

## AREA PLANS SUB-COMMITTEE SOUTH

5 February 2014

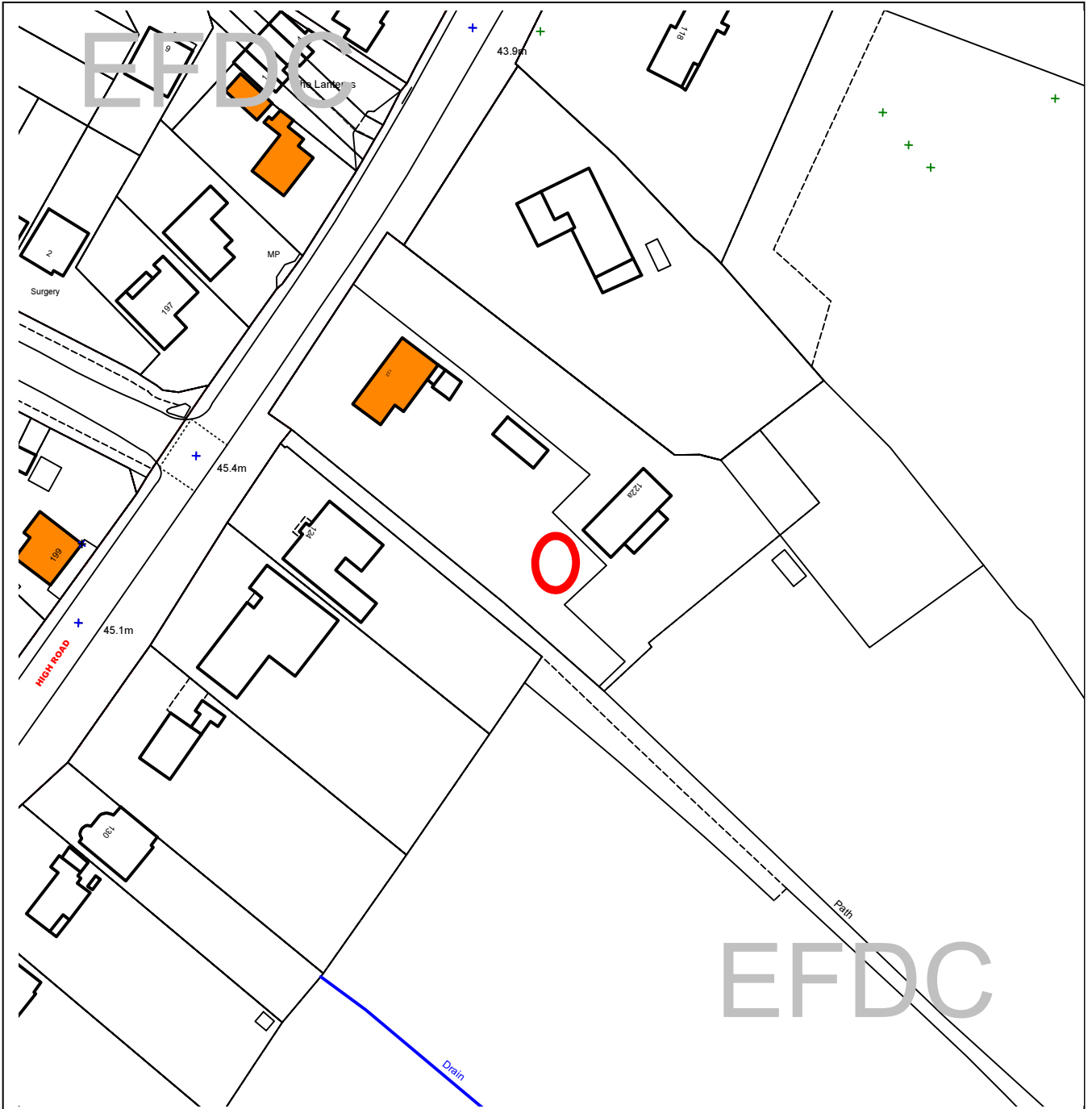
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# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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Application Number:	EPF/0017/14
Site Name:	Chigwell Lodge, 122 High Road Chigwell, IG7 5AR
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0017/14
<b>SITE ADDRESS:</b>	Chigwell Lodge 122 High Road Chigwell Essex IG7 5AR
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Franklin - Frampton Trees
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/40/09; 1 x Birch - Fell
<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=558453](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558453)

**CONDITIONS**

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 2 A replacement tree of a species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

**Description of Site:**

This listed Georgian property is prominent in the locality with a sizeable rear garden recently landscaped and laid mostly to lawn. The 11 metre tall birch forms part of a trio of mature trees that partially screen the new barn in the neighbouring property.

**Description of Proposal:**

**G1- Birch - Fell**

### **Relevant History:**

The TPO was served in 2009 in response to a threat from the division of land and modifications to the original house and more relevantly garden.

Landscaping has created an artificial grass play area in which the subject tree stands.

TRE/EPF/0096/14 is currently under consideration for the pruning of various protected trees across the site.

### **Relevant Policies:**

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

### **Summary of Representations**

CHIGWELL PARISH COUNCIL had not yet commented at the time of writing this report but subsequent views may be reported verbally at the meeting.

### **Issues and Considerations:**

The proposal to fell this tree is part of a general tree maintenance programme based on a visual ground level tree inspection. The owner has expressed his fondness for the tree and reluctance to remove it. However, the agent has noted a bracket fungus growing on a dead upper limb and states that the tree is dying.

#### **Considerations**

It is clear from a visual inspection that several upper crown limbs have died back and the remaining foliage is sparse with low vigour and a risk of branch drop. It is accepted that the life expectancy for this tree is short; possibly less than 5 years. It has moderate visual amenity from a footpath to the side of the property but will not be greatly missed due to more substantial trees which screen the side boundary

### **Conclusion**

The tree is declining when compared to its siblings. With safety considerations for children using this purpose built play area it is recommended that the tree should be replaced by another birch at an agreed location. It is, therefore, recommended to grant permission to fell the tree on the grounds that its health problems justify the need for its removal. The proposal accords with Local Plan Landscape Policy LL9.

