

## Report Item No 1

<b>APPLICATION No:</b>	EPF/1027/13
<b>SITE ADDRESS:</b>	Monkhams Inn Buckhurst Way Buckhurst Hill Essex IG9 6HY
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mrs Eleanor Wilton
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/17/06 T2 & T4 - Poplars - Fell
<b>RECOMMENDED DECISION:</b>	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=549652](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549652)

### REASON FOR REFUSAL

- 1 Although it is recognised that management of both trees is required this is not sufficient to justify the loss of their visual and other amenity. The quality and life expectancy of the adjacent ash trees is not such that they can be relied on as successors to the poplars, as suggested. The loss of the trees' 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 as any application to fell a preserved tree falls outside the scope of delegated powers.*

### Description of Site

The two trees stand within the car park of the public house, close to Monkhams Way, from where T4 in particular is widely visible. They are close to the flank wall of the new development in the adjacent site, known as Honeysuckle Court.

### Description of Proposal

Felling of 2 Lombardy poplars; the intention is that the felling would allow the 2 adjacent ash trees, (T1 & T3) to develop better. As such no replacement is proposed.

## **Relevant History**

There is no specific history. TPO/EPF/17/06 was made in 2006 to protect 4 trees during development of the adjacent site.

There is a parallel application to reduce both the height and the spread of the ash trees, to be determined under delegated powers.

## **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 the appropriate replacement of the tree'*

## **Summary of Representations**

Buckhurst Hill Parish Council; Would prefer that the trees were crown reduced rather than felled. The PC recognises the importance of trees to the environment and their unique visual contribution to the landscape. BHPC therefore support pruning designed to conserve significant trees but object to their felling unless there is evidence of danger or likelihood of resultant harm from their retention. However BHPC will defer to the district council's arboriculturist unless the application rests on visual amenity alone.

## **Issues and Considerations**

The application is to remove both poplars. The stated basis is that removal would allow the 2 neighbouring ash to grow and that these would form a ready made replacement; the only other reason given is that neighbours report branches dropping onto cars.

The trees as a pair form an important local visual landmark; T4, nearest the road is a notable tall and prominent tree. The applicants provide no evidence of danger, although the site inspection did reveal some concerns about the structural integrity of the upper part of T2, the smaller poplar. The main issues are therefore considered to be whether the poplars can be said to be unsuitable to remain, and whether, given the presence of the 2 ash, there would be a loss of visual amenity from their removal.

## **Discussion**

The trees grow immediately adjacent to the pub car park, and there is parking nearby in Honeysuckle Court, so the need for protection of cars is understood. However a simple removal of deadwood would resolve most problems. A shortening of heavy secondary branches would also greatly reduce any possibility of larger branches being shed onto the car park. The first could be dealt with as exempt works, the latter as an application. This has been relayed to the owners.

It appears that T2 has definitely been "topped" in the past; this may have led to the access of decay into the upper stem. However it is likely that a simple, limited crown reduction would eliminate any hazard, without the need for felling. It was not possible to see from a ground based inspection in June what the state was of the upper crown of T4, but a climbing inspection would assist with that, and if necessary the owners could make an application for necessary works to both trees.

What is clear from inspection however is how prominent these trees are- particularly T4, in the local area, and how great the loss of visual amenity would be from their felling. While the flank wall of the adjacent development is close, particular efforts were made during construction to develop a foundation design that allowed their safe retention, and then to protect them during construction. Minor pruning of the crowns has been undertaken to clear the structure. The presence of the 2 other ash trees would in no significant way compensate for their loss.

The ash are much more modest trees, in no way suitable to grow as replacements for the poplar, even without the threat arising from Ash Dieback disease. The parallel application to reduce both of the ash trees appears inconsistent with the stated reasons for the application.

### **Conclusion**

That felling has been demonstrated neither to be necessary nor justified, and so is recommended for refusal, as failing to satisfy policy LL9 of the adopted local plan and alterations.

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

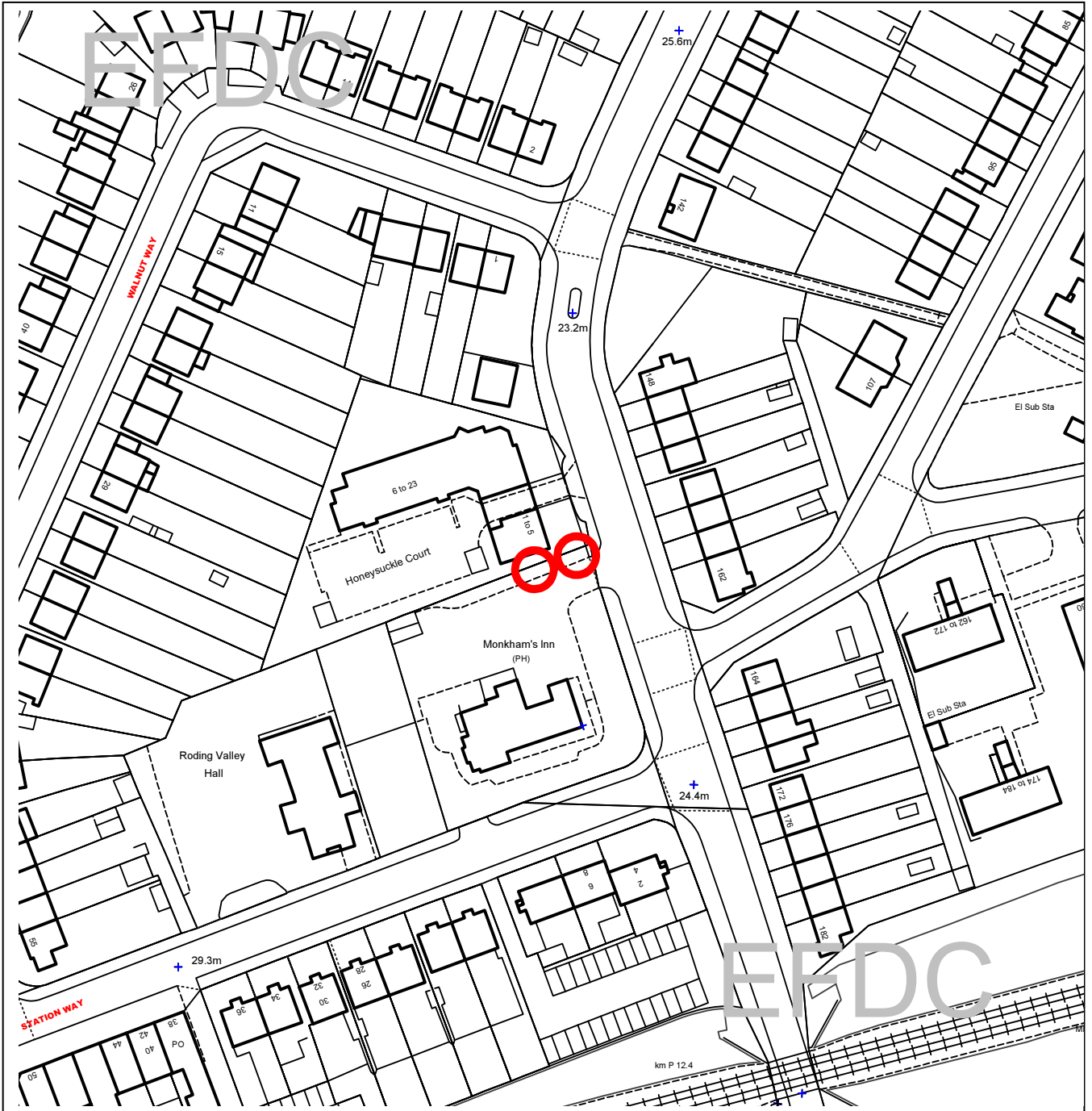
***TPO Application Case Officer: Christopher Neilan  
Direct Line Telephone Number: 01992 564117***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/1027/13
Site Name:	Monkhams Inn, Buckhurst Way, Buckhurst Hill, IG9 6HY
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1624/12
<b>SITE ADDRESS:</b>	Epping Forest College Borders Lane Loughton Essex IG10 3SA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Ms Kim Webster
<b>DESCRIPTION OF PROPOSAL:</b>	Double garage adjacent to and serving plot 205 of approved development
<b>RECOMMENDED DECISION:</b>	Grant Permission

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=540524](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=540524)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
  
2379-P5-02 rev C  
E2127-21-02-01  
2379-P5-01  
JBA 06/42-12 rev E
- 2 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

*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).)*

**Description of Site:**

The former three college sites that formed Epping Forest College site on the north side of Borders Lane. At present Redrow Homes have implemented and built out the permission and many if not all units are occupied.

### **Details of Proposal:**

Permission is being sought to revise the detail relating to Plot 205 of EPF/0975/10 (Construction of 76 new dwellings and all associated garages, sub-stations, car ports, refuse and cycle stores).

Plot 205 was originally approved with a single garage and parking space to the front of the garage. The applicant subsequently seeks to revise the single garage to a double garage and was at the time of application using this area as the sales office. The sales office has subsequently been demolished and the double garage constructed and the unit has been purchased with a double garage and occupied.

### **Relevant History**

Most relevant is EPF/0975/10 – Construction of 76 new dwellings and all associated garages, sub-stations, car ports, refuse and cycle stores – Approved. Other permissions relate to outline matters and other areas surrounding the site.

### **Relevant Policies**

Local Plan policies:-

DBE1 (Compliant) – Design of new buildings

DBE2 (Compliant) – Effect of new building on surroundings

DBE3 (Compliant) - Estate layout and design

DBE6 (Compliant) - parking layout

ST2 (Compliant) – Accessibility of Development

ST4 (Compliant) – Road Safety

ST6 (Compliant) – Vehicle parking

### **Summary of Representations**

30 local addresses were consulted – 4 objections have been received as follows:

1 THE SQUARE: Object to the design, a blank brick wall, but accepts the principle.

42 THE SQUARE: Object due to parking issues in the area. The developer has sold off visitor spaces and the plans indicate a parking space that does not exist. Also the space P205 is closer to the wall than plans indicate. Estate will soon be given yellow lines and parking is a significant issue on this development.

48 THE SQUARE: The garage looks fine, but the bays in front of it cause problems. The closest parking space when occupied blocks access to the parking space used by number 48.

17 ABBESS TERRACE: Object as development is detrimental to appearance of the development, creating terracing. Will block visibility through the development to the detriment of crime and security issues, and unsuitable location for additional garage space.

LOUGHTON TOWN COUNCIL - No Objection to this application but consider the blank forward facing wall of the front elevation unattractive and contrary to normal elevations that should enhance the street scene.

## **Issues and Considerations**

The main issues in this case are whether the revised single to double garage and associated parking layout alterations result in significant, demonstrable harm to street scene, neighbouring amenity or parking and access.

### *Street scene*

The double garage whilst not being an inspiring design is not out of keeping with surrounding structures and does not detract from character in the estate to an extent sufficient to justify refusal and associated enforcement action. This is particularly clear when considered in the context of the single garage that was approved here. Views are interrupted through the site but not to an extent that is unacceptable.

### *Neighbouring impacts*

The larger structure is separated from neighbouring plots and its location is such that no adverse impact to neighbouring outlook or significant overshadowing arises.

### *Parking issues*

The layout as revised includes the new bay in front of the garage (closest to the bay used by number 48). Previously in this position in the approved scheme this location was kept clear for a turning area.

The issue that arises with parking and access relates directly to the bay in front of the garage as opposed to the garage itself. The bay in place removes the area from being used for turning, and should a vehicle be parked that overhangs the bay, this further reduces manoeuvring area. A condition could be applied to prevent the bay being used for parking, but in practice this would be difficult to enforce. A physical means of preventing parking such as a bollard, planter or landscaping could be provided, but this would also prevent access to the garage and block some of the area from its intended use as turning area.

The situation is unfortunate, particularly as the application is retrospective, therefore the issues and difficulties that arise as a result of this bay and garage extension being in place are clear. Officers have explored all possible means of mitigation with the developer, but as the plot is now sold and occupied, there is limited scope for alteration and the developer can make changes only in the highway area. They have indicated a condition is possible, but as discussed above this would be more of a good faith arrangement as opposed to an enforceable requirement.

The developer has provided a plan indicating bays approved on the main development with a similar or worse arrangement than that proposed. As such they contend the proposed relationship between spaces is not unacceptable.

Officers are aware that whilst standards are imposed, in realism, when a development is occupied, where people choose to park is beyond the scope of control. The bays can be provided, but ensuring proper use of bays and turning heads is difficult. Whilst the situation is not ideal, there would have been nothing to stop this area being used for parking when a single garage was in place, therefore with this in mind Officers reluctantly recommend approval having exhausted all other options. Were the extended garage area to be enforced upon and demolished, this area could in theory still be parked upon, which would still present the access problem for the adjacent bay as has been described above.

**Conclusion:**

The physical built form of the garage does not result in significant concern sufficient to justify refusal. The provision of the garage results in the use of a bay to the front of it. This would appear to be a situation which is simply too tight to allow manoeuvring to usual standards. However, whilst we acknowledge the dimensions in place are not those recommended for parking and turning areas, in practice the spaces can be accessed if vehicles park correctly. Officers also note that the units have been purchased with this parking arrangement in place as the sales office occupied the same footprint as the double garage.

