

AREA PLANS SUB-COMMITTEE SOUTH

5 March 2014

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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/0121/14
Site Name:	25 Forest Lane, Chigwell IG7 5AF
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/0121/14
SITE ADDRESS:	25 Forest Lane Chigwell Essex IG7 5AF
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Ron Paton
DESCRIPTION OF PROPOSAL:	TPO/EPF/16/97; Oak: Fell and replace.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558912

CONDITIONS

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

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

Description of Site

The road is characterised by large detached properties of individual design, set back from the road. The front gardens contain many important veteran oak and hornbeam trees which are protected by Tree Preservation Orders. The oak tree which is the subject of this application is situated to the frontage of 25 Forest Lane within the highway verge.

Description of Proposal

Oak protected by TPO/EPF/16/97

Relevant History

There are no recent records of pruning of this tree.

Relevant Policies

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

Summary of Representations

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

Issues and Consideration

Introduction

This application is for the removal of a 16 metre tall, early phase, mature oak which stands within the highway verge.

Last year an application was approved for the construction of two houses on the site of 25 Forest Lane (EPF/0535/13) and these works are now ongoing. As part of that application process a survey was undertaken of the tree which noted that it was in decline and recommended that it be removed. As the tree is within the ownership of Essex County Council Highways the developers approached them for their permission to fell and replace the tree.

Essex County Council have inspected the tree and in principle agree to the removal of the tree due to its condition and ongoing decline subject to it being approved by this application.

Key issues

The key issues to be considered are –

- The value of the tree in terms of the local amenity that it provides.
- The health of the tree and its safe useful life expectancy.
- The feasibility of replacement planting

Dealing with each of these in turn:

The value of the tree

Whilst the tree does have public amenity value due to its location this will reduce as the tree continues to decline.

The health of the trees

The Oak is in severe general decline. It has at least 7 cavities within the main stem and a climbing inspection has been undertaken to assess potential bat habitats. During the inspection it was noted that the main stem was hollow, suggesting that it is further decayed than originally noted from the ground level inspections. The cavities have now been filled to prevent bats roosting, which would delay the felling of the tree.

The safe useful life expectancy for these trees is estimated to be less than 5 years.

The feasibility of replacement

The applicant has proposed to plant a 20-25cm girthed hornbeam tree in a similar location. This will complement two similar sized hornbeam trees which are to be planted within the front gardens of the new properties as part of an approved landscaping scheme. In view of the ongoing development of 25 Forest Lane it would be sensible to suggest that the new tree be planted at the same time as the landscaping for the new houses is undertaken.

Conclusion

Whilst this tree is prominent within the street scene, its condition is such that its safe useful life expectancy is limited. The applicant is proposing a suitable replacement and we would recommend that this application is approved.

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

***Planning Application Case Officer: Melinda Barham
Direct Line Telephone number 01992 564120***

Or if not direct contact can be made please email; contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/2418/13
Site Name:	28 High Beech Road, Loughton IG10 4BL
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2418/13
SITE ADDRESS:	28 High Beech Road Loughton Essex IG10 4BL
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr James Sewell
DESCRIPTION OF PROPOSAL:	Demolition of side addition and erection of two storey side extension, raising of height of roof, and provision of rear dormer window.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=556798

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 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 two storey detached house. Its neighbours are a similar yet remodelled house at number 30, and terraced flat roofed three storey town houses at numbers 26A to 18. The house is not listed nor does it lie in a conservation area.

Description of Proposal:

Demolition of side addition, erection of two storey extension, raising of height of roof and provision of rear dormer.

Relevant History:

None.

Policies Applied:

DBE9 - Loss of amenity.

DBE10 – Residential extensions.

These two policies are compliant with the NPPF.

Summary of Representations:

LOUGHTON TOWN COUNCIL – The Committee objected to this application. It was concerned that the proposal brought forward the building line at the south east point on the flank wall of the existing house thus losing the original form of the house, and reduced the integrity of this turn of the century Edwardian house. This was considered detrimental to the street scene and contrary to policy DBE10 of EFDC's adopted Local Plan and Alterations.

