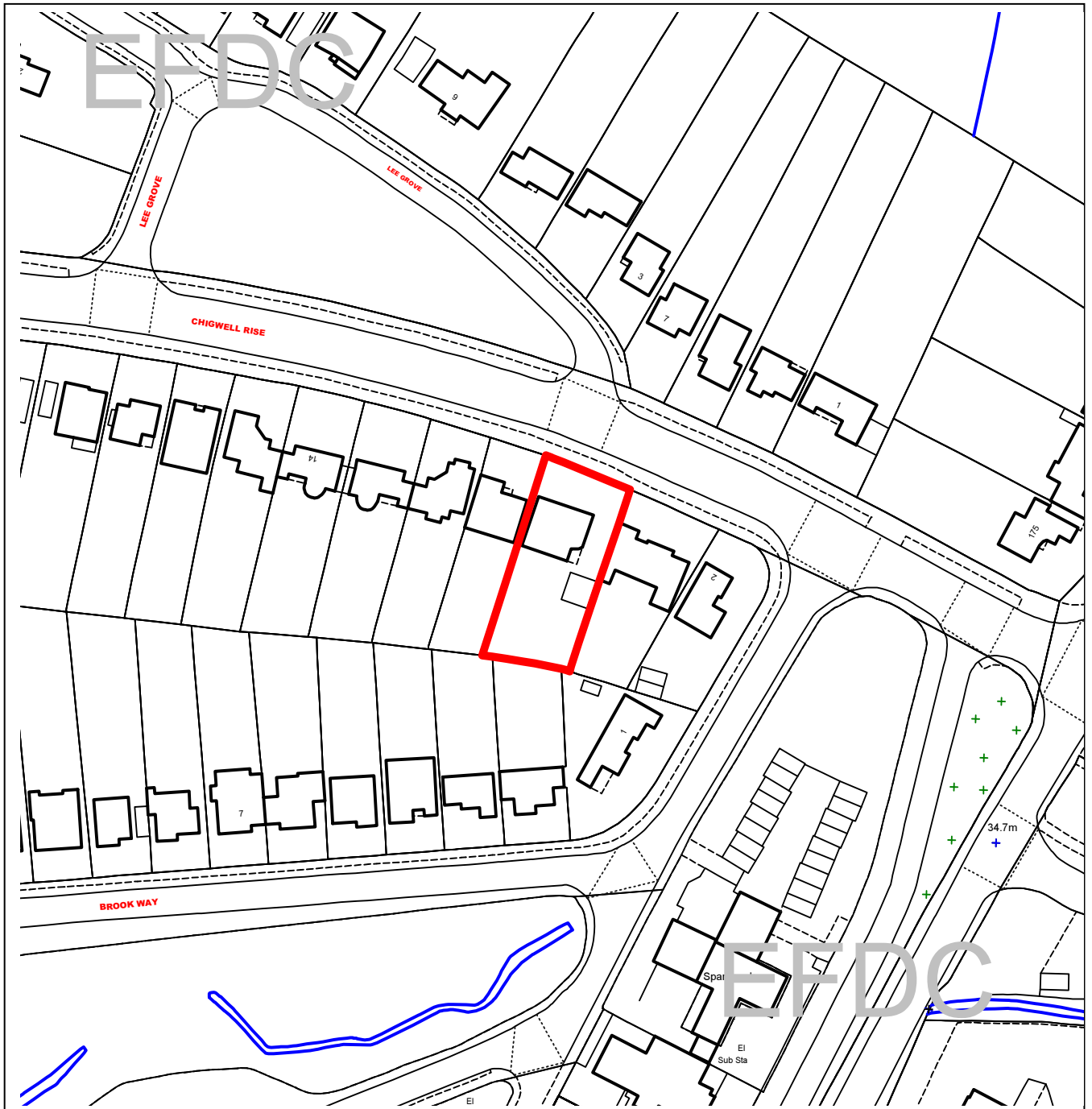
***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	7
Application Number:	EPF/0160/12
Site Name:	6 Chigwell Rise, Chigwell, IG7 6AB
Scale of Plot:	1/1250

Report Item No 8

APPLICATION No:	EPF/0222/12
SITE ADDRESS:	60 Deepdene Road Loughton Essex IG10 3PP
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mrs Angela Cater
DESCRIPTION OF PROPOSAL:	Single storey side and front extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534836

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 is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site comprises a two-storey semi-detached house situated on the east side of Deepdene Road, opposite an open area on the west side of the road that includes a turning head at the end of Barfields Path. Levels rise to the north and fall to the south. The locality is characterised by a mix of semi-detached houses and short rows of terraces of similar scale, a number of which have been altered or enlarged.