Mindful of this and the low speeds of the highway in this area of the site and the other parking arrangements in place on site, Officers recommend 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: Jenny Cordell  
Direct Line Telephone Number: 01992 574481**

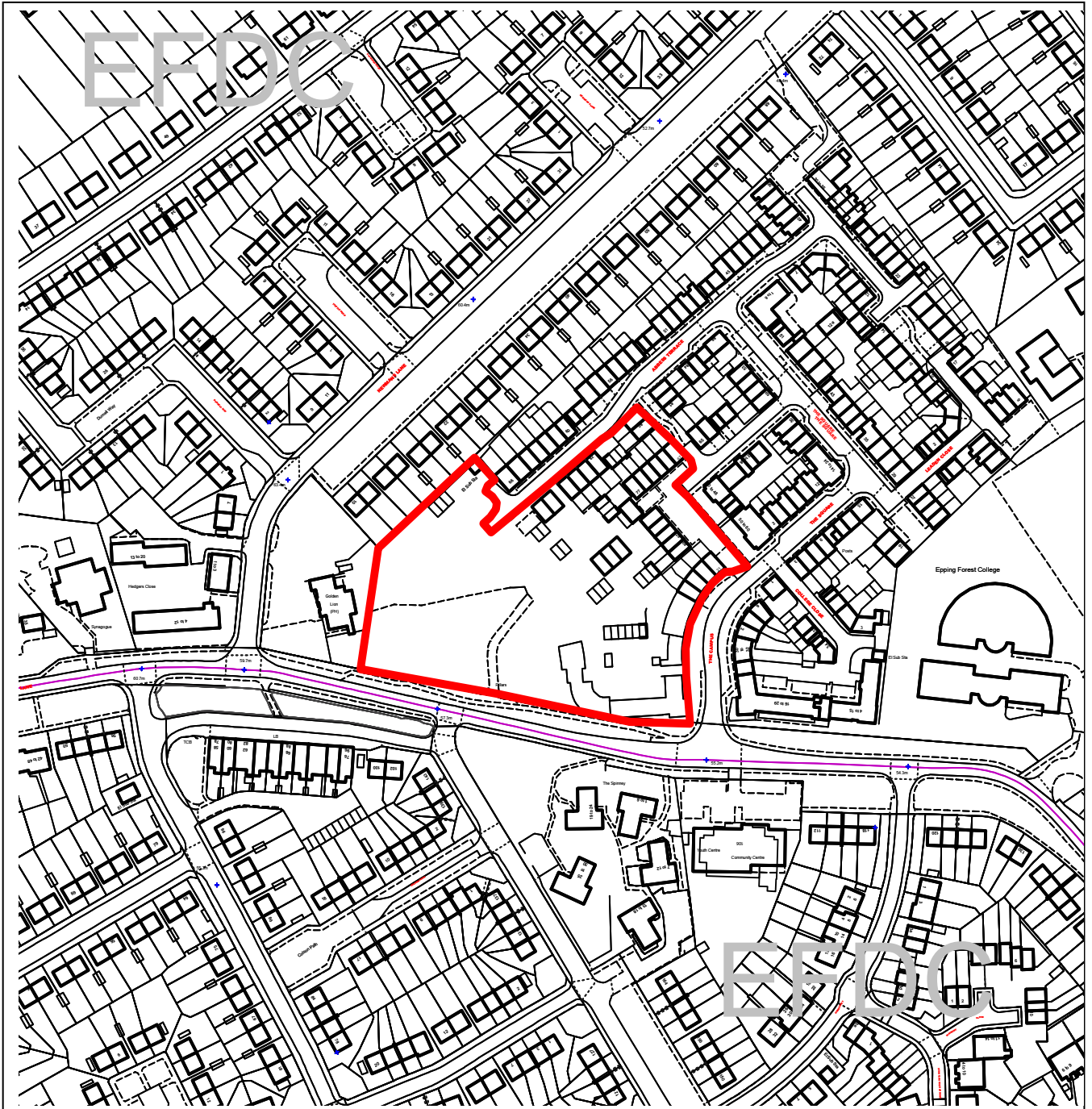
**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	2
<b>Application Number:</b>	EPF/1624/12
<b>Site Name:</b>	Epping Forest College, Borders Lane, Loughton, IG10 3SA
<b>Scale of Plot:</b>	1/2500

### Report Item No 3

<b>APPLICATION No:</b>	EPF/0506/13
<b>SITE ADDRESS:</b>	43 Stradbroke Grove Buckhurst Hill Essex IG9 5PE
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Steven Loppas
<b>DESCRIPTION OF PROPOSAL:</b>	Loft conversion with roof alterations and side and rear dormers.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=546974](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546974)

### 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 two storey semi-detached property fronting onto Stradbroke Grove. The area is characterised by semi detached properties in a range of designs many of which have been extended in a variety of ways. The majority of properties maintain exposed timber and render features.

The property is currently being extended to the side at first floor under a CLD that was recently approved.

The application site is not in any area of special designation.

### **Description of Proposal:**

This application seeks permission for roof alterations comprising side and rear dormer windows. Following Officer advice the application has been revised to re-profile the roofline to the side of the property, resulting in a new roof over the side extension in lieu of a side dormer, with a reduced size rear dormer provided.

The new space provided will be used as an additional bedroom and en-suite.

### **Relevant History:**

EPF/0044/13 – CLD for proposed garage conversion and first floor side dormer - Lawful

### **Policies Applied:**

CP2 (Compliant)– Protecting the Quality of the Rural and Built Environment

DBE 9 (Compliant) – Loss of amenity

DBE10 (compliant)– Residential Extensions

### **Summary of Representations:**

5 neighbouring properties were notified originally and then re-notified following revisions. No comments have been received from neighbouring properties.

BUCKHURST HILL PARISH COUNCIL: Objection. Over development. Concern regarding visual impact on neighbouring property at number 45. Following the revisions no additional comments were received and after contacting the Parish Council, they have confirmed the view is unchanged.

### **Issues and Considerations:**

The main issues to be considered are design of the proposals and impact on neighbouring properties.

The proposals would be the second alteration to the roof space sought by the applicant. The roof to the side of the property is a catslide from the main ridge to eaves over the ground floor, this has meant a side dormer at first floor has recently been approved and is being constructed.

The revised proposals would further alter the side of the roof and allow the incorporation of a rear dormer. The proposals do increase the size of the roof but not a degree that would be considered unusual, furthermore the proposals would retain a break in the ridge height that would result in a clear delineation between the original and extended property. This retains the symmetry of the semi detached pair and accords with policy DBE10. The revised plans are considered more appropriate as they result in a more cohesive roof form as oppose to a number of separate additions.

The design of the proposals is similar to many permitted throughout the District. It is well separated from neighbouring properties and would not appear unduly prominent in an area characterised by a mixture of designs. Furthermore the alterations would be largely obscured by the existing permitted development changes made to the side of the roof. Therefore in terms of street scene the proposals are acceptable.

In respect of neighbouring amenity, the proposals result in changes to the roof space only, at the side and rear of the property. The neighbour at number 45 does maintain a side window, however this is a small, high level window that appears to serve a stairwell or circulation area. The outlook

to the rear from the dormer would not differ from that of existing first floor windows and Officers note the proposals accord with policy DBE10. There are no neighbouring objections.

### **Conclusion**

The proposals result in no significant adverse impacts sufficient to justify refusal 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:**

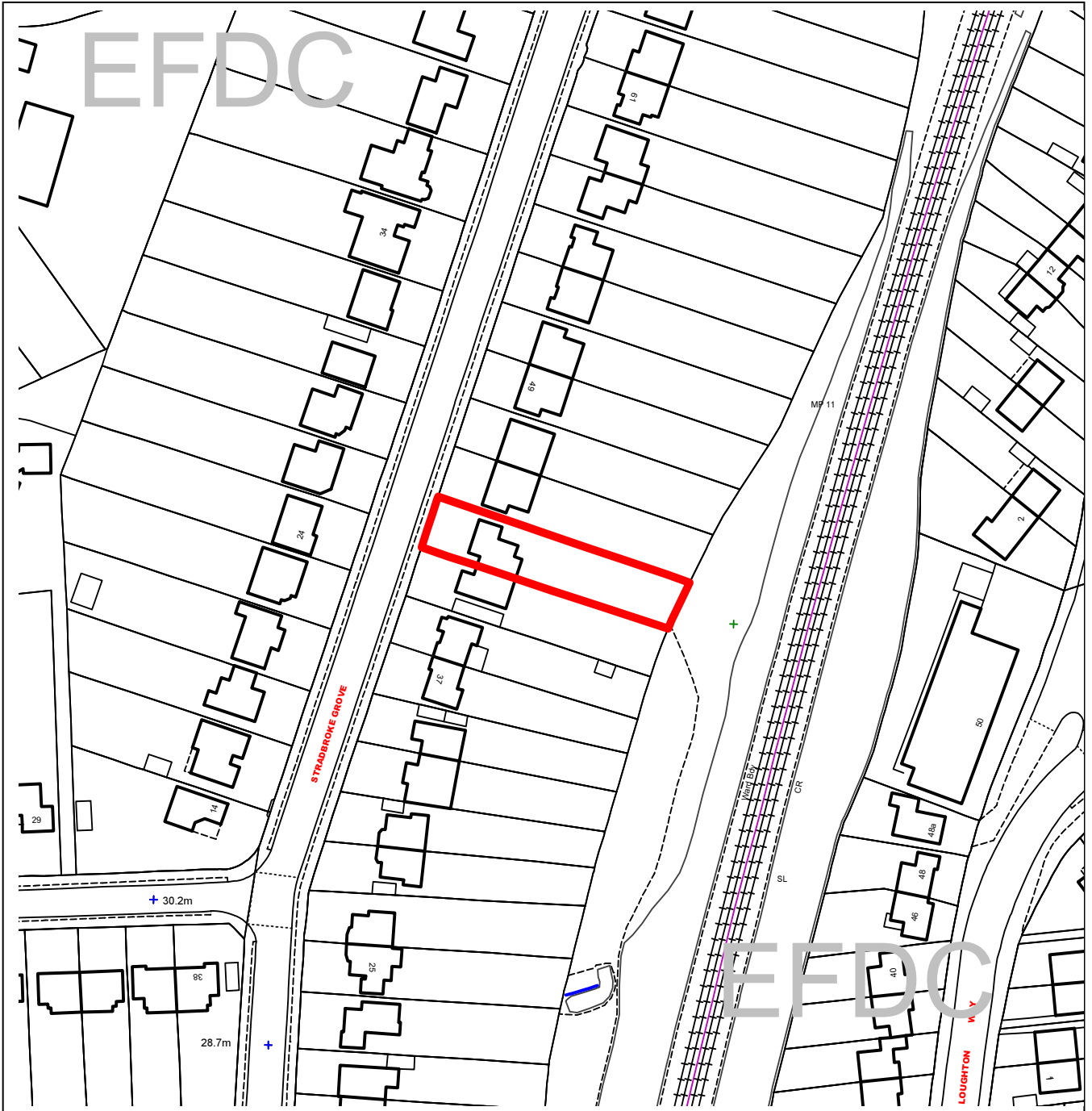
**Planning Application Case Officer: Jenny Cordell  
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# Epping Forest District Council

## Area Planning Sub-Committee South



## Report Item No 4

<b>APPLICATION No:</b>	EPF/0557/13
<b>SITE ADDRESS:</b>	24 Albion Park Loughton Essex IG10 4RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mrs Narinder Hare
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed new four bed house.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=547214](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547214)

### CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 3/5933 10 rev K, 3/5933 11 rev K and 3/5933 12 rev H.
- 3 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.
- 4 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 5 No development shall take place until details of levels have been submitted to and approved in writing by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 6 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays.
  5. Measures to control the emission of dust and dirt during construction, including wheel washing.
  6. Measures to retain the existing wall on the north-eastern site boundary with the private drive to 23 and 23a Albion Park, indicated on drawing 3/5933 10 rev K.
  7. Measures to maintain vehicular access, including access for emergency vehicles, along the full length of the private drive to 23 and 23a Albion Park, indicated on drawing 3/5933 10 rev K.
- 8 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 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.
- 9 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 10 Prior to first occupation of the development hereby approved, the proposed upper floor window openings in the flank elevations of the house hereby approved 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.
- 11 Access to the flat roof over the single-storey rear projection of the house hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area. No furniture, including tables and chairs, shall be placed on the flat roof.
- 12 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions or roof enlargements generally permitted by virtue of Classes A and B of Part 1, Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 13 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 14 The wall on the north-eastern site boundary with the private drive leading to 23 and 23a Albion Park indicated on drawing 3/5933 10 rev K shall be permanently retained. No other means of enclosure shall be erected in its place on that boundary without the prior written permission of the Local Planning Authority.

*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).)*

### **Description of Site:**

The application site, 24 Albion Park, comprises the northern part of the curtilage of a wide fronted 2-storey detached house situated on the west side of Albion Park where it takes a 90 degree turn to the east. The site is 10m wide and just under 50m in length. It is presently occupied by a detached garage with pergola to the rear and a single-storey side extension to the house. Immediately north of the site is a private drive to 23 and 23a Albion Park, 23a being situated immediately rear of the site. On the north side of the private Drive is 22 Albion Park, also a wide fronted 2-storey detached house. No 22 is set rear of 24. A substantial brick wall encloses the northern site boundary with the private drive.

Land at the application site falls gently from the host house to the private drive.

The locality is not part of a conservation area and there are no listed buildings within the vicinity of the site.

### **Description of Proposal:**

It is proposed to demolish the existing garage, pergola and side extension, separate the site from the host house and erect a two-storey detached house with a room in the roof space.

The house would be 7.8m wide and set back sufficiently from the boundary with the highway to provide off-street parking area for 2 cars accessed via the existing vehicular access. A new parking area and vehicular access in front of the host house is also proposed and could be constructed as permitted development. A 2m wide landscaped area would separate the two parking areas and a narrow planting area would be sited on the northern site boundary.

The front wall of the house would be set 750mm rear of the front wall of the host house. At ground floor the house would have a maximum depth of 17m adjacent to the host house, reducing to 14.8m adjacent to the northern site boundary due to a set back in the front elevation. At first floor the house would have a staggered footprint with a maximum depth of 13.5m.

The main roof of the house would be gabled with the ridge parallel to the road. Projecting gables would be included in the front and rear elevation reflecting the floor plan. The single-storey rear projection would have a flat roof enclosed by a false pitch.



The house would be set 2m from the flank of the host house and a minimum of 1m from the northern site boundary such that the existing brick wall along the boundary can be retained.

**Relevant History:**

EPF/2116/12 Erection of 4 bedroom detached house. Withdrawn by the applicant following Officer advice.

**Policies Applied:**

CP2 (compliant)	Quality of Rural and Built Environment
CP3 (compliant)	New Development
CP7 (compliant)	Urban Form and Quality
H2A (compliant)	Previously Developed Land
DBE1 (compliant)	Design of New Buildings
DBE2 (compliant)	Effect on Neighbouring Properties
DBE6 (compliant)	Car Parking
DBE8 (compliant)	Private Amenity Space
DBE9 (compliant)	Loss of Amenity
LL11 (compliant)	Landscaping Schemes
ST6 (compliant)	Vehicle Parking

NPPF

**Consultation Carried Out and Summary of Representations Received**

NEIGHBOURS:

Number of neighbours consulted: 9

Site notice posted: No, not required

Responses received from 6 neighbours, the occupants of 7, 8, 17, 19, 22 and 25 Albion Park, raising objection to and commenting on the proposal. The objections and associated comments are summarised as follows:

1. The house is on a very dangerous corner from where are a number of houses are accessed. The additional vehicle movements arising from cars moving to and from the site would be harmful to highway safety.
2. Inadequate off-street parking provision for the proposed and existing house that would exacerbate demand for on-street parking in the vicinity of a dangerous corner, which would be harmful to highway safety.
3. The proposed extent of off-street parking area would detract from the character and appearance of the locality.
4. The proposal would be an over development of a site.
5. Development of the site would be harmful to the open character and appearance of this part of the street.
6. The proposal would be on an uncharacteristically narrow plot for the locality and consequently would have a cramped appearance out of keeping with all the adjoining properties.
7. The proposed house would be out of scale with all existing properties in the road and appear overbearing in the street scene since it would have to be higher than the adjoining house to provide sufficient space for a room in the roofspace.
8. Measures should be taken to ensure the retention of the existing wall on the boundary with the access drive.
9. Due to the height of the building, difference in land levels and the overall depth of the proposed house it would appear overbearing from 22 Albion Park and cast a shadow over it causing a loss of light to its lounge window and garden.