Members noted the neighbours concern regarding the effect of the proposals on the stability of the flank wall of his neighbouring property at no.26A High Beech Road. Should permission be granted, the Committee asked for conditions on working hours to minimise disturbance to neighbouring residents during construction.

NEIGHBOURS – 6 properties consulted and no reply received. However, a neighbour at the neighbouring number 26A expressed concern to the Town Council regarding possible detrimental effect from construction works on the stability of his flank wall.

Issues and Considerations:

The main feature of the existing house is a broad 2 storey front bay window with gabled roof over. To the side of this lies a smaller slightly recessed 2 storey section containing hall and a bedroom over, and to the side of this, and further recessed, lies a small 2 storey side addition. It is proposed to demolish the latter and erect a new two storey side addition on the same front plane as the hall, and also with raised floor levels to align with the floor levels of the existing house. The roof of the house is to be extended and raised, and with a rear dormer, a bedroom and shower room will be provided in the loft area.

In terms of the appearance of the house some articulation to the front of the house will still be retained, and in particular the 2 storey bay window and gable over will still retain a significant projection – and this compares favourably with the neighbouring and similarly designed house at no. 30 – which regrettably has been altered in that the bay has been removed in favour of a flattened front elevation. The proposed front elevation will also retain the existing attractive porch feature, and this adds further interest to the appearance of the house.

The extended roof contains a dormer at the rear. Although sizeable this dormer will be subordinate to the roof, and also views of it would be partly screened by large trees close to the rear boundaries of houses to the rear in Connaught Avenue. Having regard also to the flat roof appearance of the 3 storey town houses at numbers 26A to 18, and a large roof extension to number 30, the proposed dormer has an acceptable size and appearance.

Comments on representations received:-

In respect of the Town Council's objection the proposed front elevation will still contain a fair degree of variety and articulation as mentioned above, and its appearance is acceptable. The property is not listed and it does not lie in a conservation area, and it would be unreasonable to insist that changes to the front of the house cannot be made.

The neighbour's concern over the possibility that building works will affect the condition of his flank wall is not a material planning consideration – but it is a matter that is covered by Party Wall legislation – and a Party Wall agreement is very likely to be required for the proposed rebuilding of the 2 storey side addition.

Conclusion:

For the reasons given above this proposal complies with policies DBE9 and DBE10, and it is recommended that conditional 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:

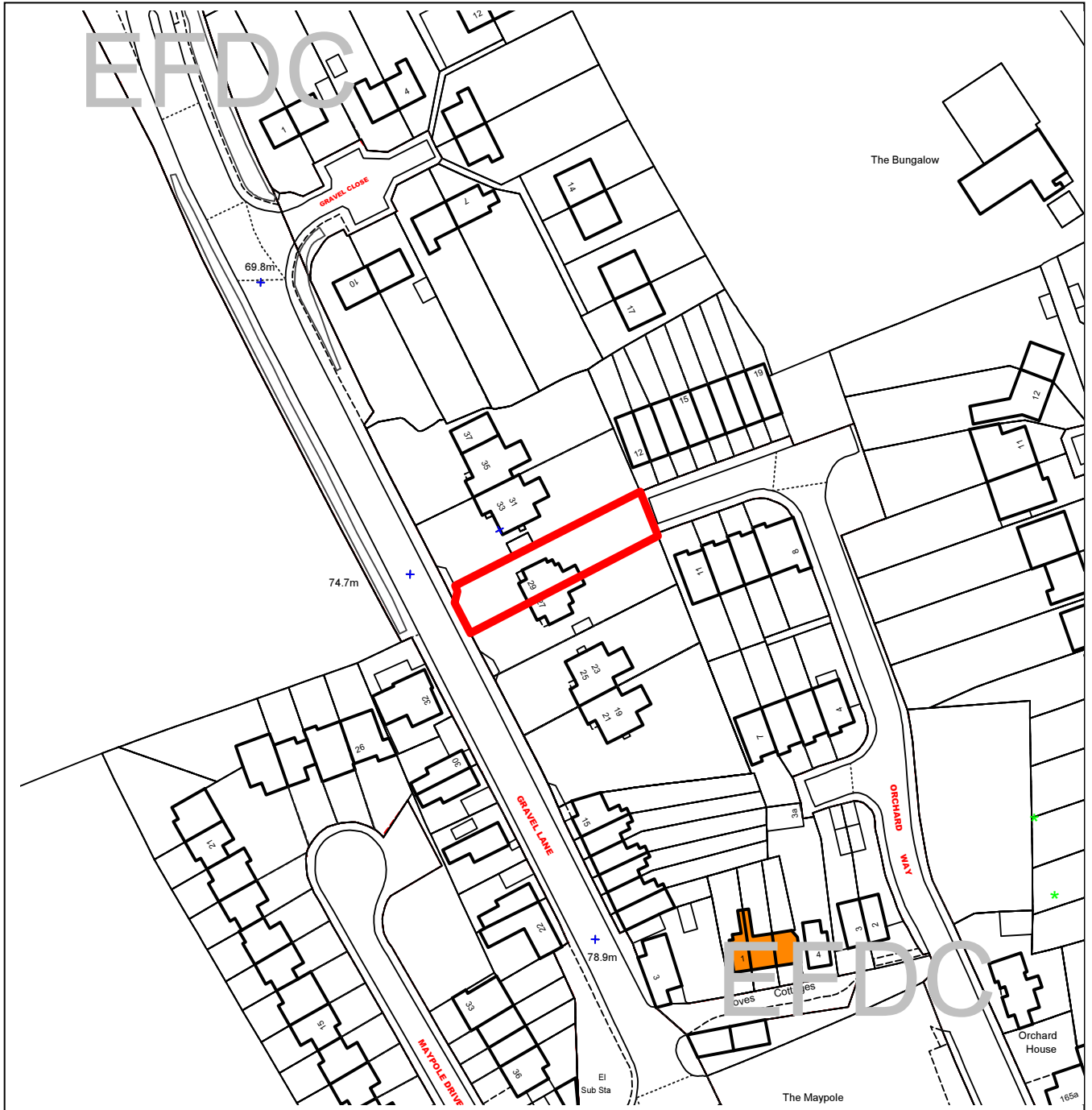
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



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AGENDA ITEM NUMBER 3



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Application Number:	EPF/2529/13
Site Name:	29 Gravel Lane, Chigwell IG7 6DA
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2529/13
SITE ADDRESS:	29 Gravel Lane Chigwell Essex IG7 6DA
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mrs A L Peters
DESCRIPTION OF PROPOSAL:	Retention of sloping roof over existing outbuilding at foot of rear garden.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557372

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 A replacement boundary fence shall be erected on the rear boundary of the site within 6 months of the date of this decision notice. This boundary fence shall be of the same design as the boundary fences recently erected on the side boundaries of the rear garden. No gate or access to Orchard Way shall be formed in this rear boundary fence at any time, unless prior approval has been granted by the Local Planning Authority.
- 3 None of the conifer trees lying in the strip of land between the outbuilding and the rear boundary of the site shall be removed unless prior approval in writing has been granted by the Local Planning Authority.

This application is before this Committee since the recommendation for approval is contrary to more than 4 objections received which are material to the planning merits of the proposal (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A.(f).

Description of Site

A two storey semi detached house in a row of similar dwellings on the east side of Gravel Lane some 250m to the north of its junction with Lambourne Road. The property is not listed nor does it

lie within a conservation area. The end of a cul de sac known as Orchard Way lies to the rear of the rear boundary of the property.

Description of Proposal:

Retention of a sloping roof over existing outbuilding at foot of rear garden. The out building is used as a gym incidental to the house, and storage is proposed in the roof.

Relevant History:

EPF/780/13 - Rear first floor extension - granted approval.

Policies Applied:

DBE9 – Loss of amenity. This policy is compliant with the NPPF.

