

Report Item No: 1

APPLICATION No:	EPF/0458/13
SITE ADDRESS:	EFDC Parks Nursery Pyrles Lane Loughton Essex IG10 2NL
PARISH:	Loughton
WARD:	Loughton Fairmead
APPLICANT:	EFDC
DESCRIPTION OF PROPOSAL:	Outline application for the demolition of tree/plant nursery and erection of up to 36 dwellings (flats and houses, 15 affordable), landscaping, parking and associated infrastructure. (Revised application)
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=546790

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
- 2
 - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance; and
 - (v) landscaping.
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1, 2, 3, 5, 5 and Pennant Consulting Transport Assessment January 2013.
- 4 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

- 5 No development shall take place, including works of demolition or site clearance, until an Arboricultural Implication Assessment (to include a full tree survey, and a tree retention / removal plan) ; Tree Constraint plan ; proposed layout plan showing retained trees and root protection areas concurrently with the detailed site layout ; Arboricultural Method Statement (including site monitoring schedule) and Tree Protection plan has been submitted to and approved in writing by the Local Planning Authority. This should be drawn up in accordance with BS5837:2012 (Trees in relation to design, demolition and construction - recommendations). The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 6 A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
- 7 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
- 8 A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 9 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 10 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning

Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 11 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 12 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 13 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 14 No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.

- 15 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 16 No bonfires shall be permitted on site throughout the demolition and construction phase of the development.
- 17 All reasonable steps to minimise dust emissions from the site shall be employed throughout the demolition and construction phase of the development.
- 18 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 19 Prior to commencement details of the access arrangements and associated highway works shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, to include the following:
- a bellmouth access with minimum radii of 6m.
 - provision of pedestrian dropped kerb crossing points across the bellmouth with appropriate tactile paving.
 - the reinstatement of the parking layby to the south of the access to footway, with the possible provision of bollards if necessary, for the securing of the visibility splay 2.4m x 38m.
- The approved scheme of works shall be implemented prior to first occupation of the proposed development.
- 20 Prior to commencement of development, or any site clearance, a full reptile survey shall be carried out, to establish the presence or absence of any reptiles on site. A report setting out the results of this survey must be submitted and approved in writing by Epping Forest District Council. If reptiles are found to be present on the site a detailed mitigation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to, and approved in writing by, Epping Forest District Council. The mitigation scheme shall be completed prior to the commencement of development or site clearance. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.
- 21 Habitat enhancements in terms of bat boxes and bird boxes shall be incorporated into the final landscaping plans and details shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development and the development shall be carried out in accordance with the agreed details, prior to occupation.
- 22 Prior to first occupation of the development, the proposed access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 40 metres to the north and 2.4 metres by 38 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

- 23 Prior to first occupation of the proposed development, details shall be submitted to the Local Planning Authority that the Developer shall ensure the provision and implementation of a Residential Travel Information Pack for sustainable transport as approved by Essex County Council.
- 24 The internal roads and footways within the development shall be constructed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Such details shall accord with the construction types as set out in the Essex Design Guide, adopted November 2005.
- 25 The number of parking spaces and how these are laid out (including dimensions) shall be in accordance with the parking Standards Design and Good Practice Guide Supplementary Planning Guidance Document September 2009 unless otherwise agreed by the Local Planning Authority. This applies to all vehicular parking spaces including disabled requirements together with cycle parking and facilities for powered two wheelers and garages that are considered as parking spaces.
- 26 The public's rights and ease of passage over public footpath no.110 Loughton shall be maintained free and unobstructed at all times, including during construction
- 27 No development hereby approved shall take place until measures to enable the provision of Traffic Regulation Orders for parking restrictions in the vicinity of the site, necessitated by this development, are secured.
- 28 Prior to the commencement of development, details of parking restrictions along Pyrles Lane for the length of the visibility splays shall be submitted to and approved in writing with the Local Planning Authority, in consultation with the Highway Authority, and the signs and lines associated with the restrictions shall be provided.
- 29 No development hereby approved shall take place until measures to enable the provision of education improvements to the local area, necessitated by this development, are secured.
- 30 The development hereby approved shall not take place until measures to secure the provision of a minimum of 40% of the total number of units to be affordable housing are in place by means of a legal undertaking with the Local Planning Authority to an agreed tenure mix, development mix, form of affordable housing and delivered by one of the Council's Preferred Housing Association partners in accordance with the Required Terms for Affordable Housing attached as informative No. 4 to this decision 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))

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))

Description of Site:

The application site is a large roughly triangular shaped site with an access road onto Pyrles Lane, located behind existing houses and flats at nos. 53-107 (odd) Pyrles Lane and 8-44 (evens) Hillyfields, including properties in Raphael Drive. The site also backs onto the Hillyfields open space recreation area to the south-west. The application site is just under 1 hectare in size. It is currently used as the District Council's nursery site/grounds maintenance depot and there are various glasshouses, portable buildings, raised beds, parking areas and a very overgrown area within the site.

The area to the south west backing on to the recreation area is particularly overgrown and the whole site, including the overgrown area, is fenced off from public use. Part of the site is designated as allotment use but has not been used for allotments for some time. Adjacent to the application site there are allotments that again have clearly not been used and appear to be under the ownership of Loughton Town Council. The more overgrown area (over half of the application site) is classed as an urban open space (as is the rest of Hillyfields open area) as defined within the Local Plan, though this area is fenced off from a public footpath (no.110 Loughton), which runs along the side of the site, across the recreation area. The site is not within the Metropolitan Green Belt or a Conservation Area.

Description of proposal:

Outline consent is being sort for the demolition of the existing tree/plant nursery and the erection of up to 36 dwellings made up of a mix of flats and houses, with 15 of these dwellings proposed to be affordable. The application also includes associated landscaping, parking and infrastructure. This is a revised application, as following advice from Essex County Council Highways section, the previous application was withdrawn to address issues concerning highway safety at the access entrance to the site.

An indicative layout and house/flat type has been submitted showing a layout consisting of 2 groups of three blocks of three storey flats (two bedroom) closest to the northern triangular point behind houses and gardens in Pyrles Lane and Hillyfields, with a line of 18 three storey (three bedroom) town houses with undercroft parking in the wider part of the site, with their rear gardens backing onto the redundant allotment areas and a proposed landscaped area with link path into the public open space area of Hillyfields. The maximum height of the proposed flats is 12.5m and for the proposed houses, it is 12m. The plans submitted demonstrate that 59 parking spaces can be provided in the site.

As this is an outline application, the application form states that all matters are reserved, although the highway access is detailed and has been assessed on this basis.

Relevant History:

EPF/1622/12 - Outline application for the demolition of tree/plant nursery and erection of up to 36 dwellings (flats and houses), landscaping, parking and associated infrastructure – Withdrawn

EPF/0026/81 - Construction of access road and erection of 12 houses – Withdrawn

In addition to the above applications relevant to the site, a separate application is currently under assessment by the District Council for the relocation of this nursery facilities to a site in Oakwood Hill, Loughton under application no. EPF/0063/13.

Representations Received:

LOUGHTON TOWN COUNCIL:

The Committee reiterated its strong objections on the previous amended application EPF/1622/12 as detailed below:

The Committee considered the amendments to this application that included a revised Design and Access Statement, revised Transport Statement and a Phase 1 Ecological Assessment, and reiterated its previous comments, which were:

The Committee strongly OBJECTED to this application as five-eighths of the site was classed as Urban Open Space in the District Council's 1998 Local Plan, and had only ever had temporary buildings located there with an open aspect protected by conditions since 1982. Members stated this was not a brownfield site, there was no evidence its statutory allotment status had ever been removed and the proposal was contrary to planning policy.

The Committee considered the site to be unsuitable to accommodate 18 no. 3-bedroom units and 18 no. 2-bedroom units because of:

- 1. Overdevelopment of the plot with too much housing on a back land site, and that there were known soil instability, flooding and drainage problems in the vicinity.*
- 2. Concern at the lack of distance to neighbouring properties from the proposed flats, which were too high and would cause substantial overlooking, loss of light and noise nuisance, especially to residents in Raphael Drive, Pyrles Lane and Hillyfields.*
- 3. Road safety problems, owing to the extreme narrowness of the access lane, which was not wide enough for vehicles to pass, nor would there be room to provide a pedestrian path.*
- 4. The access lane exited onto Pyrles Lane, a bus route, at a blind bend. This would create a dangerous staggered junction with Fairmeads. Furthermore, members pointed out that the traffic survey accompanying the planning application had been carried out in the summer break when traffic was reduced from the schools being closed and people being away over the holiday period.*
- 5. Concern that the proposed parking of five visitor spaces would not be sufficient for the scheme and would result in parking being transferred to Pyrles Lane and the Fairmead estate that was already congested. Members considered that any additional onstreet parking would create more difficulties for the elderly and parents with pushchairs trying to negotiate parked vehicles narrowing the pavement.*
- 6. Increased pressure on the existing and burdened infrastructure in place. If the District Council granted permission for its scheme, members considered that a sizeable S106 contribution would be necessary to relieve overburdening of local facilities.*

7. *The indicative plan showed the proposed footpath would cross land owned by Loughton Town Council, which had not been consulted on this.*
8. *The proposal was possibly contrary to nature conservation policies from the loss of a valuable natural fauna and flora habitat.*
9. *Members expressed uncertainty over the number of trees and hedges that would be lost by the development and whether any would remain.*

In addition: The highway safety issues on Pyrles Lane were already recognised by the installation of a concealed entrance sign near the access lane. The Committee considered the highway safety of the access lane would not be satisfactorily improved by the proposed visibility splays, which were dependent on the suitable and constant management of the growth of the hedgerows. These were not under the applicant's control or direction, but those of the owners of the adjacent properties.

The Committee also asked the District Council to require an additional traffic survey on existing traffic flows and speeds to be carried out, as the information to hand was from monitoring during the schools' summer break in August 2011, and so did not reflect the traffic movements or congested parking situation encountered during term time.

The Committee raised additional concerns that the forthcoming expansion of the nearby Hereward Primary School would lead to an increase in traffic and impact further on the existing congestion. Members drew attention again to the traffic survey having been conducted in school holidays, and considered a new one in term time peak hours was vital.

The Committee regretted the loss of an extra two parking spaces, which would result in the overall loss of three spaces to accommodate the revised visibility splays shown in Appendix H at the site access. The Committee did not believe sufficient land was under the direct control of the applicant to assure continued proper visibility, and the applicant would not be able to prevent parking of vehicles, which might further impair highway safety, even if conditions were imposed to prevent this. Neither could the cutting back of vegetation be assured. The Committee noted that one of the sight lines in Appendix H had even been drawn behind the boundary with the highway.

Furthermore, the Minutes of the Chigwell Urban District Council from its meeting on 1 October 1945 appeared to record the permanent designation of much of this land as statutory allotments. There was no evidence the Secretary of State had consented to the withdrawal of the Allotment Act provisions, and members considered the Town Council's Environment and Heritage Committee should reclaim the land for allotments, if it was disused as the applicant claimed.

89 Neighbours have been consulted and site notices erected close to the site: All comments from the 2012 withdrawn application have been carried forward to this application. The following objections have been received:

2011 (prior to submission of application) - petition of objection consisting of 30 names.
2012 - petition of objection consisting of 63 names

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP),

Nos. 4, 5, 6, 8, 10, 12, 20, 22, 28,150 and 1,2,3 RAPHAEL DRIVE - all of HILLYFIELDS,

Nos. 4, 47, 53, 55, 57, 59, 61, 63, 67, 69, 73, 75, and 127 PYRLES LANE,
152 ENGLANDS LANE

28 HILLYFIELDS also including supporting documents to their objection.

Due to the large number of objections they have been summarised below:-

- Loss of Urban Open Space,
- inadequate access,
- loss of wildlife,
- highway safety implications,
- height out of keeping,
- insufficient parking proposed,
- loss of allotments,
- increase in congestion,
- traffic survey completed in the school holiday,
- pressure on school places,
- loss of green space,
- loss of security,
- overlooking,
- increase in noise,
- will cause structural problems due to ground instability,
- impact on visual amenity,
- too many houses proposed,
- increase in flooding,
- pressure on existing facilities,
- overbearing,
- loss of value to existing properties

Policies Applied:

National Planning Policy:

National Planning Policy Framework (NPPF)

Local Planning Policies of the Adopted Local Plan and Alterations in conformity to the NPPF

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 - New buildings

DBE2 - Neighbouring Amenity

DBE3 – Design in Urban Areas

DBE6 - Car Parking

DBE7 – Public Open Space

DBE8 - Private Amenity space

H2A – Previously Developed Land

H3A – Housing Density

H4A - Dwelling Mix

H5A – Provision for Affordable Housing

H6A – Site Thresholds for Affordable Housing

H7A – Levels of Affordable House

ST1 – Location of development

ST4 - Parking

ST6 – Highway Safety

LL5 – Protection of Urban Open Space

LL6 – Partial development of Urban Opens Space

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping Schemes
NC4 – Protection of Established Habitat
RST13 – Allotment provision/protection

Issues and Considerations:

The main issues that arise with this application are considered to be the following:

- Principle of the Development
- Character and Appearance
- Supply of Affordable Housing
- Impact on Neighbouring Amenity
- Highway and Parking Issues
- Urban Open Space and Allotments
- Landscaping
- Ecology

Principle of the Development

The application site is located within the built up area of Loughton, close to a small parade of shops, adjacent to a recreation area and with reasonably good transport links including the nearby Central Line. The site is in a sustainable location in terms of the location of new development within the District.

The site is also (partly) previously developed land and redevelopment of such sites is promoted by Local and National policies. The NPPF contains the presumption in favour of sustainable development. This is a sustainable site in terms of it being a partially previously developed site, in an urban area, well served by public transport and in walking distance of local shops and schools. The redevelopment of the site to residential is also in keeping with the general residential nature of the surrounding area.

The proposal results in a net site density of 37 dwellings per hectare (dph) which accords with local policy H3A which suggests between 30-50 dph. In addition the proposal is for a mix of three and two bed properties providing a relatively good mix of dwelling sizes. The proposal also includes parking, and both private and public amenity areas within the application site. Although the proposed private amenity area is slightly lower than policy DBE8 dictates, given the provision of, and ease of access to the public amenity within the site and the adjacent Hillyfields open area, this is considered acceptable.

Generally, notwithstanding the further discussion below, residential development on this site in principle is acceptable.

Character and Appearance

Subject to an appropriate design being secured through the approval of a reserved matters application, the scale and mass of the proposed houses and flats are considered acceptable. Although the proposal is for three storey properties they are not considered to be out of keeping with the area, given there are both two and three storey flats and dwellings adjacent to the site.

Supply of Affordable Housing

The proposal is located within Loughton, which has a population of over 3000 and the proposal is for more than 15 dwellings. Local Plan requirement is therefore that at least 40% of the units are to be affordable. In this case, 15 dwellings will be affordable, which equates to a 41.7% provision

and therefore it meets with the requirements of policy H7A. Given there is a shortage of affordable housing within the District, the Director of Housing supports this application as submitted.

Neighbouring Amenity

The proposal will clearly result in more built form on the site than currently in place and the change of use from a nursery site to residential will potentially impact on neighbouring amenity. The issue here therefore is whether this impact will be such as to justify a refusal.

In the main, the proposal will be located at the end of the rear gardens of the properties of Hillyfields and Pyrles Lane which will be some 30 – 50m away from the proposed flats and houses. The submitted layout at this stage, shows the closest point to the built form will be to the rear of the bungalows on Raphael Drive where the distance will be 6m to the side of the last in the row of the proposed dwellings. To minimise its impact, the last of the proposed houses has been pushed back from its neighbour such that it is not considered so severe as to justify a refusal.

With regards to concerns over loss of privacy and overlooking, window details would be part of any future reserved matters application, but at that stage if considered necessary, suitable conditions could be added to ensure necessary windows are obscured glazed. The proposal may result in some overlooking, but in the main these would be far reaching views and not considered to result in any significant loss of amenity to surrounding neighbours.

The change to a residential use will clearly be a more intensive use than the current low key nursery use, however it is not considered that the intensification of the use, including the movement of cars is such as to justify a refusal given the residential surrounding uses.

Highway and Parking

Following discussions with Essex County Council Highways, the proposal was amended to increase the sightlines at the exit of the access road by the removal or re-siting of a Council owned hedgerow in front of the adjacent flats block at 81-93 (ODD) Pyrles Lane. The access width would also be widened at its entrance to allow vehicular entrance and egress. The rest of the existing access will remain at the same single width to allow one direction vehicular movement. Having reviewed the current proposal, the Highway Authority considers that the proposal accords with policy and will not be detrimental to highway safety, efficiency or capacity at this location.

Pyrles Lane is a traffic calmed unclassified road with an existing access into the site for a lawful use which does generate many vehicle movements. The revised application has overcome earlier concerns of the existing substandard visibility to the south of the site. The 38m visibility splay, as required by the Department of Transport: Manual for Streets, for visibility from the access, can be achieved within the highway and within land the Applicant controls. Pedestrians and vehicles will now have the appropriate visibility for the development. Unfortunately, to achieve the required sightlines, 3 existing parking spaces will be lost from the lay-by on Pyrles Lane but the applicant has undertaken a parking accumulation study and has demonstrated that there is still sufficient parking available within a reasonable distance and this has been evident and confirmed from the Highway Officer and Planning Officer's site visits.

With regard to capacity issues upon Pyrles Lane, the proposed 36 dwellings will not generate significant amounts of traffic to the detriment of the surrounding highway network. At the very worst the proposal might generate a possible 30 vehicle movements in the peak hours which equates to 1 vehicle every 2 minutes, this would be imperceptible in capacity terms and really is a worst case scenario, but considered highly unlikely given the very accessible location for other modes of transport within the vicinity of the site.

The proposed access arrangements are considered to be acceptable for the scale of the development, and the number and type of vehicles associated with the residential use of the site. The access can comfortably accommodate 3 vehicles, waiting to access the site, off of the highway whilst a vehicle clears the accessway. The provision of a priority working system into the site will eliminate any potential for vehicles to queue back into the carriageway, and an appropriate raised/delineated pedestrian way can be agreed at the detailed design stage. It should be noted that this is not the sole pedestrian entrance into the site as the proposal also includes a link into the existing footpath: no.110 Loughton.