10. The windows in the northern flank wall would give rise to a significant loss of privacy for 22 Albion Park. If consent is given, windows should be required to be obscure glazed.
11. The proposed house would cause excessive overlooking of the garden of 25 Albion Park and be harmful to outlook from that property.
12. The proposal would breach a covenant limiting development in the locality.
13. The proposal would have a flank wall along the boundary with an access road and could not be constructed without obstructing access to those properties, consequently depriving them of their only access for the duration of construction.
14. Construction vehicles parked on street in the course of construction would severely restrict access for residents and emergency vehicles.
15. Existing drains struggle to cope with present loads and the proposal would exacerbate the load on drainage.

LOUGHTON TOWN COUNCIL: The Committee considered this was the maximum development that could be accommodated on this plot of land, and asked for all permitted development rights to be withdrawn.

### **Main Issues and Considerations:**

The application site fronts the highway and the proposal is in respect of a house that would respect the building line of houses on Albion Park and make use of an existing vehicular access. On that basis the principle of the development of the site is acceptable and the main matters to consider when assessing the merits of this particular proposal are whether it would respect the character of the locality, the consequences for the living conditions of neighbours and highway safety.

#### *Character and Appearance:*

Albion Park is characterised by substantial detached houses that extend across most of the width of their plot, generally being set in approximately 1.2m from site boundaries. Plot widths are commonly 12m to 14m but a significant number of houses have plot widths of 17m to 22m. At 24m wide the plot of no. 24 Albion Park is one of the widest in the street. Presently, there is an uncharacteristically large separation between the northern flank of 24 and the site boundary with the access drive to 23 and 23a. The site and the adjacent access is situated at a 90 degree turn in Albion Park and adjacent houses, nos 19 to 22 are considerably set back from the road giving this part of the street a more spacious feel, adding variety to the street scene.

The proposal would leave the host house on a plot some 14m wide, which is common in the street. The proposed house would be set on a 10m wide plot, somewhat narrower than is typical but nonetheless a good width and not so much narrower that it would be in sharp contrast to the existing pattern of development. Moreover, the distance separating its flank from that of the host house, some 2m, is typical of the locality and the limited visual impact of a slightly narrower plot is mitigated by the width of the access drive to 23 and 23a Albion Park immediately beyond the northern site boundary. As a consequence it is found the width of the plot and siting of the proposed house would respect the established character of the locality.

Ensuring the proposal does respect the character of the locality has been a particular concern in dealing with the proposals for development of a house on this site and present proposal is narrower and of reduced depth compared to the previous proposal that was withdrawn. As a consequence the proposal secures the retention of an existing brick wall on the boundary with the access drive that makes a positive contribution to the character of the locality. It also considerably reduces the appearance of bulk on the boundary with the access road, which was found to be harmful to the character of the locality. Furthermore, the proposal utilises the natural fall in land levels to ensure its ridge would be set lower than that of the host house giving it an appropriately subordinate appearance that is appropriate to its plot width.

In terms of its detailed design, the present proposal has a conventional roof design rather than a crown roof, which was previously proposed. The house would be of traditional form with a gabled roof and projecting gables to the front and rear. The single-storey rear projection would be typical of an extension to a house of this scale. Materials are generally indicated as a mix of brick and render, although the precise details would have to be agreed pursuant to a condition on any consent given.

The provision of hard surfacing in front of the house for car parking would be broken up by landscaped areas of appropriate size to soften the appearance of the house. It is appropriate to secure landscaping through a condition on any consent given.

On the matter of design, it is concluded the proposal would appear appropriate in the street scene. The character of the locality is robust and already accommodates variation in scale of houses and their detailed design. On the basis of the above analysis the proposal is found to be consistent with the established character of the locality. The assessment of the Town Council that permitted development rights should be withdrawn to ensure no future harm to the character of the locality arising from the exercise of those rights is supported and can be achieved through an appropriate condition.

#### *Living Conditions:*

The proposal has the potential to affect the living conditions of 22 Albion Park and the host house at 24. No 22 is at lower level and is set 4.5m rear of the nearest part of the front elevation of the proposed house. Its rear wall would be in alignment with the nearest part of the rear elevation of the house. A distance of 7.8m would separate the flanks of the houses. That relationship places the entire proposed house outside of an imaginary 45 degree line taken from the nearest corners of no 22. On that basis it is found that the proposed house would not cause any harm to outlook from 22.

The single-storey rear projection of the house would extend 4m beyond the alignment of the rear elevation of 22 and much of it will be screened from view by the existing brick wall on the boundary. It would have no impact on living conditions at 22.

Some overshadowing of the flank of 22 would occur, but that would not amount to excessive harm to amenity. There would also be no excessive overlooking of 22 from the proposed house. Proposed flank windows are small and those serving upper floors would either be for landings, bathrooms, or in one case, a narrow secondary bedroom window. In order to avoid the potential for overlooking they can reasonably be required by condition to be obscure glazed.

Potential overlooking of the host house from upper level flank windows serving a bathroom and toilet can similarly be required to be obscure glazed, which would safeguard it from any excessive overlooking. That from upper floor rear windows would give views of the rear part of the garden serving 24 and that would not amount to excessive overlooking.

Above ground floor the entire house would be set outside of an imaginary 45 degree line taken from the nearest first floor windows. At ground floor, the house as a whole would project 9m beyond the rear elevation of 24. The greater part of that is made up of the single-storey rear projection and that would be set at a lower level than the adjacent garden of the 24. That relationship would prevent the new house appearing excessively overbearing when seen from the host house and the visual impact would be further mitigated by the length and width of the remaining garden for that house.

Since the rear projection would have a flat roof it is necessary to prohibit its use as a balcony or sitting out area in order to safeguard the privacy of neighbours, especially that of the host house.

The removal of permitted development rights for extensions discussed above would also serve to safeguard the living conditions of neighbours.

Concern is raised about the potential for the proposal to affect the amenities of 25 Albion Park. Since 25 would remain separated from the proposal by the host house and the width of its garden there is no possibility of any excessive overlooking or any other harm being caused to the amenities of 25. Similarly, the degree of separation from 23 and 23a would prevent any harm to the amenities of those houses.

It is therefore concluded the proposal would not cause any excessive harm to the living conditions of neighbouring houses.

#### *Highway Safety:*

The proposal would utilise an existing vehicular access to a parking area and garage that presently serves a large house. It would therefore not give rise to any additional vehicular movements at this access. The increase in vehicular movements would take place at a new vehicular access serving the host house where existing movements would be displaced to. That vehicular access and associated parking area is permitted development and therefore is not for consideration under this application. Even if it were, the new access would be set further away from the turn in Albion Park than the existing access and would be on the outside of the turn where visibility is greatest. As a consequence, the use of the proposed new vehicular access for the host house would not be harmful to highway safety.

It is therefore found the proposal would not give rise to conditions prejudicial to highway safety.

In relation to off-street parking provision, that proposed for the new house and for the host house is in accordance with the adopted vehicle parking standards.

#### *Other Matters:*

The terms of any covenant that could affect the ability of a developer to implement any planning permission given is not a material planning consideration. That is a private law matter for the developer to resolve.

The impact of construction work on the living conditions of neighbours and access to properties served by the private access are planning considerations. They can reasonably be resolved through the imposition of planning conditions limiting construction hours and requiring construction to take place in accordance with a previously approved construction method statement.

Thames Water has commented on the matter of drainage and advise it has no objection in relation to water infrastructure. Similarly no objection is raised in relation to foul and surface water drainage but appropriate informatives to be included on any consent are requested.

#### **Conclusion:**

The proposal would complement the character of the locality and would not cause excessive harm to the living conditions of neighbours. No harm to the interests of highway safety would be caused by the proposal. The proposal complies with relevant planning policy and, subject to the conditions discussed above 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:**

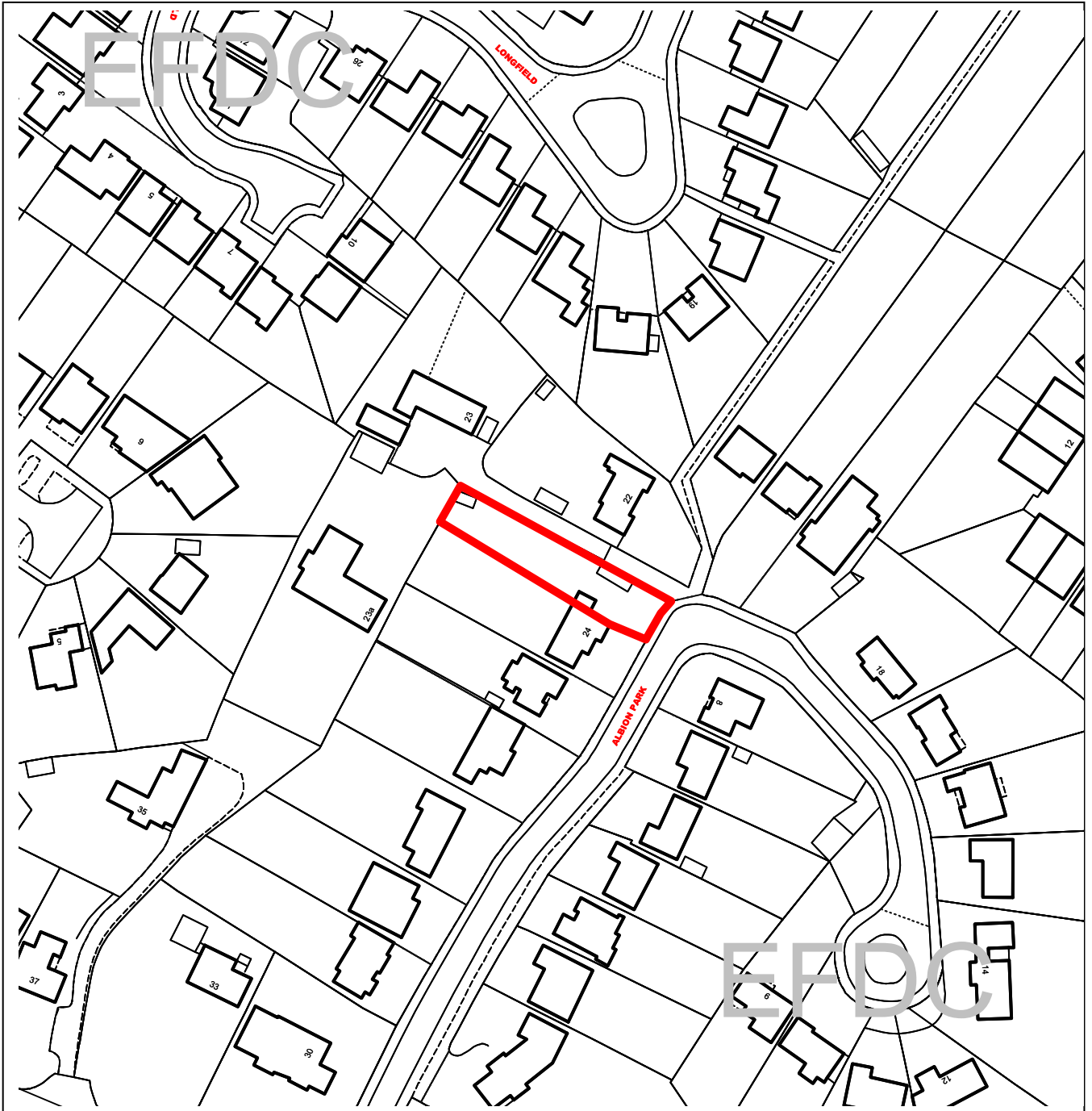
**Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018**

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/0557/13
Site Name:	24 Albion Park, Loughton, IG10 4RB
Scale of Plot:	1/1250

## Report Item No 5

<b>APPLICATION No:</b>	EPF/0577/13
<b>SITE ADDRESS:</b>	Land Rear Of Diggens Court and Vanryne House High Road Loughton Essex
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Daws Developments Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of time limit on planning permission EPF/1413/10 (Extension of time limit on Planning Permission EPF/0181/05 granted on appeal. (Erection of three storey block of 12 flats with parking at ground level).
<b>RECOMMENDED DECISION:</b>	Grant Permission (Subject to Legal Agreement)

### 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=547271](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547271)

### CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The external finishes used in the construction of the development shall be limited to those detailed below unless otherwise agreed in writing by the Local Planning Authority:  
  
Roofing membrane: FDT Rhepanol mid-grey  
Windows and doors: Interpon D1036-SL842G matt  
Cladding: Cedral weatherboard CL104  
Bricks: Ibstock Cissbury red multi stock
- 3 Before any part of the development hereby permitted is occupied the glazed areas of the entrance lobby shall be permanently glazed with obscured glass that has been approved under the provisions of condition 2.
- 4 Wheel washing shall be installed in accordance with details set out in Pegasus Planning Group letter dated 30th November 2012 ref EP/JR/BRS.0121 as approved under EPF/2300/12 and these facilities shall be installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site, unless otherwise agreed in writing by the Local Planning Authority.

- 5 Before any part of the development hereby permitted is occupied, the parking areas shown on the approved plans shall be provided and thereafter retained solely for the parking of motor vehicles used by the occupiers of the development hereby permitted, Diggens Court and Vanryn House and/or their visitors.
- 6 The Development shall be carried out in accordance with the Flood Risk Assessment submitted by Pan Albion and Clive Onions under EPF/2300/12. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan submitted concurrently with the assessment, unless otherwise approved in writing by the Local Planning Authority.
- 7 The development shall take place in strict accordance with the Pegasus Environmental Landscape Method Statement dated 12 November 2012 prepared by Paul Crofts and the Planting Plan BRS.0121\_05-A. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

- 8 All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

- 9 On site refuse generated by the development shall be contained as set out on approved drawing 2004/199/001/G unless otherwise agreed in writing by the Local Planning Authority.
- 10 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.