Summary of Representations:

CHIGWELL PARISH COUNCIL – No objections.

NEIGHBOURS – 7 properties consulted, including 4 in Orchard Way to the rear, and five replies received:-.

18, ORCHARD WAY – object – this enormous roof has been erected prior to any approval. The effect of the sky high roof is ameliorated by a row of trees but if these are felled the building would loom over the area. The plans show a shower/toilet facility which is odd given that the house accommodates such facilities – this leads to the impression that the gym is intended for use by visitors who could gain access and parking via Orchard Way. The addition of a ‘shed’ on the plans could provide a porch for such entry. The roof is huge and totally out of keeping and should be removed - it may have been erected to facilitate future conversion into a house.

16, ORCHARD WAY – object - combined with the ‘extra’ floor being added to the house this outbuilding represents over development of the site. The building of the roof was very noisy, and now the fence on to Orchard Way is not straight.

17, ORCHARD WAY – object – the proposed gym use is not in keeping with a residential area, and the gym could be accessed by creating an opening in the fence onto Orchard Way, a public road. Hence the gym could be used by the public – which would be detrimental to the amenity of residents in Orchard Way.

10, ORCHARD WAY – object – could affect light to Orchard Way, how will trees behind the outbuilding be accessed for pruning? The gym could have been provided in the house, and is it to be used as a business? will it cause excessive noise?, and the building and altered fence on to Orchard Way is unsightly.

14, ORCHARD WAY – makes the same points as those raised by the occupier of no.10 Orchard Way.

Issues and Considerations:

This planning application seeks consent to retain a roof that has been nearly completed over an existing outbuilding (3.8m by 7.5m) at the rear of the rear garden. The applicants state that they were unaware of the need to obtain planning permission to erect the roof. The outbuilding is now used as a gym for the family living on the site, and the roof area will provide for additional domestic storage.

The roof is more steeply angled than is normal and it rises to a ridge height of 5.2m. A 1.2m gap exists between the outbuilding and the rear boundary of the site, which adjoins the end of the cul de sac of Orchard Way. In this gap lie tall conifer trees that provide significant screening of the building from Orchard Way, and hence the roof has a limited impact on visual amenity in Orchard Way.

In respect of the amenity of neighbours at nos. 27 and 31 the outbuilding lies some 20m from the rears of these houses, and again trees and landscaping in these gardens provide some screening. No objections have been received from these neighbours on either side, and the proposed roof does not have a significant effect on their outlook and amenity.

Comments on representations received.

5 objections have been received from houses in Orchard Way to the rear, and it would appear that some noise and nuisance may have been caused when the roof was being erected. The line of trees screening this outbuilding from Orchard Way are to be retained, and a condition is proposed in this regard. The applicants have confirmed that the gym is to be used for their own domestic use, that it will not be used as a business, and they are happy to accept a condition to this effect. Additionally they are willing to accept a condition prohibiting any form of pedestrian gate/access being provided in the rear boundary fence onto Orchard Way at the rear. The applicants state they have been burgled from the rear and somewhat haphazard alterations they subsequently have made to this fence mean that it does look somewhat unsightly when viewed from Orchard Way. They have recently erected new 1.8m fences to either side boundary of the garden, and they propose to erect a similar fence on the rear boundary and again are willing to accept a condition in this respect.

Conclusions:

While the roof over this outbuilding is somewhat higher than average it does not result in an undue loss of amenity to nearby residents. Concerns raised from neighbours in Orchard Way to the rear are acknowledged but it needs to be emphasised that the proposed roof will sit on top of a private and domestic gym - it will not be used by members of the public gaining access from Orchard Way. It is recommended therefore that planning permission be granted subject to conditions.