1 parking space has been proposed for each flat (with 5 additional visitor spaces) and 2 parking spaces have been provided for each house. Essex County Council Parking Standards suggest a minimum of 2 parking spaces per dwelling for any dwelling with 2 bedrooms or more and suggests 0.25 visitor spaces per dwelling. This proposal provides a total of 59 spaces, where according to the standards 81 should be provided. However, the Essex Country Council Parking Standards contains a caveat that reductions can be considered if the development is within an urban area. As discussed above the site is within a built-up area, and is considered a sustainable location with reasonable transport links, access to shops, services and education are all within walking distance and therefore it is considered reasonable that the level of parking is acceptable to serve this site without potential highway harm to future or existing residents in the local area.

Urban Open Space and Allotments

Policy LL5 states that the Council will not grant planning permission for development which would result in either: i) the total loss of; or ii) any excessive adverse effect upon any urban open spaces. As stated above more than half of the site is designated as urban open space on the Local Plan and Alterations map, however as stated above the site is currently fenced off and although overgrown is inaccessible to the public. Although it is appreciated that the value of urban open space includes visual amenity and nature conservation, public access for relaxation or recreation purposes is considered a key factor and at present this is not possible. Although the site will be partly built on, the area closest to Hillyfields Open Area will be rear gardens and then a landscaped open area with a path leading into the development, thereby providing a positive contribution to the Hillyfields Urban Open Space by increasing the area for informal recreation, and therefore the proposal is not considered contrary to policy LL5. In addition the remaining urban open space across Hillyfields will be retained as it does not form part of this application and this complies with policy LL6 which allows for the partial development of urban open space.

Part of the land is still officially designated as allotment land, but is not currently used for allotments and clearly has not been used for allotments for some time. Policy RST13 refers specifically to existing allotment site and therefore in this case is not considered fully relevant as the land does not appear to have been used for allotments for some 40 plus years. In addition, directly adjacent to, but outside of the site are further allotments within the ownership of Loughton Town Council which have not been used since 2007 and therefore there is not considered to be a demand for allotments in the area in any event.

Landscape Issues

The indicative layout plan shows that the proposal will not impact on the important trees which are to be retained on site and the Council's Tree and Landscape Officer has no objection to the scheme. This includes trees adjacent to the rear gardens of houses in Pyrles Lane and Hillyfields. Low quality trees in the site of the overgrown area will be removed and be compensated by better quality trees near the footpath adjacent the Hillyfields Open Space. Any approved landscaping scheme at the detailed stage has the capacity to enhance this setting and outlook.

Ecology

An Ecological Assessment and Scoping Survey for Bat Roost Potential was submitted as part of the application. The report highlights three mature trees on the site which may have high bat roost potential, however these trees are to be retained and the Countrycare Manager has raised no objection to the scheme following the results of the survey.

Other Issues

- Culvert:

Concern has been raised regarding the location of a culvert that runs through the site that leaves the site and passes through the rear garden of No. 28 Hillyfields. Documents have been submitted to the Council by the resident of No. 28 which match with the data available to the Council. The proposed scheme avoids this culvert/sewer, and Thames Water who were consulted on this application, have no objection to the scheme as the proposed built form will not be within 3m of this sewer/culvert.

- Groundwater:

Concerns have been raised by neighbours with regards to disruption of groundwater and the possible impacts this may cause. The Environment Agency has no objection to this scheme and the issue of the groundwater disruption was raised specifically to them. The Environment Agency have stated that the scheme would be unlikely to result in any disruption to groundwater as the geology in this area is clay which does not store or allow water to flow.

In addition the Council's Land Drainage Team was consulted on the application who have also raised no objection subject to the submission of a Flood Risk Assessment which would aim to improve surface water run off.

- Education:

Due to the size of the scheme, Essex County Council Education has calculated that a contribution of £171,947 is required towards education contribution to fund future school places at both primary and secondary level within the local area.

- Footpath:

The proposed footpath through the proposed park, from the proposed housing area and into the public open space area of Hillyfields, will follow the contours of the land as it rises from north-east to south-west to adjoin the existing public footpath. Any issue or arrangement of whether or not this crosses Loughton Town Council land can be resolved outside this planning application.

Conclusion:

In light of the above appraisal, it is considered that the principle of the proposed development is acceptable. The character of the local residential area and adjacent open space will not be unduly harmed. It requires the use of an existing access route which with modification and changes to the highway on the latest proposed plans and assessment, can support the traffic movement associated with the proposed development without harm to highway and pedestrian safety. The existing infrastructure can absorb a new development of this size although it is acknowledged that there is a justified need for an education contribution to go with the addition of needed affordable housing that represents the community benefit necessitated by this development. No other community benefits necessitated by the development have been recognised or demonstrated relating specifically to this application. The proposal makes an efficient use of this site in a sustainable location that has both national and local planning policy support. It 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:

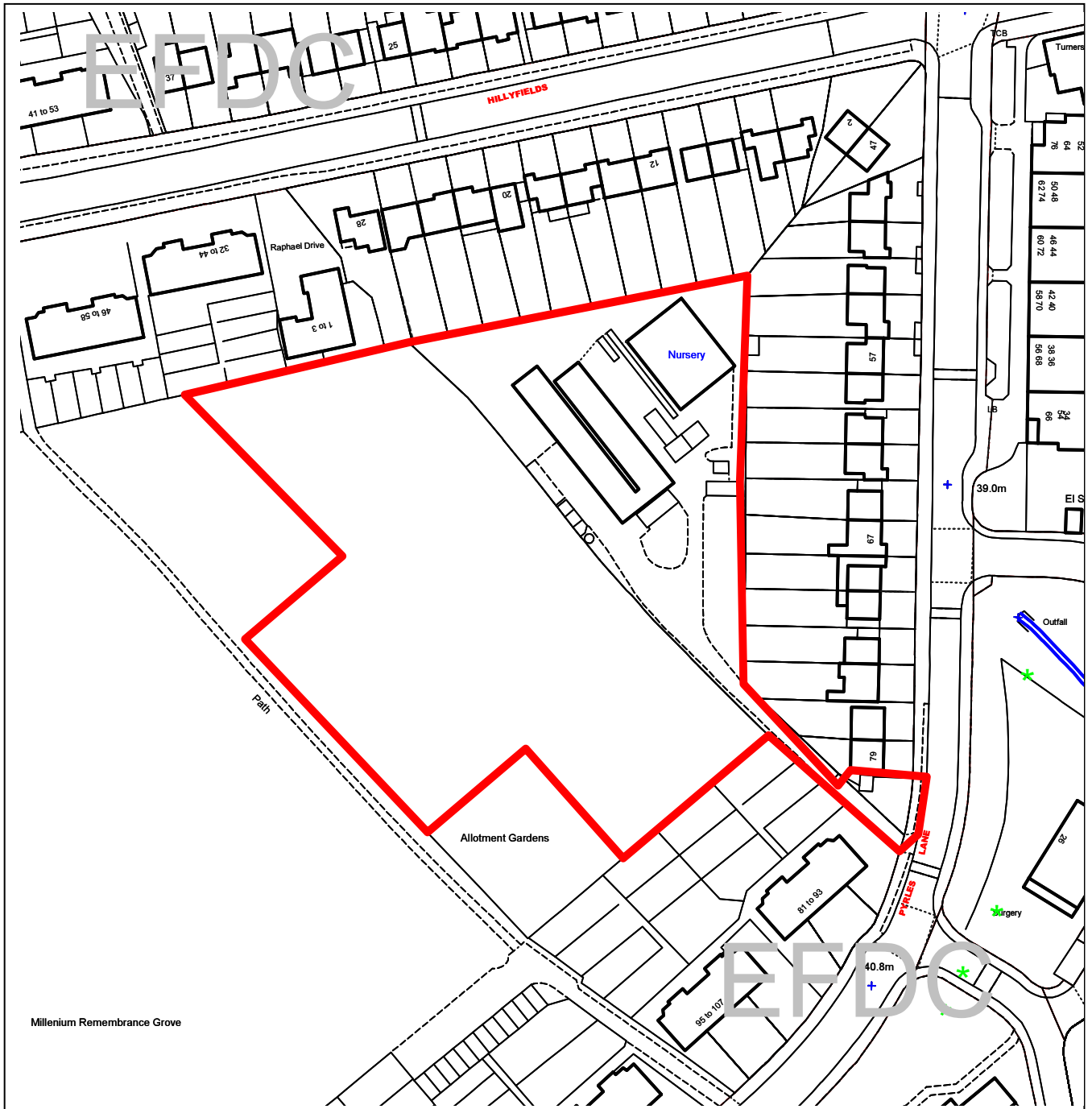
Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371

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/0458/13
Site Name:	EFDC Parks Nursery, Pyrlles Lane Loughton, IG10 2NL
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2221/12
SITE ADDRESS:	23 Grange Crescent Chigwell Essex IG7 5JB
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Neil Lachani
DESCRIPTION OF PROPOSAL:	Rear canopy.
RECOMMENDED DECISION:	Grant 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=543421

CONDITIONS

NONE

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 an extended semi-detached dwelling and its front and rear gardens. The immediate vicinity of the site is characterised by pairs of semi-detached houses, several of which have also been extended.

Description of Proposal:

This application proposes alterations to the development previously approved under planning permission reference EPF/2561/11.

That consent is for extensions and alterations including a two-storey side, part single, part two-storey rear extension, a loft conversion including the addition of a dormer window and a glazed cantilevered canopy which would extend a distance of 3 metres from the rear elevation.

This current application proposes a rear canopy which would be similar to that which has previously been approved in terms of its rearward projection, but would be lower in height. The canopy was previously cantilevered (self supporting) but is now to be supported by three piers. Each pier would be approximately 2.8m in height and 30 x 30cm in area. In addition, the application plans show a 1.8m high boundary wall at the side of the covered area, closest to the boundary with 25 Grange Crescent. The canopy was previously approved at a height of 3.25m but has been constructed (and this application seeks to retain) at a height of 2.8 metres, thereby stepping down from the approved ground floor extension. This is a change from the originally

submitted plans, which did not indicate the reduced height of the canopy from that which was previously approved.

The application plans also show minor deviations from the extensions previously approved to reflect the works undertaken on site. The deviations comprise the slight re-positioning and re-sizing of windows, which are not material changes to the approved scheme.

Relevant History:

EPF/0984/10. Demolition of existing side extension, garages and outbuildings and construction of new two storey side, part two, part single storey rear extension and loft conversion. Approved 11/08/2010.

EPF/2561/11. Amended application to EPF/0984/10 to include the erection of a side dormer window, and the erection of a larger rear dormer window. Approved 07/03/2012.

EPF/1868/12. Non material amendment to planning permission EPF/2561/11 to provide brick pier. Withdrawn.

Policies Applied:

Local Plan

CP2 - Protecting the Quality of the Rural and Built Environment
DBE 2, 9 - Amenity
DBE 10 – Design

Summary of Representations:

Notification of this application was sent to Chigwell Parish Council and to 5 neighbouring properties.

The following representations have been received:

CHIGWELL PARISH COUNCIL. Objection. The Council objects to this application on the grounds of design, the impact on neighbours and the description is not accurate.

25 GRANGE CRESCENT. Objection. We are appalled to hear of the proposed increased height of the structure on the boundary to 3.2m. This is outrageous, very overbearing and utterly unacceptable. We believe that the proposed work on the boundary line is part of a much larger structural rear extension of no.23. We should have been consulted before works took place on the boundary line. Will the gap between the boundary wall and the steel girder be filled in? If so, what with? Will water from the canopy overflow onto our property? If the boundary wall is an external wall why is it built as a cavity wall with vents jutting out onto our property?

Issues and Considerations:

The main issues in this case are the impacts of the proposed development on the amenities presently enjoyed by the occupiers of neighbouring dwellings and on the character and appearance of the area.

Neighbouring Amenity

As a deviation to the previously approved plans, a glass canopy is proposed to the rear elevation, at a height of 2.8 metres. This would amount to a reduction in the height of the canopy that was

approved. The submitted plans detail a boundary wall 1.8 metres in height to the side of the canopy, which accords with permitted development rights, and brick piers that would be 2.8 metres in height. The main addition of bulk which could impact upon the amenities of the adjoining neighbours would be the brick piers which, at 0.3m in depth, would not cause any significant loss of light or outlook.

The objection of the occupant of 25 Grange Crescent is on the basis the canopy would be increased in height to 3.2m. As has been made clear, the previously approved canopy was at that height and the current proposal is a reduction in the height of the canopy of 400mm. The objection raised does, therefore, appear to be based on a misunderstanding of the nature of the proposal and that of the previously approved development.

In relation to the proposed 1.8m high wall, it is substantially complete and the neighbour at 25 Grange Crescent points out it is constructed as a cavity wall with vents. Such construction could be taken as indicative of an intention to fully enclose the area under the canopy. Indeed, should planning permission be granted, it would be possible to enclose the canopy as permitted development. While that may be unlikely in reality since the canopy is not likely to be suitable as a roof for an extension, should Members be concerned about the possibility the relevant permitted development rights could be removed by condition. Planning permission would be required to replace any approved canopy with an extension. The wall on the boundary is not, of itself, harmful to living conditions and could be subsequently constructed up to 2m high as permitted development.

The neighbour at 25 Grange Crescent has also asked whether the area (approximately 500mm in height) between the boundary wall and the bottom of the canopy would be filled in. That is not part of this proposal and, as indicated above, could be carried out as permitted development if consent for the canopy is given. Should the area be filled in, that would not be harmful to the visual amenities of the occupant of 25 Grange Crescent and, indeed, it would serve to safeguard their amenities by serving as a barrier to noise arising from use of the normal use of the space under the canopy. For that reason it is found to not be necessary to remove any permitted development rights in connection with a grant of planning permission for the proposed canopy.

The canopy would be contained within a steel joist. Any water run-off from the canopy would be directed back to a gutter on the rear elevation of the previously approved extension and contained at the edges of the canopy by the joists and material holding the canopy in place. Consequently, there would be no water run-off from the canopy to 25 Grange Crescent.

Character and Appearance

The design of the extensions to the dwelling are not significantly different to those previously approved and would not result in any material harm to visual amenity. Furthermore, since the canopy and supporting piers would project no further than the previously approved canopy, it would have a similar relationship to the extended house and would complement its appearance.

Other Matters

Chigwell Parish Council has raised concern that the description of the plans is not accurate. Consideration has been given to whether the correct description should encompass the extensions that have been constructed. In this case the extensions previously approved have been substantially completed. The changes in respect of window size and position are not significant in their degree of deviation from the approved plans and do not, therefore, constitute material changes to the approved development. In the circumstances there is no doubt the substantially complete extensions benefit from an extant planning permission and are lawful. The proposed canopy supported on piers is materially different to the previously approved canopy and has been found by Officers to require planning permission. Accordingly, the description of development as

'rear canopy' correctly identifies the development which now requires further planning permission and is an accurate description of the proposal.

Conclusion:

In light of the above appraisal, it is considered that the changes to the previously approved rear canopy are acceptable. It is, therefore, recommended that planning permission be granted.

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

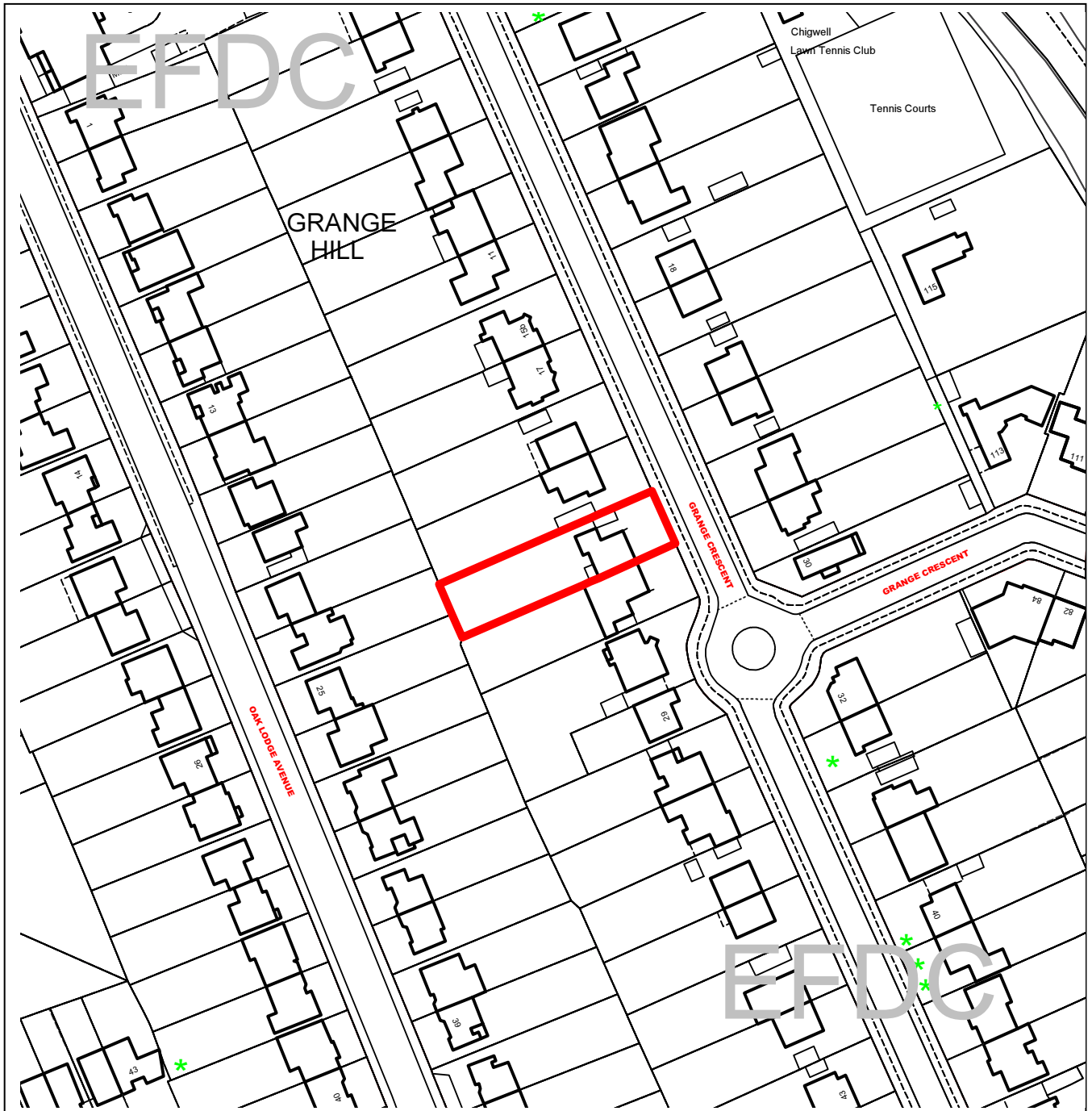
***Manager of Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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:	2
Application Number:	EPF/2221/12
Site Name:	23 Grange Crescent, Chigwell IG7 5JB
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2409/12
SITE ADDRESS:	58 York Hill Loughton Essex IG10 1JA
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Miss Elaine Sharon Weston
DESCRIPTION OF PROPOSAL:	Formation of 3.7m wide vehicular access on to York Hill and removal of section of damaged hedge.
RECOMMENDED DECISION:	Refuse Permission (Householder)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=544200

REASON FOR REFUSAL

- 1 The proposed removal of a section of hedge in an area characterised by tall hedges and a narrow road system would cause harm to the character and appearance of the York Hill conservation area. The proposal is thereby contrary to policies HC6, HC7, and LL10 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.