- 11 The headroom in the internal parking area of the development hereby permitted shall not be less than 2.5 metres, which dimensions shall be clear of any encroachments such as pipes, trunking and vents.
- 12 The provision of secure cycle and motorcycle storage shall take place in accordance with approved drawing 2004/199/101 as previously agreed under EPF/2300/12 and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.
- 13 There shall be no obstruction to vehicular traffic crossing the site between the High Road and Wesley Hall, Loughton Methodist Church, and Vanryne House at any time during the construction of the development hereby approved and thereafter.

**Subject to the completion of a deed of variation, within 3 months, to ensure a Unilateral Undertaking given under Section 106 of the Town and Country Planning Act in respect of planning permission ref EPF/0181/05 applies fully to the consent given under reference EPF/0577/13. Should the deed of variation not be completed within 3 months, Officers are given delegated authority to refuse planning permission for the development.**

*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 subject site is located on the north western side of the High Road towards the northern end of the commercial centre of Loughton. It comprises of an irregular plot of approximately 0.13 of a hectare which is set to the rear of buildings that front the High Road. The site is largely surfaced with concrete and is in use as a car park that takes its access from the High Road.

Located to the east of the site are a row of 3-storey buildings that comprise commercial properties at ground floor level with residential accommodation on the upper floors. Behind these buildings is a battery of lock-up garages.

To the south of the site there is a church hall and a three storey apartment block known as Vanryne House. To the west of the site there are residential dwellings that front onto Habgood Road.

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

The applicant seeks planning permission for the extension of time to a planning permission EPF/1413/10 which itself is an extension to EPF/0181/05 which was for the erection of a three storey block comprising of 12 flats (8 x 2 bedrooms and 4 x 1 bedroom) with associated parking

It should be noted that a unilateral undertaking relates to the original application which requires an obligation to provide a sum of £13,000 to Essex County Council as a contribution towards the Town Centre Enhancement.

There is also an associated approval of details application, EPF/2300/12 this application approved materials (condition 2), wheel washing (condition 4), Flood Risk (Condition 6), Landscape Method Statement (condition 7), refuse storage (condition 8) and secure bike storage (condition 11).

### **Relevant History:**

EPF/1622/02 - Erection of three storey office block (parking at ground floor level) with associated vehicular access and landscaping. (refused and dismissed at appeal)

EPF/0040/04 - Erection of three storey office block, with parking at ground level, and associated vehicular access and landscaping. (Revised application) (approved with conditions).

EPF/0181/05 - Erection of three storey block of 12 flats with parking at ground level. (refused and allowed under appeal)

EPF/1781/05 - Erection of part three storey part four storey block of 13 flats and associated works. (Revised application) (refused and allowed under appeal)

EPF/1413/10 – Extension of time limit of EPF/0181/05 - Approved

### **Policies Applied:**

Local Plan policies relevant to this application are:

- CP1 (Compliant) – Achieving Sustainable Development Objectives
- CP2 (Compliant) – Protecting the Quality of the Rural and Built Environment
- CP3 (Compliant) – New Development
- DBE1 (Compliant) – Design of New Buildings
- DBE2 (Compliant) – Impact of New Buildings
- DBE6 (Compliant) – Car Parking
- DBE8 (Compliant) – Private Amenity Space
- DBE9 (Compliant) – Loss of Amenity
- LL10 (Compliant) - Landscaping
- H4A (Partially Compliant) – Dwelling Mix – Compliant in respect of new builds but not in context of extensions and alterations to existing properties.
- ST4 (Compliant) – Road Safety
- ST6 (Compliant) – Vehicle Parking

The NPPF and Essex Parking Standards are also material considerations.

### **Summary of Representations**

NEIGHBOURS:

41 neighbouring properties were notified and a site noticed placed on site. The following neighbours objected to the application:

12 VAN RYNE HOUSE: Object due to scale of the proposals, insufficient parking provision and associated overspill parking and reduction in width of the access road. This will cause issues for access and for refuse and emergency vehicles.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP: Object to the renewal as an overdevelopment of the site. Should renewal be approved then conditions to protect the interests of the Methodist Church in relation to access should be provided alongside restrictions on hours of working.

LOUGHTON TOWN COUNCIL – No objection to this application but the committee was concerned that continuity of access was maintained throughout the construction phase, to enable users of the Methodist Church and its hall, as well as residents of Diggins Court and Van Ryne House, unimpeded right of use on the roadway. In addition growth of takeaways in the High Road and associated deliveries results in further increase in deliveries taking place along this access road.

### **Issues and Considerations:**

The original application EPF/0181/05 was recommended for approval by officers however it was subsequently overturned by members at committee. The reason for refusal was as follows:

- The proposal, by reason of its scale, bulky appearance and close proximity to the rear northwest site boundary, would be an overbearing and obtrusive development, harmful to the visual amenities of the occupiers of adjoining residential properties in Habgood Road. It would therefore be contrary to policy DBE1, 2 and 9 of the adopted Local Plan.

A revised application was lodged ref: EPF/1781/05 which was for the erection of part three-storey, part four-storey block of 13 flats and associated works. It was also refused for the same reason as above.

Both decisions were appealed and subsequently allowed.

The Planning Inspector identified the main issues to be assessed at appeal as whether or not the proposals would adversely affect the residential amenities of occupiers of any neighbouring dwelling.

The Inspector did not agree the proposals would be overbearing, obtrusive and harmful to the visual amenities of occupiers' houses. The inspector acknowledged the proposals would be seen from the rear gardens but took the view that as the site is within a town centre, closely built up developments are acceptable in principle. The Inspector also went on to say that there was a sufficient amount of distance between the rear facades of the dwellings along Habgood Road and the proposed building as not to cause an overbearing or visually intrusive impact to occupiers. It was also concluded that the development would not result in an unsatisfactory amount of overlooking, loss of light or noise and disturbance.

Although both proposals were granted permission subject to conditions, neither consent was implemented. The developer preferred the development approved under permission EPF/0181/05 and subsequently secured an extension of time for implementing that development under planning permission EPF/1413/10. This was followed by approval of details reserved by condition under permission EPF/2300/12, however the applicant remains to make a meaningful start. As a consequence, this application seeks to extend the original planning permission a further time. The main matter to consider when assessing then merits of this application is therefore whether there

has been a material change in circumstances since the last consent to extend the time for implementing the original permission.

Since the previous approvals the national planning guidance has been replaced with the NPPF. The Framework is akin in intention to the previous guidance, with objectives remaining broadly unchanged. The main implications of the Framework are the presumption in favour of sustainable development and a more flexible approach to development. As a result the guidance does not have adverse implications for the renewal of this permission in terms of principle, design detailing, neighbouring amenity or street scene.

Objections raised do not differ from those considered under the previous applications and it is concluded, as previously, that concerns can be addressed by condition.

The Essex Parking Standards have been revised and they now seek larger parking bays to reflect the size of modern vehicles. However, as this is a historic consent and the new guidance provides flexibility where circumstance is appropriate, it is considered reasonable to allow the renewal of the consent in its existing form instead of requiring revisions which would ultimately result in less spaces.

In relation to the unilateral undertaking, a contribution of £13,000 was required for the enhancement of the locality and this would still be the case for the extension of time.

## **Conclusion**

There are no changes to material circumstances that could justify withholding planning permission. The development is considered to be in accordance with adopted policies and the application is therefore recommended for approval subject to;

- i) the same conditions as were imposed on the original consent as amended by the recent approval of details application. This will mean the conditions being adjusted to compliance conditions as oppose to submission of details, preventing further unnecessary administration; and,
- ii) subject to the completion of a deed of variation, within 3 months, to ensure a Unilateral Undertaking given under Section 106 of the Town and Country Planning Act in respect of planning permission ref EPF/0181/05 applies fully to the consent given under reference EPF/0577/13.

Should the deed of variation not be completed within 3 months, Officers ask to be given delegated authority to refuse planning permission for the development.

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

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

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/0577/13
Site Name:	Land Rear OF Diggens Court and Vanryne House, High Road, Loughton
Scale of Plot:	1/1250

## Report Item No 6

<b>APPLICATION No:</b>	EPF/0635/13
<b>SITE ADDRESS:</b>	102 Manor Road Chigwell Essex IG7 5PQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village  Grange Hill
<b>APPLICANT:</b>	Mr Major Chima
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of an existing dwelling and garage, with the erection of an 8 bedroom family house, with under croft garage and indoor leisure facilities. (Revised application from EPF/2469/12)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=547510](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547510)

### CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
16  
47  
17  
22A  
41B  
27D  
26E  
28D  
46  
30A  
33B  
34B  
35B  
36D  
41E  
outline of building footprint from EPF/1489/2009

- 3 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.
- 4 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.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 6 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.
- 7 No development shall take place until details of levels have been submitted to and approved in writing by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 8 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.

- 9 Prior to first occupation of the development hereby approved, the proposed window opening 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.
  
- 10 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

*This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(k))*

### **Description of Site:**

The application site comprises a two storey dwelling located on Manor Road, close to its junction with Bracken Drive. Vehicular access to the site is via an 'in/out' drive with electric gates. There is a significant fall in levels towards the rear of the site and the existing dwelling has a raised patio area, which is almost a storey in height. The rear of the site is open to Chigwell Golf Club (which is located within the Green Belt). There are several trees located on the site.

### **Description of Proposal:**

This application seeks planning permission for a replacement dwelling on the application site. The proposed dwelling would have accommodation across four storeys, a lower ground level benefiting from the topography of the site would provide a large garage and pool area. Accommodation including 8 bedrooms, two reception rooms, kitchen, diner, study and generous hallways would be located within the ground and first floors and within the roof space.

This application has been revised during the application process and two wing features to the side of the property have been reduced in height and now incorporate a reduced height mansard feature.

This is 3 bedrooms more than a house previously approved under planning permission EPF/1489/09. The already approved house has a conventional pitched roof dwelling with small square dormers and a front gable projection. The design of the current proposal differs from that already approved in that it would have a crown roof, large upper windows in the larger roof space and side projections. The result being a property with a larger roof space and side additions that move closer towards the boundary of the site than the scheme previously approved.

The ridge height is akin to neighbouring properties following the change in ground level along the street. The proposed property remains considerably deeper than the existing dwelling and would provide front and rear balcony areas.

In terms of building size, the height is maintained at around 10.5m at the main ridge as previously approved. The depth is proposed to increase from around 18m as previously approved at two storey to around 22m.



## **Relevant History:**

EPF/1489/09 Demolition of an existing house and erection of a new house and ancillary works. Retention of existing gates and frontage planting Approved

EPF/2469/12 Demolition of an existing house and garage and erection of a new five bed house with garage parking and leisure facilities within basement level – Withdrawn due to inaccurate description and conflicting drawings.

## **Policies Applied:**

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

CP2 (Compliant)– Protecting the quality of the rural and built environment.

DBE1 (Compliant) - New developments required to respect their setting.

DBE2 (Compliant) - Effect of new buildings on neighbourhood.

DBE3 (Compliant) - Enclosure of spaces.

DBE8 (Compliant) - Provision of private amenity space.

DBE9 (Compliant) - Amenity considerations on neighbouring residents.

LL10 (Compliant) - Retention of trees & LL11 – Landscaping.

ST4 (Compliant) - Road safety

ST6 (Compliant) - car parking.

GB7A (Compliant)– Development conspicuous from the Green Belt

## **Summary of Representations:**

6 neighbouring properties were notified and the following responses were received:

104 MANOR ROAD: Objection. Object unless I am allowed to employ, at the applicant's expense, a surveyor to safeguard my property.

CHIGWELL PARISH COUNCIL. No objection.

## **Issues and Considerations:**

The main issues in this case are the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area. Tree and landscape matters and matters of highway safety will also be considered.

### *Neighbouring Amenity*

Both immediate neighbouring dwellings project to the rear of the existing dwelling on the application site. There is a window in the side of no. 100 at ground floor level which appears not to be to a habitable room. No windows are visible in the flank of no. 104. Due to the rearwards projection of these two dwellings, it is not considered that the proposed replacement dwelling would cause any material loss of light or outlook to the occupiers of these properties.

Some large terraces/balconies are proposed at upper ground and first floor level enclosed in facing bricks. The view from the rear of these balconies would not result in a detrimental loss of privacy to the occupiers of neighbouring dwellings and balconies are not an uncommon feature in this area, thus no concerns are raised.

Because the depth of the dwelling is reasonable in relation to neighbouring dwellings and having regard to the size of the plot, it is not considered necessary to remove permitted development rights which would permit later additions without the need for planning permission.

### *Character and Appearance*

The street is characterised by large detached dwellings of varying sizes and designs. The proposed design does differ from that of the immediate neighbouring properties, however Officers consider the design would complement the character and appearance of the street, without mimicking existing built forms. Notwithstanding this, Officers recognise the design would be a new feature in the immediate street scene and as such this application has been referred to Members for decision.

The proposed dwelling is considered to be better positioned within the plot, spreading across the width, similar to neighbouring properties, with sufficient offset from the boundaries to provide visual spacing between dwellings. The plans indicate that the proposed dwelling would generally be no higher than that of the existing approval.

The proposed dwelling would be considerably deeper than the existing property, but this is considered to be acceptable having regard to the pattern of surrounding development and depth of neighbouring properties.

In addition the proposals are well set back from the highway and any consent given would include a landscaping condition. Landscaping secured by condition, together with the set back from the highway would reduce prominence of the design. The design, whilst not commonplace would serve to enhance the variety in the street whilst maintaining a scale that is commonplace in the area.

Having regard to the context of the proposed dwelling and its relationship to neighbouring properties, it is not considered that it would appear overly conspicuous when viewed from the nearby Green Belt.

### *Trees and Landscaping*

There are a lot of trees within the site, as shown on the submitted plan. It is clear that the proposed development would require the removal of several of these trees located close to the existing dwelling. None of the trees are subject to any preservation orders.

The applicant has submitted an arboricultural statement, however this does not meet the relevant British Standards sufficient to allow landscaping officers full assessment. The details provided by the applicant indicate the intention to retain a lot of planting that would not appear possible, however, as the loss of the vegetation is in principle acceptable, subject to suitable replanting, the landscaping officer has agreed the following conditions would mitigate concerns;

- 1- SCN66 – tree protection as it requires a full tree survey and method statement
- 2- SCN59 – Full details of hard and soft landscaping

### Highway and parking

The existing vehicle access would remain and is considered to be acceptable, as would the proposed parking arrangements.

### **Conclusion**

In light of the above appraisal, it is considered that the proposed dwelling, albeit considerably larger than the existing building on the plot, would not be detrimental to either the amenities of the occupiers of neighbouring dwellings or to the character and appearance of the area. Some loss of trees on the site is anticipated, but this is not considered to be detrimental. Accordingly, it is

recommended that planning permission be granted, subject to the conditions discussed in this report.