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

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

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

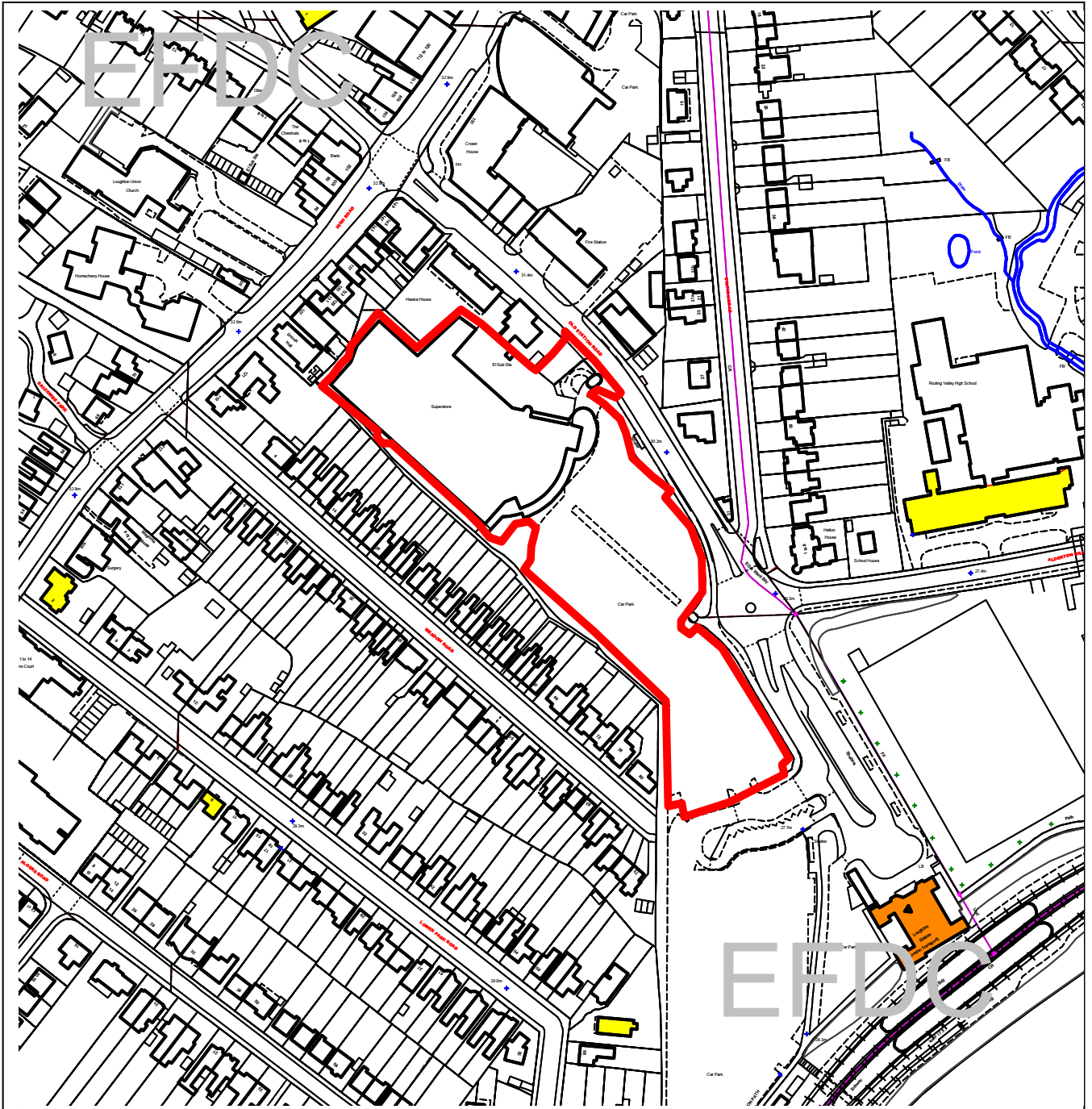
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# Epping Forest District Council

## AGENDA ITEM NUMBER 2



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Application Number:	EPF/1448/13
Site Name:	Sainsburys Supermarkets Ltd, Old Station Road, Loughton, IG10 4PE
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1448/13
<b>SITE ADDRESS:</b>	Sainsburys Supermarkets Ltd Old Station Road Loughton Essex IG10 4PE
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr David Lazenby
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 17 of EPF/0400/00 to revise delivery hours to 6.00am to 11.00pm Mondays to Saturdays and 8.00am to 10.00pm on Sundays.
<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=551591](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551591)

**CONDITIONS**

- 1 No trade deliveries shall be taken at or despatched from the store outside the period 6.00 a.m. to 11 p.m. Mondays to Saturdays or 8.00 a.m. to 10 p.m. on Sundays. Reversing alarms on delivery vehicles shall be switched off outside store opening times. Any refrigerated lorry visiting the site shall be provided with an electrical hook up to the store, and that hook up shall be used to power the refrigerated units.

*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:**

Application site is a large supermarket within the Loughton Town Centre. The supermarket takes access off Old Station Road via a mini roundabout for customers into a main car park, and via a separate access closer to the High Street for delivery vehicles.

Opposite the delivery access is the Fire Station, Nu Bar, and the Medical Centre. On the same side of the road as the access, the immediate neighbours are a printing premises, offices and a fitness company. Further along Old Station Road is an Estate Agents, Pre School and the garden of number 27 Station Road. The closest residents to the delivery area are number 23, 25 and 27 Station Road.

The delivery yard is bounded on the remaining sides by the Sainsbury's building and the customer car park.

## **Description of Proposal:**

Application for the variation of Condition 17 attached to EPF/0400/00.

Condition 17:

No trade deliveries shall be taken at or despatched from the store outside the period 6.00 a.m. to 9.30 p.m. Mondays to Saturdays or 9.00 a.m. to 5.00 p.m. on Sundays. Reversing alarms on delivery vehicles shall be switched off outside store opening times. Any refrigerated lorry visiting the site shall be provided with an electrical hook up to the store, and that hook up shall be used to power the refrigerated units.

The application seeks an additional hour and half Mon-Sat in the evenings to allow deliveries to continue to 11pm. An additional hour Sunday morning (Starting at 8am) and an additional 5 hours on Sunday evening (to 10pm).

For ease of reference the current store opening hours, current delivery hours and proposed delivery hours are surmised below.

	Opening hours	Current delivery	Proposed delivery
Monday	7.30am - 9pm	6am - 9.30pm	6am – 11pm
Tuesday	7.30am - 9pm	6am - 9.30pm	6am – 11pm
Wednesday	7.30am - 9pm	6am - 9.30pm	6am – 11pm
Thursday	7.30am - 10pm	6am - 9.30pm	6am – 11pm
Friday	7.30am - 10pm	6am - 9.30pm	6am – 11pm
Saturday	7.30am - 9pm	6am - 9.30pm	6am – 11pm
Sunday	10am - 4pm	9am - 5pm	8am – 10pm

Members deferred the recent application from the planning committee on 2<sup>nd</sup> October 2013 to permit discussions between the applicant and the neighbours to see whether any compromise or mitigation could be made for noise issues.

Members again deferred the application from the planning committee on 8<sup>th</sup> January 2014 to seek legal advice or agreement to secure noise mitigation for the neighbouring properties.

## **Relevant History:**

EPF/1529/06 – Variation of condition 17 of EPF/400/00 to revise delivery hours to 4.00am to 9.30 pm Monday to Saturday and 7.00am to 5.00pm on Sundays. – Refused.

Reason for refusal:

The extended delivery hours, into the early hours of the morning, will cause unacceptable disturbance to local residents living in the vicinity of the site, from delivery vehicles, employees arriving on the site and in surrounding streets, and unloading the delivery vehicles when the area is quieter than during normal working hours. Therefore the proposal is contrary to Policies RP5A and DBE9 of the Adopted Local Plan.

The Inspector dismissed an appeal regarding this application on the grounds of the unsocial hours sought the level of background noise was minimal even in an urban location. The Inspector had concerns regarding the noise assessment and details not included such as opening and closing of doors and voices and considered that the proposed 4am start would impact on residential amenity to an unacceptable degree in addition to disturbances that presently exist. The Inspector considered the noise impacts to be cumulative at 4am in addition to any disturbance already experienced from 6am.