This application is before this Committee because it has been called in by Councillor Ken Angold-Stevens - (pursuant to the constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A (h)).

Description of Proposal:

Formation of 3.7m wide vehicular access on to York Hill and removal of section of damaged hedge.

Description of Site:

The property lies on the west side of York Hill close to its junction with Kings Hill. The front garden of the property slopes down to the road which has a narrow carriageway with no pavements, and which is bounded principally by high hedges characteristic of the locality. The property is not listed but it does lie in the York Hill conservation area.

Relevant History:

None.

Policies Applied:

DBE9 – Loss of amenity.

ST4 – Road safety.
ST6 – Vehicle parking.
HC6 – Character and appearance of conservation areas.
HC7 – Development within conservation areas.
LL10 – adequacy of provision for landscape retention

National Planning Policy Framework.

Summary of Representations:

LOUGHTON TOWN COUNCIL – As the applicant is a town councillor and member of this Committee, members agreed not to consider this application.

4 neighbours consulted and 5 replies received:-

HILLS AMENITY SOCIETY – object – the plans are unclear and sketchy, the property is in a conservation area where the hedges are protected, neighbours have expressed concerns over the removal of this hedge which could cause a precedent and change the appearance of this attractive area. The exit would be in a very narrow and dangerous part of York Hill.

ADDRESS NOT GIVEN – object because this is a conservation area, the existence of hedges was a main reason for giving conservation status, removal of hedges would be visual damaging and set a precedent.

35, YORK HILL – similar comments to the two comments set out above.

56, YORK HILL – similar comments again. Also we cannot see any evidence of the ground erosion/ hedge subsidence which the applicant refers to. The proposal would be at odds with characteristics of the area described in the York Hill Conservation Area Character appraisal and Management Plan. The applicant should consider parking further along York Hill where it is wider so as to avoid damage to her car caused by larger vehicles eg refuse lorries.

43, YORK HILL – similar comments again. The loss of ¼ of the property's protected hedgerow would set a precedent for the conservation area. There is currently an initiative for resident parking permits to enable people to park sensibly in the future.

EFDC CONSERVATION OFFICER - *This property is located within York Hill Conservation Area. The section of hedge at no.58 is prominent in views along this part of York Hill and contributes a long, uninterrupted section of hedge up to the junction with Kings Hill and continuing beyond.*

Despite positive pre-application discussions with the applicant, having now fully considered the implications of the proposed removal of a section of hedge, I recommend refusal of this application. The tall hedges and narrow road system are vital elements of the character and appearance of the area, earning it its 'Little Cornwall' nickname, and contribute a great deal to the area's significance. This has been recognised both in the draft Conservation Area Character Appraisal and Management Plan and through the adoption of an Article 4 Direction for the conservation area which removes permitted development rights relating to the alteration of front boundary treatments and the creation of areas of hardstanding.

It is acknowledged that there are issues with parking and large vehicles using the narrow roads, however, the removal of part of a feature which is so characteristic of the area would cause harm to the significance of the area and could encourage other residents to alter their boundary treatments/remove further sections of hedge. This sort of incremental change would cause substantial harm to the significance of the area.

In accordance with para. 134 of the NPPF, it is considered that the removal of a section of the hedge at this property would cause harm to the significance of the area which is not outweighed by the public benefits of the proposal. The proposal has the prospect of exasperating the parking problem on York Hill by creating another section of road where on-street parking will not be possible and this will not result in any public benefit.

This is also supported by policy HC6 of our Local Plan and Alterations (1998 and 2006).

EFDC TREES AND LANDSCAPE SECTION - We object to this application for the following reasons:-

Contrary to Policy LL10 – makes inadequate provision for retention of.....natural features, particularly wildlife habitats such as woodlands, hedgerows, ponds and watercourses.

Contrary to Policy HC6 – detrimental to the character, appearance or setting of the conservation area.

Our justification for this objection is as follows. This site is within a Conservation Area. Conservation Areas are defined as areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. The hedges within York Hill contribute to the special character of the conservation area.

The hedgerows are an important feature to both the character and ecology of York Hill, and in order to afford them additional protection they are also protected by an Article 4(2) Direction made in 1999. This includes the hedge to the frontage of the application property. The Article 4 (2) Direction was specifically instigated to give the LPA some control over the demolition of existing front boundaries and the construction of hardstandings.

The street pattern in this part of York Hill is defined by the hedgerows which enclose the front gardens and the loss of any section would be detrimental to the character of the area.

The applicant states that some of the hedge (the area proposed for removal) is subsiding into the road. During a visit to the site we could see no evidence to suggest that the hedge or land was falling into the road. We did note that the adjacent property (56) have installed some railway sleepers behind the hedge, although it is not clear whether this is to prevent slippage or as a garden feature.

It was also noted that there is an area to the frontage of number 52/54 York Hill, where there is no hedge and a parking area for two cars is present. Historically, there has always been a gap in the hedge in this location, a new driveway has recently been laid.

To allow the removal of hedge in this location has the potential to set a precedent for the removal of other hedgerows for the creation of car parking, this would be extremely detrimental to the character, appearance and setting of the conservation area. Therefore we strongly object this proposal.

Issues and Considerations:

There is some sympathy for the applicant in that if she parks her car on the narrow road outside her house it is damaged by passing larger vehicles. Damage can similarly be caused to hedges when cars are parked on this narrow carriageway. However, having regard in particular to the comments of the Council's Conservation officer, and trees and landscape section, as set out above, the removal of a 3.7m section of hedge cannot be justified.

In terms of parking problems in this locality the North Essex Parking Partnership have recently undertaken questionnaire survey of residents in the York Hill area, and a residents' permit parking scheme is currently under consideration - which hopefully would alleviate some of the parking concerns raised by the applicant in this particular planning application.

In terms of the proposed vehicular access into the site, York Hill is not a classified road. While the proposed access is not ideal in terms of sight lines this is a lightly trafficked route and a reason for refusal on highway safety grounds is not warranted in this instance.

Conclusions:

The proposal would be detrimental to the character and appearance of the York Hill conservation area, and 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:

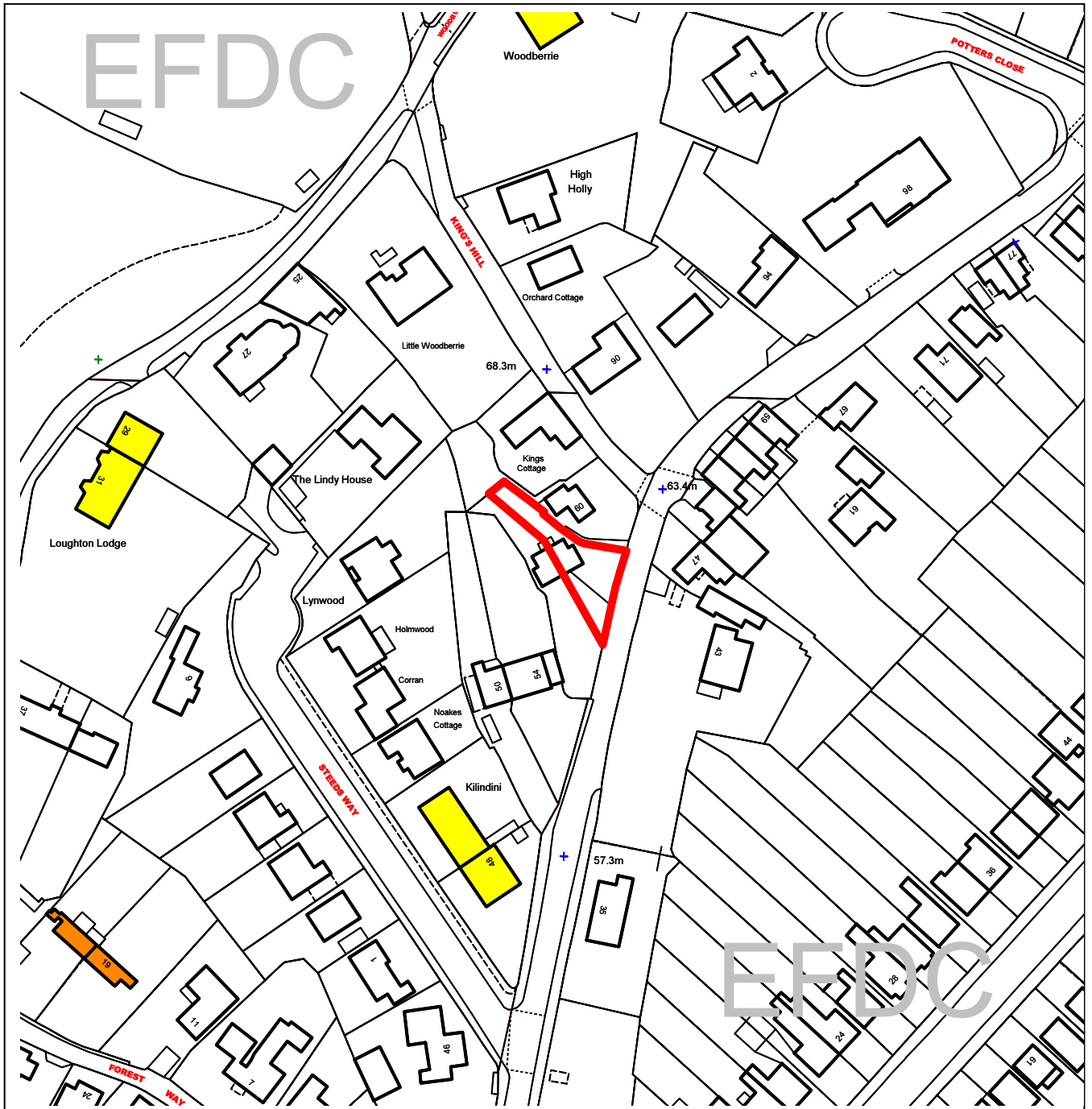
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/2409/12
Site Name:	58 York Hill, Loughton IG10 1JA
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0140/13
SITE ADDRESS:	3 Church Hill Loughton Essex IG10 1QP
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mrs K Hersey
DESCRIPTION OF PROPOSAL:	Erection of front extension to existing teaching space in former garage to align with existing raised timber deck area.
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=545171

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 extension, shall match those of the existing classroom outbuilding, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The extension hereby approved shall only be used for pre school nursery purposes within the hours of 7.30 am to 6.30 pm Mondays to Fridays..

This application is before this Committee because the recommendation for approval is contrary to more than two objections received from neighbours which 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 (f)).

Description of Site:

A detached two storey property located on the north side of the junction of Church Hill with The Uplands. The property was formerly a house but following planning approval in 2011 it has been used as a pre-school day nursery following its opening in August 2012. The locality is mainly residential but there are some commercial uses on the opposite side of Church Hill - together with a new block of flats nearing completion. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

Erection of front extension to existing teaching space in former garage to align with existing timber decked area.

Relevant History:

EPF/2102/11 – Approval granted for change of use of dwelling to a pre school day nursery.

EPF/486/12 – Refusal of front extension to proposed nursery and erection to extension to former garage.

EPF/1689/12 – Approval granted for single storey front extension, completion of landscaping and planting, including new fence and alterations to front elevations of garage converted to classroom including raised decked area.

Policies Applied:

DBE9 – Loss of amenity.
National Planning Policy Framework.

Summary of Representations:

LOUGHTON TOWN COUNCIL – The Committee had no objection to this application but asked for a planning condition to soften the impact of this unattractive building on the street scene.

NEIGHBOURS – 17 properties consulted and 3 replies received:-.

7, CHURCH HILL – this lady (the applicant) has applied multiple times already – just about had enough of building works in the immediate vicinity, plus can do without further noise from a nursery environment.

8, CHURCH HILL The existing garage has already been extended and they now wish to extend even more. I already have building work going on around me which has been unpleasant and I hate the thought of more to come. I think that this proposal was voted against at a Committee meeting last year.

5, CHURCH HILL – the garage has been extended already, and its flat black roof covers a wide space. A garage is not a good place to keep children in – indeed in some parts of London people are house in garages which is not right. I am concerned about noise levels that may result from this area, and also when children are outside. I am fed up with development around my house and it has taken nearly two years to finish 4 blocks of flats opposite in Church Hill. This proposal was turned down by Committee last year.

Issues and Considerations:

The proposed front extension to this former garage, now used as a classroom/playroom for young toddlers, measures 4.6m by 4.2m, with a height of 2.8m. The extension is proposed on an area of the site currently used as an authorised raised decked area for outside children's play. While the extension is very similar to the proposed extension refused last year (under EPF/486/12) there is no door proposed in the front wall (facing The Uplands), and this would help to reduce any noise or nuisance to the nearest neighbour at 1, Uplands Court, 2a, Uplands Road.

A high 3m fence runs along the boundary with the adjoining 1, Uplands Court and this too will screen any views of the proposed extension from that property as well as reduce any noise

nuisance. The previous application EPF/486/12 was considered before this pre school nursery opened, but now 8 months after the nursery has been in use this closest neighbour at 1, Uplands Court has not now raised any objections, and the Town Council also have withdrawn previous concerns.

With regard to the noise objections received to this current application, the walls to the former garage are thick and double insulated and the walls to the extension will be built to the same specification. Consequently noise heard from outside will be low - and as the extension is proposed on an existing outside play decked area the potential for any noise nuisance will be further reduced. Finally, having regard to the objections received, residents on Church Hill have for some 2 years been affected by noise and nuisance from some 25 flats being built on the opposite side of Church Hill, and this may well have been a factor in objecting to this current application for additional building work to this nursery.

In terms of its appearance this recessed flat roofed extension, 2.8m in height, will be largely hidden from view from Upland Road by front gates and a fence on the boundary, and as mentioned above it will be hidden from view by a 3m high fence from the adjoining 1, Uplands Court. In respect of the Town Council's comments therefore there is no need for planting to screen the proposed extension, and in general the retained and new landscaping around the site has helped soften the appearance of this property and its adaption to nursery use. The extension will be rendered white to match the existing former garage and the main building on the site.

Conclusions:

The proposed extension is modest in size, it will be largely screened from view, and would give rise to potentially less noise than the outdoor play area it replaces. Although there have been 3 objections received to this application this number is less than received to earlier applications, and it does appear that this pre-school day nursery is managed and run in a competent manner. Indeed the current demand for 'baby' places cannot be accommodated and hence the proposed additional floorspace is required to meet some of the demand for places. In addition the applicant hopes to be able to relocate 3 and 4 year olds from this property into the nearby Loughton cricket club so as to create more capacity at 3, Church Hill for 'babies'. In terms of possible noise nuisance the nursery can only operate between the hours of 7.30am to 6.30 pm Mondays to Fridays by virtue of a condition on the initial planning consent granted for the use (EPF/2102/11), and there are also limitations on the numbers of children to be accommodated (45) and the numbers that can play outside at any one time (20). For these reasons, and the ones outlined in the body of this report, the proposed extension is acceptable, and conditional approval is 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/0140/13
Site Name:	3 Church Hill, Loughton IG10 1QP
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0259/13
SITE ADDRESS:	Avalon Mews North End Buckhurst Hill Essex IG9 5RA
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Miss C Watkins
DESCRIPTION OF PROPOSAL:	Removal of existing conservatory and erection of two storey extension to front and rear, first floor extension over existing extension, alteration to bay projection and replace existing tiles.
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=545618

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 as outlined on the planning application form received 6th February 2013, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it has been 'called in' by Councillor Sylvia Watson (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Site:

The application site is a two storey, detached property located at the end of a small lane accessed from North End. The property is unusually orientated as it sides onto the lane, and a public footpath runs along the side boundary. The plot shape is quite irregular with a dog legged boundary to The Drive boundary. The application site and No.15A The Drive were built together in the 1980's and the land appears to have once been part of the garden of No. 15 The Drive. The property is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

Removal of existing conservatory and erection of two storey extension to front and rear, first floor extension over existing extension, alteration to bay projection and replacement of existing tiles.

The front extension measures 4m deep and 5m wide and will have a hipped roof. The rear extension measures 5m in depth and 7.4m in width and again will have a hipped roof. The side extension is 2m wide and extends the full length of the existing property. The existing bay will be rebuilt extending up to first floor. The proposal also includes the removal of the existing concrete tiles to be replaced with red plain tiles.

Relevant History:

None relevant

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 - Design

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL – No objection

NEIGHBOURS

9 neighbours were consulted:

15A THE DRIVE – OBJECTION – Bulky, overbearing and loss of privacy

15 THE DRIVE – OBJECTION – Overlooking, unsatisfactory appearance, overbearing and loss of light

Issues and Considerations:

The main issues that arise with this application are considered to be the following:

- Design Issues
- Impact on Neighbouring Amenity

Design Issues

The proposal is for extensive extensions and remodelling of the existing property, however due to its end of road location and unusual orientation it is effectively viewed in isolation to neighbouring properties and therefore the proposals are not considered to disrupt the character and appearance of the streetscene. The front and rear extensions do create a deep plan form for this property, however as the front and rear projections are offset to each other, it will not result in a solid wall across the whole depth and this is considered acceptable.

Amenity

It is not considered the proposal will have any significant detrimental impact on the amenity of properties within North End particularly due to the separation provided by the public footpath.