**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:**

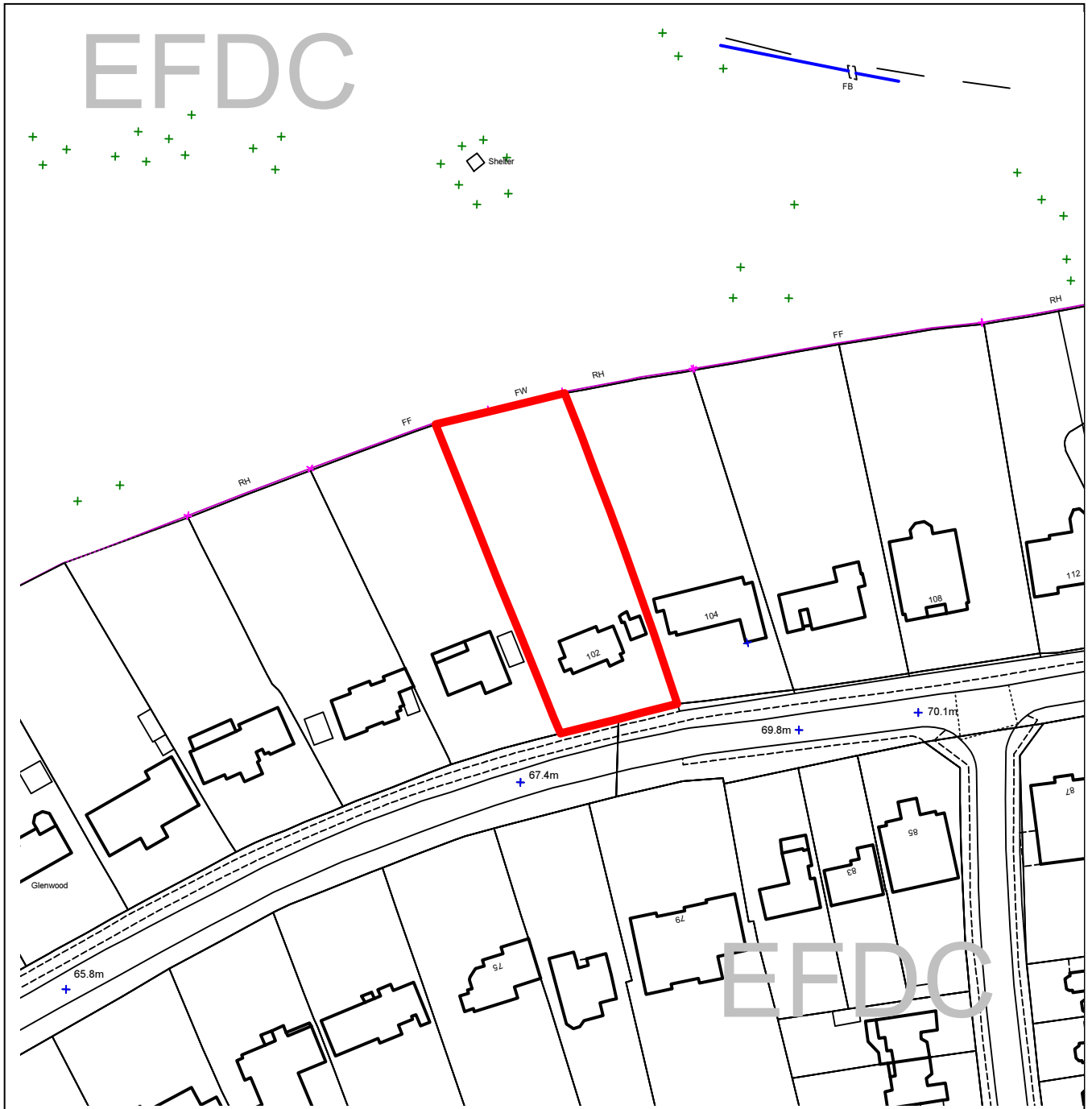
**Planning Application Case Officer: Jenny Cordell  
Direct Line Telephone Number: 01992 574481**

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/0635/13
Site Name:	102 Manor Road, Chigwell, IG7 5PQ
Scale of Plot:	1/1250

## Report Item No 7

<b>APPLICATION No:</b>	EPF/0656/13
<b>SITE ADDRESS:</b>	7 Albion Hill Loughton Essex IG10 4RA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Mark Bowman
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of an existing care home (consisting of 22 rooms) to 7 residential flats, consisting of 2 x 1-Bed, 4 x 2-Bed and 1 x 3-Bed flats with associated amenity space, on site car parking, cycle and refuse store (approved under ref EPF/1657/12). The proposal includes the demolition of the original house dating back to the 1870's and its re-construction 'like-for-like' (already approved under ref EPF/0095/13) and the demolition of the 1920's and 1990's section of the house and its re-construction 'like-for-like' with some minor modifications.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=547615](http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547615)

### CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 4832 IN 01, 4832 IN 02, 4832 IN 03, 4832 IN 04, 4832 IN 05, 4832 IN 06, 4832 IN 07, 4832 IN 08, 4832 IN 09, 4832 IN 10, 4832 IN 11 4832 IN 12 4832 IN 100, 4832 DE 201 Rev A, 4832 DE 202 Rev A, 4832 DE 203 Rev A, 4832 DE 204 Rev A, 4832 DE 205 Rev A, 4832 DE 206 Rev A, 4832 DE 207 Rev A, 4832 DE 208 Rev A, 4832 DE 209 Rev A, 4832 DE 210 Rev A, 4832 DE 211 Rev A, 4832 DE 212 Rev A and 21212(8) .
- 3 Within one month of the date of this decision, details of the proposed refuse store shall be submitted to the Local Planning Authority for approval in writing. The refuse store shall be installed in accordance with the agreed details prior to the first occupation of a dwelling hereby approved.
- 4 The development hereby approved shall be undertaken in accordance with Andrew Day Arboricultural Consultancy, Arboricultural Method Statement dated 6th March 2013, and Tugby Ltd Method Statement for Piling and Ground Beam within Root Protection Area dated March 2013. The development shall be carried out only in

accordance with these approved documents unless the Local Planning Authority gives its written consent to any variation.

- 5 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.
- 6 The parking areas shown on approved drawing number 4832 DE 201 Rev A shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 7 Prior to the first occupation of the dwellings hereby approved, privacy screens of 1.7m in height shall be erected along the western side of the balcony serving flat no. 6 (the side facing 9 Albion Hill) and also along the northern side of the balcony serving flat no 7 (the side facing 5 Albion Hill).
- 8 The development hereby approved shall be carried out in strict accordance with the approved Construction Method Statement dated January 2013 (amended March 2013).
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 There shall be no bonfires on the site throughout the demolition and construction phase of the development;
- 11 Within 3 months from the date of this consent full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall have been submitted to, and approved in writing by, the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to, details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

*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:**

A two storey (with additional lower ground floor accommodation) building, last in use as a 22 bed residential care home. The original house was substantially extended in the 1870's, 1920's and 1990's. The extensions have been demolished in recent months.

The site includes small garden and courtyard areas to the rear of the building and a small car park area (containing 5 spaces) to the front of the site. An adjacent piece of land containing the hardstanding of a former garage is also incorporated into the application site.

### **Description of Proposal:**

This application is a revision to previously approved proposals for the conversion of the existing building into 7 flats (Comprising a mix of 2 x 1 bed; 4 x 2 bed; and 1 x 3 bed). The approved development included the demolition and rebuilding on a "like-for like" basis the oldest part of the building dating from the 1870's, which is the western part of the building fronting Albion Hill adjacent to the site boundary with 9 Albion Hill. That permission has been implemented and in the course of carrying out demolition works additions to the rear of the 1870's extension constructed in the 1920's and 1990's were damaged to the extent they became unsafe. As a consequence they were demolished and only the original house remains.

The current application therefore seeks consent for the demolition works already carried out in order to regularise the situation. It also seeks consent to rebuild those structures on a "like for like" basis and provide the approved flats. The resulting development would have the same layout and appearance as that previously approved under planning permission EPF/0095/13.

### **Relevant History:**

EPF/1657/12 Change of use of an existing care home (consisting of 22 rooms) to 7 private residential flats, consisting of 2 x 1-Bed, 4 x 2-Bed and 1 x 3-Bed Flats, with associated amenity space, on-site car parking, cycle and refuse storage. Approved 21/11/2012

EPF/0095/13 Change of use of an existing care home (consisting of 22 rooms) to 7 private residential flats, consisting of 2 x 1-Bed, 4 x 2-Bed and 1 x 3-Bed flats with associated amenity space, on-site car parking, cycle and refuse store. The proposal includes the demolition of the original house dating back to the 1870's and its re-construction, 'like-for-like'. Approved 13/03/2013

### **Policies Applied:**

DBE1 (compliant) - Design  
DBE 2, 9 (compliant) – Amenity  
DBE6 (compliant) – Car Parking  
LL10 (compliant) – Retention of Landscaping  
LL11 (compliant) – Landscaping Schemes  
CP2 (compliant) – Protecting the Quality of the Rural and Built Environment  
CP3 (compliant) – New Development  
CP7 (compliant) – Urban Form and Quality  
H2A (compliant) – Previously Developed Land

H4A (partially compliant) – Dwelling Mix  
ST4 (compliant) – Highway Safety  
ST6 (compliant) – Vehicle Parking

### **Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 11 neighbouring residents and a planning consultant who acted for an objector to application EPF/1657/12.

The following representations have been received:

LOUGHTON TOWN COUNCIL      No objection

9 ALBION HILL.      Comment

There are some comments I feel should be made.

1. I referred in previous correspondence to the condition of the boundary between No. 9 and No.7. Flanked by a Fir Tree covered by T.P.O and a Hawthorn Tree (both of which have been growing for a long time). This boundary needs to be re-established satisfactorily.
2. I also commented previously that to say that Albion Hill is generally free from on-street parking is not entirely true. There are quite frequently times when this is not the case and pedestrians, particularly the elderly and infirm ones, encountering problems.
3. I have examined the Inspection Report from Steve Cockayne Associates dated March 2013 relating to the "1920's extension". In particular, on page 4 (para. 3.7) reference is made to the root infiltration, apparently due to the 1920s methods of foundation building, when both the Hawthorn Tree (nearest to the 1920 Extension) and the Fir Tree were probably well established. Presumably root infiltration will not recur due to the extensive ground clearance but it might be asked if the alleged cause of the infiltration (the Fir Tree) has been established by analysis of the roots extracted to identify the tree? Nor is it known what other growth might have been responsible in the past.
4. More positively, I would like to say that the works taking place at No. 7 have been carried out so far with proper concern for the neighbourhood and its more immediate residents.
5. The elimination of one of the windows on the North West elevation is also appreciated.

11 ALBION HILL. Objection.

I have objected before to these planning applications. My grounds are that there will be totally inadequate parking provided. The application evidence states that 7 places will be enough as there is no parking problem in the road. This is not true. Furthermore 7 flats will own more than 7 cars, which will mean a permanent problem in the road, even without visitors and workmen etc. It is unlikely that the occupants of the new flats are going to use bus and tube and not require many cars. The site is too small for 7 flats.

### **Issues and Considerations:**

The proposed conversion of the building to provide 7 flats served by 9 parking spaces (not 7 as asserted by an objector) has been approved twice within the last year. The current proposal is materially different since it relies on much more substantial reconstruction works than previously approved. The need for the works is properly set out in a structural survey submitted with the application. Since the new works would not appear materially different to the previously existing



building they would clearly complement the building and consequently are acceptable in design terms and in terms of the impact on the living conditions of neighbours. The applicant specifies external materials for the rebuilt part of the building and they would match the existing adjacent materials. It is necessary to secure this by condition.

This assessment therefore primarily deals with the impact of the demolition and construction activity necessary to complete the proposed works. The applicant recognises such activity could cause harm and has submitted a revised construction method statement. The points set out in the method statement in relation to demolition have are no longer relevant since demolition works have been completed. The comments of a neighbour that such works were carried out with proper concern for the residents of the locality are indicative that the methodology for demolition has secured the amenities of neighbours. In respect of construction work, the method statement states, inter alia:

1. Foundations for the reconstructed part of the building would be piled.
2. Deliveries would be by appointment only by vehicles suitable for the width of the road.
3. Delivery appointments would be managed to minimise potential for congestion and therefore will avoid times when children are normally dropped off and collected from Oaklands School.
4. Lorries will only access the site in reverse gear under the direction of a trained Banksman.
5. Pedestrian access along Albion Hill will be maintained and, as necessary, a barrier footway will be provided.
6. A vehicle wash down point will be provided adjacent to the site entrance to prevent debris on the road.
7. Site working hours will normally be restricted to 07:30 to 18:30 Monday to Friday and 08:00 to 13:00 on Saturday only.
8. Waste will be sorted off site by a specialist contractor.
9. All concrete for foundations and retaining walls will be pumped.
10. No tower crane will be used.
11. Externally sheeted scaffold will be erected to enclose new structures and will be inspected weekly.
12. A timber and metal hoarding with lockable gates will secure the site boundaries.
13. The main contractor will maintain an open contact policy and contact telephone numbers for the public displayed.

Health and safety matters relating to the construction project would be controlled by the Health and Safety Executive and are therefore no material planning considerations. Similarly, Essex County Council as Highway Authority has independent powers to control any restriction of access along Albion Hill during construction. The proposals for managing construction traffic and ensuring highway safety have clearly been considered by the applicant and, in the context of independent controls of the Highway Authority, are found to be appropriate for the scale of the proposed demolition and construction activity.

Environmental Health Officers have previously given consideration to the potential impact of the construction proposals on the amenities of neighbours. It is found that the construction method statement is sufficient to mitigate harm to amenity and recognises the need to coordinate school opening and closing times. EHO's recommend the imposition of the standard construction hours condition. The condition expressly prohibits audible working activity on Sundays and Bank/public holidays. They also recommend the imposition of a condition prohibiting bonfires. It is necessary to secure the implementation of the construction method scheme by way of a planning condition.

In relation to the impact of the proposed works on adjacent trees, the Tree and Landscaping Team request the imposition of conditions that are revised from those imposed on permission EPF/0095/13 in order that they refer to an updated arboricultural report.

**Conclusion:**

In light of the above appraisal, it is considered that the proposed development is acceptable, in that it accords with local plan policies and would not give rise to unacceptable harm to neighbouring amenity, the character and appearance of the area or highway safety and efficiency. It is, therefore, recommended that planning permission be granted, subject to the imposition of the planning conditions discussed in this report, which are essentially the same conditions imposed on planning permission EPF/0095/13.