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

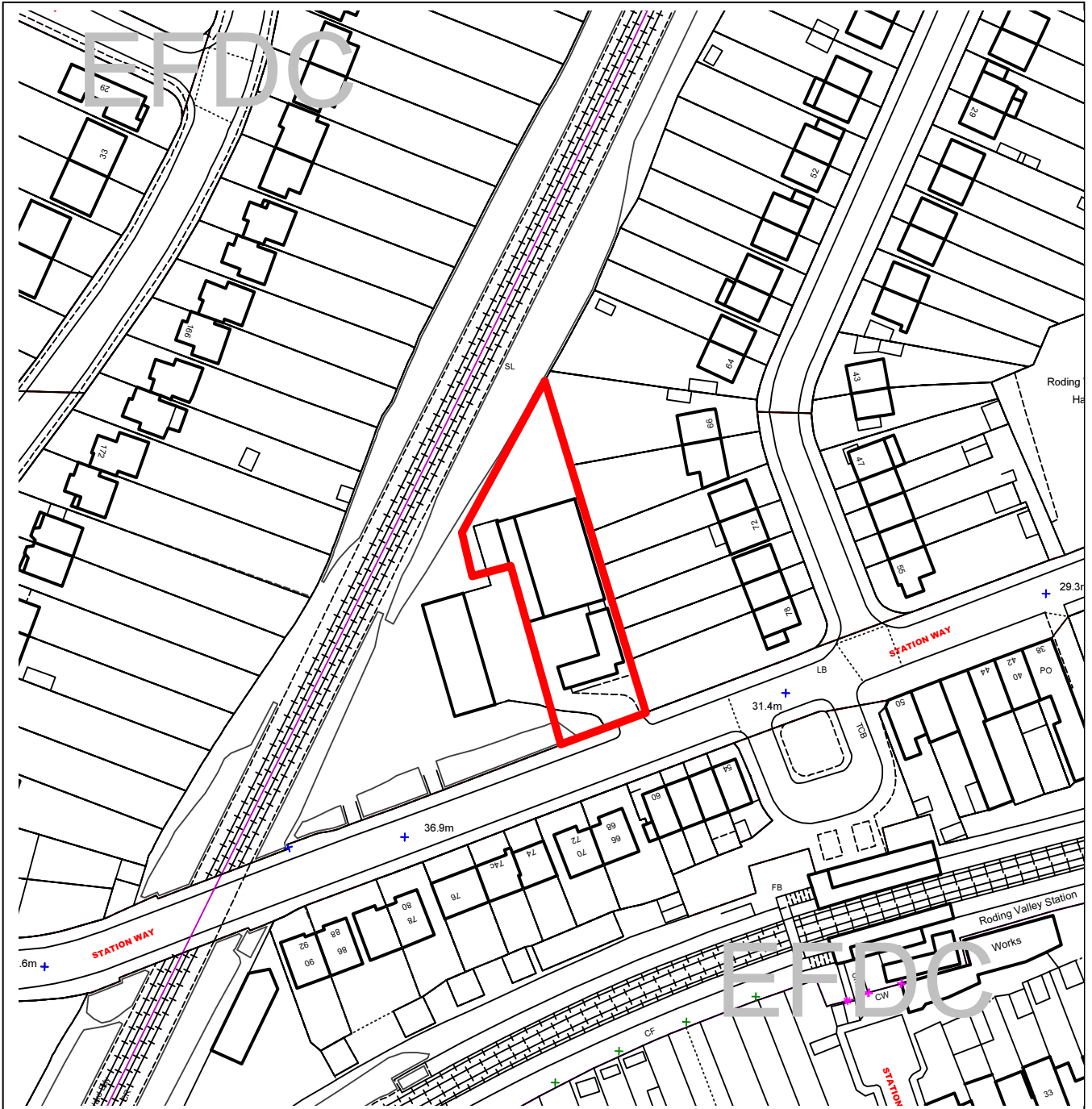
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



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AGENDA ITEM NUMBER 4



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Application Number:	EPF/2696/13
Site Name:	Former Electrical Substation Station Way, Buckhurst Hill, IG9
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2696/13
SITE ADDRESS:	Former Electrical Substation Station Way Buckhurst Hill Essex IG9
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Greenplace Capital Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing Substation and facilities building, and erection of 2/3 storey block of 9no. 2 bed and 2no. 1 bed flats with associated car parking. (Revised application following EPF/2249/13)
RECOMMENDED DECISION:	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/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558133