With regards to No. 15 The Drive, the proposal will at the nearest point be approximately 1m from the shared boundary. Although two-storey, the proposal is some distance from the dwelling house and is orientated in such a way that the proposal is more towards the rear of this garden and although it will be visible is not considered to be so overbearing as to justify a refusal. No side windows are proposed overlooking No. 15 and the rear bedroom window is to be placed on the side which may actually improve privacy to this property.

With regards to No. 15A the proposal will, due to dog leg of the boundary, be within 1m of this shared boundary, however, the proposal will be some 10m from the main rear wall of this property and although it is a large extension, which will be visible from No.15A, given this distance and the side orientation the proposal is, on balance, considered acceptable. In addition the proposal will not be directly behind the rear of No. 15A but rather to the side. No side facing windows are proposed and although a rear first floor window will be 5m deeper than existing, this again may provide a better relationship in terms of privacy for No. 15A given that less of the private garden area of 15A will be viewable.

Conclusion:

The proposal is for large additions, however given the unusual orientation of the site and the distances between neighbouring properties the proposal is considered to be an acceptable design and not to have a significantly detrimental impact on neighbouring properties to justify a refusal and therefore approval is 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:

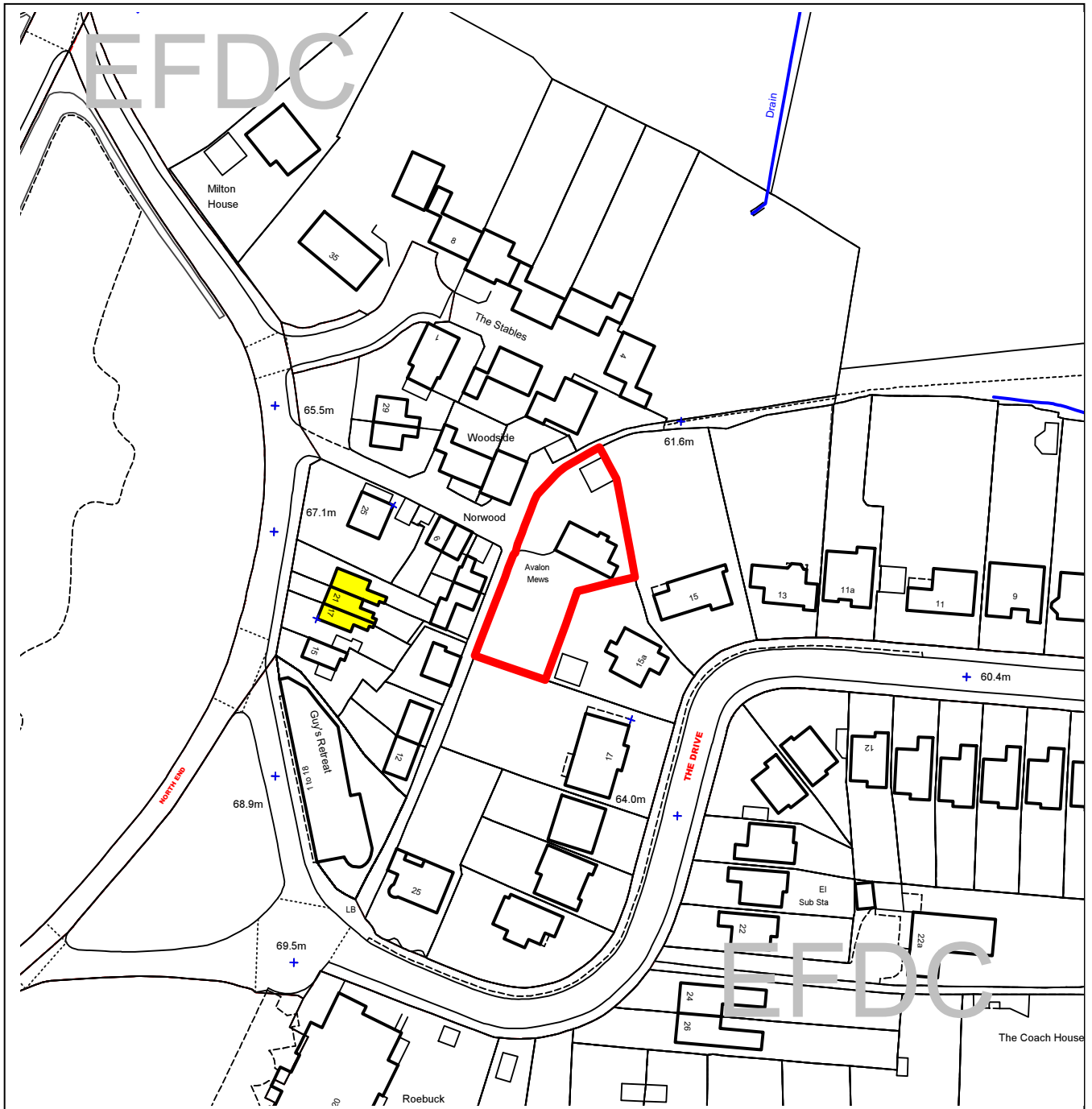
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

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/0435/13
Site Name:	Avalon Mews, North End Buckhurst Hill, IG9 5RA
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0384/13
SITE ADDRESS:	77 Manor Road Chigwell Essex IG7 5PH
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Dr Khash Nikookam
DESCRIPTION OF PROPOSAL:	Single storey rear, front and side extensions and loft conversion with front and rear dormer windows.
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=546351

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 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

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 is situated on the south side of Manor Road, a short distance west of its junction with Bracken Drive. The site includes an extended two-storey detached house. It is not

listed and the locality is not within a Conservation Area. It is covered by an "Area" Tree Preservation Order made in 1974, which protects all trees within it that existed at the time the Order was made. One very significant oak tree protected by the Order is situated within the front garden of the house. There are no significant trees within 10m of the rear elevation of the house.

Land levels fall to the rear of the site and to the west, such that 75 Manor Road is about 1.5m lower and 79 Manor Road approximately 1.5m higher than the application site immediately rear of the house. The rear elevation of the existing house is set approximately 8.5m beyond the main rear elevation of 75 and 2m rear of the rear elevation of 79.

Due to the fall in land levels at 79 Manor Road, its ground floor at the rear is set some 2m above the ground floor level of 77 Manor Road. A lower ground floor at 79 only has high level windows and a glazed door, all of which are obscure glazed. There are no windows to habitable rooms in the flank of 79 Manor Road and a distance of some 6m presently separates the flank walls of 77 and 79 Manor Road.

Description of Proposal:

It is proposed to construct single-storey front extensions to the front, rear and east facing side elevation and to construct two dormer windows in the rear roof slope and one in the front roof slope in connection with a loft conversion.

The front addition would infill a narrow area, some 2.2m wide, at the main entrance to the house between its east and west wings. To the side, an addition projecting 3m at the front and 2.5m to the rear is proposed. It would wrap around the rear elevation of the east wing, projecting some 2.6m such that it is level with the rear wall of the central part of the house. The rear extension would replace an existing conservatory in the southwest corner of the house and wrap around the existing central rear projection. It would enlarge the ground floor of the rear projection some 2.7m. The extensions would have hipped roofs matching the pitch of the main roof and windows would align with upper floor windows.

The proposed dormers would be of modest proportions with hipped roofs. Those in the rear roof slope would be sited either side of a gabled roof over the central rear projection. That to the front would be sited centrally.

Relevant History:

EPF/1764/11 Single storey side extension, two storey rear extension, hip to gable roof extensions with higher ridge to allow a loft conversion with one front dormer and two rear dormers. New front bays, front gables and entrance porch. (Revised application).
Approved

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions
LL10	Adequacy of Provision for Landscape Retention

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 5

Responses received: No response received from neighbours.
CHIGWELL PARISH COUNCIL: Objection

“The Council OBJECTS to this application because it is an overdevelopment of the site. The distance from the proposed build to no 79 Manor Road is unacceptable and this proposed build would be too close to the site boundary as the minimum distance of one metre will not be maintained.”

Main Issues and Considerations:

The proposed development is a much reduced version of the development that was approved under planning permission EPF/1764/11, which remains capable of being implemented. It retains the single-storey elements, with some modification, and the dormer windows, also with modification. The approved dormers had gabled roofs to match the approved alteration to the main roof rather than hipped as presently proposed. The side addition only has changes to its fenestration. The most significant change is to the approved single-storey rear addition, which would project an additional 700mm but have a reduced roof height; 400mm less.

The proposal would complement the design of the existing house, being of an appropriate scale with fenestration coordinating with that of the upper floors. The dormer windows would be modest in scale and sensitively designed with roof designs matching that of the main roof. A planning condition is necessary to ensure the external materials of the proposal would match those of the existing house.

The comments of the Parish Council in relation to the scale of the development are noted, but the fact is the proposed scale of development is much less than an alternative development that has planning permission and could be lawfully constructed. In the circumstances it cannot be maintained that the current proposal is an overdevelopment of the site. In relation to the distance the side extension would be set from the boundary with 79 Manor Road, that is not changed from the approved scheme (300mm at the front and 800mm at the rear) and Members are advised the policy preference for setting in extensions from site boundaries at least 1m only applies to the upper floors of proposed extensions. Adopted planning policy allows for single-storey side extensions to project up to site boundaries. In this case, any potential terracing effect would be mitigated by the fact that the proposed side addition would only be single-storey, the degree of separation of the flank of 79 Manor Road from the site boundary (2.2m) and the fact that the house at 79 is set at higher level than that at the application site. Moreover, the houses concerned are set between 25 and 30m from the front garden boundaries, with the front wall of 79 set some 5m forward of that of 77, which both reinforces the visual separation of the two houses and ensures the proposed side addition would not be readily visible from the street.

The proposal would safeguard the living conditions of neighbours. No excessive overlooking would arise from the proposal which would not appear excessively overbearing when seen from neighbouring properties.

Consultation with the Council's Tree and Landscape Officer following an inspection of the site confirms no preserved trees would be harmed by the proposal. The main concern of the Tree and Landscape Officer relates to the potential for building materials to be stored in the front garden within the root protection zone of the preserved oak in the front garden. It is appropriate to deal with that risk by imposing the same tree protection condition that was imposed on planning permission ref EPF/1764/11.

Conclusion:

The proposal is a much reduced revision to that approved under planning permission ref EPF/1764/11. It would complement the appearance of the existing house, appear appropriate in

the street scene and would safeguard the living conditions of neighbours. No preserved trees would be harmed by the proposal and it is appropriate to impose planning conditions on any planning permission given to safeguard trees on site during construction. Accordingly, the proposal complies with relevant 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:

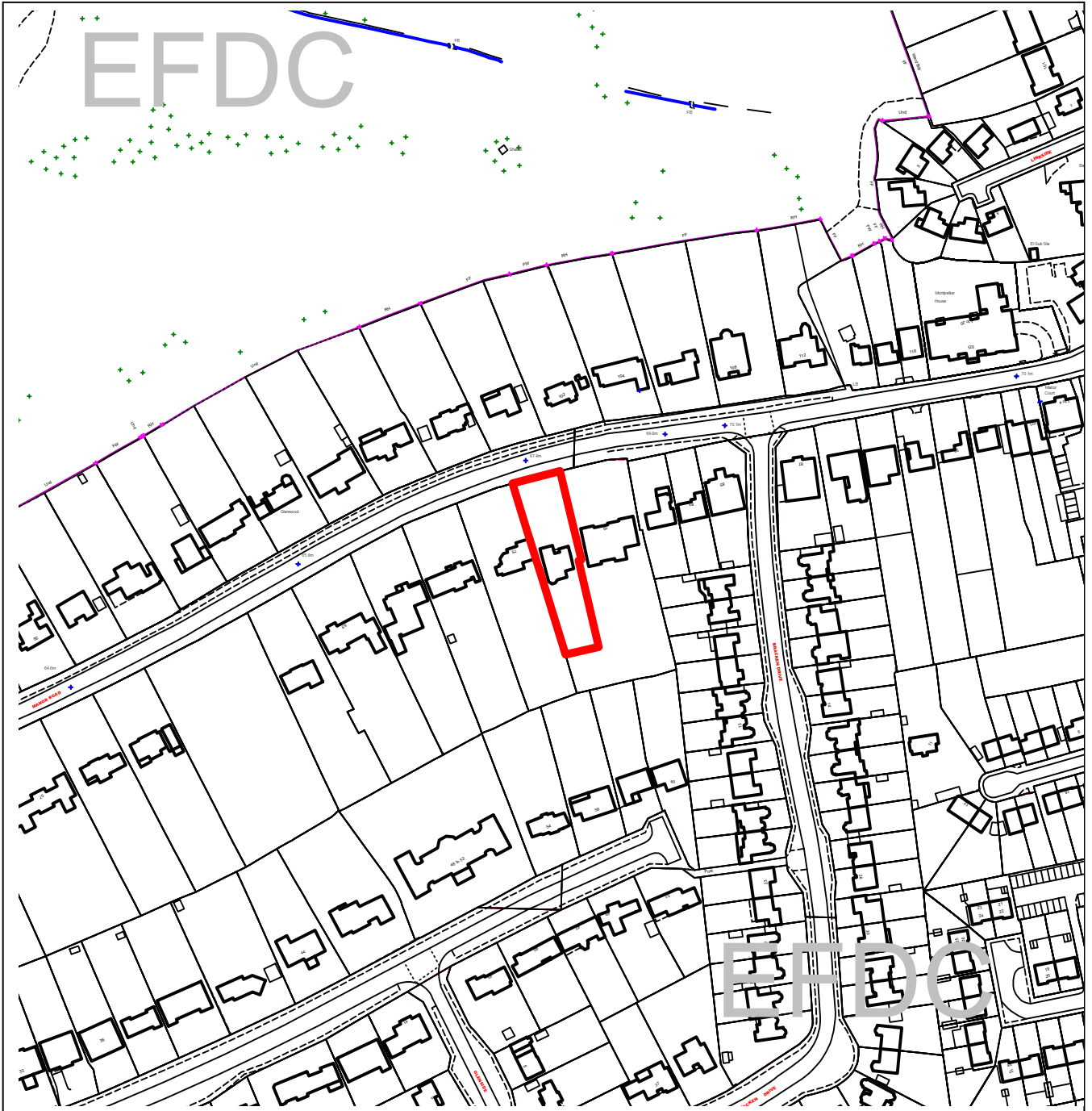
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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:	6
Application Number:	EPF/0384/13
Site Name:	77 Manor Road, Chigwell IG7 5PH
Scale of Plot:	1/2500

Report Item No: 7

APPLICATION No:	EPF/0435/13
SITE ADDRESS:	2 Chigwell Park Chigwell Essex IG7 5BE
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Sivanesan Subramanaim
DESCRIPTION OF PROPOSAL:	First floor side/part two storey rear extension and part single storey rear extension. (Revised application)
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=546650

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 Prior to first occupation of the development hereby approved, the proposed window openings in the flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 Notwithstanding the approved plans the proposal shall be constructed using pile and ground beam foundations.

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 is a two storey detached property located on the north side of Chigwell Park within the built up area of Chigwell. The property sides onto No. 197 High Road and the plot is staggered partly around the side of this property. The property has a single storey side addition which was once a garage which is now used as habitable accommodation. The main rear wall of No. 2 Chigwell Park is some 4.5m beyond the rear of No. 4 Chigwell Park. There is a row of

conifer trees within the rear garden of No. 197 High Road which sides onto the application site. Chigwell Park slopes down to the west, though the site itself is relatively level. The site is not within the Green Belt or a Conservation Area.

Description of Proposal:

The proposal seeks planning permission for a first floor side extension above the existing single storey addition. The side addition measures 2.7m wide and runs the full length of the property and extends to the rear by 3m creating a 6m wide, 3m deep first floor addition to the rear. The proposal also includes a 4m deep single storey extension across the full width of the existing property and existing side addition, with the first floor addition above this with a depth of 3m.

Relevant History:

Ground works have commenced at site following submission of this application.

EPF/2368/12 – First floor side/part two storey extensions and part single storey rear extension - Withdrawn

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 - Design

Summary of Representations:

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application because it is seen as an over development, and considers the bulk of the proposed development to be excessive in relation to No. 4 Chigwell Park, and New Elm House (197 Chigwell High Road)

NEIGHBOURS

7 neighbours were consulted:

197 HIGH ROAD – Objection – out of scale, overdevelopment, roof not significantly lower, clumsy appearance, too close to 197, loss of sunlight and daylight, overbearing

4 CHIGWELL PARK – Objection – Excessive bulk, flat roof not in keeping with aesthetic of the house, overbearing and loss of daylight.

3 CHIGWELL PARK – Objection – bulky appearance, trees would need to be cut back, impact on the streetscene.

Issues and Considerations:

The application has been revised following the previously withdrawn application with this application reducing the depth of the first floor element from 4m to 3m in depth. The main issues that arise with this application are considered to be the following:

- Design Issues
- Impact on Neighbouring Amenity

Design Issues

The proposal steps down in height from the existing ridge by 0.2m, although this is a small amount this adequately creates a more subservient addition to the house and this is considered an acceptable design approach within the streetscene. The first floor addition is 0.9m from the side boundary, but there is no adjacent house (but rather a rear garden) and therefore no fear of a terracing effect.

Although the trees along the rear boundary of 197 High Road will need to be pruned back to facilitate the upper floor element of the development, the trees are not protected and the owner of the application property can prune any overhanging branches without any permission. In addition the Agent has confirmed that the foundations of the rear addition will be piled foundations on this side with ground beams rather than strip foundations and this will avoid any significant harm to the trees. A condition requiring the foundations to be piled can be added to any decision to ensure that this method is used during the construction process.

The rear extension is flat roof for the single storey element, with a hipped roof for the two storey element, in common with many extensions to houses and considered an acceptable design approach.

Amenity

With regards to No. 4 Chigwell Park, the property will extend some 8.5m beyond the rear of this property due to the existing staggered rear building line of this property, which is a large distance. However, the element closest to No. 4 Chigwell Park, is single storey with a maximum height of 2.8m, and is set in 1m from the shared boundary. The two storey element is some 4.2m from the boundary. Although there may be some impact on the amenity of this neighbour it is not considered so material, given the above, to justify a refusal. In addition a single storey 4m deep rear extension could be built as permitted development, which would have exactly the same impact.