## **Policies Applied:**

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

The following policies have been found to be compliant with the NPPF.

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Amenity Considerations

RP5A – Noise and Other Forms of Pollution

ST4 – Road Safety

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

## **Summary of Representations:**

77 neighbouring properties were notified due to the number of neighbouring properties.

LOUGHTON TOWN COUNCIL: No Objection to this application but asked for conditions that deliveries be limited to Sainsbury's own vehicles, and that a condition be imposed to carry out the practices as laid out in their noise assessment survey.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP: The LRA group put a letter to neighbouring properties setting out the issues being experienced by Sainsbury's and asking whether residents could hear current deliveries and what people think of the proposed delivery hours. The letter was provided to the Council for information and circulated in Meadow Road and Station Road. Two responses were received, neither against the application. The LRA Plans Group agree with the Town Council. If Plans South are minded to approve the application, then conditions should be applied to ensure deliveries are limited to Sainsbury's own vehicles and are conducted using practices as laid out in the noise assessment survey.

3 Objections were received as follows:

23, 25 and 27 STATION ROAD have supplied the same letter:

Strongly Object. The hours proposed are totally unreasonable to neighbours. The store regularly receives deliveries at 6am during the week and the associated noise of crates being moved is intolerable. Complaints to store have had no effect. Staff arrive before 6am to be prepared for deliveries and the noise from vehicles and voices wakes neighbours up. Late night deliveries would have same concerns, 11pm is unacceptable, we are in bed at this time. Sainsbury's were aware of the residential area and considered this when modelling for the store originally. Unfair to ruin quiet enjoyment for Sainsbury's business pressures.

These neighbours have subsequently retracted their objections.

## **Issues and Considerations:**

The main issues here relate to the potential impact on the neighbouring properties and highway safety. As a variation of condition relating to delivery hours, there are no physical works, therefore no visual impacts to assess.

An application was submitted in 2006 that sought to overcome stocking issues by receiving deliveries earlier in the morning before opening, however this application was refused due to unacceptable disturbance to local residents living in the vicinity of the site. This disturbance was from delivery vehicles, employees arriving on the site and in surrounding streets, and unloading the delivery vehicles when the area is quieter than during normal working hours. This decision was upheld at appeal. This revised application now seeks to permit deliveries later in the day as

opposed to at the early hours of the morning. Background noise is greater in the evening hours than in the early hours of the morning.

Officers have compared the delivery hours available to Sainsbury with those available to Marks and Spencer, further along in the High Street. The setting and location of both sites does differ, however for comparison Members are advised that Marks and Spencer is permitted to open the store from 7.30am to 10pm Monday to Saturday and for 6 hours on a Sunday between 10am and 6pm. Deliveries are permitted to the store from 7am to the time when the store closes. Deliveries are restricted to two articulated deliveries per day and should follow a safety plan and be restricted to within the service yard. The distance of the service yard at Marks and Spencer is around 32m from the nearest neighbouring boundary. The service yard at Sainsbury's is separated by a greater distance, however the distance from the entrance to the service yard is similar. Members are advised that matters relating to Marks and Spencer's were considered in 2003 and 2005, prior to the publication of the NPPF.

### Need for the variation

The site is located in close proximity to the High Street and in a busy part of Loughton. The area is busy with vehicular and pedestrian traffic between the High Street, the underground station and Alderton Hill.

The application seeks to have deliveries an hour earlier (from 8am) on a Sunday. Having regard for purchasing trends (more customers shop at weekends), current delivery schedules and time taken to restock, Sainsbury's are having difficulty restocking shelves and clearing aisles in time to keep up with purchases made. Stocking shelves is possible during trading hours but this is more difficult and disruptive, particularly at weekends. Thus 8am is sought for a delivery start time. This is not considered unreasonable.

For similar reasons Sainsbury's also seek an additional hour and half for deliveries through the week and 5 hours later on a Sunday to restock for the Monday. This is related not only to store opening times but the agent suggests this also relates to dispatch times from local distribution centres. Current opening and delivery times mean that Sainsbury's has to make a stock order from Waltham Abbey Distribution Centre around 1.30/2pm, this is very early in trading hours and around the start of the peak trade times. For this reason orders are very speculative in nature, but it does allow for the order to be picked, loaded, dispatched and delivered to store within the delivery time allowed. Staff then have to try to restock shelves in time for opening, with the speculative order, which understandably does not always match the purchases made.

The extension of delivery hours would provide Sainsbury's with the ability to place the order later in the trading day. This order would to some extent still be speculative, but the accuracy of orders would be greater around 3/3.30pm, the orders could still reach store the same day and potentially be unloaded before the next days trade. At weekends this would be particularly relevant, over busy seasonal periods and especially on a Sunday. Raising an order at 1.30-2pm on a Sunday is clearly difficult and Mondays are identified as being particularly tricky for the applicant. These considerations are for stock rotation only. When consideration is given to fresh produce, the supply and storage requirements and the short shelf life, it is clear to see whilst functioning, the current delivery time are causing difficulties.

The NPPF sets out in paragraph 19 that planning should support sustainable economic growth and the applicant alleges this variation to delivery times would assist Sainsbury's increased trade, this is given significant weight when considering this application.

### Neighbouring Impacts

The nearest residential properties likely to be impacted upon are in Station Road, namely numbers 23, 25 and 27, all of whom have responded to this consultation. Properties in Meadow Road are

less likely to suffer any impacts as these properties are separated by the length of the gardens and the mass and form of the superstore itself. The impacts likely to arise from the proposed variation, are noise and disturbance at a later hour than presently exists, and earlier on a Sunday. This additional noise must be considered in the context of this busy Town Centre location. The applicants have provided a noise assessment that demonstrates that noise created would not be unacceptable in the context of existing background noise. The neighbouring properties have responded to highlight that existing delivery times are disruptive and to extend these would be unacceptable.

Noise is a concern but should be considered in the context of the prevalent background noise. At 8am on a Sunday in a Town Centre Area it is not considered unreasonable to have a degree of noise and movement associated with business. Similarly the evening hours requested should be considered in the context of the night time economy in the Town Centre, in particular the Nu Bar and Lux bar close by and movements taking place between the High Street, station and Alderton Hill.

The Council's Environmental Health team have considered the application and acoustic report. Whilst they are not convinced by the detail of the acoustic report, which appears to be over complicated, provide some irrelevant data and draw conclusions based on average noise levels rather than the short term impact of discrete events. They are also not convinced that the proposed variation in delivery hours in this particular case will cause a significant loss of amenity to local residents. They believe that an increase in hours will inevitably cause some additional noise in the vicinity of the site but the level of the noise is unlikely to cause a significant loss of amenity. On that basis they have no objection to the proposed variation.

#### Road Safety

In terms road safety, Highways have been consulted and have no objections.

#### New issues

The application was previously considered by Members on 2nd October and deferred to allow dialogue between the applicant and neighbours. At the time of writing this report discussions were ongoing between the applicant and neighbours. Both parties have declined a meeting at the offices to discuss matters, but provided updates of progress.

