

Report to Area Plans South Sub-Committee



**Epping Forest
District Council**

Date of meeting: 17 October 2012

**Subject: Application ref EPF/1198/12
Conversion of existing large detached dwelling into 3 individual homes,
including new 1/2 storey addition to existing garage and two small rear single
storey extensions.**

2 New Forest Lane, Chigwell

Officer contact for further information: Stephan Solon, Ext 4018

Committee Secretary: S Hill Ext 4249

Recommendation(s):

That Members confirm their reasons for refusing to grant planning permission for the proposed development and, in the light of advice from the Highway Authority, resolve they raise no objection to the proposal on the basis of its consequences for highway safety.

Report Detail

1. This application was considered by this Sub-Committee on 19 September 2012 when it was resolved to refuse to grant planning permission. Members agreed planning permission should be refused on the basis the proposal would be harmful to the character and appearance of the locality but were also concerned about the consequences of the proposal for highway safety. New information was raised at the meeting concerning the matter of highway safety but it was not possible to give detailed consideration to it within the meeting. Consequently the Sub-Committee deferred making a final decision on the application in order that full consideration could be given to it by Officers and their findings reported back for consideration by the Sub-Committee.

Highway Safety:

2. As indicated by Members in their discussion of the application on 19 September, Essex County Council as Highway Authority had commissioned a speed survey as part of a design brief for the possible implementation of a zebra crossing in the vicinity of the Turpin's Lane/Tomswood Rd junction off Manor Road. The survey found speeds at this location, which is located on a very straight downhill section of road, were so high that it would be unsafe to provide a zebra crossing at that point. The Highway Authority was consulted on the relevance of the findings of the speed survey to the development proposed at 2 New Forest Lane and provides the following advice.

3. The approach to the site access on Manor Road and to the New Forest Lane junction with Manor Road is not comparable to that part of Manor Road within the vicinity of its junctions with Turpin's Lane/Tomswood Rd. The speed survey carried out to inform the possible zebra crossing within the vicinity of those junctions is

therefore not helpful in assessing the highway safety consequences of the proposed development at 2 New Forest Lane. To assist the Sub-Committees' assessment of the proposal the Highway Authority draws particular attention to a speed camera opposite the Manor Road site access. It finds that a consequence of the presence of the speed camera is traffic approaching from the south-west will be very likely to be travelling close to the 30mph speed limit within the vicinity of that access. Moreover, the Highway Authority notes traffic approaching from the north-east passes a large number of vehicular accesses to houses. It finds the consequence of the use of the existing access to Manor Road in connection with the proposed development for the interests of highway safety is not materially different to that of the use of adjacent vehicular accesses to neighbouring houses.

4. The Highway Authority also found the existing visibility splay at the Manor Road access is far in excess of that required for the speed of the road. In giving that advice the Highway Authority drew attention to the fact the existing gates at the vehicular access are proposed to be removed, new gates relocated a minimum of 8m from the carriageway and the access widened to a minimum of 4.8m. Such works would improve an arrangement that is already acceptable in highway safety terms.

5. Having given consideration to the matters raised by the Sub-Committee in relation to the proposal and having regard to the conditions along that part of Manor Road within the vicinity of the access to the site off Manor Road and its junction with New Forest Lane, the advice of the Highway Authority is that the proposal would not cause harm to the interests of highway safety. It is therefore concluded that the proposal would comply with the requirements of adopted Local Plan policy ST4. Officers' advice to Members is there is no basis for withholding planning permission on the grounds that the proposal is harmful to the interests of highway safety.

Character and Appearance:

6. The Sub-Committee resolved to refuse planning permission on the basis that the proposal is harmful to the character and appearance of the locality. In respect of the proposal considered on 19 September Officers records are the Sub Committee resolved to refuse to grant planning permission for the following reasons:

1. *By reason of its subdivision of the existing house into 3 houses the proposal would create a terrace of three houses, in marked contrast the established character of the locality which is of large detached houses. The failure to respect the character of the locality would detract from it and create an undesirable precedent for similarly harmful development within the locality. Accordingly, the proposal is contrary to policies CP7 and DBE11(i) of the adopted Local Plan and Alterations, which are consistent with the provisions of the National Planning Policy Framework.*
2. *The proposed first floor side extension would exacerbate the uncharacteristic bulk of the building within the locality and give it a poor relationship to the site boundary with Manor Road and trees on that boundary. The proposal would therefore fail to respect its setting or complement the street scene and is contrary to policy DBE10 of the adopted Local Plan and Alterations, which is consistent with the provisions of the National Planning Policy Framework.*
3. *By reason of its siting in the south facing flank wall of the existing building, reached only via a narrow path between the flank and*

adjacent site boundary, the primary entrance to proposed dwelling no. 3 would be poorly observed and awkward to access. That arrangement would leave those using the entrance vulnerable to crime and cause an avoidable fear of crime to the detriment of their amenities and safety. That element of the proposal is contrary to the provisions of the National Planning Policy Framework.

7. In response to the decision of the Sub-Committee the applicant has submitted revised plans that address reasons 1 and 2 above. The revision deletes the first floor extension from the proposal and provides the main entrance to house 3 in the front elevation rather than the flank.

8. There is no procedural difficulty with the applicant submitting revised plans at this point since the application is still live. The consequence of the revisions are reasons 2 and 3 are no longer applicable to the proposal since they deal with elements of it that are no longer part of it. However, the provision of the main entrance of house 3 in the front elevation of the building would give a visual indication of the subdivision of the house that did not previously exist. The consequences for the character of the locality are captured in reason 1, which remains applicable since it deals with the principle of the development.

Conclusion and Detailed Recommendation

9. The Sub-Committee is requested to confirm reason for refusal 1, detailed above, accurately captures its objection to the proposed development.

10. It is recommended the Sub-Committee resolves, in the light of the revisions to the proposal described in paragraph 7 of this report, to not reject the proposal for reasons for refusal 2 and 3, detailed above.

11. It is recommended the Sub-Committee resolves, in the light of the above report, to not raise an objection to the proposal on the basis of harm to highway safety.