With regards to the impact on No. 197 High Road, the proposal will result in a 14m deep 2 storey wall, 1m from the rear boundary of No. 197. The proposal has been reduced in depth at this boundary by 1m since the previous withdrawn application and although a substantial extension, the proposal is considered acceptable with the reduced depth, in terms of impact on the amenity of the neighbour at No. 197, particularly that of visual amenity. The proposal will be well screened from this property by the existing conifer trees at the boundary, which provide a good level of screening between the two properties and as discussed above, can be retained due to the proposed construction methods.

In addition, the existing conifer trees must impact on the amenity of No. 197, particularly as they appear higher than the proposed extension and therefore any visual or amenity impact will be minimal. In addition the roof will pitch away from the shared boundary which both reduces the bulk and height at the boundary with No. 197 and therefore any overall impact.

Conclusion:

In plan form, the proposal looks like it would potentially impact on the amenities of the occupants on 197 High Road close to and east of the site. However, the site conditions are such that there will be minimal impact, subject to the retention of the tree screen which is in the control of no.197, and the suggested planning condition will limit the potential harm to this screen. Given the above discussion, the revised proposals are considered to result in an acceptable scheme and approval 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: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371**

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/0435/13
Site Name:	2 Chigwell Park, Chigwell IG7 5BE
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0450/13
SITE ADDRESS:	38 Smarts Lane Loughton Essex IG10 4BX
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mrs Shirley Watson
DESCRIPTION OF PROPOSAL:	Erection of a two storey side 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=546750

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 is a semi detached two storey property fronting Smarts Lane. The property maintains a side entrance and off street parking to the side. The site is in the urban Loughton area, not in the Green Belt and is not in any Conservation Area.

Description of Proposal:

The applicant seeks planning permission for a two storey side extension 4.2m wide, 6.8m deep recessed from the front wall by 2.5m. This means the proposed side extension projects 1.1m to the rear plus a bay at a further 0.5m.

The additional space would be used at ground floor to relocate the kitchen, providing a family room in the original building, and hall and utility areas. At first floor the proposals would provide two further bedrooms and a bathroom area.

Relevant History:

None

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
DBE9 – Loss of Amenity
DBE10 – Residential Extensions
NPPF

Summary of Representations:

LOUGHTON TOWN COUNCIL: Object. The two storey side extension was considered an overdevelopment of the site and over-large in relation to the original size of the house contrary to policy DBE10 of Epping Forest District Council's Adopted Local Plan and Alterations.

Concern was expressed for the loss of amenity to the neighbour at no. 40 Smarts Lane, and for the development's proximity to this dwelling which was a fine unaltered mid-Victorian property on the District Council's Local List of Buildings in Loughton.

5 neighbouring properties were notified with 1 response as follows:

40 SMARTS LANE – The proposals are contrary to policy DBE10. The proposals will remove the existing green space between 38 and 40 as well as block views across the street and change the existing pattern of properties along the street. The extension seeks to copy the existing building as opposed to providing a visually appealing design. At its narrowest point the new extension is less than 1m from the boundary with number 40. The proposals would overshadow rear openings.

Issues and Considerations:

The main issues that arise with this application are the potential impact to the street scene and neighbouring properties in terms of visual amenity and design, then also the potential adverse impact to neighbouring properties.

Street scene

The proposals would result in a significant increase of the floor space of the dwelling, however as the property is outside of the Green Belt, the floor space increase in principle is not unacceptable. The scale of the proposals has been designed to reflect the size of the plot and the original dwelling, with the depth of the extension and height of the proposals relating to the original property. The proposed extension would be offset from the neighbouring property at no.40 by around 1m, albeit 0.9m as measured from the front corner. However, this would not significantly alter or detract from the character of the street. Smarts Lane maintains a varied and mixed built character with a diverse range of building designs, therefore the proposals would not appear out of keeping with the character of the street.

The neighbouring property at number 40 is noted to be Locally Listed, however the proposed extensions would be well separated from the building and have no bearing on the status of the Locally Listed building.

Neighbouring amenity

The attached neighbour would be well separated from the proposals and would thus be unaffected. The detached neighbour at number 40, immediately adjacent to the extension, has objected and would have a reduced outlook from side openings as a result of the proposed

extension. However, the proposed extensions are offset from the boundary, the neighbouring windows are set back from the boundary also (by around 2.5m) and cumulatively this provides an outlook of in the region of 3-3.5m. This distance would allow some light into the rooms and would provide a relationship between properties visually akin to others along Smarts Lane.

It should be noted that whilst no high boundary is in place at present, the rearward side openings on the neighbouring property could be obscured by boundary treatments of up to 2m on the boundary without requiring planning permission. Furthermore the side extension maintains a hipped roof, which allows maximum penetration of light for the neighbouring windows which are south facing, thus receive good amounts of light.

In terms of loss of privacy to the rear, the proposed first floor windows would not benefit from any greater outlook than the existing windows, therefore no concerns are raised.

Other matters

The proposals result in the relocation of off street parking, in an area where on street parking is an issue. Parking provision is retained, therefore no concerns are raised.

Conclusion:

The proposals are considered acceptable in design terms therefore no concerns are raised in regard to impact to street scene.

The proposals would have impacts to neighbouring amenity due to the number of flank windows provided on the neighbouring property, however the adverse impact is not considered to be to a significant enough degree to be sufficient to justify refusal. The side extension is set back from the frontage to avoid the front flank window and provide a degree of outlook to those towards the rear. The separation distance would allow penetration of light in what is a favourable orientation and this is assisted further by the hipped roof. Therefore the proposals are considered acceptable and approval is 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:

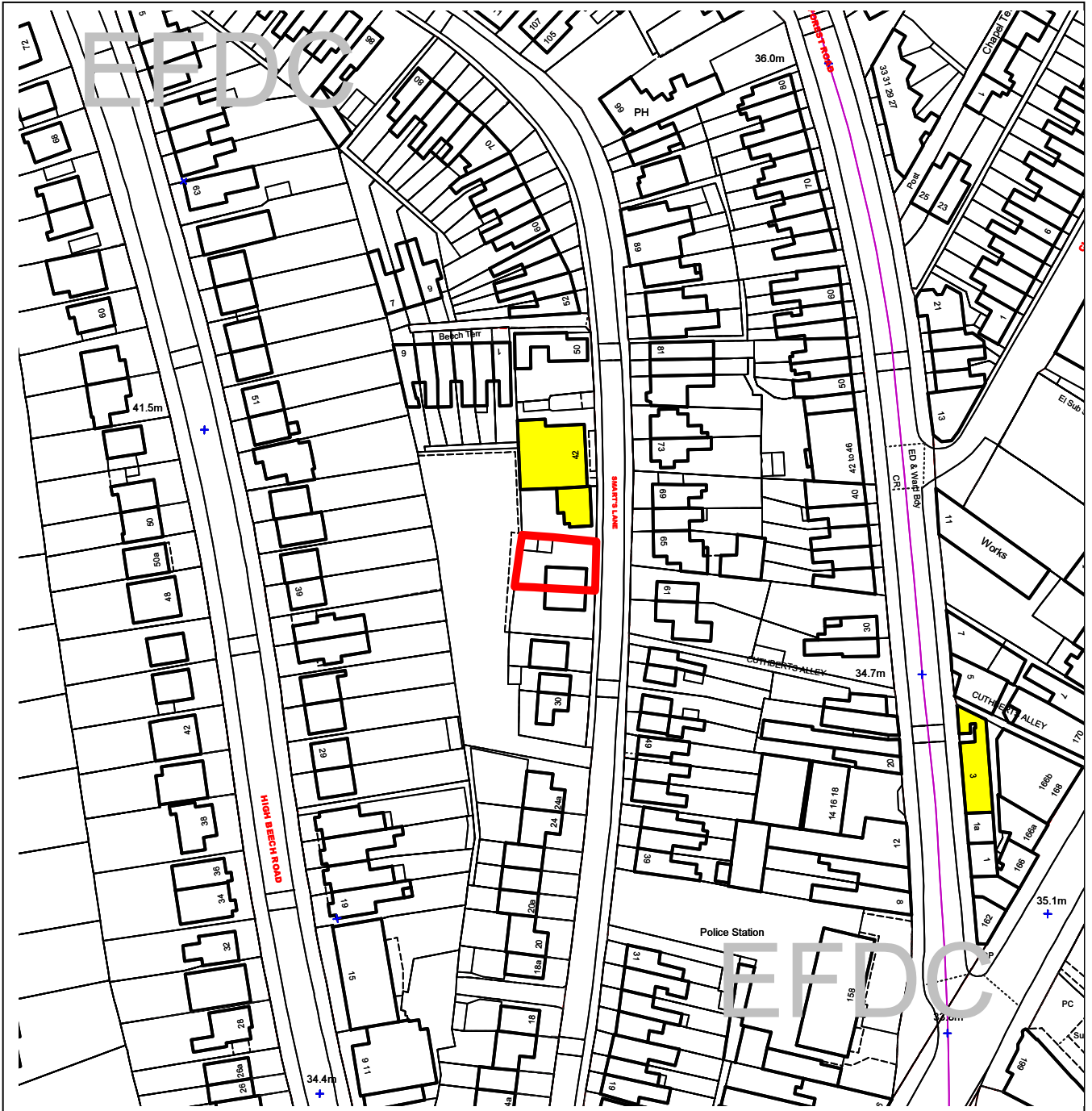
**Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481**

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/0450/13
Site Name:	38 Smarts Lane, Loughton IG10 4BX
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0059/13
SITE ADDRESS:	63 Manor Road Chigwell Essex IG7 5PH
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Imran Umrani
DESCRIPTION OF PROPOSAL:	TPO/EPF/10/74 T7 - Cypress - Fell T28 - Plum - Fell
RECOMMENDED DECISION:	Split Decision: T28 Grant Permission (with conditions) T7 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=544794

T28: CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

T7: REASON FOR REFUSAL

- 1 Although it is recognised that T7 cypress is displaying early signs of infection this is not sufficient to justify the loss of its visual and other amenity. The loss of the tree's existing and potential visual amenity is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

This application is before this Committee having been deferred at the meeting of March 13th for further consideration of the cypress tree's safety. The report now includes an additional paragraph, "Tree safety". The report also clarifies the impact on current screening that would result from removal of the cypress and the replacement planting that the applicants are willing to provide.

Description of Site:

This large residential site has been subject to major redevelopment in recent years. Now a large new dwelling occupies much of the width of the site but a strong tree presence maintains a remnant forest character to the front garden. Several large Monterey cypress trees have been strategically planted and are now large and mature. The character of the area is that of large private dwellings in expansive grounds.

Description of Proposal:

T7 - Cypress - Fell
T28 - Plum - Fell

Relevant History:

There are no recent records of pruning or removing trees at the site on record but several dead or ailing trees have been removed to assist in the practical progress of the construction works.

Relevant Policies:

LL9: Felling of preserved trees. The Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree.

Summary of Representations

CHIGWELL PARISH COUNCIL objected to the felling of important trees but would be willing to waive their objection should the tree officer deem the works acceptable

Issues and Considerations:

Issues

The reasons given for this application have been summarised, as follows:

- i) T7 Cypress has brown growth and unbalance in the lower crown due to past competition with a smaller tree.
- ii) T28 Plum is in a poor condition, with decay within the main stem.

i) Cypress.

This is a highly visible tree, important in its own right, which also helps to maintain the spread of natural screening across the front of the property. However there are clear signs of infection, with small areas of brown foliage across the crown and the crown form is imperfect, with broken branches and deadwood. It is also now visibly somewhat one-sided. It presents its best face to Manor Road, however, when viewed from the southern aspect, a gap is clearly visible where a smaller cypress has been recently removed, with agreement. This area will not grow back and detracts from the tree's generally impressive appearance.

Tree health

In relation to the browning, across the district and elsewhere Monterey cypresses have long suffered from the fungal infection, Coryneum Canker, which appears initially on branch tips. Dieback of branch ends occurs randomly across a tree's crown. As the disease advances whole sections of the crown die off and lose all foliage. Ultimately the tree succumbs. However this can be delayed by careful removal of infected branches, which greatly reduces the speed of spread of infection within the tree.

In this case, inspection shows a relatively small amount of tip browning and no large areas of defoliation.

It is considered that at this early stage of infection the tree's size and imposing evergreen skyline profile, on the front boundary of the property, outweighs the adverse visual impact and shortened life expectancy, particularly bearing in mind that pruning could make a significant positive impact.

The Safe Useful Life Expectancy might be up to 15 years but subject to review should no pruning be carried out and were the tree to deteriorate rapidly.

In relation to the form, while it is imperfect, the appearance could be improved by pruning, and in particular removal of deadwood and the broken and diseased branches. It is not considered that this justifies felling.

Tree safety

A close visual inspection of the stem base examined the apparent cracks in the trunk. The fluted stem formation is typical of the species and does not indicate any structural fault. There is therefore no case to fell the tree as unsafe on those grounds.

Visual impact of removal

While there are trees to either side, there are no trees present which would help direct screening of the property following removal of the cypress. A plan will be available for members to show the relationship between the several existing trees and how they relate to views of the property.

Replacement planting

The original offer was to replace the Monterey cypress with a single native oak. Officers accept that replacement planting with semi mature trees could help provide compensatory screening. Rather than a single, conventionally sized oak it has been suggested to the owner that she should consider agreeing to plant 2 new semi mature trees, of species that would add distinction to the frontage. One would be the immediate replacement; the other would be as part of the landscape scheme for the development (which is still outstanding). Together with the recently planted Holm oak these would in the medium term provide significant visual amenity.

The applicant has confirmed that the cost of semi mature trees as suggested was not affordable, but that she would be willing to provide 2 trees at the same size as the Holm oak.

ii) Plum

This old orchard tree is located in the rear garden, along the side boundary and is in clear decline. Decay is visible within the main stem and bark is peeling from the stem. The crown is full of deadwood and the tree is of no public visual significance. Its removal would have no landscape impact.

In relation to its replacement, while the policy suggests that a replacement should be required, given its location it is considered that this requirement could be set aside, on grounds of (lack of) visibility.

Conclusion

The Monterey cypress is a striking and important tree. On balance it is considered that its removal would be premature. It is, therefore, recommended to refuse permission to fell this tree on the grounds that the reasons given do not justify the tree's removal. This part of the proposal is contrary to Local Plan Landscape Policy LL9.

T28 Plum is in poor condition and insignificant in landscape terms. It is recommended to allow this tree to be removed and that the need to replace it be waived.

In the event of members allowing the felling of T7 cypress then it is recommended that a replacement planting condition be attached to the decision notice requiring a suitable replacement in that location. In that event members should give consideration to the size of replacement required.

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:

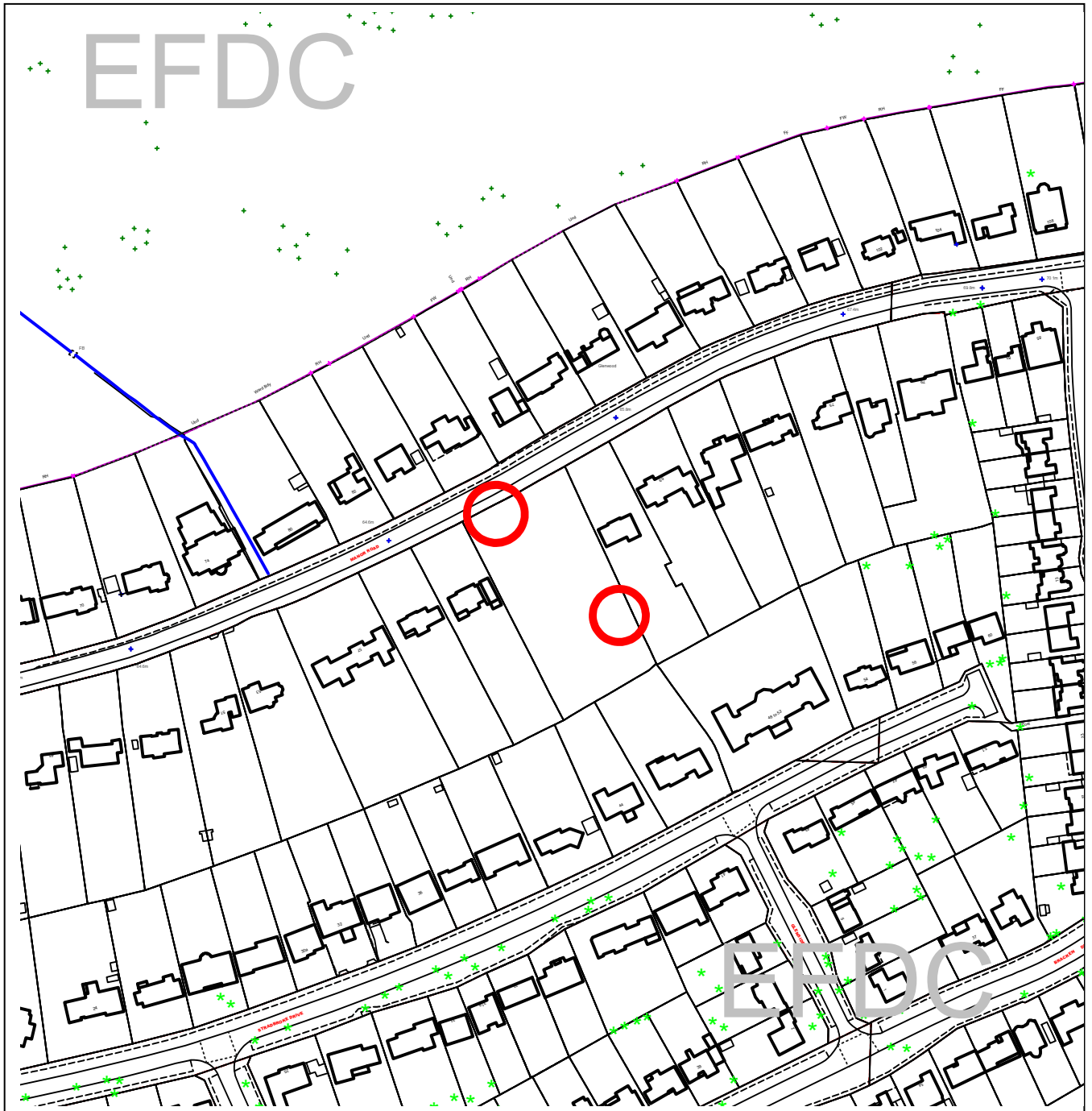
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

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:	9
Application Number:	EPF/0059/13
Site Name:	63 Manor Road, Chigwell IG7 5PH
Scale of Plot:	1/2500

Report Item No: 10

APPLICATION No:	EPF/2016/12
SITE ADDRESS:	128 Manor Road Chigwell Essex IG7 5PR
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Infront Innovation
DESCRIPTION OF PROPOSAL:	TPO/EPF/23/99 T1 - Oak - Fell
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=542604

REASON FOR REFUSAL

- 1 The information supplied is insufficient to demonstrate that the proposed felling and replacement is either necessary or justified. A reasonable degree of reduction of the crown area would be consistent with policy LL8 , and without prejudice would give the owner reassurance that followed superstructure repairs as proposed by the insurers then a reoccurrence of the structural problems would be even less likely. The loss of the tree's existing and potential visual amenity is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

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

Description of Proposal:

T1, Oak. Fell.