The neighbours and Sainsbury's then indicated that a private arrangement was in place to mitigate noise and that issues were resolved and neighbours retracted objections.

Members considered this application again on 8<sup>th</sup> January but were concerned regarding the implementation of the noise mitigation agreed between the two parties and Members deferred the application for a legal opinion on how best to secure the mitigation or to seek a legal agreement.

Officers have sought legal advice. In summary the mitigation proposed is understood to be outside of the application site, therefore cannot be secured by condition. The applicant is unwilling to enter into a legal agreement as this would involve publishing commercially sensitive information and potentially have implications for other stores elsewhere. Finally the legal opinion sought has indicated that if the neighbouring properties and the applicant have entered into a legally binding contract to secure noise mitigation, any further legal agreement with the Council would serve only as unnecessary duplication that puts all parties to further delays and expense, in a manner that would be similar to entering into a legal agreement to secure covenants. This is not usual practice and is advised against.

As a way forward, both parties have been asked to agree, separately, in writing to the Council that there is a legal agreement in place. They have been asked to confirm that they are satisfied that this agreement is enforceable between themselves without intervention from the Council and that this agreement will secure sufficient noise mitigation to be of benefit to residents.

Both parties have now been able to confirm the above in writing, and as a result Officers are satisfied that there is a suitable agreement in place and that duplication of such agreement is not necessary.

**Conclusion:**

Officers continue to recommend that the proposed extension of delivery hours is acceptable in light of the background noise that will be prevalent at the times sought due to the proximity to the Town Centre and the limited number of residential properties in close proximity. Officers note the noise created will be audible, but that it would not have a significant adverse impact on amenity sufficient to justify refusal in the context of encouraging business in the Town Centre. This decision also takes into consideration the arrangement between the applicant and the neighbouring properties.

This recommendation is offered mindful of the business needs of the superstore, the present economic climate and the drive to support businesses and town centres indicated in the NPPF. Neighbouring concerns are noted, but not considered sufficient to justify refusal.

***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) 564481***

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

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# Epping Forest District Council

## AGENDA ITEM NUMBER 3



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Application Number:	EPF/1931/13
Site Name:	268 High Road, Loughton IG10 1RB
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1931/13
<b>SITE ADDRESS:</b>	268 High Road Loughton Essex IG10 1RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Khalid Bokhari
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 5 'Opening times' of planning consent EPF/1136/93 to allow premises to stay open an additional hour till 24.00 hours.
<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=553971](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=553971)

**CONDITIONS**

- 1 This hot food take away premises shall only be open to customers between 11.00 hours and 24.00 hours on any day.

*This application is before this Committee because the recommendation for approval is 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:**

A hot food take away premises (Papa Johns Pizza) located in a modern style block containing ground floor shops/commercial units with purpose built maisonettes over – which are accessed via a side stairwell. The property is not listed nor does it lie in a conservation area. It lies in the north part of the Loughton town centre area.

**Description of Proposal:**

Variation of condition 5 regarding 'opening times' of planning consent EPF/1136/93 -to allow premises to stay open an additional hour till 24.00 hours.

**Relevant History:**

EPF/1136/93 gave approval to the change of use of the shop to a hot food takeaway use and a condition was applied restricting opening hours to 11pm.

EPF/0956/13 – was a refusal of planning permission to extend the opening hours till 1am - but this was refused on grounds of likely noise and nuisance being caused to nearby residents. A suggested way forward was to reduce extended opening hours to 12 midnight rather than to 1am.

**Policies Applied:**

DBE9 - Loss of amenity.

TC3 – Town centre function

Policy DBE9 is compliant with the NPPF, and policy TC3 is partially compliant with the NPPF – the latter gives more flexibility to non retail uses including residential.

**Summary of Representations:**

LOUGHTON TOWN COUNCIL – The Committee objected to this application. The planning condition had been imposed to protect the amenity of the occupiers of nearby properties, which members considered was still required. Members also drew the planning officer's attention to the recent planning application to renew a consent for the erection of a 3 storey block of 12 flats on land to the rear of Diggens Court and Vanryne House. This would increase the number of nearby residents likely to be detrimentally affected by extending opening times.

LOUGHTON RESIDENTS ASSOCIATION – Object – there are residential properties at first floor level in this block in which the shop is situated, and nearby, and planning permission for more to be constructed in the area behind the shops. The planning condition was imposed to protect the amenity of the occupiers of nearby properties, and we consider that it is still required.

NEIGHBOURS – 40 properties consulted and 1 reply received:-

12, VANRYNE HOUSE, HIGH ROAD (located in a block 25m to the rear) - Object - the extra hour will cause more noise and disturbance for residents; there are several restaurants and takeaways in the locality and the access road and residents parking spaces are sometimes used by customers; the application will give rise to additional anti social behaviour and litter.

**Issues and Considerations:**

While it is acknowledged that there are 8 purpose built maisonettes above this ground floor parade of commercial units the site does lie within the Loughton town centre fronting the busy High Road. In this context the addition of one hours opening to 12 midnight does not seem particularly unreasonable. There are 3 other restaurants and another hot food take away in this block, and the Loch Fyne restaurant at number 280/282, and the Wo Fat restaurant at the adjoining number 270/272, open till midnight on Fridays and Saturday nights. In addition much of the late evening trade at this pizza take away is carried out by deliveries to customers' homes rather than through customers coming to the premises, and hence the potential for nuisance from customers parking, and car doors closing, is reduced.

**Comments on representations received:**

The town council and LRA plans group feel the condition attached to the original 1993 permission should still stand in order to protect residential amenity. Since that time however there has been a gradual acceptance that later closing times for this form of use can be allowed in town centres, and in determining an appeal in 2000 against the Council's refusal of an A3 use in the Loch Fyne restaurant premises the inspector allowed the use to open till midnight on Fridays and Saturdays. 40 neighbouring properties were consulted on this application, including the 8 maisonettes on the upper two floors of the block, and just one objection has been received – and that is from a resident of a flat in Vanryne House which lies 25m to the rear. The absence of other objections, particularly from those living on the floors above this pizza take away, suggests that the current



use does not give rise to particular problems. In addition it may also reflect that households living on the floors above are non family ones who realise that there will be some late night noise in such a High Road town centre location. The objector from Vanryne House is, in part, concerned about parking problems in the access road and area around his block of flats – but this is more likely to be clients of the restaurants in this parade rather than from customers of this take away. Finally, although a number of renewals of permission for the development of 12 flats on land to the rear of Vanryne House and Diggens Court have been granted, the last application EPF/0577/13, was in fact refused on grounds of inadequate Section 106 contributions.

**Conclusions:**

For the reasons given above it is recommended that this application, for a one hour extension of opening time till midnight, be approved.