***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:***

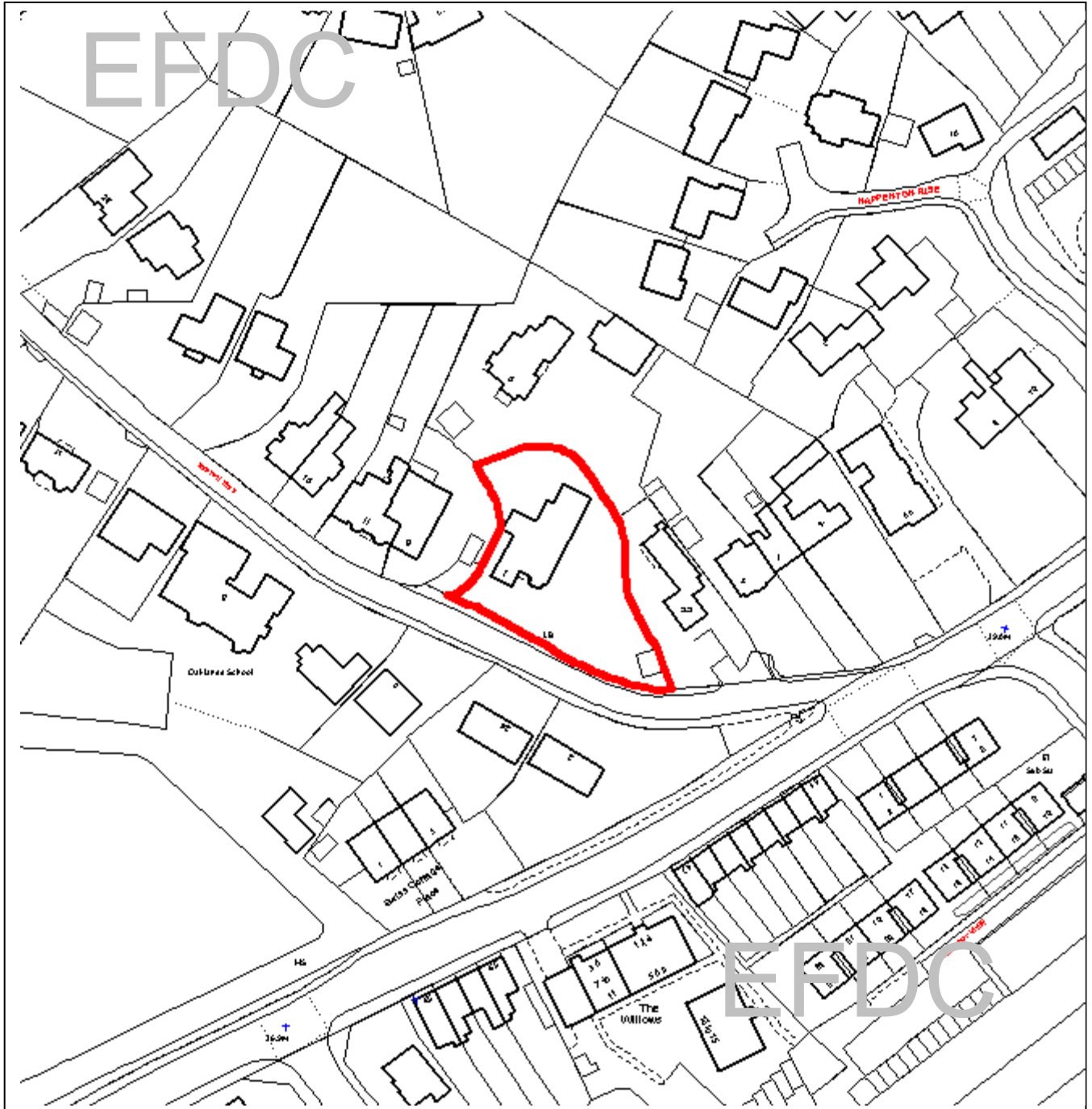
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	7
Application Number:	EPF/0656/13
Site Name:	7 Albion Hill, Loughton, IG10 4RA
Scale of Plot:	1/1250

## Report Item No 8

<b>APPLICATION No:</b>	EPF/0676/13
<b>SITE ADDRESS:</b>	21 Upper Park Loughton Essex IG10 4EY
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr R Hollingsworth
<b>DESCRIPTION OF PROPOSAL:</b>	Revisions to planning approval EPF/2462/10 (for extensions to existing house including new two storey wing with loft) comprising changes to window style and external materials to be used.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=547732](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547732)

### CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The 'juliet balcony' to be formed in the front elevation at first floor level shall be constructed in strict accordance with the plan number 2615\_PL05e hereby approved, and the associated doors to this balcony shall open inwards into the room.
- 3 Details of boundary fences and landscaping shall be implemented in accordance with the details approved under a related application ref: EPF/0646/13.

*This application is before this Committee because the recommendation for approval on this householder application is contrary to more than four 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:**

Detached 2 storey dwelling with large garage alongside located at the junction of Upper Park and Park Hill. The area is characterised by large semi detached or detached houses. The property is not listed nor does it lie in a conservation area.

### **Description of Proposal:**

Revisions to planning approval EPF/0676/10 (which gave approval to extensions to existing house including a new two storey wing with loft) comprising changes to window style and external materials to be used.

### **Relevant History:**

EPF/2640/10 gave approval to a two storey side and rear extension with rooms in new loft on north west flank, first floor dormer window, ground floor rear extension, and ground and first floor side extension on south east flank.

### **Policies Applied:**

DBE9 – Loss of amenity.  
DBE10 – Residential extensions  
National Planning Policy Framework.

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – No objection.

NEIGHBOURS – 9 properties consulted and 5 replies received:-

LAURELS, 44, PARK HILL - object to first and second floor rear windows that will overlook my garden and property. On a previous application windows that overlooked my property were shown as obscured glass and those at the highest level as secured fixed shut.

23, UPPER PARK – object – although this revised application represents an improvement on previous applications there is still too much glass proposed in the front, rear and side elevations, and hence the design will be intrusive and compromise the privacy of neighbours. There are no fewer than 6 windows proposed in the side elevation facing Park Hill and my property, and at a minimum they should be fitted with obscured glass.

16, UPPER PARK – object - the new design has a different feel/look which is less in keeping with Upper Park. The front elevation will contain a significant amount of glass and the glass doors and balcony will overlook my property lying opposite.

18, UPPER PARK – object - the excessive use of glass on the front elevation, and the balcony, will be intrusive on the privacy of numbers 14, 16, 18 Upper Park, and will cause overlooking. The side elevation will overlook properties on Park Hill, and the modern design of the property will change the appearance of the area and will look out of place.

25, UPPER PARK – the generous amount of glazing and a balcony will impinge on the privacy of neighbours.

### **Issues and Considerations:**

Privacy and overlooking With the exception of a first floor opening the proposed windows are in the same position and are of the similar size, to the windows previously approved under EPF/676/10. It is acknowledged that the windows have less mullions and crossbars, and this change perhaps gives an impression that larger openings are being proposed. In the proposed two storey wing the first floor front facing window, to a bedroom, is being changed to a 'french door' type of design accompanied by a juliet balcony. Such a balcony does not allow for people to be able to stand outside the bedroom, and the doors would only open inwards into the room.

Neighbours on the opposite side of the road feel that this balcony and the enlarged glazed areas will cause overlooking. Although houses across the road are at a lower level the distance to their front windows will be a considerable 25m, and the 'balcony' will not include an outside terrace to stand on. For these reasons an undue loss of privacy will not result to houses lying opposite.

The two storey wing, with loft above will introduce 3 additional rear windows facing the side of the house at the rear ie The Laurels, 44 Park Hill. These additional windows will be some 11m away from the common boundary with the Laurels, and moreover will look out onto the front drive area/garden of that property. Consequently, a material degree of overlooking will not result.

In respect of side facing windows onto Park Hill the first floor window is a bathroom window, and the loft room windows are velux windows in the roof slope with views only upwards to the sky. No.23 Upper Park, on the other side of Park Hill, lies on higher land some 20m away from these side facing windows, and hence there will be very little overlooking.

Design issues The existing house, and its neighbour at no.19, currently have a large area of their walls that are rendered. In this context the proposal to render the extended house will not be a significant change, and the proposed use of two different shades of render is appropriate. A slate roof is proposed and this is also acceptable.

### **Conclusion:**

The proposed development is for extensions to an existing house, and not the erection of a new house. No.21 and no.19 stand as a pair of houses separated from other rows of houses in the road. The proposed changes to windows, and use of render on external surfaces, will produce a more modern design but they are acceptable in the context described above. Planning permission for these changes is therefore recommended - subject to conditions including one ensuring that no front balcony or terrace is formed .

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

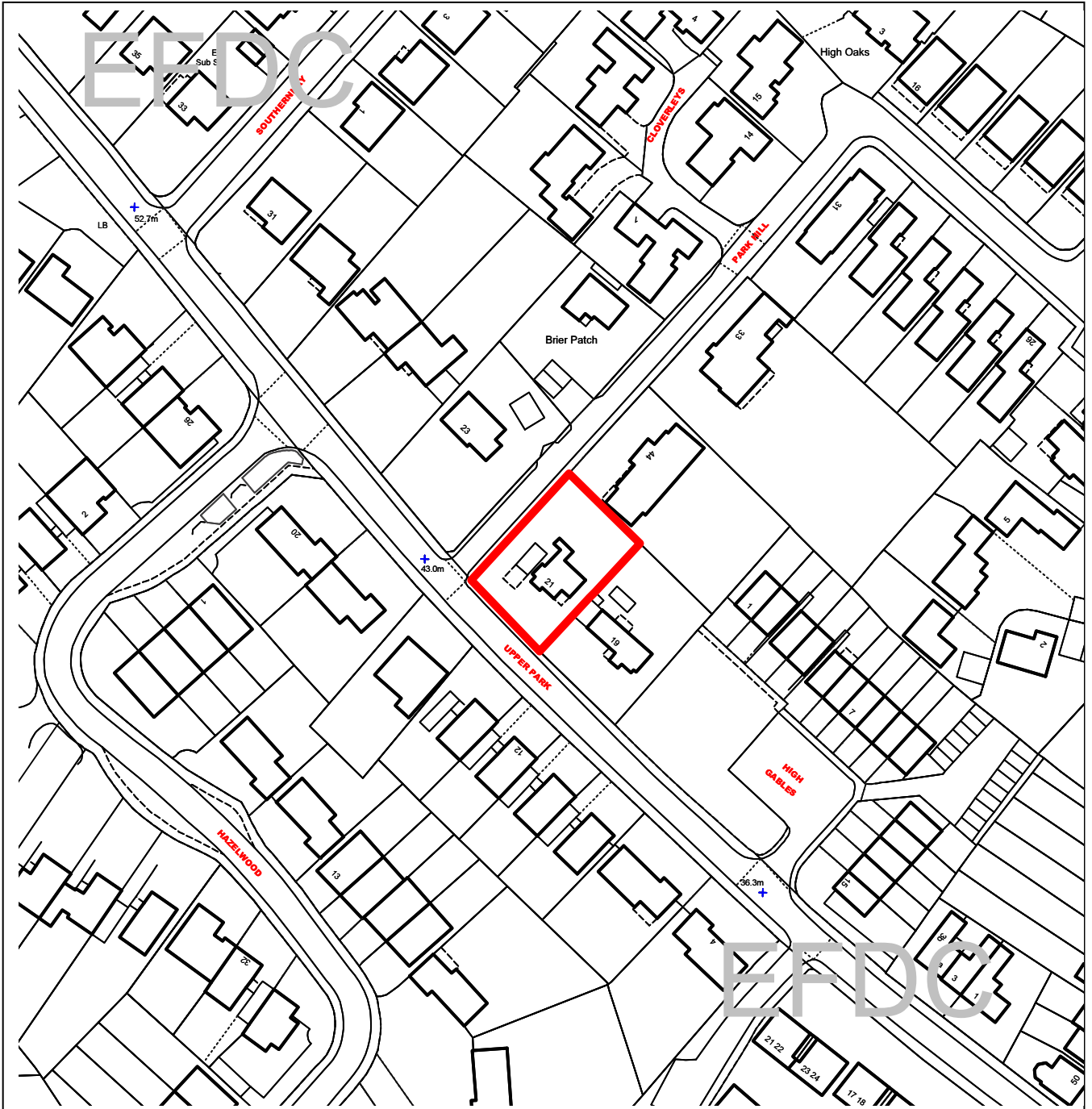
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>8</b>
Application Number:	EPF/0676/13
Site Name:	21 Upper Park, Loughton, IG10 4EY
Scale of Plot:	1/1250

## Report Item No 9

<b>APPLICATION No:</b>	EPF/0755/13
<b>SITE ADDRESS:</b>	38 Rookwood Gardens Loughton Essex IG10 2DQ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>APPLICANT:</b>	Mr Tomas Gričius
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey outbuilding in the rear of the garden with pitched roof.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=548210](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548210)

### CONDITIONS

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

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

### **Description of Site**

Rookwood Gardens is located within the built up area of Loughton. The existing dwelling is in the form of a semi detached house that is located within a relatively long plot. The local area is characterised by semi detached and terraced housing with relatively long gardens. The property is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

### **Description of proposal**

The proposed development is for a single storey outbuilding in the rear garden which will measure 8.5m in width, 3.4m in length, have an eaves height of 2.3m and a maximum ridge height of 3.5m. The development is located on the boundary with the neighbours on Willingale Road and will be used ancillary to the existing dwelling. The development has already been partially built.

### **Relevant History**

No relevant history



## **Policies Applied**

CP2 (compliant) – Protecting the Quality of the Rural and Built Environment

DBE1 (compliant) – Design of New Buildings

DBE2 (compliant) – Effects to Adjoining Properties

DBE9 (compliant) – Loss of Amenity

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

## **Consultation carried out and summary of representation received**

5 Neighbours consulted – 2 comments received

251 WILLINGALE ROAD – Object – The proposed outbuilding will appear bulky and overbearing so ask that the application be refused.

249 WILLINGALE ROAD – Object – As a result of the height, design, materials and loss of light, the existing outbuilding should not be granted planning permission.

LOUGHTON TOWN COUNCIL – Object – The town council concluded that the development would cause '*gross interference with the amenities of the neighbouring Properties, particularly owing to the massing and height of the pitched roof*'

## **Issues and considerations**

The main issues to consider when assessing this application are the effects of the proposed development on the amenities of neighbours and the design in regards to the existing building and its setting.