Description of Site:

The tree stands approximately 12 metres tall, on the front boundary of this single storey, detached residential dwelling. The tree is a notable local landscape feature. It forms a strong visual group with the trees on the green east of the Hainault Rd junction.

Relevant History:

TPO/EPF/23/99 was served to protect this tree in response to a threat of felling, having regard to its visual importance and potential historic interest as a lapsed pollard.

EPF/0722/11: application to fell on grounds of alleged subsidence- withdrawn 16/04/12.

EPF/0919/06: selective side reduction by 25% and crown lift- approved with conditions.

EPF/0712/01: reduction of spread by 2m- approved with conditions.

There is a parallel application, to reduce the crown by 70%, ref EPF/0045/13

Policies Applied:

Epping Forest District Local Plan and Alterations: LL09, Felling of preserved trees.

Summary: to be acceptable felling must be both necessary and justified.

Summary of Representations:

CHIGWELL PARISH COUNCIL objects to the application to fell a protected tree without appropriate replacement.

Issues and Considerations:

General background

This is a second application to fell this oak as a result of subsidence, the earlier having been withdrawn last year following discussion with the council's landscape officer and as a result of the weakness of the evidence then presented

The application is supported by:

1. an engineer's report dated September 2009,
2. a 'Visit Report of' May 2012, with notes and photographs,
3. a further site investigation report of May 2012,
4. a "Site Investigation Review Report" dated June 2012, and
5. level monitoring up to December 2012.

Officers have commissioned independent structural engineer's reports on both the previous and current applications. The Landscape Officer has seen the interior of the property, however the council's engineer relied on external inspection and the information provided. The Landscape Officer has suggested a joint engineers discussion to resolve the difference of engineering opinion. However that request has now been refused by the agent, in the following terms:

"Please note for the file, and the purposes of any s202 compensation claim that may follow from the refusal.

- We have been made aware of concerns regarding the technical evidence. These are not shared by our client's engineer who remains of the opinion that the damage is attributable to the tree.
- We have not been asked to refute information, just provide additional site investigations, which the case engineer does not believe are needed.
- It is therefore your opinion that you have no basis for any recommendation other than refusal.
- It remains the opinion of the case engineer that the site investigations do implicate the tree and support their opinion that damage is attributable to the tree."

The tree

The tree stands on the front boundary of the property, by the access drive, approximately 12m from the building itself and set slightly below it. The tree is a healthy oak, not particularly tall (estimated at 13m height) but with a broad and well shaped crown of typical oak form. It seems clear from the tree's form that it was kept as a pollard for many years, but that pollarding lapsed some 40 years ago, since when it has been allowed to develop with just occasional minor pruning.

The engineering evidence

The majority of the supporting evidence is contained in the report of May 2012. This confirms that damage was first reported in August 2009, comprising mainly of exterior damage to barge boards and internal cracking to the rear and centre parts of the property, as well as cracking of the concrete drive. The claim was initially repudiated as not subsidence related. That was disputed, and the claim was re-opened. Further investigations still failed to show the presence of key elements of subsidence; in particular the sub-soil was not shown to be desiccated, despite the presence of oak and cypress roots in the exploratory hole. Level monitoring was also commenced. One set of readings showed excessive movement of the bay to the front of the property, however that was considered an anomaly.

Despite the weakness of the evidence, the claim was nevertheless validated and the original felling application made. The estimated costs of underpinning were stated to be £10,000 in the event that the tree felling were not to be agreed. However P Kelsey Associates, for EFDC, disputed the evidence for causality and the need for underpinning.

Following withdrawal of the previous application the property was re-visited by the insurer's engineer. As at May 1st he found:

- Minor damage adjacent to the front bay window
- Minor internal cracking in the right hand bay
- Minor internal cracking to bedrooms on the mid right flank of the property

There was stated to be no cracking to the rear of the property. All floors were level, and all cracking was categorised as "light" or "very slight" (BRE Digest 251). In relation to the damage to the bay, movement of a beam held on the supporting post to its right had previously been suggested as the cause, but the report notes the lack of supporting evidence for the assumption that this subsidence resulted from tree root activity. It also noted that, although the monitoring showed minor movement in the right hand side of the building, there were gaps in the technical evidence to support root related subsidence as the cause. The report recommended further investigations, but noted that "damage at both locations is minor and structural repairs are considered appropriate".

The additional evidence collected in May, set out in the review of June 2012, found that the clay soil beneath the right hand flank wall was desiccated and that this was likely to be the cause of the cracking in that part of the house. However, the degree of drying was "relatively low" and the level monitoring in that area of the building showed "relatively little change".

Key issues

It is considered that the key issues are:

- How important is the tree as a visual amenity in its location?
- Has the damage to the property been demonstrated to be caused by the oak?
- Has felling the oak been demonstrated to be an effective solution?

1. Importance of the tree

The tree is not of the highest importance; it is large, but not particularly tall and is not a veteran. Nevertheless it is an attractive tree, which forms part of a locally important group and is a noticeable and important element of local character. Oak is the signature tree of Chigwell. Its replacement with a sapling of a different species, as proposed, would represent a considerable and permanent diminution of local visual amenity. The CAVAT valuation has been calculated as (in round terms) £100,000. (CAVAT expresses the tree's value in terms of the expenditure on new planting necessary to achieve an immediately equivalent level of public amenity).

2. Causation of damage

There is damage to the property, albeit of a slight nature. However there is no clear evidence that this is caused by root related subsidence.

Another potential cause, leaking drains, has been discounted. The single causative mechanism clearly identified has been subsidence of the structural wooden post by the bay. However the report of May clearly states that there is no evidence that root activity has caused this. The latest review, of June 2012, attempts to find evidence linking the movement of the rear right hand side of the building to the tree. However, in relation to that, Andrew Martin, of P Kelsey Associates, points out inconsistencies in the evidence, and in particular that the main drying of the soil occurs below 3m, while there is no evidence of root activity below 2m. The submitted level monitoring shows minimal movement of the building, with little evidence of any seasonal effect and little differential movement across it, both of which would be expected if the oak were a significant cause of damage.

At the landscape officer's visit, on February 14th 2013, he also noted damage in the kitchen, at the rear of the building furthest from the tree, not mentioned in the application report. This is also not consistent with causation by the oak.

3. Need for felling

The report of June 2012 contains this statement:

"In the event that mitigation attempts (i.e. agreement to tree felling) do not succeed, given the relatively small changes in level to date and the modest degree of desiccation, it is expected that robust superstructure repairs will have a good prospect of performing satisfactorily even if the oak tree remains.

It cannot then be said that removal of the tree is necessary, since robust superstructure repairs would be expected to be necessary in any case. The most that could be said would be that tree removal would give the owner and insurers greater future certainty that damage would not recur. However, that could equally be achieved through a sensible management regime for the tree.

Conclusion

The evidence submitted does not demonstrate that felling of the oak is either necessary or justified. Even allowing for replacement planting the proposal is therefore contrary to policy LL9 of the Adopted Local Plan and Alterations.

In particular it is not clear that the permanent loss of the oak's significant public amenity would have any benefit in terms of the structural integrity of the building or the cost of repairs. Additionally carefully specified crown reduction could be agreed as reasonable management, which would contribute to giving the owner reassurance about recurrence of future damage.

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:

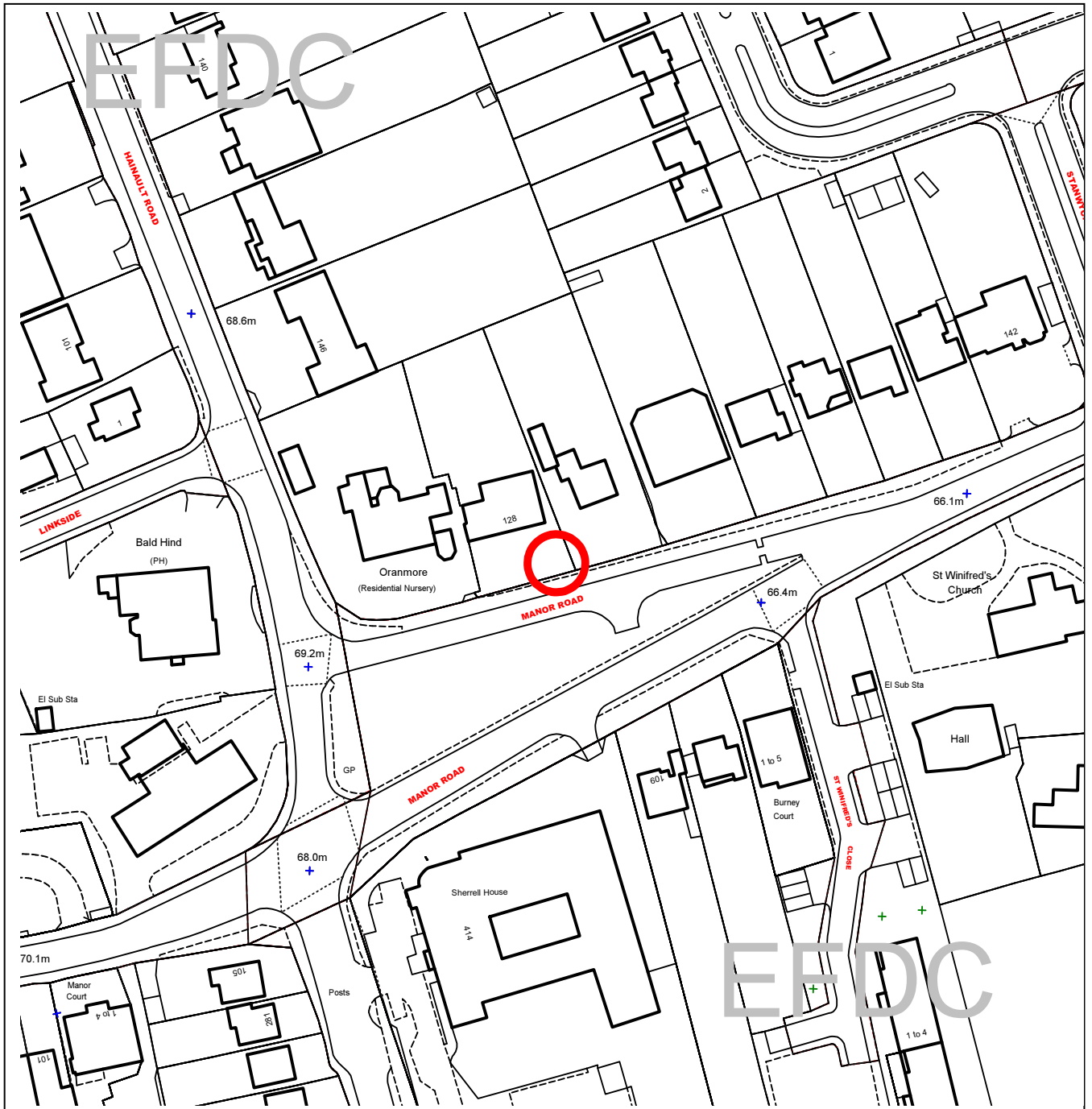
**TPO Application Case Officer: Christopher Neilan
Direct Line Telephone Number: 01992 564117**

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:	10 & 11
Application Number:	EPF/2016/12 and EPF/0045/13
Site Name:	128 Manor Road, Chigwell IG7 5PR
Scale of Plot:	1/1250

Report Item No: 11

APPLICATION No:	EPF/0045/13
SITE ADDRESS:	128 Manor Road Chigwell Essex IG7 5PR
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Infront Innovation
DESCRIPTION OF PROPOSAL:	TPO/EPF/23/99 T1 - Oak - Reduce crown by 70%
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=544730

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 The crown reduction authorised by this consent shall consist of a 45% linear reduction of the existing crown's radial spread and height outside and above the original, inner pollard points, cutting outside the secondary reduction points which are at approx 4.25m. outside and above the inner pollard points.
- 3 The crown thinning authorised by this consent shall consist only of the removal of congested, minor sublateral branches, as shall be agreed on site before commencement of works. It shall result in no additional overall reduction of height or spread of the crown.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (2010) (or with any similar replacement Standard).
- 5 The works hereby authorised shall be undertaken only within the periods June 15th to September 30th inclusive and December 1st to March 31st inclusive.

This application is before committee since it needs to be considered alongside the felling application, EPF/2016/12, which is itself before committee since all applications to fell preserved trees are outside the scope of delegated powers.

Description of Site:

The tree stands approximately 12 metres tall, on the front boundary of this single storey, detached residential dwelling. The tree is a notable local landscape feature. It forms a strong visual group with the trees on the green, east of the Hainault Rd junction.

Description of Proposal:

T1, Oak. Reduce crown by 70%.

Relevant History:

TPO/EPF/23/99 was served to protect this tree in response to a threat of felling, having regard to its visual importance and potential historic interest as a lapsed pollard.

EPF/0722/11: application to fell on grounds of alleged subsidence- withdrawn 16/04/12.

EPF/0919/06: selective side reduction by 25% and crown lift- approved with conditions.

EPF/0712/01: reduction of spread by 2m- approved with conditions.

There is a parallel application, to fell and replace, ref EPF/2016/12.

Policies Applied:

Epping Forest District Local Plan and Alterations: LL08, works to preserved trees.

Summary of Representations:

CHIGWELL PARISH COUNCIL objects to any application resulting in inappropriate treatment being carried out to a protected tree. However it would waive its objection if the district council's professional officers considered the application acceptable, with amendments or not

Issues and Considerations:

General background

The application is backed by much of the evidence submitted in respect of EPF/2016/12, including the arboricultural report which recommends felling, and nothing additional to that application. Crucially it contains no rationale for the proposed quantum of pruning. Nor does it clarify exactly what is meant by the specification, or what it is intended to achieve.

The tree

The tree stands on the front boundary of the property, by the access drive, approximately 12m from the building itself and set slightly below it. The tree is a healthy oak, not particularly tall (estimated at 13m height) but with a broad and well shaped crown of typical oak form. It seems clear from the tree's form that it was kept as a pollard for many years, but that pollarding lapsed 40 or more years ago. It then grew to approximately its current extent, before being reduced by about half, to secondary reduction points some 4m outside or above the original pollard points. However that reduction was not repeated and the crown has regenerated. Since the TPO was made in 1999 the crown has been allowed to continue to develop with just 2 instances of agreed, minor pruning.

The engineering evidence

The engineering evidence has been fully considered in relation to EPF/2016/12. In summary, while there is cracking in several parts of the house there is no compelling evidence to support the assertion made by the applicants that the cracking is linked to tree root activity. As a result a reduction of the tree as a contribution to remedying the existing problems has not been demonstrated to be necessary and cannot therefore be justified on those grounds.

Key issues

It is considered that the key issues are:

- Is there justification for pruning, other than as a remedy for subsidence?
- Would a 70% crown reduction be acceptable?

1. Justification for pruning

Given the tree's history and location in a relatively modest front garden it is considered that a greater degree of reduction than hitherto applied for could be justified, as a sustainable approach to retaining the tree for the long term. It would give existing and future owners confidence that the structural integrity of the building would be maintained, subject to robust repairs as proposed by the engineer in the review report of June 2012. Providing that reduction respected its existing crown structure the tree could be then retained as an important feature of the street scene. It would however need to be carried out carefully and at an appropriate time of year. Conditions are suggested to achieve that.

3. Acceptability of pruning specification

A 70% crown reduction is incompatible with the oak's health and would constitute an unjustified reduction of its value as an amenity. It would carry a risk of entry of major decay into the structure. In terms of its appearance it would mean the effective elimination of the entire crown's fine structure, leaving only the stem and the stumps of the major limbs. The crown would regenerate, but from a smaller base. This diminution of the tree's visual amenity would be excessive and is unjustified

The right place to undertake major pruning, having regard to the tree's structure, would be just outside the points where the major reduction happened some 20+ years ago. This would constitute a sustainable reduction, in that the total immediate reduction in crown area would not be much less than intended by the 70% reduction, particularly if the reduction were combined with a selective thinning of a proportion of the currently tightly packed crown structure. However it would maintain significantly more of the tree's current visual amenity and minimise any risk of extensive colonisation of the crown structure by heartwood decay fungi. Having once been undertaken that reduction could successfully be repeated. To give greater reassurance to the owners an application could be submitted and approved covering pruning over an extended period of up to 15 years at suitable intervals of at least 4 years, subject to notice and supervision.

That option has been put to the agents. Any response will be reported orally to the committee.

Conclusion

The evidence submitted does not demonstrate that pruning of the oak is necessary to resolve subsidence, for exactly the same reasons as set out in the parallel report on EPF/2016/12. Nor has any specific evidence been presented to justify the specification of a 70% crown reduction, which appears both to be arbitrary, not in accordance with relevant guidance and needlessly damaging to the tree's health and appearance. While a lesser reduction would be acceptable the current proposal is therefore recommended for refusal in accordance with policy LL8 of the Adopted Local Plan and Alterations.

Report Item No: 12

APPLICATION No:	EPF/0221/13
SITE ADDRESS:	Roding Valley High School Alderton Hill Loughton Essex IG10 3JA
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Simon Hearn
DESCRIPTION OF PROPOSAL:	TPO/CHI/02/70 T1 - Field Maple - Fell T2 - Ash - Fell T4 - Ash x 2 - Fell T5 - Field Maple - Fell T6 - Ash - Fell T7 - Ash - Fell T8 - Ash - Fell T11 - Grey Poplar - 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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545501

CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 2 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 and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of 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 this Committee because any application to fell preserved trees falls outside the scope of delegated powers

Description of Site:

The trees stand alongside the modern glass elevated walkway linking classrooms across Loughton Brook to a new block including the school cafeteria. There are several tarmac pathways and a bridge around this part of the site. The various modern school buildings are softened by the presence of these trees, which are a key element of the bank side wooded screen.