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 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 by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: FBE_010; FBE_100 rev. A; FBE_101 rev. A; FBE_102 rev. A; FBE_103 rev. A; FBE_104 rev. A; FBE_200 rev. A; FBE_201; FBE_210 rev. A; FBE_211 rev. A.
- 4 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 an 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.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS: 5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 6 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 in writing 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]
- 7 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]
- 8 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]

- 9 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.
- 10 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.
- 11 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 and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 12 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.
- 13 Prior to first occupation of the development hereby approved, the proposed window openings in the east facing 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 rooms in which the windows are installed and shall be permanently retained in that condition.

- 14 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Travel Information and Marketing Scheme for sustainable transport approved by Essex County Council.
- 15 Prior to first occupation of the development, the proposed private drive shall be constructed to a minimum width of 5.5 metres for at least the first 6 metres within the site, tapering down to any lesser width.
- 16 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- 17 The gradient of the proposed vehicular access shall be not steeper than 4% (1in 25) for the first 6 metres from the carriageway edge.
- 18 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.
- 19 The development hereby approved shall not be commenced until details of the proposed refuse store indicated on drawing number FBE_100 rev. A have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Subject to the completion of an agreement under S.106 of the Town and Country Planning Act 1990 within 3 months requiring financial contributions of £28,330 (index linked to April 2013 costs) for the provision of education. Should the agreement not be completed by 5 June 2014 authority is given for the application to be refused by Officers on the basis that the proposal fails to make proper provision for meeting the education need arising from the development.

This application is before this Committee for the following reasons:

1. *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))*
2. *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).)*
3. *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 site is situated off the northern side of Station Way and contains a now disused sub station which served London Underground. Two buildings are still in place, one close to the rear of the site which is approximately 10.0m at its highest point, with a smaller structure of approximately

3.5m in height, and "T" shaped in front of this. The larger building is clearly visible from outside the site. The site is triangular in shape, and is bounded to the south by Station Way, to the north by the rail line and to the east by rear gardens serving Walnut Way. Land to the west is retained by London Underground and contains a new electrical sub station. The site descends to the front before forming a relatively level surface. The entire site is covered by a Tree Preservation Order. There is a screen of Leylandii trees along the boundary, and within gardens in Walnut Way.

Station Way rises steadily from east to west and a parade of shops (with one level of residential accommodation above) are located on the opposite side of the road. Roding Valley Tube Station is also located across the roadway. The predominant style of dwelling in the area is traditional semi detached and short terraces. There are however flats nearby, including above the shops.

Description of Proposal:

This application seeks planning permission for the erection of a block of flats containing 9 x 1-bed flats and 2 x 2-bed flats.

Following the refusal and unsuccessful appeal of an earlier scheme, the design of the development has been considerably revised. The proposed building would now be shorter than that which exists at present and generally shorter than that proposed previously (with the exception of the three storey gable element situated closest to the TfL land). The design of the building was previously flat roofed, as is the existing substation building. The design of the current proposal is considerably altered, to incorporate pitched roofs. Most of the building would be two-storey, with a second floor contained within the roof space above, with a full height three storey element being located closest to the railway line.

The building would be situated approximately one metre off the side boundaries of the site with the rear gardens of 68 and 70 Walnut Way. 12 car parking spaces would be provided to the front of the building (partly beneath the front projection).