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

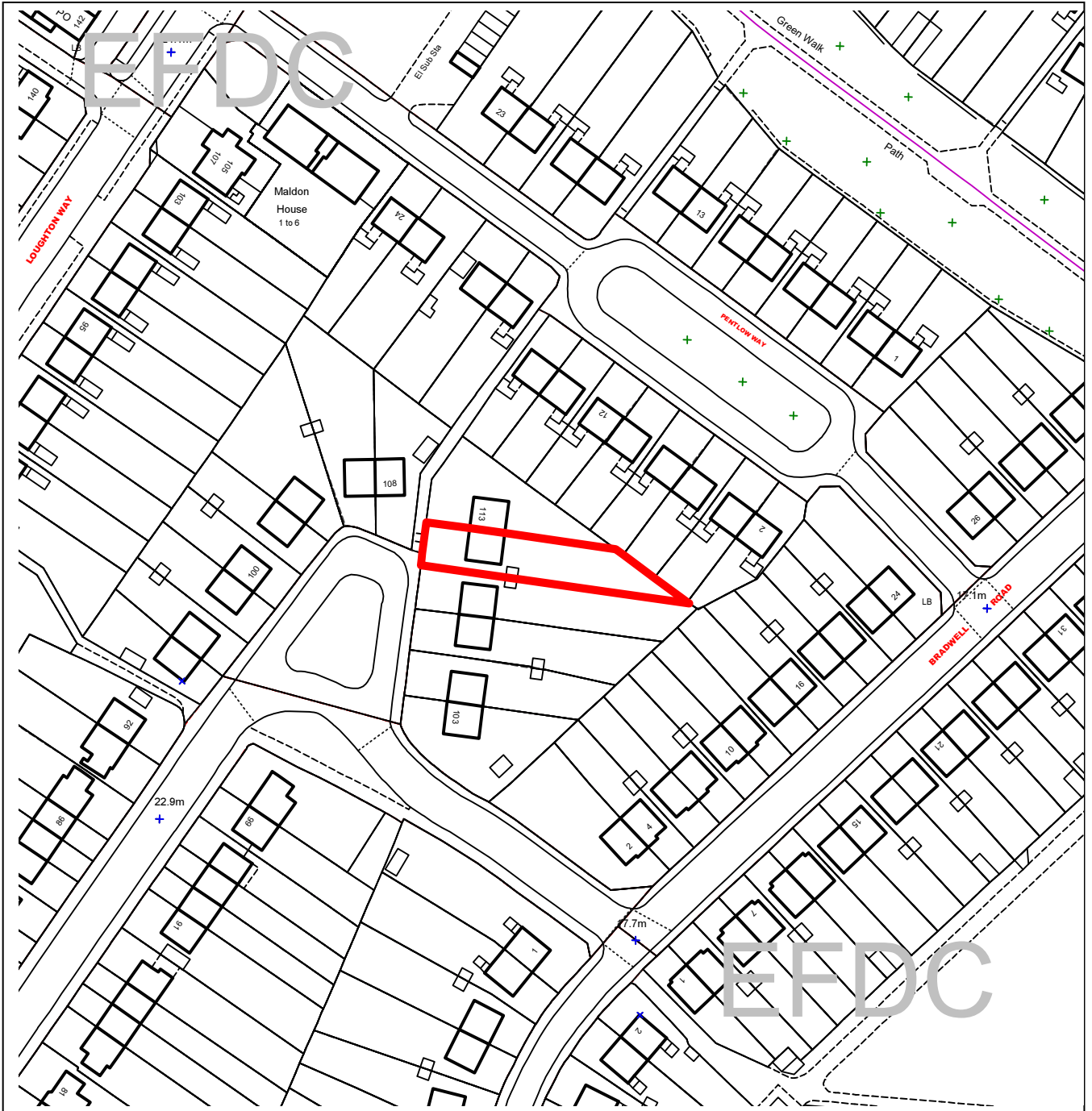
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 4



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Application Number:	EPF/2265/13
Site Name:	111 Rous Road, Buckhurst Hill IG9 6BU
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2265/13
<b>SITE ADDRESS:</b>	111 Rous Road Buckhurst Hill Essex IG9 6BU
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mr Nic Antony
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey front, side and 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=555930](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=555930)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Access to the flat roof over the extension 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.

*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 a two storey semi detached dwelling located on the northeast side of Rous Road, a residential street in Buckhurst Hill typified by a mix of semi detached and terraced properties. Ground levels slope gently from west to east and from north to south.

The application dwelling has not been previously extended nor has its attached neighbour at No. 113 Rous Road.

The detached neighbour at No. 109 is set approximately 4.5m from the flank wall of the application dwelling and benefits from three joined single storey side additions on the boundary with No.111 projecting approximately 5m beyond its rear wall.

### **Description of proposal:**

Planning permission is sought for the erection of a single storey front, side and rear extension. It would be constructed as one structure, projecting 1200mm forward of the front elevation for a width of approximately 5.45m across to the shared boundary with No. 109. It would continue for a length of approximately 14.3m wrapping around to the rear of the property across to meet with the shared boundary with No. 113 Rous Road. Its depth beyond the rear wall of the existing house would be 6m.

The existing decking to the rear would be removed with the extension being set on the original ground level. The hipped roof of the extension would have a maximum ridge height of 3.37m but a parapet wall is proposed against both side boundaries with No.109 and 113 Rous Road at a height of approximately 2.7m.

### **Relevant History:**

EPF/0645/81 – Single storey front extension – Approved

EPF/2086/13 – Prior notification application for a 6m deep single storey rear extension, height to eaves 3m and overall height 3m – Prior approval not required

### **Policies Applied:**

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

DBE9 – Loss of amenity

DBE10 – Residential extensions

NPPF

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

Number of neighbours consulted – 7 neighbours consulted

Site notice posted: No

Responses received: None

BUCKHURST HILL PARISH COUNCIL: Objection – Overdevelopment of site

### **Issues and Considerations:**

The main issues in this application are as follows:

- Character and appearance
- Impact on living conditions
- Permitted development fallback position
- Response to representations received

#### **Character and appearance**

When taken in isolation, the front extension would only project 1.2m beyond the front elevation of the house and would not appear at odds with the prevailing pattern of development when viewed from within the streetscene.

The side extension whilst projecting 6m beyond the rear of the dwelling would be largely screened by three joined single storey side extensions at its adjoining neighbour at No. 109 Rous Road and is not considered to materially detract from the character and appearance of the area.

However when these two elements are combined with the 6m deep single storey rear extension it is considered that in its entirety the proposed extensions would be at odds with the host dwelling but given it's location to the rear, would not materially impact on the character of the area.

Nonetheless since the proposed extension as a whole would not appear subordinate to the existing dwelling because it would extend the dwelling by more than double its depth at its maximum, it could not be said to complement or enhance the design of the existing dwelling. As such it is considered to be contrary to Local Plan policy DBE10 relating to residential extensions.

#### Impact on living conditions

With regards to the neighbour at No. 109 Rous Road, to the front, the extension would project approximately 1.2m beyond the front elevation of that dwelling but given it would be sited 2.5m from that neighbour there would be no material impact. There is a small side extension on the boundary with the application site set back a little and the proposed extension would project forward of this by approximately 3.4m but as this does not provide any habitable accommodation and the front facing window is obscured there would be no material impact in amenity terms.