Description of Proposal:

T1 - Field Maple - Fell
T2 - Ash - Fell
T4 - Ash x 2 - Fell
T5 - Field Maple - Fell
T6 - Ash - Fell
T7 - Ash - Fell
T8 - Ash - Fell
T11 - Grey Poplar - Fell

Relevant History:

There are no records of pruning or removing trees at the site on record but several dead trees have been removed for safety reasons.

Relevant Policies:

LL9: Felling of preserved trees. The Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree.

Summary of Representations

LOUGHTON TOWN COUNCIL regret the felling of so many ash trees but would be willing to waive their objection should the tree officer deem the works acceptable due to disease.

LOUGHTON RESIDENTS ASSOCIATION objected on the grounds that:

1. 8 trees are to be removed and only 7 have been planted in a small area of low public visibility.
2. The three ash screen the unattractive science block
3. Long term loss of amenity even with replanting in same place justifies the request for extra large growing planting.

Issues and Considerations:

Issues

The reasons given for this application include paving disruption, proximity to structures and ill health.

Tree health

T1. Field Maple is stated to be suffering from phytophthora. This is unconfirmed but signs of disease are visible on the main stem indicating ill health.

T6, 7 and 8 Ash are said to be '¾ dead' and this is confirmed by the extensive dieback visible in the crowns of all three trees, which could possibly exempt them from the TPO control, as

dangerous. In any case, given the location of these trees within school grounds, it is accepted that these trees are in terminal decline and must be removed.

Tree proximity to structures

A ground level visual inspection of T1 and 5, Field maple, T2 Ash and G4 Ash x 2 confirmed that the crowns of all these trees are close to or in contact with built structures. Pruning might alleviate this issue and for T9 and 10 this will be sufficient but, when considered with the other issues listed, there are grounds for removing these selected trees to avoid repetitive and disfiguring pruning. T5 Field maple stands close to another better placed specimen, which will be given more space to fully develop

Damage to paving and drains

T1, T2, G4 and T11 Poplar are close to distortions and patterns of disruption to the well used routes through the school site. It is difficult to isolate T11's influence on tarmac from the many other trees but this tree grows directly above a drain run leading to the brook.. No photographic evidence has been provided to confirm the presence of roots but a root survey describes a camera survey that was abandoned due to a root mass blockage.

Replacement planting

Replacement planting for 9 trees has been undertaken and further planting has been agreed upon by the school to ensure adequate screening in the area currently occupied by T6, 7 and 8, where practically possible. The representation by the LRA showed a photograph of an area of screening further along the brook. It is not considered likely that the felling of these three trees will open up views of the buildings since several other matures trees, including T9 and T10, Hornbeam, perform a good screening function in this area.

Conclusion

The numerous trees are of concern and the concerns regarding loss of amenity that have been raised are not substantial or accurate. With evidence of replanting already in place and the need to exercise good tree management in terms of health and safety requirements, it is considered that the removal of these selected trees should be recommended for approval. The proposal accords with Local Plan Landscape Policy LL9.

In the event of Members allowing the felling of these 9 trees, it is recommended that a further replacement planting condition be attached to the decision notice requiring further replacements (two) to be planted at appropriate locations.

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:

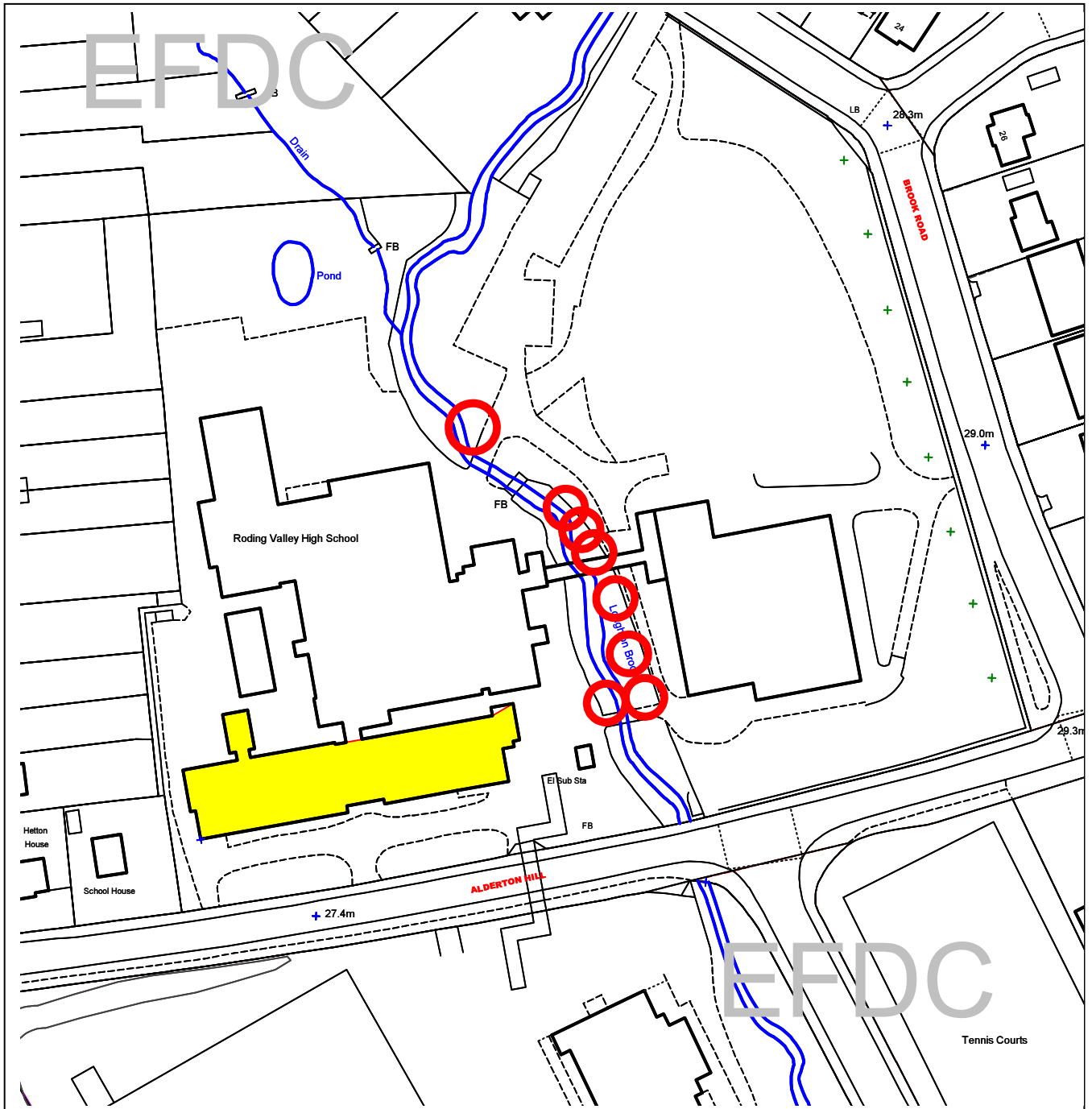
***Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546***

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Agenda Item Number:	12
Application Number:	EPF/0221/13
Site Name:	Roding Valley High School, Alderton Hill Loughton, IG10 3JA
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/0425/13
SITE ADDRESS:	1A Loughton Way Buckhurst Hill Essex IG9 6AA
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr John West
DESCRIPTION OF PROPOSAL:	TPO/EPF/42/88 T1 - Poplar - 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=546591

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 and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

This application is before this Committee because any application to fell preserved trees falls outside the scope of delegated powers

Description of Site:

This recently built detached residential property is an infill plot taken from the rear gardens of properties at 1 and 3 Hurst Road. The tree stands at least 18 metres tall on the front boundary, close to the junction of Roding Lane and Loughton Way. The new dwelling's detached garage abuts this striking Lombardy poplar, which sits on a small mound. It is a prominent skyline feature and commands views in both directions along Loughton way and tributary roads.

Description of Proposal:

T1 - Poplar - Fell

Relevant History:

TRE/EPF/ 14/92 applied to fell the tree and was refused.

Relevant Policies:

LL9: Felling of preserved trees. The Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the trees.

Summary of Representations

BUCKHURST HILL PARISH COUNCIL were willing to defer to the tree officer because insufficient information was provided for them to make comment. They ask that if the tree is to be felled then a replacement be planted.

Issues and Considerations:

This application follows a request from the agent to have the tree inspected by an officer to identify a fungal fruiting body, possibly of *Rigidoporus ulmarius*, erupting at an old wound point in the crown break of the tree at around 3 metres above ground level.

Issues

The reasons given for this application have been summarised, as follows:

- iii) T1 has a fungus visible at a crucial point on the trunk.
- iv) The tree has numerous dead internal vertical branches, which indicate internal decay
- v) The location of the tree presents risk to road users near this busy and controlled junction should branch failure occur
- vi) The tree has a shortened life expectancy and a more appropriate tree for the now limited space might be accommodated safely to provide good visual amenity in the immediate vicinity.

Consideration of the reasons given

- ii) T1 does have a clearly visible decay fungus at a stress point, where previous pruning has left exposed wounds onto which new large spires have developed. If the identification of the fruiting body is confirmed as a brown top rot then it places the tree at risk of brittle stem fracture of the area around 3 metres above ground level.
- iii) There are several dead limbs and stubs with compromised unions within the dense and tightly formed crown. These tall main leaders have also been reduced and dieback at these points is visible, which increases the possibility of upper branch failure in addition to the risk of main leader fracture and collapse.
- iv) The tree's location where vehicles are constantly present, often static, at 45 metres from a traffic light controlled, busy road junction, does pose a high risk. The size of the tree and traffic

directly beneath it, scores highly in a risk analysis, which firmly places the tree in the unviable category.

- v) With the poplar's foreshortened safe life expectancy, it is accepted that a better option would be for a more suitable species and size tree to be provided in replacement, within this limited planting area.

Conclusion

The Lombardy poplar is a striking individual but has clear health problems. With safety considerations of prime importance, it is recommended that the tree should be replaced by a smaller tree in the same location. It is therefore recommended to grant permission to fell the tree on the grounds that health problems put the tree at risk of partial collapse and therefore justifies the need for its removal. The proposal accords with Local Plan Landscape Policy LL9.

In the event of Members allowing the felling of this tree, it is recommended that a suitable replacement planting condition be attached to the decision notice requiring a new tree to be planted at the same location.

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:

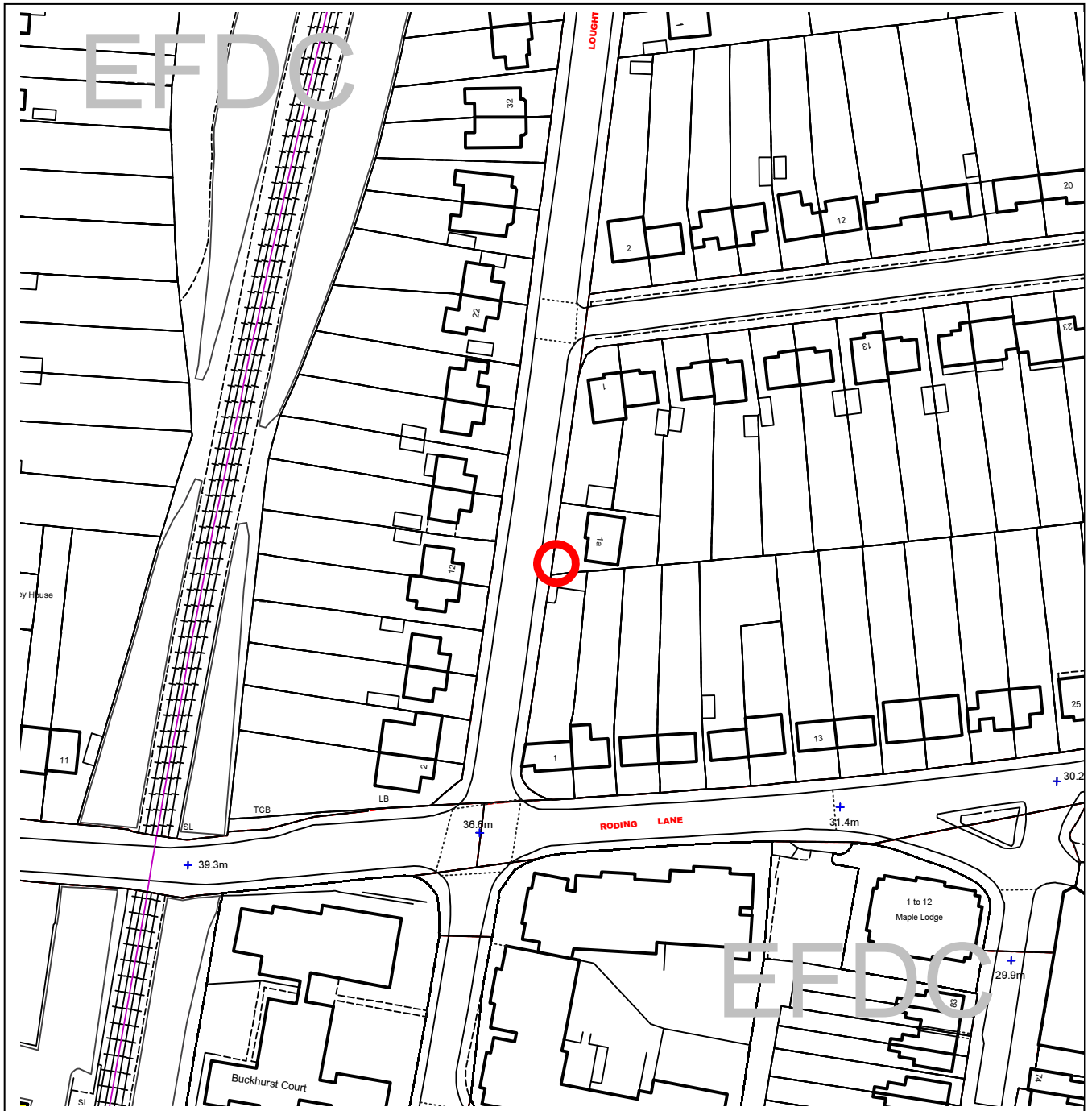
***Planning Application Case Officer: Robin Hellier
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or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	13
Application Number:	EPF/0425/13
Site Name:	1A Loughton Way, Buckhurst Hill IG9 6AA
Scale of Plot:	1/1250

Report Item No: 14

APPLICATION No:	EPF/0446/13
SITE ADDRESS:	12 Stradbroke Drive Chigwell Essex IG7 5QX
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Maher Metin
DESCRIPTION OF PROPOSAL:	TPO/EPF/01/01 T5 - Oak - Fell
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546732

CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 2 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 and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of 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 Site:

This detached red brick new property is located on a leafy suburban residential drive. The tree stands in the rear garden, on the side boundary, visible through the narrow gap between dwellings. At approximately 11 metres in height T5, Turkey oak makes a modest landscape contribution to this part of Stradbroke Drive, which is characterised by mature remnant forest trees lining the road. A spinney of mature English oak across the rear garden provides more expansive tree canopy and a neighbouring birch partially obscures T5 from public view.

Description of Proposal:

T5. Oak. Fell.

Relevant History:

There are no records of pruning to this tree on file.

EPF/0653/99 was granted permission to demolish the existing house at 10/12 Stradbroke Drive and erect two detached dwellings on the site.

TPO/EPF/01/01 preserved several trees, including T5, deemed to be under threat from imminent development activities in constructing two houses very close to existing important trees.

Policies Applied:

Epping Forest District Local Plan and Alterations: LL9 Felling of preserved trees

SUMMARY OF REPRESENTATIONS:

CHIGWELL PARISH COUNCIL: objected to the application but were willing to waive their objection should the case officer deem the works acceptable.

Issues and Considerations:

The application submitted to fell T5 Turkey oak relies on a tree report, which describes structural problems suffered by a zone of paving, part of the rear patio, steps from the house and a section of patio retaining wall.

The main planning considerations are:

- Visual amenity of the tree.
- Tree condition, growth potential and suitability for its location.
- Pruning as an alternative to felling.

Applicant issues

Damage to structures

Distortion to paving slabs, cracks in the brickwork and discontinuities between the main house and the patio and steps are clearly photographed and described in the report.

Two types of tree related damage are alleged. Firstly, direct damage from root growth appears to have forced slabs upwards immediately at the tree's base. This might be remedied by localised repairs without the need to fell the tree. Secondly, however, descriptions of sloping, sunken pavements with associated brickwork cracking is claimed to be subsidence, where small feeder roots have dried the shrinkable clay soil under the structures, causing the shallow footed structures to sink relative to the main house.

No technical information has been submitted to confirm either patio construction details or desiccation levels in the soils in this area. Despite this, the damage is obvious and severe and the likely cause points towards the tree.

Planning considerations

Visual amenity

T5, Turkey oak is a vigorous and healthy tree. Its moderate size and marginal visual contribution to the green character of this part of Stradbroke Drive reduces its public amenity value such that its loss would not unduly harm the local landscape.

Life expectancy

T5's life expectancy would exceed 20 years, despite the compromised trunk base.

Unsuitable tree

T5 has been hemmed in by the extensive spread of the built footprint of the new house and no longer has room to develop naturally. It is located at less than 3 metres from the property and directly in front of a ground floor window. It is now taller than the building and its crown extends close to it.

Tree condition, growth potential and suitability in current position

The tree is a non native variety of oak, self set, early mature and of good form. Its significant growth potential will impact on surrounding structures, including the wooden boundary fence as it matures.

Turkey Oaks can attain heights in excess of 20 metres and require a considerable amount of space. The relationship between the property, the brick pier and the close boarded fence is fundamentally incompatible and destined to worsen over time.

Pruning T5 as an alternative to felling

It is accepted that, in this instance, pruning the tree is not a viable option. The severe and disfiguring reduction necessary to alleviate the ongoing damage issues would remove any landscape value the tree currently holds and repetitive ongoing management is an unreasonable burden.

Planning landscape issues

Agreement to fell offers the opportunity to condition the planting of a better specimen in a more appropriate location to mitigate its loss and ensure good long term landscape continuity. This should be carried out prior to the felling of the tree.