### **Neighbour Amenity**

The existing outbuilding is set upon the boundary with the neighbours to the west (251 and 253 Willingale Road). The outbuilding stretches across the entirety of the rear garden. It is noted that the proposed outbuilding and in particular its roof would not only be seen from the adjoining properties of 251 and 253 Willingale Road but also from other neighbouring properties. The rear façade of no 251 would be some 12 metres away from the proposed development and existing screening on the boundary in the form of fencing would screen the majority of the development. The bulk of the outbuilding would not be excessive and consequently would not appear visually intrusive or overbearing. That is assisted by the relatively low ridge height and the fact that the roof hips away from neighbouring properties. As such it would not adversely impact living conditions of the neighbours.

### **Design**

The outbuilding is of a conventional design that will not appear out of keeping in its setting.. Furthermore, developments such as the proposed are not an uncommon sight within built up residential areas.

**Conclusion:**

The proposed development is appropriate in terms of its design and appearance and it would not result in excessive harm to the amenities of adjoining property occupiers. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations which are consistent with the National Planning Policy Framework

***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:***

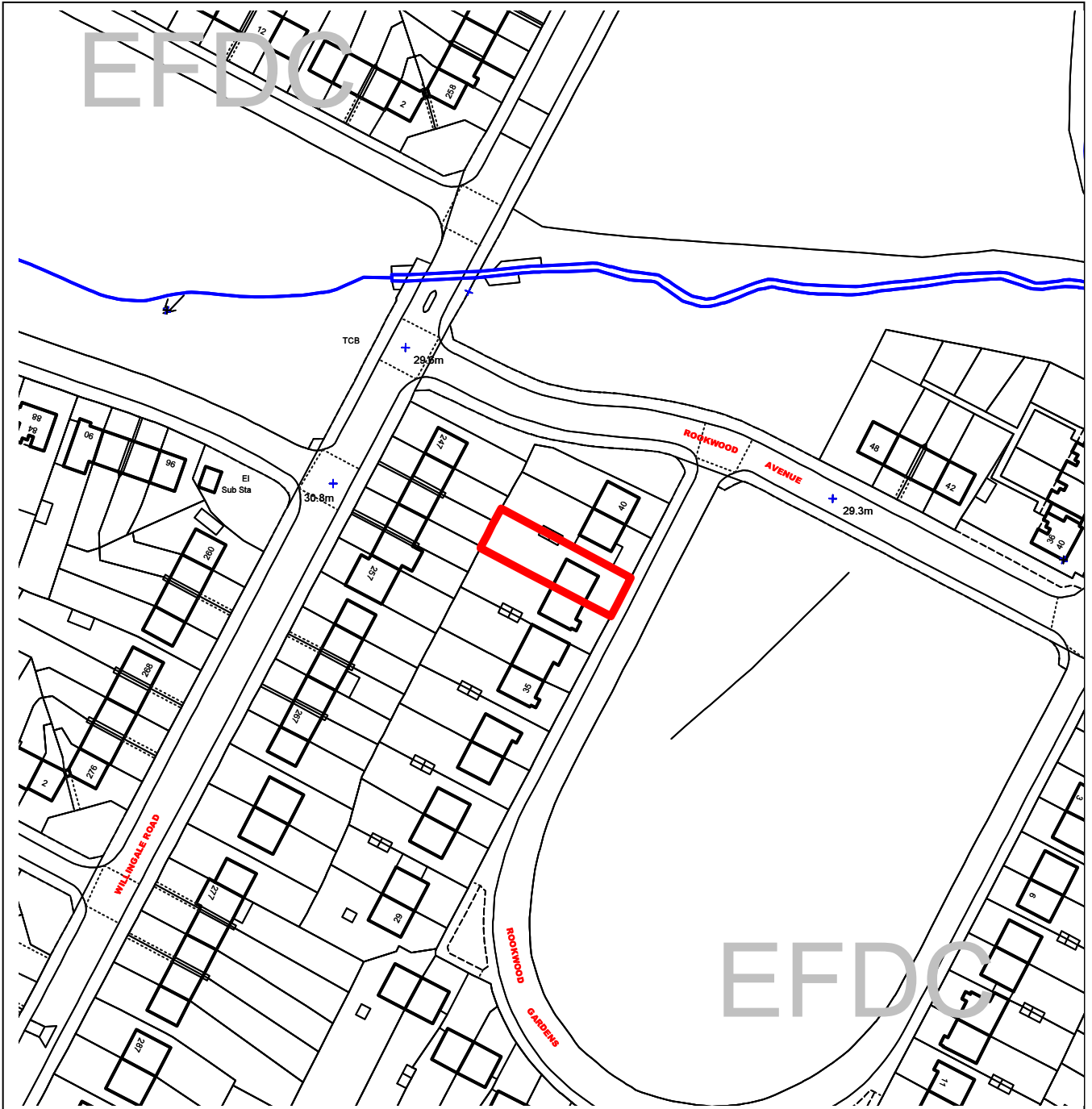
***Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564 103***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>9</b>
Application Number:	EPF/0755/13
Site Name:	38 Rookwood Gardens, Loughton, IG10 2DQ
Scale of Plot:	1/1250

## Report Item No 10

<b>APPLICATION No:</b>	EPF/0856/13
<b>SITE ADDRESS:</b>	Rear of 71 & 71a Stonards Hill Loughton Essex IG10 3EH
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Roding
<b>APPLICANT:</b>	Mr Clive Jacobs
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed two bedroom detached house.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=548732](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548732)

### REASON FOR REFUSAL

- 1 The proposed house, by reason of its height, size, and proximity to neighbouring dwellings, would result in an overbearing development that would detract from the amenity, outlook, and privacy of residents in neighbouring properties. The proposal is therefore contrary to policy DBE9 of the adopted Local Plan and Alterations, and also contrary to the National Planning Policy Framework.
- 2 The proposal, by reason of the restricted size of plot, represents an overdevelopment of the site resulting in inadequate amenity space being provided for residents of the proposed dwelling. The absence of a rear garden also results in a cramped form of development that is out of character with the locality. The proposal is therefore contrary to policies DBE8, DBE1, CP2, and CP7 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.
- 3 There are two preserved trees on this site, and no arboricultural evidence has been submitted to show that the health and well being of these trees will not be harmed by the proposal development. The proposal is therefore contrary to policy LL10 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.

*This application is before this Committee because the local town council have requested a further opportunity for the merits of the application to be considered by this Area Plans Sub Committee.*

### **Description of Proposal:**

Proposed two bedroom detached house.

### **Description of Site:**

A fenced off rear section of the original garden to no.71 Stonards Hill, and hence the site faces Alderton Way. The site is located in a residential area comprising of two storey semi detached houses, and it does not lie in a conservation area.

### **Relevant History:**

EPF/1922/05 gave approval to a new two storey house to be built adjoining the flank of number 71 Stonards Hill. This house has been built and is known as 71A Stonards Hill. At the time this additional house was built an original section of the rear garden of number 71 was sectioned off, and it is this land which is the subject of the current application.

EPF/1596/12 - this application, for a 2 storey house to be erected on the fenced off section of the rear garden, was withdrawn before a decision was reached, partly because officers indicated that it may well have been refused having regard to its position, size, and effect on the amenity of neighbours.

EPF/1986/12 was a refusal of permission for the erection of a 3 bedroom chalet bungalow on grounds that it would be obtrusive and detract from neighbours amenity, and that its appearance would have a contrived appearance in an area of houses. A planning appeal has now been lodged against this refusal.

### **Policies Applied:**

CP2 – Protecting the quality of the rural and built environment.

CP3 – New development.

CP7 – Urban form and quality

DBE1- Design of new buildings

DBE6 - Car parking in new development

DBE9 – Loss of amenity.

ST6 – Vehicle parking.

LL10 – Adequacy of provision for landscape retention.

National Planning Policy Framework.

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – The Committee expressed similar concerns made on a previous application relating to being out of character with the street scene and impact on neighbours. However, the Committee was divided on this application, there being an equal number of votes for and against a motion that no objection be offered. The chairman stated he exercised his casting vote so as 1) not to make a decision in favour of the application without an actual majority of members supporting it, and 2) to secure a further chance for its merits to be considered by elected members at Area Plans South Sub Committee.

NEIGHBOURS – 12 properties consulted and 5 replies received:-.

LRA PLANS GROUP - object – the design is out of character with surrounding houses and is too bulky and overbearing to be built in a small garden plot, it would compromise the street scene, the amenity space for the new dwelling is too small, and it would remove on street parking in an area of chronic parking shortage, and the Government has strengthened the presumption against garden developments, which this appears to be. If consent were to be approved permitted development rights should be removed.

71A, STONARDS HILL – object – this is a gross overdevelopment of a small site, the proposed building would overlook and overshadow our garden - and reduce light and privacy, the plot should be part of the rear gardens of 71 and 71A Stonards Hill, the building would be out of character with the area, the plot is currently a diverse ecological habitat and a variety of types of birds nest in it – indeed 2 Cypress trees on the site are now preserved.

26, STONARDS HILL – object – if approved the proposal would set a precedent to build on other back gardens , the area would become overdeveloped, it would put a further strain on car parking, and the proposal is not in keeping with the locality.

15, ALDERTON WAY – object – involves gross overdevelopment and would result in 3 houses on the plot of 1 former house, would cause loss of privacy to our main bedroom and our outlook would be affected, would aggravate existing on street car parking problems, and the claim that the existing tree is dangerous is unsubstantiated.

EMAIL COMMENT – no address given – support the proposal, this is wasteland and a breeding ground for cats and foxes etc, and a small development would be of great use and look better.

EFDC TREES AND LANDSCAPE SECTION – object on grounds that the proposal does not make adequate provision for landscape retention contrary to policy LL10. There are 2 large Leyland Cypress trees on the site which make a significant visual contribution to the street scene. The applicant states that the ‘tree is dangerous to the public and needs removal urgently’. This statement is not supported by any tree reports to suggest they are dangerous and on inspection nothing could be seen to suggest that they needed to be felled because of their condition. A Tree Preservation Order has now been made on these trees.

ESSEX COUNTY COUNCIL HIGHWAYS – No objections subject to 3 conditions being applied concerning details of the design of the proposed crossover.

### **Issues and Considerations:**

The application site is small measuring 16m in width by an average depth of 13m. The proposed two storey house would lie 1m away from the side boundary with the rear gardens of numbers 71 and 71A Stonards hill, and 1.4m away from the rear boundary with the garden of 69 Stonards hill. It would therefore be a conspicuous and overbearing building, especially to residents in 71 and 71A Stonards Hill, whose rear gardens are a modest 14m in depth. Consequently, the proposed house, by reason of its size and position, would detract from the amenity, outlook, and privacy of residents in neighbouring properties.

In relation to the size of the plot a two storey house can be judged to be an overdevelopment of the site, as mentioned in some of the objections received. This is illustrated by the fact that only a small piece of amenity space (56 sq m) is available at the side of the building whereas the requirement for a two bedroom house should normally be 80 sq.m. Semi detached houses in the locality have not only front but rear gardens and the absence of a rear garden in the proposed development would result in built form that is out of character with the area.

As mentioned above 2 large Leyland Cypress trees on the site are now protected by tree preservation orders. It is likely that the roots and/or crowns of these trees would be harmed by the erection of a house just some 7m away, and in the absence of any tree protection reports being submitted the development would be likely to harm the health and well being of these preserved trees.

A vehicular crossover is proposed at the front of the site. Essex CC, as highways authority, do not raise any objections to the proposal, and although the concerns of objectors about on street

parking are noted, the proposal, which provides space for two cars to park off street, is satisfactory from a parking standpoint.

Is there a way forward? It is acknowledged that this site has been fenced off and unused for some 8 years, and hence the proposed house is not being proposed on existing garden land. It may have been this point that resulted in an even vote being arrived at by members of the town council committee when considering the merits of this proposal. However, the fact that the site is fenced off and unused, is not, in itself, justification to allow a house to be built on it. As set out above another dwelling at 71A Stonards Hill was built in 2005/2006 and at that time the application site was then severed off from the garden of the original house at 71, and the new house at 71A. The rear gardens to 71 and 71A Stonards Hill are not large by any means, and the application site would be best used as 'reinstated' extensions to these gardens.

**Conclusion:**

For the reasons outlined above the proposed development of one house would be contrary to relevant planning policies, 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***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>10</b>
Application Number:	EPF/0856/13
Site Name:	Rear of 71 and 71a Stonards Hill, Loughton, IG10 3EH
Scale of Plot:	1/1250



## Report Item No 11

<b>APPLICATION No:</b>	EPF/0899/13
<b>SITE ADDRESS:</b>	22 Valley Hill Loughton Essex IG10 3AE
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Roding
<b>APPLICANT:</b>	Miss D Alexandrou
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=548972](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548972)

### CONDITIONS

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

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

### **Description of site**

Valley Hill is located within the built up area of Loughton. The existing dwelling consists of a semi detached property with a relatively narrow and long garden. The locality is characterised by semi detached and terraced housing, many of which benefit from single storey rear extensions and rear detached garages. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

### **Description of proposal**

The proposed development is for a single storey rear extension which will project 3.7m past the existing rear elevation, will be 6m wide, have an eaves height of 2.6m and a maximum height of 3.8m. The extension will create living space to the rear of the property.

### **Relevant History**

No relevant history

## **Policies Applied**

CP2 (compliant) – Protecting the Quality of the Rural and Built Environment  
DBE10 (compliant) – Design of Residential Extensions  
DBE9 (compliant) – Impact on amenity

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

## **Consultation carried out and summary of representations received**

3 Neighbours Consulted –

24 VALLEY HILL– OBJECTION – in terms of scale and structure this proposal will appear overbearing and lead to a significant loss of light.

No other neighbour comments received

LOUGHTON TOWN COUNCIL – OBJECTION – Owing to the steep sloping of the rear extension members considered that the proposal would have a detrimental effect on the amenities of, and cause loss of daylight to the owners of the adjoining property at number 24 Valley Hill.

## **Issues and considerations**

The main issues to consider when assessing this application are the effects of the proposed development on the amenities of neighbours and the design in regards to the existing building and its setting.

### **Neighbour Amenity**

The neighbours to the south west (24 Valley Hill) already benefit from a flat roofed single storey extension which projects two metres past the rear wall lessening the potential impacts that might occur as a result of this proposal. The proposed development will extend 1.6m at single storey past the neighbouring extension, which is not a large increase making the potential detrimental effects low. The gardens of Valley Hill are relatively long which offsets this small addition.

The potential adverse impacts on the neighbouring living conditions are not excessive. Therefore the proposal complies with policy DBE9 or the adopted local plan.

### **Design**

The extension is of a conventional design that follows the form of the existing property and would compliment the existing building. Therefore the proposal complies with policy DBE10 of the adopted local plan and alterations.

## **Conclusion**

The single storey extension is of a conventional design that would not appear out of keeping with the existing building or its setting. The proposed works will not have any significant impacts on the living conditions of the neighbours and therefore it is recommended that this proposal be granted planning permission.