Relevant History:

EPF/2652/10. Demolition of existing sub station and facilities building and erection of 3/4 storey block of 11 no. two bed flats with associated car parking. Refused 28/04/2011 for the following reasons:

- 1 By reason of its bulk and flat roofed design the proposed block of flats would have a poor appearance that fails to respect its setting and the character and appearance of the locality, contrary to policies CP2(iv), CP3 (v), CP7 and DBE1 of the Epping Forest District Local Plan and Alterations.
- 2 By reason of its height and siting adjacent to the rear garden boundaries of neighbouring dwelling houses in Walnut Way together with the difference in levels between the site and neighbouring gardens, the proposed block of flats would appear excessively overbearing when seen from adjacent residential properties to the detriment of the amenities enjoyed by their occupants. Accordingly the proposed development is contrary to policies CP7 and DBE9 of the Epping Forest District Local Plan and Alterations.
- 3 By reason of its inadequate provision of off-street parking spaces the proposed development fails to comply with the September 2009 Parking Standards. As a consequence it is likely to exacerbate a high demand for on-street parking in the locality to the detriment of its character. Accordingly the proposed development is contrary to policies CP2 (iv), CP3 (v), CP7 and ST6 of the Epping Forest District Local Plan and Alterations.

- 4 As demonstrated by its poor design, over-dominant appearance and lack of off-street parking provision the proposal would be an unsympathetic over-development of the site to the detriment of the character and visual amenities of the locality contrary to policies CP2(iv), CP3 (v), CP7 and DBE1 of the Epping Forest District Local Plan and Alterations.
- 5 The proposal is for a noise sensitive development. By reason of its siting in very close proximity to a railway the proposed flats and associated private amenity space would be exposed to high levels of noise. The failure to submit a noise survey for the site sufficient to establish which noise exposure category it falls within prevents proper assessment of whether it is possible to mitigate the adverse impact of noise on the living conditions of the occupants of the flats and whether the development can be carried out in the form proposed. As a consequence it is not appropriate to deal with this matter by the imposition of a planning condition and therefore the development is contrary to policy RP5A of the Epping Forest District Local Plan and Alterations.

EPF/2249/13. Demolition of existing old substation/facilities building, and erection of 2/3 storey block of 9no. 2 bed and 2no. 1 bed flats with associated car parking. Withdrawn.

Policies Applied:

Adopted Local Plan and Alterations

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

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

Summary of Representations:

Notification of this application was sent to Buckhurst Hill Parish Council and to 60 neighbouring properties.

The following representations have been received to date:

BUCKHURST HILL PARISH COUNCIL. Strong objection. Overdevelopment of the site. Lack of parking facilities would cause additional parking issues in Station Way. Lack of Amenities e.g. light and noise issues. Overlooking on neighbouring properties. Impact of planning application that has been granted for Walnut Way (EPF/0131/12). Because of proximity to rail line, properties would require adequate/triple glazing. Concerned as to number of inaccuracies in reports e.g. noise assessment took place when tube was not running. Concern that drawings are inaccurate as extension of neighbouring properties are not shown. Would suggest that there should be consultation with local residents in view of the impact on neighbouring properties.

61; 160, 174; 176; 184 Forest Edge, 66, 68, Walnut Way, 74A and 76A Station Way and one with no address provided Objection.

- Loss of privacy to 176 Forest Edge, 68, 72 Walnut Way.
- Loss of light to 68 Walnut Way. Loss of privacy to 160, 174 Forest Edge.
- Building out of scale and character with neighbouring properties and an eyesore.
- Noise and pollution to garden areas from traffic/parking.
- The proposed access off station road is dangerous.
- Were the Council to approve the proposals significant levels of section 106 contributions should be sought for highways improvements including traffic calming and layout improvements to Station Road.
- Would like to see a construction method statement to demonstrate how large vehicles will deliver construction materials to the site. I would also like to see restrictions on construction parking from adjacent streets.
- Parking is inadequate and contrary to the Council's standard.
- Dust and noise during construction.
- Impact of foundations on trees.
- The proposal is similar to that rejected at appeal.

Issues and Considerations:

The main issues to be considered are the impacts of the proposed development on the amenities enjoyed by the occupiers of nearby neighbouring dwellings, on the character and appearance of the area and on highway safety.

Neighbouring Amenity

Concern is raised by the occupiers of several neighbouring dwellings in relation to amenity being reduced due to loss of light and privacy along with noise and disturbance from the use (particularly access to the car park) and also noise and dust nuisance during construction.