Conclusion:

The tree has limited public value. The location imposed on it, its future growth near the boundary fence, patio wall, paving and steps and its likely continued impact on structures justifies its removal.

It is recommended to grant permission to this application on the grounds that the reasons given provide sufficient justification to allow the tree to be removed. The proposal therefore accords with Local Plan Landscape Policy LL9.

In the event of members agreeing to allow the felling it is recommended that a condition requiring a replacement, prior to their removal, be attached as a condition.

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:

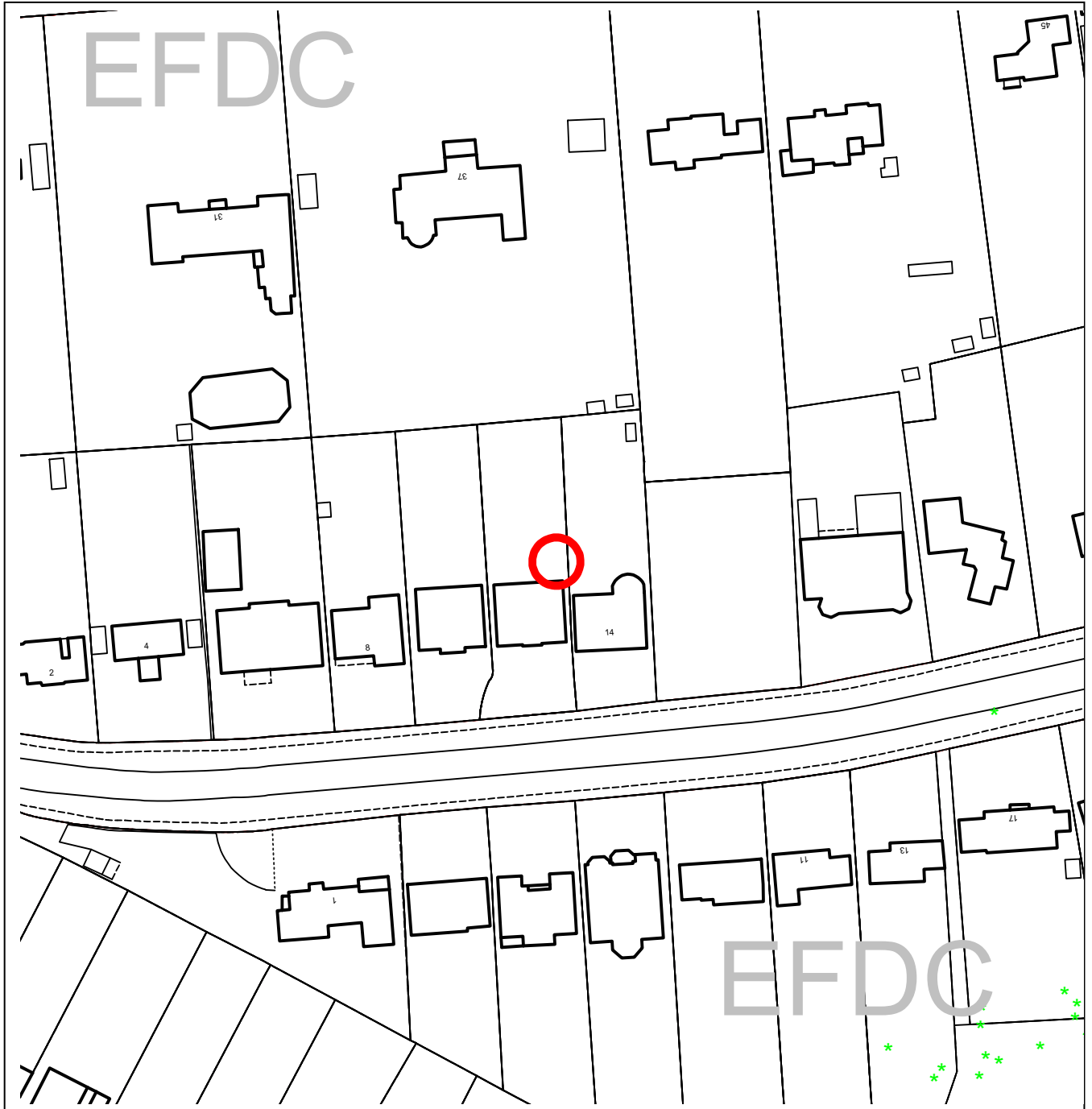
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

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:	14
Application Number:	EPF/0446/13
Site Name:	12 Stradbroke Drive, Chigwell IG7 5QX
Scale of Plot:	1/1250

Report Item No: 15

APPLICATION No:	EPF/0630/13
SITE ADDRESS:	Bald Faced Stag High Road Buckhurst Hill Essex IG9 5HT
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Dev Aliza
DESCRIPTION OF PROPOSAL:	TPO/EPF/41/91 T28 - Lombardy Poplar - Fell T41 - Horse Chestnut - 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=547490

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 and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

This application is before this Committee because any application to fell preserved trees falls outside the scope of delegated powers

Description of Site:

The Bald Faced Stag is a local landmark, set amongst many mature boundary trees, and a prominent lime avenue, which adds further landscape character to the large open space around this busy pub restaurant. The locality is the oldest part of Buckhurst Hill with the High Road running directly past the site.

Description of Proposal:

T28 Lombardy Poplar – Fell
T41 Horse Chestnut - Fell

Relevant History:

TRE/EPF/ 0379/04 approved minor crown lifting to two Horse chestnuts.

Relevant Policies:

LL9: Felling of preserved trees. The Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the trees.

SUMMARY OF REPRESENTATIONS

BUCKHURST HILL PARISH COUNCIL objected and requested a specialist report on the necessity of felling but if (they must be) felled would like trees replaced.

A close neighbour to T41 Horse chestnut supports the felling of this tree but remains concerned that the remaining, extremely tall tree will become unstable and fall on the house with the extraordinary weather recently experienced. Therefore, it is requested that all trees in this cluster are felled.

Issues and Considerations:

The application comes from a tree survey carried out by the agent, who requested that the trees be inspected by an officer to assess a large decaying basal wound on T41 Horse chestnut and a smaller cavity and hollow sounding trunk of the T28 Lombardy poplar. Both trees are considered to be at risk of stem failure.

Issues

The reasons given for this application have been summarised, as follows:

1. T41 Horse chestnut has a large area of decaying heartwood exposed at the base of the stem
2. T28 Lombardy poplar has a small hole at ground level and sounds hollow when tapped with a wooden mallet over at least 60% of the basal stem circumference. Crown dieback is visible in the upper crown.
3. The location of both trees presents risk to road users near this busy road in the case of T28, and a threat to the nearest house in Duchess Grove from T41, should either fail.
4. The trees have lost any safe life expectancy and there is ample space in both instances for replacement trees to be planted to provide good visual amenity in each area.

Consideration of the reasons given

1. T41 was originally a three stemmed tree but one main leader has split at the base leaving a large shard cut to a stump at around 1 metre above ground level. A close examination of the partially healed wound confirmed rotting tissue near to the ground. This places the tree at risk of stem failure as the decay advances across the stem base.

2. T28 shows few external signs of structural weakness other than a small hole at ground level buttress. Among the upright branches are numerous dead limbs, which indicate internal decay. By tapping the trunk near ground level it became obvious that beneath the intact bark layer there was a large amount of hollow cavity extending around the tree to around two thirds of the circumference.
3. T28's location provides many targets in the form of vehicles and pedestrians using the main road or the entrance to the busy pub restaurant. A risk analysis would identify the tree as a very large threat, based on its size and the likelihood of its failure, to many targets. This produces a high total risk score and firmly places the tree in the 'fell' category.
4. The size of the site offers plenty of scope for planting new trees in suitable locations in advance of the felling of both trees. The presence of many other trees reduces the impact the loss of these trees will have on the local amenity.

Conclusion:

T41 Horse chestnut is a medium sized specimen with signs of previous topping. The large decaying basal wound clearly makes the tree unviable for long term retention. Similarly, T28 Lombardy poplar is a prominent individual but has obvious structural problems. With safety considerations of prime importance, it is recommended that both trees should be removed. It is, therefore, recommended to grant permission to fell the trees on the grounds that structural problems put the trees at risk of collapse and therefore justify the need for their removal. The proposal accords with Local Plan Landscape Policy LL9.

In the event of Members allowing the felling of these trees, it is recommended that a replacement planting condition be attached to the decision notice requiring two new trees to be planted at alternative but nearby locations prior to felling.

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:

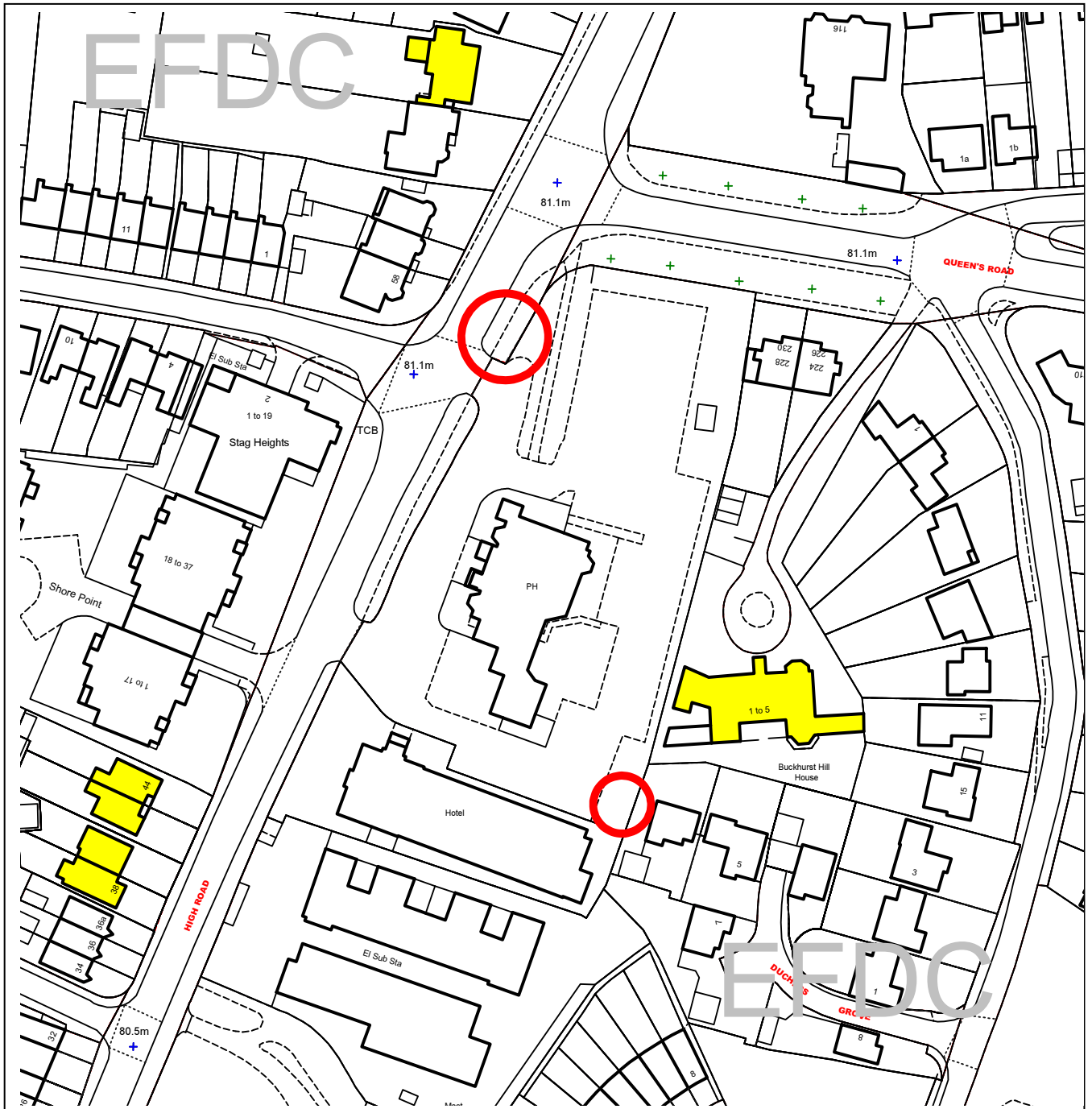
***Planning Application Case Officer: Robin Hellier
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Agenda Item Number:	15
Application Number:	EPF/0630/13
Site Name:	Bald Faced Stag, High Road Buckhurst Hill, IG9 5HT
Scale of Plot:	1/1250

Report Item No: 16

APPLICATION No:	EPF/0689/13
SITE ADDRESS:	Holmhurst Manor Road Loughton Essex IG10 4RP
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Richard Higgins
DESCRIPTION OF PROPOSAL:	TPO/EPF/09/95 Cypress x 9 - 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=547791

CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

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

Description of Site:

The house and extensive gardens of this property occupy a secluded site off Manor Road. The site is surrounded by Epping Forest, and has three adjoining properties. There is an 'area' Tree Preservation Order covering all the properties within the locality which was made in 1995. The order protects all trees that were present at the time the order was made.

Description of Proposal:

Cypress x 9 Fell

Relevant History :

There are no recent records of pruning or removing trees at this site.

Relevant Policies:

LL9: Felling of preserved trees. The Council will not give consent to fell a tree(s) protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree(s).

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL – were consulted. At the time of the report being written no comments had been received. These will be reported verbally at the Committee.

LOUGHTON TOWN COUNCIL - were consulted. At the time of the report being written no comments had been received. These will be reported verbally at the Committee.

Issues and Consideration

The proposal is to fell nine Lawson cypress trees that were planted to delineate a boundary and provide screening between Holmehurst and Waldas, the adjacent property. The owner of Holmehurst has purchased Waldas and proposes to re locate the dividing boundary between the two properties.

Considerations

Given the close proximity of the Lawson cypress trees, they were obviously planted as a hedge, and intended to be maintained at a manageable height. They currently stand approximately 10 metres in height. They appear to be healthy, although it is noted that one has a rope tight around the trunk which is beginning to cut into and damage the tree.

Public amenity

These trees are hidden from public view by numerous, more prominent, trees and therefore provide no public landscape amenity.

Conclusion

These nine trees are an overgrown hedge, not of public amenity and unlikely to have merited TPO in their own right. They have effectively been caught up in the 'area' designation which protected all trees on site.

Should Members approve the removal of these trees it is recommended that the condition requiring replanting be waived in this instance, due to the abundance of tree cover within the grounds.

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

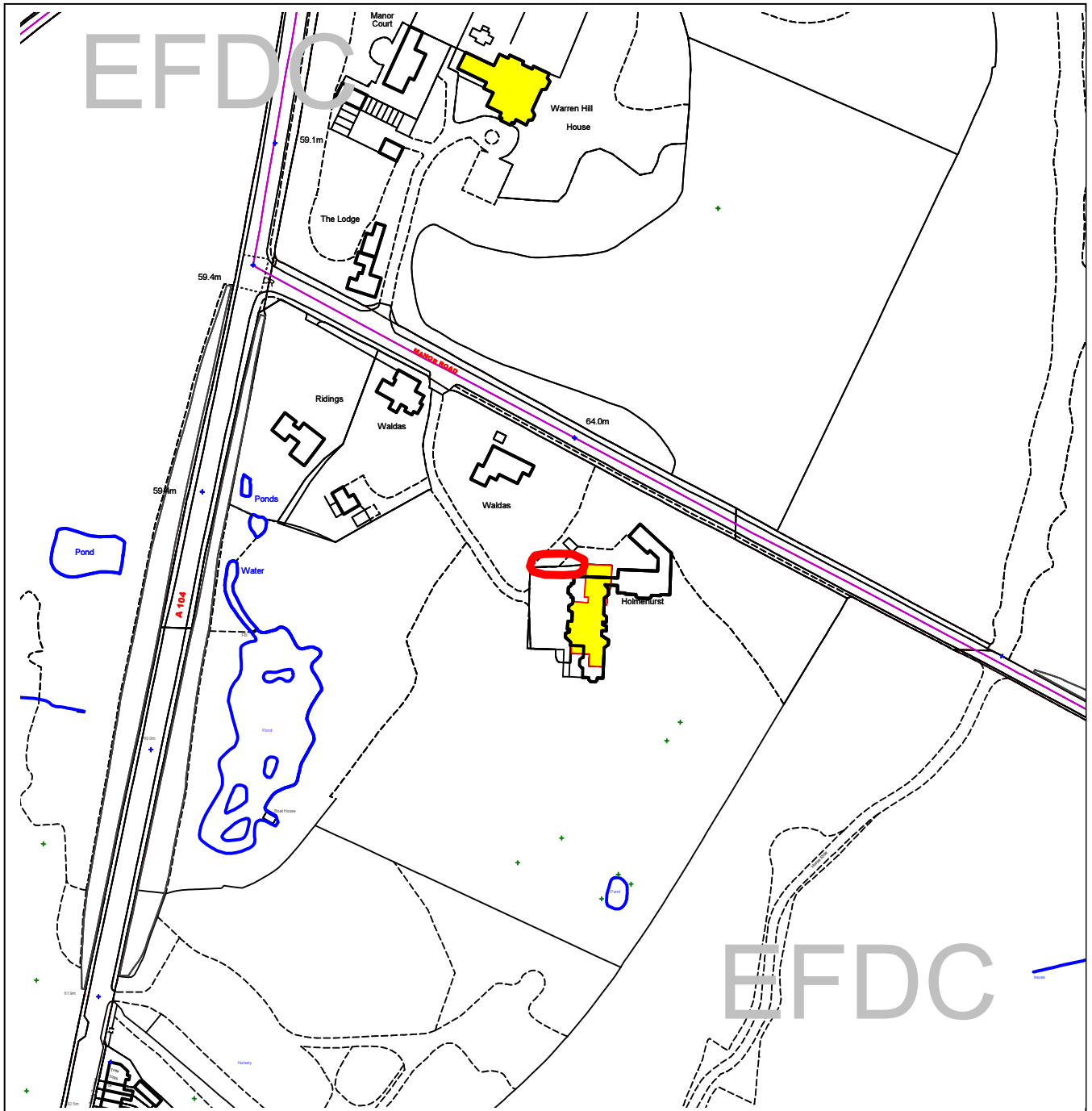
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Direct Line Telephone number 01992 564120***

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Agenda Item Number:	16
Application Number:	EPF/0689/13
Site Name:	Holmhurst, Manor Road Loughton, IG10 4RP
Scale of Plot:	1/2500