No 60 Deepdene Road presently has a single-storey flat roofed lean-to side addition that projects up to the boundary with 62 Deepdene Road. Adjacent land at 62 is raised approximately 700mm above that of the application site. A detached garage at 62 is situated approximately 1m rear of the rear elevation adjacent to the boundary with the application site.

Description of Proposal:

It is proposed to erect a single-storey side extension to replace the existing side addition. It would project 2.25m rear of the rear elevation of the house and 1m forward of the front elevation. It would wrap around the adjacent 3m length of the front elevation of the house to provide a porch.

The proposal has been revised since originally submitted to incorporate the porch and provide a pitched roof to the porch and forward projection of the side addition that would match the pitch of the roof of the main house. That amendment was made at the request of planning officers.

The remainder of the side addition would have a mono pitched roof falling to the boundary with 62 Deepdene Road.

Materials would match those of the existing house.

Relevant History:

EPF/0244/98 Erection of semi-detached house. Approved

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 7
Site notice posted. No, not required
Responses received: No responses from neighbours.

Loughton Town Council:

“In respect of the revised proposal the Committee reiterates its previous comment which was:

The Committee OBJECTED to the extreme size and overall length of the development that extended to the site boundary with the neighbouring property at no. 58 Deepdene Road.”

(Officers assume the reference to 58 Deepdene Road is an error and the Town Council means 62 Deepdene Road since the proposal would abut the site boundary with 62 rather than 58 Deepdene Road)

Loughton Residents Association Plans Group:

Objection raised on the basis that the proposal leaves less than 1m gap between the extension and the site boundary.

Main Issues and Considerations:

Design and Appearance

The size and design of the proposal is in keeping with house and would respect the character of the locality. The raised land to the north restricts views of it from the street north of the site while corresponding views from the south would be against the backdrop of the house and higher land at 62 Deepdene Road.

The proposal is for a single-storey addition only and adopted planning policy allows for such additions to project to the site boundary. A planning policy requirement that side projections be set 1m or more from site boundaries only applies to the upper floors of extensions that are two-storey or more. It does not apply to single-storey additions and, in this case, the proposal would replace a single-storey side addition that already projects to the boundary with 62 Deepdene Road.

The 2.25m rear projection beyond the rear wall of the existing house is not an excessive projection. Indeed, it is common for single-storey rear projections to extend 3 to 4m on site boundaries.

Similarly, the 1m forward projection is also not unusual. It accords with planning policy that limits the depth of front extensions to 1m unless site conditions allow for a greater depth.

The objections of the Town Council and LRA Plans Group appear to primarily be made on design grounds. On the basis of the above analysis the proposal is found acceptable in those terms and the objections raised are not supported for the reasons stated.

Residential Amenity

The only property whose living conditions could be affected by the proposal is 62 Deepdene Road since the proposal, although modest in relation to the existing house, would abut the site boundary with 62.

Since land levels at 62 Deepdene Road are significantly higher than those at the application site the visual impact of the proposal when seen from 62 would be much less than if the two properties were at the same level. Even if they were at the same level, the height of the proposal is limited and falls to approximately 2.5m on the boundary. As a consequence, the proposal would not appear overbearing when seen from 62 Deepdene Road.

No windows would be provided in the flank elevation and proposed rooflights would not facilitate views of neighbouring land. The proposal would therefore not give rise to any excessive overlooking.

Having regard to the above assessment the proposal would not cause any harm to the living conditions of neighbouring properties.

Conclusion:

The proposal would complement the appearance of the house and that of the street scene. It would safeguard the living conditions of neighbours. It therefore complies with adopted planning policy and it is recommended that planning permission be granted.

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

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

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	8
Application Number:	EPF/0222/12
Site Name:	60 Deepdene Road, Loughton IG10 3PP
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0339/12
SITE ADDRESS:	29 The Broadway Loughton Essex IG10 3SP
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Instant Cash Loans Ltd
DESCRIPTION OF PROPOSAL:	Change of use from A1 Retail to A2 Financial and Professional Services.
RECOMMENDED DECISION:	Grant Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535244

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 is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Proposal:

Consent is being sought for the change of use from A1 Retail to A2 Financial and Professional Services.

Description of Site:

The application site is a vacant unit located within the key frontage of The Broadway. The unit has a frontage width of some 7m and was last used as a Pawnbrokers.