To the rear, given the siting of the joined side extensions on the shared boundary within that adjoining neighbour's rear garden, the proposal is not considered to materially impact on the living conditions of that neighbour as this would provide adequate screening from any adverse effect.

With regards to the adjoining neighbour at No. 113 Rous Road there would be no material impact from the front or side elements of the extension. To the rear a 6m deep extension here on the boundary would inevitably result in a material impact on that neighbour occupier given the combination of depth and close proximity to rear ground floor windows. This would be contrary to policy DBE9 of the adopted Local Plan which relates to residential amenity.

#### Permitted Development fallback

While it has been stated above that the proposal on its own would be contrary to policies DBE9 and DBE10 of the adopted Local Plan, a material planning consideration that should be afforded weight is the fact that prior approval has been granted for a 6m deep 3m high single storey rear extension. In terms of design this would be finished with a flat roof and would appear at greater odds with the existing dwelling than the proposed rear extension element proposed here. Consideration must also be given to the fact that this could be constructed without the need for planning permission and it is not considered that there is sufficient justification to refuse a front and side extension on either design or amenity grounds. In other words there is a reasonable chance that a construction similar to this could be built if separate applications were submitted.

In addition, the rear element that could be constructed under permitted development would be approximately 300mm higher on the boundary with No. 113 Rous Road which would have more impact on that neighbouring occupier than the design of the extension submitted here.

Therefore, whilst it is accepted that by approving this extension it would, in isolation, not enhance the character of the dwelling and would materially impact on the adjoining neighbour at 113 Rous Road, given this permitted development fallback position, it is considered that a reduced impact on the neighbour at 113 Rous Road and the improvement in its design is sufficient to put forward a recommendation for approval, even though Officers are conscious of its size and design.

#### Response to representations received

The objection from Buckhurst Hill Parish Council has been considered in the sections above.

## **Conclusion**

For the reasons laid out above this application is therefore recommended for approval.

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

***Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564109***

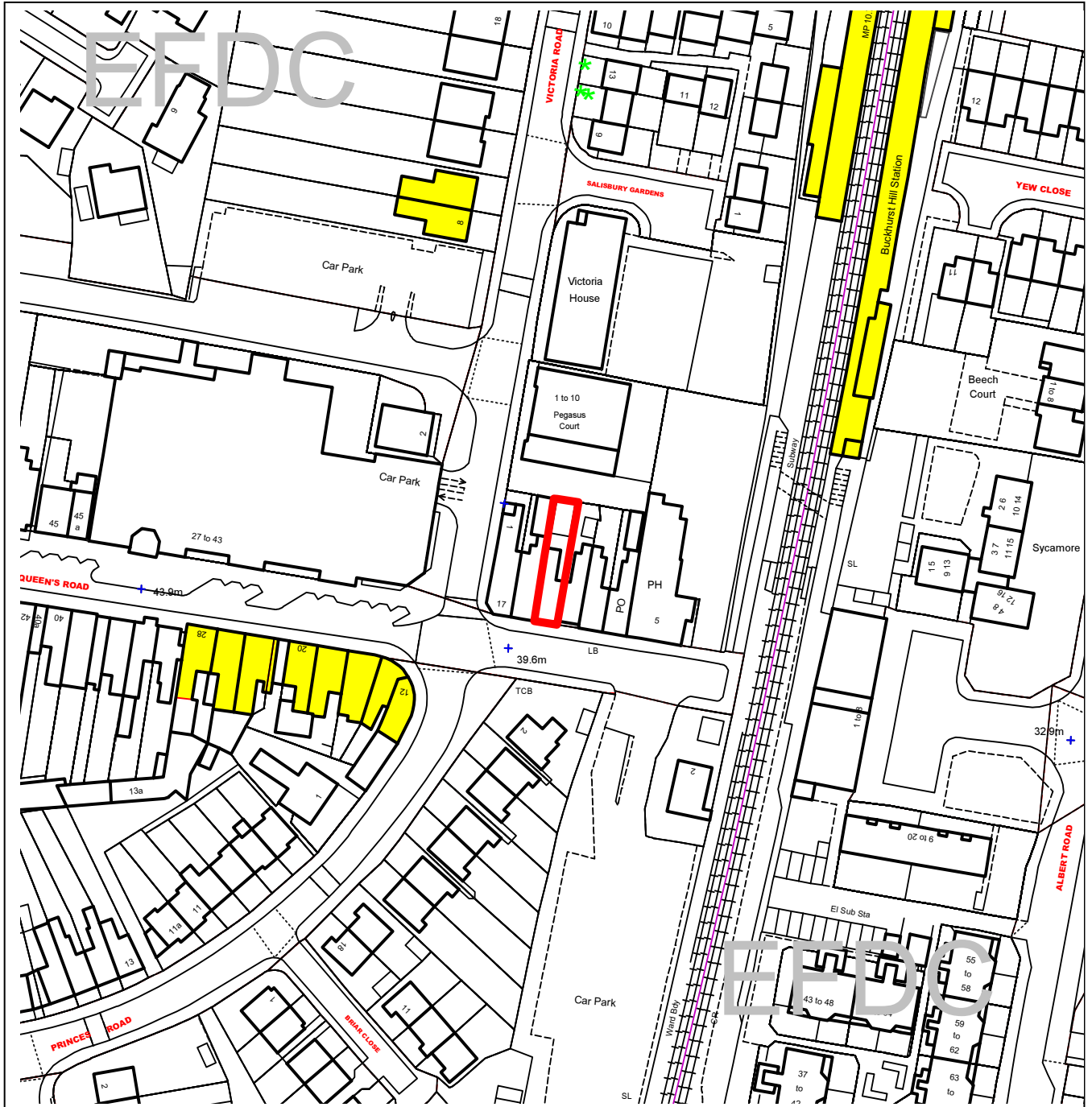
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## AGENDA ITEM NUMBER 5 & 6



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Application Number:	EPF/2484/13 and EPF/2485/13
Site Name:	13 Queens Road, Buckhurst Hill IG9 5BZ
Scale of Plot:	1/1250



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2484/13
<b>SITE ADDRESS:</b>	13 Queens Road Buckhurst Hill Essex IG9 5BZ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Howard Winston
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of ground floor from use for purposes within Use Class A1 (Shops) to use for purposes within Use Class A2 (Financial and Professional Services)
<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=557111](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557111)

**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: Site Location Plan, I QR/13/01 A; QR/13/04

*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 comprises a three storey mid terraced premises located on the eastern part of Queens Road, close to the railway. The site is part of the Queens Road (east) District Centre as identified in the Local Plan and Alterations. At present, the ground floor of the premises is a vacant barbers shop and the upper two floors are occupied by a taxi office.

**Description of Proposal:**

This application seeks planning permission for the change of use of the ground floor from its existing A1 retail use (most recently as a barber shop) for uses falling within Class A2 (Financial and Professional services).

### **Relevant History:**

EPF/2485/13 Change of use of first and second floors from taxi offices to two flats. (Use Class C3. Current application, pending consideration.