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

**Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564 103**

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	11
Application Number:	EPF/0899/13
Site Name:	22 Valley Hill, Loughton, IG10 3AE
Scale of Plot:	1/1250

## Report Item No 12

<b>APPLICATION No:</b>	EPF/0939/13
<b>SITE ADDRESS:</b>	The Coach House Gravel Lane Chigwell Essex IG7 6DQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Graham Bayliss
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 3 and condition 6 of planning permission EPF/1831/12. (Erection of new detached two storey dwelling with basement , demolition of existing Coach House and existing concrete framed building. Change of use of stables into storage rooms -revised application) to permit minor material amendments to the development comprising alterations to basement window design, provision of roof lights in roof and clarification of curtilage.
<b>RECOMMENDED DECISION:</b>	: Grant Permission (Subject to Legal Agreement)

### 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=549130](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549130)

### CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development shall be implemented in accordance with external finishes approved under decision reference EPF/0988/13.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1170/103H; 1170/106B; 1170/107B; 1170/108B; 1170/203
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Schedule 2, Part 6, Classes A and B shall be undertaken on the site or on other land in the applicant's ownership as identified on drawing number 1170/203 without the prior written permission of the Local Planning Authority.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no extensions generally permitted by virtue of Schedule 2 Part 1, Class A and no outbuildings generally permitted by virtue of Schedule 2 Part 1, Class E shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 The residential curtilage of the dwelling hereby permitted shall be limited to the areas edges red on plan no. 1170/103H.
- 7 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]
- 8 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 9 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless

otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 10 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. The approved monitoring and maintenance programme shall be implemented.
- 11 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.
- 12 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 13 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 14 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.
- 15 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.

- 16 Within the first planting season following the substantial completion of the development hereby approved, the site shall be landscaped in accordance with the details approved under decision reference EPF/0988/13.
- 17 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars, including those referred to in decision reference EPF/0988/13, is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 18 The existing buildings shown in dashed line on plan no. 1170/103H shall be demolished and all resultant debris removed from the site within 3 calendar months of the substantial completion of the dwelling hereby approved.

**Subject to the completion, within 17 weeks, of a Deed of Variation to ensure the legal agreement under Section 106 of the Town and Country Planning Act 1990 attached to planning permission reference EPF/1831/12 (prohibiting the sale of any part of the application site separately from the remainder of the site and preventing the erection of an extension to the retained outbuilding, previously permitted under application reference EPF/0393/02) also applies to this permission. Should the Deed of Variation not be completed Officers are given delegated authority to refuse planning permission.**

*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 of the building known as 'The Coach House' and the area of land surrounding it. The application drawings also indicate a larger area which lies within the applicant's ownership, which is largely planted with grapevines (an agricultural use). To the rear of The Coach House is a dwelling called the Farmhouse, which is in separate ownership. The boundary between the two sites is marked by fairly low level, sparse Leylandii. The Farmhouse is presently being replaced by a larger dwelling, set back further within the site – construction appears almost complete. To the side of The Coach House is a stable block. The application site is accessed by a narrow track from Gravel Lane. The site is located within the Metropolitan Green Belt.



The site together with adjacent land in the applicant's ownership covers an area of approximately 5 hectares.

### **Description of Proposal:**

This application seeks consent for a minor material amendment to the planning permission given on 7 March 2013 under reference EPF/1831/12 for the erection of a two storey, four-bedroom dwelling within the application site. The permission was given following the completion of a S106 agreement prohibiting the subdivision of the land in the applicants ownership described above and prohibiting the erection of a previously approved extension to an outbuilding.

The approved dwelling includes a basement level designed to provide a garage and storage area. The storage area was proposed to support the vineyard use (storage of wine) and consequently remove the need for a separate storage building.

The proposal seeks the amendments to the approved scheme by way of amending condition 3 of the planning permission, which specifies drawings the development should be built in accordance with, and condition 6, which limits the curtilage to an area defined on a particular drawing.

The changes proposed are as follows:

1. A conventional basement would be replaced by one surrounded by a 1.5m wide walkway covered over by an open mesh grating.
2. The kitchen of the house would be resited in the basement and receive light from window openings to the walkway, which would therefore also serve as a lightwell. An additional utility room would also be provided in the basement. The basement would no longer include a storage area, but an oversize garage some 6m wide and 10m in length that would allow for some domestic storage would remain.
3. As a consequence of the resiting of the kitchen within the basement, the main lounge at ground floor would be enlarged. There would be non-material alterations to the layout of the first floor and a loft room would be lit by 4 rooflights.
4. Non-material changes to the design and arrangement of windows are proposed.
5. The proposed curtilage of the house would remain the same as approved. The applicant proposes substituting the approved drawing number referred to in condition 6 with a new drawing that shows the proposed footprint of the house at basement level with the proposed walkway around it. The approved plan shows a ground floor plan and no walkway around it.

Should consent be given that would result in a new planning permission. For that reason the applicant has agreed to complete a deed of variation that would ensure the S106 agreement linked to planning permission ref EPF/1831/12 would also apply to the new permission.

### **Relevant History:**

The most relevant previous application is that which the applicant seeks to amend:

EPF/1831/12 Erection of new detached two storey dwelling with basement , demolition of existing Coach House and existing concrete framed building. Change of use of stables into storage rooms. (Revised application)                      Approved as described above

Previous relevant planning history is set out below:

## Applications

EPF/0641/89. Use of premises as a dwelling house. Refused 23/06/1989.

EPF/1309/97. Conversion of coach house into a dwelling. Refused 02/12/1997 and subsequently dismissed at appeal 15/07/1998.

EPF/0393/02. Refurbishment and replacement works to the coach house and barns to create stables and barn with tack room and store. Approved 10/07/2002.

EPF/2425/07. Change of use of Coach House to dwelling (revised application). Refused 18/12/2007 for the following reason:

*The Council is not satisfied that the works within the last ten years were not completed with a view to securing ostensibly a residential use of the building. It will therefore be inappropriate development in the Metropolitan Green Belt and be contrary to policies GB2A and GB8A of the Adopted Local Plan and Alterations.*

Subsequently dismissed at appeal.

EPF/1802/09. Retention of front dormers and doors and windows to tack room. Refused 22/12/2009 for the following reason:

*The cumulative impact of the alterations to the building results in it resembling a domestic property in its character. Such character is inappropriate within the Green Belt and harmful to the Green Belt, contrary to policy GB2A of the adopted Local Plan and Alterations.*

EPF/1061/11. Conversion of existing Coach House into dwelling and extending stable buildings with store and garage, and change of use of stables into storage rooms. Demolition of existing concrete framed buildings. Refused 09/09/2011 for the following reason:

*The Council is not satisfied that works undertaken to The Coach House within the last ten years were not completed with a view to securing a residential use, as it does not appear that the 2002 consent for use as a tack room was ever implemented. The proposed development is therefore contrary to policy GB8A(iv). As a result, the proposed development would be inappropriate development within the Metropolitan Green Belt, as defined in policy GB2A of the Adopted Local Plan and Alterations. The applicant has failed to demonstrate a case for very special circumstances to outweigh this harm to the Green Belt.*

EPF/0493/12. Erection of new detached 4 bedroom dwelling, demolition of existing Coach House and existing concrete framed building. Extending stable building with store and garage, change of use of stables into storage rooms. Refused 26/7/2012 for the following reasons:

- 1. The proposed house together with its curtilage is inappropriate development in the Green Belt. No very special circumstances that outweigh the harm the proposal would cause have been demonstrated. Accordingly, the proposal is contrary to Local Plan and Alterations policy GB2A, which is consistent with the policies of the National Planning Policy Framework*
- 2. By reason of its unsympathetic design the proposed house would fail to respect its setting and the local character. Accordingly the proposal is contrary to Local Plan and Alterations policies DBE1 and DBE4, which are consistent with the policies of the National Planning Policy Framework.*

## Planning Enforcement Investigations

ENF/0610/07. Physical alterations taken place. Enforcement Notice served 24/04/2008 requiring either removal of the works or alteration to accord with planning permission EPF/0393/02. Requirements complied with.

### **Policies Applied:**

CP1 (compliant) – Achieving sustainable development objectives  
CP2 (compliant) – Protecting the quality of the rural and built environment  
DBE1 (compliant) – Design of new buildings  
DBE2 (compliant) – Effect on neighbouring properties  
DBE4 (compliant) – Design in the Green Belt  
DBE8 (compliant) – Private Amenity Space  
DBE9 (compliant) – Loss of amenity  
LL10 (compliant) – Landscaping for Retention  
LL11 (compliant) – Landscaping Schemes  
ST4 (compliant) – Road Safety  
ST6 (compliant) – Vehicle Parking

NPPF

### **Summary of Representations:**

Number of neighbours consulted. 1  
Site notice posted: Not required, but nonetheless displayed at access.  
Responses received: No response received from neighbours.

CHIGWELL PARISH COUNCIL.

*“The Council OBJECTS to this application with regards to scale which was previously raised by the Plans South Committee therefore the Council wish this to go back to District Plans South”*

Members are advised that in respect of application EPF/1831/12, which this application proposes minor material amendments to, Chigwell Parish Council commented:

*“The Council fully SUPPORTS this application as there is an employment opportunity and a requirement for wine growers to be onsite to tend the crops, also the positive commercial aspects for the area”.*

### **Issues and Considerations:**

In respect of condition 3, the proposed amendments are below ground level, to the internal arrangement of the approved house and to the details of its external appearance arising from changes to windows. There would be no enlargement of the approved house, the only addition being a 1.5m wide walkway around the basement of the house, which would be enclosed. The nature of the proposals are such that they would be of no consequence for the openness of the Green Belt, the character and appearance of the locality or the living conditions of neighbours.

The only matter of significance is whether the revision to the internal arrangement that reduces the available storage area for wine is likely to create the need for an additional storage building on the wider land holding. While that is possible the storage space lost would not amount to a building of any significant size. Moreover, the planning permission previously given included a condition removing agricultural Permitted Development rights on the entire holding and that, together with all

other conditions on the consent should be included on any consent given, with appropriate modifications.

The proposed change of drawing number quoted in condition 6 relating to the curtilage of the house is essentially an administrative matter since there is no change proposed to the curtilage of the approved house.

**Conclusion:**

The proposal is for a minor material amendment and certain non-material amendments are also indicated on the submitted plans. The proposals would not cause any harm to any interest of importance since the resulting house would have the same impact as that approved. On that basis it is recommended that planning permission be granted subject to the completion of a deed of variation to ensure the S106 agreement linked to planning permission EPF/1831/12 would apply to the new consent.

***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:***

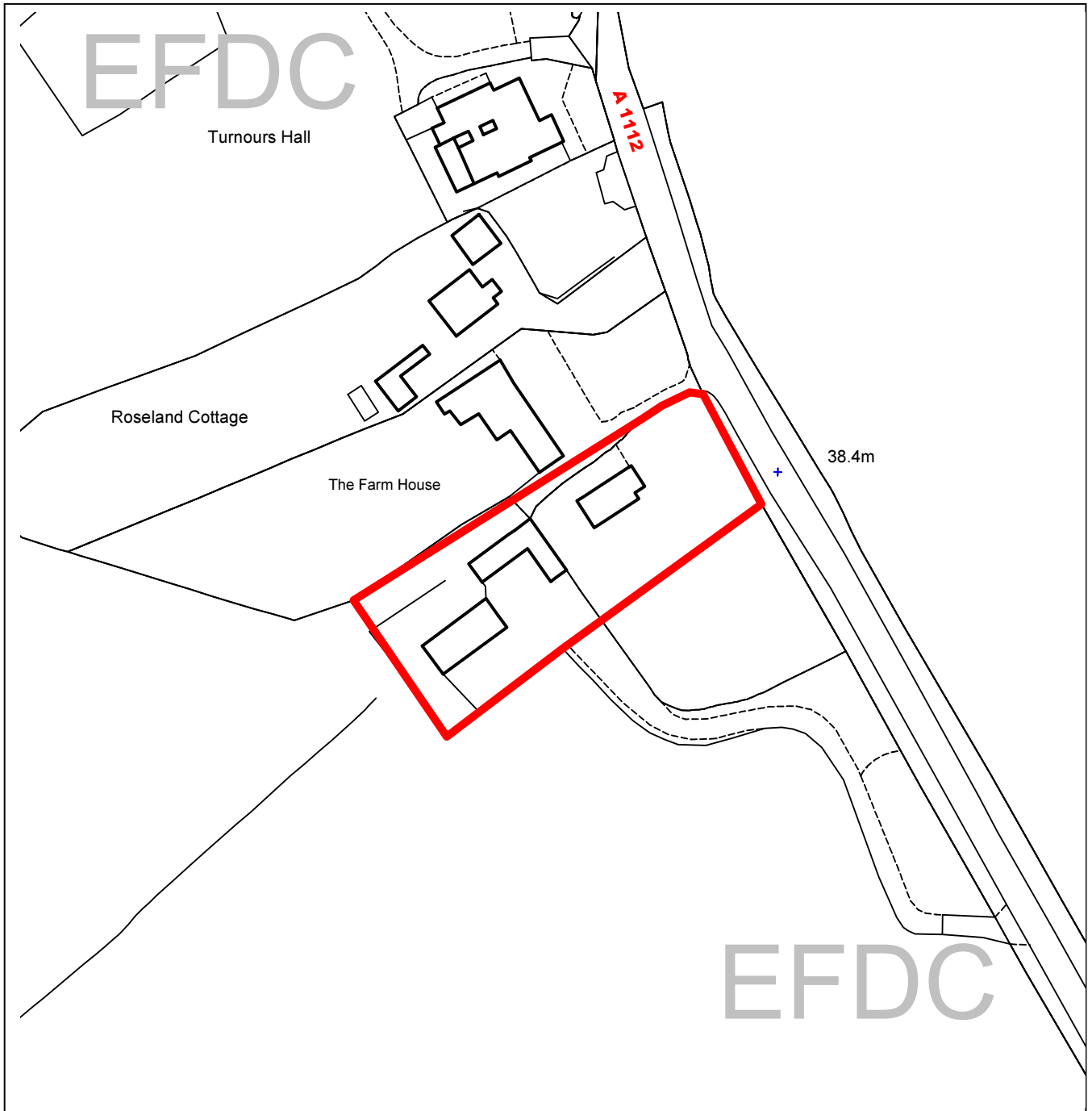
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: (01992) 564018***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>12</b>
Application Number:	EPF/0939/13
Site Name:	The Coach House, Gravel Lane, Chigwell, IG7 6DQ
Scale of Plot:	1/1250