Relevant History:

EPF/1663/05 - Change of use from Class A1 retail to Class A2 bookmakers and external alterations to include new front – refused 14/11/05

Policies Applied:

TC1 – Town centre hierarchy
TC3 – Town centre function
TC4 – Non-retail frontage

Consultation Carried Out and Summary of Representations Received:

13 neighbours were consulted. No Site Notice was required.

TOWN COUNCIL – Object to the loss of an A1 premises in a key frontage locality that would be detrimental to the viability and vitality of the Broadway town centre.

LOUGHTON RESIDENTS ASSOCIATION – Object as this would reduce the vitality and viability of The Broadway as a shopping area and because no effort appears to have been made to market the unit for A1 use.

Issues and Considerations:

The main consideration is the impact on the vitality and viability of the town centre. Local Plan policy TC4 allows for non-retail units within the key frontage of town centres provided it would not result in:

- (i) *Non-retail frontage exceeding 30%; and*
- (ii) *More than two adjacent non-retail uses, regardless of shop frontage width.*

In 2005 planning permission was refused for the change of use of this unit to A2 for the following reason:

The proposal would result in more than 20% of non-retail units in the primary shopping frontage of the Broadway. Loughton and would harm the vitality and viability of the shopping centre and would therefore be contrary to policy STC7 of the adopted Local Plan.

Since this time the Local Plan Alterations have been adopted (TC4 has replaced STC7), which altered the percent of non-retail frontage permitted from 20% to 30%.

The latest Town Centre Survey undertaken by Planning Services (November 2011) shows that there is just 15.9% non-retail frontage within The Broadway's Key Frontage. As such the proposed change of use would increase this to 18%, which is still within the acceptable tolerance as stated within policy TC4 (i).

With regards to TC4 (ii), whilst the adjacent unit to the northeast is a nail studio (a non-retail use) the unit beyond this and that adjoining the application site to the southwest are in retail use. As such, the proposed change of use would not result in more than two adjacent non-retail units.

The Loughton Residents Association have objected as no evidence has been submitted showing that the unit has been marketed for A1 use, however the Local Plan policy does not require this and therefore this would not constitute a reason for refusal.

Further to the above, The Broadway town centre has a higher than average vacancy rate (13.6%) than the national average (11.9%). Given the recent push within the National Planning Policy Framework for Local Planning Authorities to assist economic development and growth, the use of a unit within a town centre (provided it is a use suited to such areas) would be preferable and far

more beneficial to the vitality and viability of the town centre than a vacant unit which would result in a 'dead frontage'.

Conclusion:

The proposed change of use complies with the requirements as set out in Local Plan policy TC4 and as such would not be detrimental to the vitality and viability of the town centre. Furthermore, the use of this unit for a suitable town centre purpose would be more beneficial to the surrounding area than a 'dead fronted' vacant unit. As such, the proposed change of use complies with the relevant Local Plan policies and is therefore recommended for approval.