### **Policies Applied:**

#### Local Plan

CP2 – Protecting the quality of the built environment  
TC1 – Town Centre Hierarchy  
TC3 – Town Centre Function  
DBE1– Design and appearance of new buildings  
DBE8 – Private amenity space  
DBE2/9 – Neighbours amenity  
LL10 – Landscaping  
ST4 & ST6 – Highway safety implications and parking considerations

### **Summary of Representations:**

Notification of this application was sent to Buckhurst Hill Parish Council and to 16 neighbouring residents.

The following representations have been received:

BUCKHURST HILL PARISH COUNCIL: No objection.

RESIDENTS OF PEGASUS COURT, VICTORIA ROAD: Objection, concerned regarding parking problems, if people use our private car park.

PEVERAL RETIREMENT (MANAGEMENT AGENTS FOR PEGASUS COURT): Objection. We wish to register objection to the proposals on the basis that there would be major parking issues. The car park for Pegasus Court forms part of the area that backs onto the rear gate entries to the premises concerned which means there is no room for parking. Should cars park outside the gates, the Residents of Pegasus Court would be unable to manoeuvre their vehicles to exit and enter into their car park spaces.

9 PEGASUS COURT, VICTORIA ROAD: Objection. At the rear of the property there is parking for owners of Pegasus Court only.

### **Issues and Considerations:**

As no alteration is proposed to the exterior of the building, the main issue for consideration is the acceptability of the proposed use in planning policy terms. Due to representations received, the matter of parking will also be considered.

#### Principle of the Use

The application site is within a designated District Centre but is not within the key frontage of the centre. Policy TC3 of the local plan states that the Council will permit uses within town centres which make the centres attractive and useful places. It is considered that the A2 use would fulfil this requirement and is appropriate in this location. That is because, by definition, the services provided by uses within Use Class A2 are provided principally to visiting members of the public. Consequently the use would not result in any "dead frontage". Moreover, the use would not prejudice the potential use of upper floors as living or business accommodation. Indeed, the

activity generated by any use within Use Class A2 would not prejudice the operation of neighbouring uses. On that basis it is found the use would contribute to the vitality and viability of the Centre.

### Parking

Concern has been made regarding parking. However, within this Town Centre location, the use of the premises for A2 purposes is not likely to generate a higher demand for parking than the existing A1 use.

Concern has been raised by residents of Pegasus Court regarding the possibility of any encroachment into or obstruction of their private car park. However, this is not a matter that would justify the withholding of planning permission. If unauthorised persons use the car park, this matter should be dealt with through the residents' management of their private car park. If the car park becomes obstructed due to illegal parking, this would be a matter to be dealt with by the Police.

### Conclusion:

It is considered that this is an acceptable form of development which complies with both national and local planning policies. It is, therefore, recommended that planning permission be granted.

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

***Planning Application Case Officer: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564103***

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

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2485/13
<b>SITE ADDRESS:</b>	13 Queens Road Buckhurst Hill Essex IG9 5BZ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Howard Winston
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of first and second floors from taxi offices to two flats. (Use Class C3)
<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=557112](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557112)

**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: Site Location Plan, QR/13/0, QR/13/02, QR/13/03, QR/13/04 and QR/F/01

*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 comprises a three storey mid terraced premises located on the eastern part of Queens Road, close to the railway. The site is part of the Queens Road (east) District Centre as identified in the Local Plan and Alterations. At present, the ground floor of the premises is a vacant barbers shop and the upper two floors are occupied by a taxi office.

**Description of Proposal:**

This application seeks planning permission for the change of use of the first and second floors of the building from a taxi office to 2 x one bedroom flats.

### **Relevant History:**

EPF/2484/13 Change of use of ground floor from use for purposes within Use Class A1 (Shops) to use for purposes within Use Class A2 (Financial and Professional Services).  
Current application, pending consideration.

### **Policies Applied:**

#### Local Plan

CP2 – Protecting the quality of the built environment  
TC1 – Town Centre Hierarchy  
TC3 – Town Centre Function  
DBE1 – Design and appearance of new buildings  
DBE8 – Private amenity space  
DBE2/9 – Neighbours amenity  
LL10 – Landscaping  
ST4 & ST6 – Highway safety implications and parking considerations

### **Summary of Representations:**

Notification of this application was sent to Buckhurst Hill Parish Council and to 16 neighbouring residents.

The following representations have been received:

BUCKHURST HILL PARISH COUNCIL. No objection.

RESIDENTS OF PEGASUS COURT, VICTORIA ROAD. Objection, concerned regarding parking problems, if people use our private car park.

PEVERAL RETIREMENT (MANAGEMENT AGENTS FOR PEGASUS COURT). Objection. We wish to register objection to the proposals on the basis that there would be major parking issues. The car park for Pegasus Court forms part of the area that backs onto the rear gate entries to the premises concerned which means there is no room for parking. Should cars park outside the gates, the Residents of Pegasus Court would be unable to manoeuvre their vehicles to exit and enter into their car park spaces.

9 PEGASUS COURT, VICTORIA ROAD. Objection. At the rear of the property there is parking for owners of Pegasus Court only.

### **Issues and Considerations:**

Local Plan policy allows for the conversion of upper floor premises in town centres to residential accommodation provided there is no detrimental impact on the vitality and viability of the centre. In this case the proposed change of use would have a neutral impact on vitality and viability. The loss of the taxi office at the upper floors would not be harmful while the new residential use would equally cause no harm. Consequently, and as no alteration is proposed to the exterior of the building, the main issues for consideration when assessing the merits of the proposal are the amenities that would be enjoyed by both nearby residents and the future occupiers of the proposed flats and also any impacts on parking.

### Neighbouring Amenity

Future occupiers of the proposed flats would receive adequate levels of amenity in terms of light and outlook. The layout of the flats places the living area of the upper flat directly above the lower, thereby minimising disturbance between flats. The A1 use of the ground floor of the building would be compatible with residential use (as would A2 use if the current application for change of use is approved).

The proposed use would not give rise to a material loss of amenity to nearby residents, by comparison with the existing use of the premises.

There would be no outside private amenity space – however, given that the flats have only one bedroom and are therefore less likely to be occupied by households with children, this is considered satisfactory.

### Parking

No parking is provided for the flats. However, due to the highly central and accessible location of the site, this is considered acceptable and in accordance with Local Plan policy. Concern has been raised by residents of Pegasus Court regarding the possibility of any encroachment into or obstruction of their private car park. However, this is not a matter that would justify the withholding of planning permission. If unauthorised persons use the car park, this matter should be dealt with through the residents' management of their private car park. If the car park becomes obstructed due to illegal parking, this would be a matter to be dealt with by the Police.

### Conclusion:

It is considered that this is an acceptable form of development which complies with both national and local planning policies. It is, therefore, recommended that planning permission be granted.