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

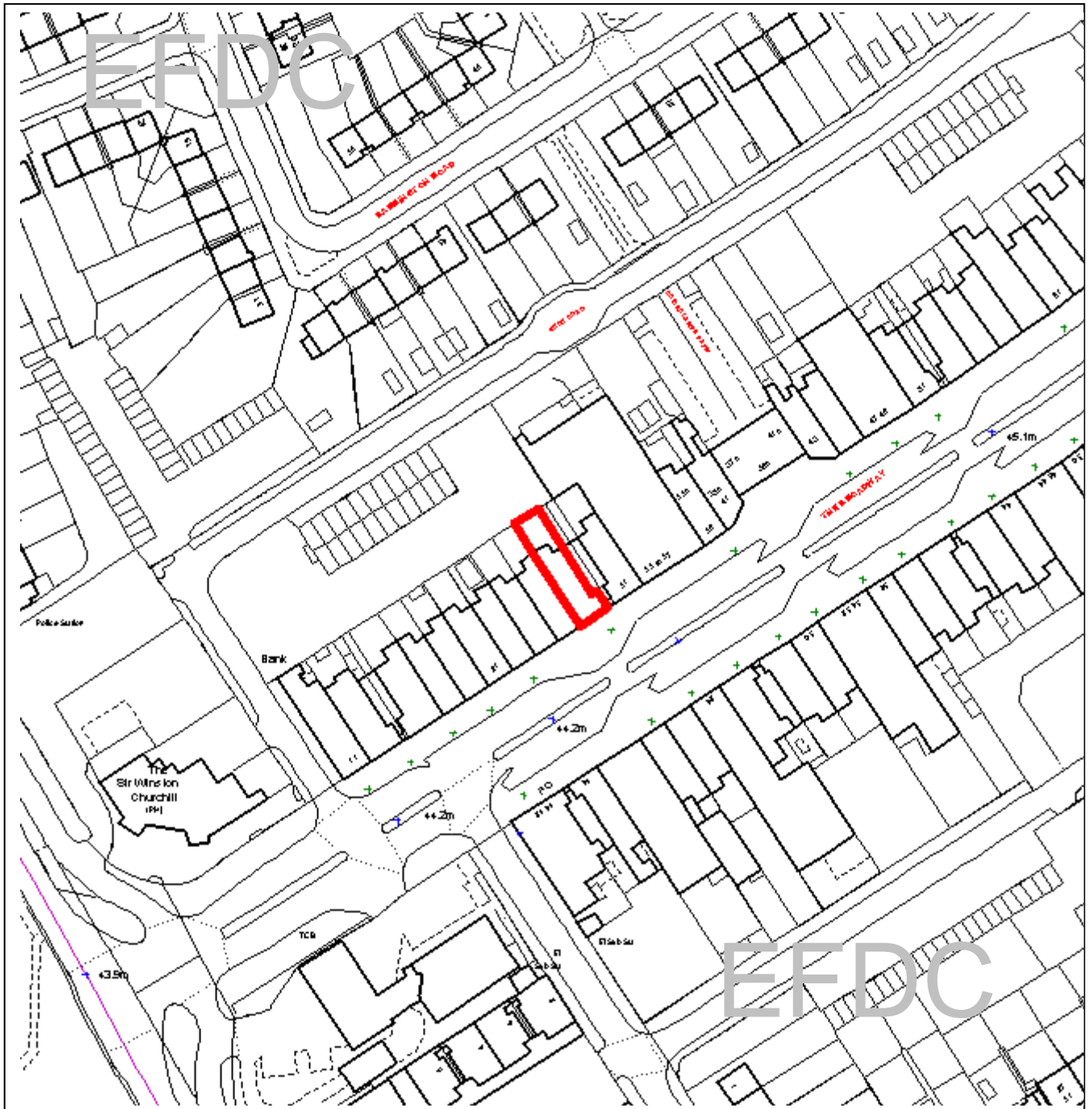
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	9
Application Number:	EPF/0339/12
Site Name:	29 The Broadway, Loughton, IG10 3SP
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/0374/12
SITE ADDRESS:	10 Devon Close Buckhurst Hill Essex IG9 5LF
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr and Mrs Miller
DESCRIPTION OF PROPOSAL:	Proposed hip to gable conversion, rooms in roof and rear flat roof dormer.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535422

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 is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The property consists of a semi detached dwelling set on a rectangular plot with a relatively deep rear garden. There is a slight fall in ground levels from the adjoined dwelling. The application dwelling has a hipped roof and this is the general character of nearby houses; however the adjoined neighbour has a gabled roof with rear dormer window.

Description of Proposal:

The proposal is to extend the dwelling by creating habitable space in the roof area. The existing hipped roof would be extended to create a gable. A box dormer, with a flat roof and Juliette Balcony, would be constructed on the rear roof slope. The dormer would measure 5.1m x 1.7m x 2.5m.

Relevant History:

CLD/EPF/1081/05 - Certificate of lawfulness for erection of a single storey rear extension. Lawful - 12/08/2005.

Policies Applied:

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

Policy DBE9 – Loss of Amenity.

Policy DBE10 – Design of Residential Extensions.

SUMMARY OF REPRESENTATIONS:

7 neighbours consulted – no replies received.

BUCKHURST HILL PARISH COUNCIL: Objection. Concern about overlooking and the design is bulky and out of keeping.

Issues and Considerations:

The main issues to consider are potential impacts on amenity and design.

Amenity

The Parish Council has expressed concern that the proposed development would result in an increase in overlooking of neighbouring dwellings. Although there may be an increase in the perception of being overlooked, in real terms, overlooking would not be materially greater than the current scenario from existing first floor windows. It is therefore deemed that any marginal increase in overlooking would be acceptable. There would be no impact on properties bordering the rear of the site.

Design

The Parish Council has also expressed concern about the design of the development. The applicant has made a full planning application when in reality a Certificate of Lawful Development application, which seeks confirmation that the proposed building works are permitted development, would have been appropriate. The application conforms to the requirements of the permitted development regulations. However a full planning application has been made and so therefore has to be judged accordingly. Box dormers are a type of addition to a dwelling where the aim is to maximise floor space internally. This is the case here. However a much larger dormer could be constructed and this has been resisted. This dormer is not as bulky as some examples in the district and the percentage of hanging tile to window is proportionate. The Juliette balcony adds some feature and the design is similar to the dormer window on the adjacent dwelling. The design is therefore considered acceptable.