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

***Planning Application Case Officer: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564103***

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

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# Epping Forest District Council

## AGENDA ITEM NUMBER 7



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Application Number:	EPF/2489/13
Site Name:	152 - 154 Daneley Court Nursing Home Queens Road, Buckhurst Hill, IG9 5BJ



**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2489/13
<b>SITE ADDRESS:</b>	152 - 154 Daneley Court Nursing Home Queens Road Buckhurst Hill Essex IG9 5BJ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Malcolm Wallace
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 2 on planning consent EPF/1785/12 allowed on appeal (Demolition of existing nursing home and the erection of 14 apartments and associated car parking spaces, amenity space, bin and cycle stores, foul and surface water drainage and landscaping) to facilitate minor material amendments including alterations to internal layout, alterations to the number, size and position of windows, detail alterations to the roof design and to a balcony.
<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=557133](http://planpub.eppingforestdc.gov.uk/AnitELM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557133)

**CONDITIONS**

- 1 The development hereby permitted must be begun prior to 26th July 2016.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1411-P0001 K; 1411-P002 K; 1411-P003 E.
- 3 The development shall proceed using the external finishes approved under application reference EPF/1852/13, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Hard and soft landscaping shall be carried out prior to the first occupation of the building hereby approved. The works shall be undertaken in accordance with details approved under application reference EPF/2047/13, unless otherwise agreed in writing by the Local Planning Authority.
- 5 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 5 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.

- 6 Existing trees and hedges within the site shall be protected throughout construction of the approved development in accordance with details approved under application reference EPF/1651/13.
- 7 Prior to the occupation of the building hereby approved, the proposed private drive shall be constructed to a minimum width of 5 metres for at least the first 6 metres from the back of the carriageway and provided with an appropriate dropped kerb crossing of the footway.
- 8 Prior to the first occupation of the development hereby approved, redundant dropped kerbs and the lowered footway shall be reinstated in accordance with details approved under application reference EPF/2047/13, unless otherwise agreed in writing by the Local Planning Authority.
- 9 Prior to the first use of the new vehicular access into the site, means to prevent the discharge of surface water from the development onto the highway shall be undertaken in accordance with details approved under application reference EPF/2047/13, unless otherwise agreed in writing by the Local Planning Authority.
- 10 Prior to the first occupation of any dwelling hereby approved, identified land contamination shall be remediated in accordance with details approved under application reference EPF/2023/13.
- 11 Prior to the first occupation of any dwelling hereby approved, bird and bat nesting boxes shall be installed in accordance with details approved under application reference EPF/1852/13.
- 12 Prior to first occupation of the development hereby approved, the proposed window openings in the east side elevation as annotated on approved plan 1411-P003 E shall 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.
- 13 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.
- 14 Prior to the first occupation of the development hereby approved, privacy screens shall be erected to balconies in accordance with the details shown on approved plan 1411-P003 E.
- 15 Wheel washing equipment shall be installed and retained within the site for the duration of the construction of the development and shall be used to clean all vehicles using the site.

**Subject to the completion, by 5<sup>th</sup> May 2014 of an agreement under S106 of the Town & Country Planning Act 1990 in respect of a contribution of £38,211 towards education provision within the locality. In the absence of the legal agreement (or deed of variation to**

**that previously entered into) being completed within the required time, authority be delegated to officers to refuse planning permission on the grounds of inadequate provision being made for educational facilities for occupiers of the proposed 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 application site is currently under development following the grant of planning permission. Previously, the site comprised a two and a half storey wide fronted building with three prominent gables located on the south side of Queens Road. The building was situated on the edge of the more residential part of Queens Road and was previously used as a nursing home but had stood empty for some time. The property to the west appeared as part of the building, but is in fact a detached residential building outside of the application site. To the east of the site is a semi-detached dwelling house which is separated from the application site by the existing vehicle access. The site slopes down from west to east. Queens Road has a mix of residential houses, flats and commercial properties. However there is a relatively strong character due to the age of many of the properties with many Victorian properties with attractive detailing. The site is not within the Metropolitan Green Belt or a Conservation Area.

### **Description of Proposal:**

This application seeks planning permission for minor material amendments for the development approved under planning permission EPF/1785/12, for the erection of 14 flats on the site of the former nursing home.

The amendments to the approved scheme comprise:

- Amendments to approved room layouts within flats;
- Reduction in the number and size of windows in the west facing elevation;
- An additional blank window to the front elevation;
- Simplification of metal balcony design;
- Upgrading of lift with associated roof structure; and
- Removal of eaves brackets and bargeboard mouldings from secondary elevation.

### **Relevant History:**

EPF/1785/12 Demolition of existing nursing home and the erection of 14 apartments and associated car parking spaces, amenity space, bin and cycle stores, foul and surface water drainage and landscaping. Refused but subsequently allowed at appeal on 26/07/2013.

### **Policies Applied:**

#### Local Plan

- CP1 – Achieving Sustainable Development Objectives
- CP2 – Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- CP4 – Energy Conservation
- CP5 – Sustainable Building

CP6 – Achieving Sustainable Urban Development Patterns  
CP7 – Urban Form and Quality  
DBE1 – Design of New Buildings  
DBE2 – Effect on Neighbouring Properties  
DBE3 - Design in Urban Areas  
DBE6 – Car Parking in New Development  
DBE8 – Private Amenity Space  
DBE9 – Excessive Loss of Amenity to Neighbouring Properties  
ST1 – Location of Development  
ST2 – Accessibility of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking  
H2A – Previously Developed Land  
H3A – Housing Density  
H4A – Dwelling Mix  
LL11 – Landscaping Schemes  
RP4 – Contaminated Land

### **Summary of Representations:**

Notification of this application was sent to Buckhurst Hill Parish Council and to 14 neighbouring residents.

The following representations have been received:

BUCKHURST HILL PARISH COUNCIL: No objection.

### **Issues and Considerations:**

The principle of the proposed development has been accepted by the previous grant of planning permission. Accordingly, the main issues for consideration are the impacts of the proposed amendment of the appearance on neighbouring amenity and on the appearance of the building and the wider locality.

The alterations to window sizes and positions are minor and would not give rise to any material loss of amenity to nearby neighbouring residents, nor would the other proposed revisions.

With regard to visual amenity, most of the changes are very minor and would not be readily noticeable, and would certainly not cause any material harm to the appearance of the building. The loss of bargeboard detailing from the rear of the building is a little disappointing, but given that it is retained on the more prominent front elevation, this is considered to be acceptable.

Alterations proposed to fenestration and balcony detailing (the use of more solid edging and supports) would not cause any material harm to the appearance of the building and, again, would only have a very minor impact on the appearance of the building.

The more noticeable changes would be to the roof of the proposed building. The front section previously contained a section of flat roof – this is now proposed to be replaced by a ridge, which is considered an improvement to the design of the building. The rear section of flat roof would also now contain a raised lift overrun and also raised sections running along the inside roof slope of each of the rear gables. These alterations to the building would have a functional appearance and would, to a small degree, harm its appearance. However, their visual impact is mitigated by their location in a recessed position at the rear of the building and their subservient height in relation to the ridges of the building. It is not considered that this harm would be material and it is very unlikely those alterations would be visible from ground level.

**Conclusion:**

The alterations proposed to the approved development are acceptable in terms of their consequences for neighbours and its appearance would comply with both national and local planning policies. It is, therefore, recommended that planning permission be granted, subject to the planning obligation and conditions that were previously imposed.

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

***Planning Application Case Officer: Mrs Katie Smith  
Direct Line Telephone Number: 01992 564103***

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