Conclusion:

The proposed extensions to this dwelling are deemed acceptable and therefore recommended for approval with conditions.

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

Planning Application Case Officer: Dominic Duffin

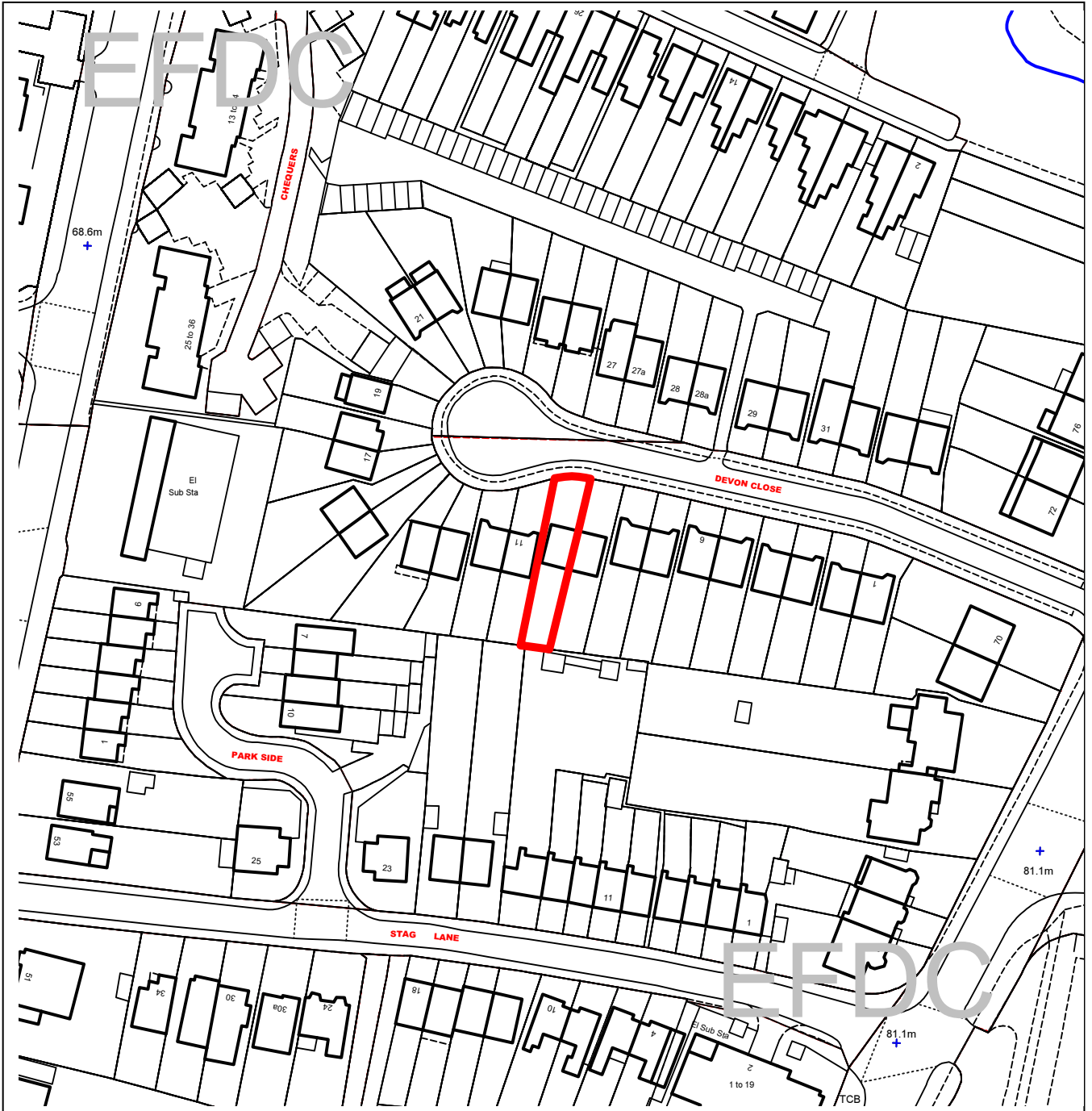
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Agenda Item Number:	10
Application Number:	EPF/0374/12
Site Name:	10 Devon Close, Buckhurst Hill, IG9 5LF
Scale of Plot:	1/1250