In relation to the matter of light (and also outlook), it is properties in Walnut Way which would be most affected. However, although building would sit closer to these properties by about 2.5m, its height would be comparable with that of the existing sub-station and its depth only slightly greater. Bearing in mind the part of the building that projects closer is lower in height than the existing building it is not considered that any reduction to light or outlook would be material.

With regard to privacy, it will be necessary to ensure (by condition) that all windows in the eastern side facing elevation are fixed closed and obscure glazed. This will safeguard the amenity of existing neighbouring residents whilst also not harming amenity for the future occupiers of the proposed development, as the affected windows are all secondary to front/rear facing windows, or they do not serve habitable rooms.

Noise and disturbance from the car park and access would be less significant in relation to existing Walnut Way residents, as it would be located to the far end of their gardens. It would have a greater impact upon future occupiers of the approved (but not yet constructed) dwellings in the

rear gardens of 76-78 Walnut Way but would not result in unsatisfactory amenity for the occupiers of those dwellings.

Disruption during construction will be likely to cause nuisance and to some extent this would be unavoidable. However, its impact may be limited by the imposition of planning conditions restricting working hours and ensuring wheel washing and dust controls are installed.

Character and Appearance

The design of the proposed development has been slightly altered following the previously withdrawn scheme, to address a design concern relating to the roof of the building (which contained a large and prominent section of flat roof).

The revised building has accommodation spread across three floors, with part of the second floor being full height and the central section and side closest to Walnut Way having the second floor contained within the roof space. The building would have an eaves height closest to Walnut Way of 5.4m, rising to a ridge of 10.1m (set in a further 4.5 metres from the edge of the building). At its highest point (adjacent to the railway) the building would have an eaves height of 7.6m rising to a ridge of 11.6m.

The building would predominantly have three sections: two gabled side wings, a central section with a crown roof and a front projection of the upper two floors, allowing for car parking underneath. There would also be a small (3m deep) rear projection to the central section.

The building would have a maximum depth of 29.8m and would be set back from the site boundary with Station Way by 26.8m.

The design of the building previously proposed was criticised by the Inspector, who felt that the industrial scale and shape of that building, its flat roof and predominant use of brick would clearly reflect the character and appearance of the existing sub-station, whilst the surrounding townscape is overwhelmingly of conventional two storey housing. It is considered that this revised design, with its use of traditional roof pitches and the palette of materials proposed (brick work, tile hanging and clay roof tiles) has addressed those concerns, presenting a building that would sit comfortably within the street scene. It is considered that the street scene would be enhanced as a result of the proposed development.

Highways and Car Parking

Officers at County Highways have raised no objection to the development, subject to the imposition of planning conditions. They advise that the site access has good visibility onto Station Way and is situated in very close proximity to the underground and local buses. Indeed the Inspector for the previous appeal agreed the level of car parking was suitable, given the location.

Other Matters

Trees and Landscaping – the Council's Arboricultural Officer has been consulted on the application and has advised as follows: There are no trees on the site worthy of retention. However, there are several trees (Lime on the pavement to the front of the site; an ash and oak to the rear of the site; and a leylandii hedge in the rear gardens of 66 and 68 Walnut Way). The applicant has demonstrated that these trees can be safely retained. In order to ensure this is the case should permission be granted a Tree Protection condition should be included. In addition, a hard and soft landscape scheme will need to be submitted and agreed prior to commencement.

Land Contamination – Due to the former use of the site as an electrical sub-station, the presence of contaminated land is possible. This may be dealt with by the imposition of planning conditions requiring investigations and, if necessary, mitigation works.

Education – the dwellings will generate a demand for primary and secondary school places which cannot be met within the capacity of existing facilities. A contribution towards the cost of delivering additional school places is therefore sought by the County Council.

Conclusion:

In light of the above appraisal, it is considered that this proposal has addressed the concerns raised in relation to earlier schemes and would present a sustainable development that would accord with local and national planning policies. It is, therefore recommended that planning permission be granted, subject to the conditions discussed within 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:

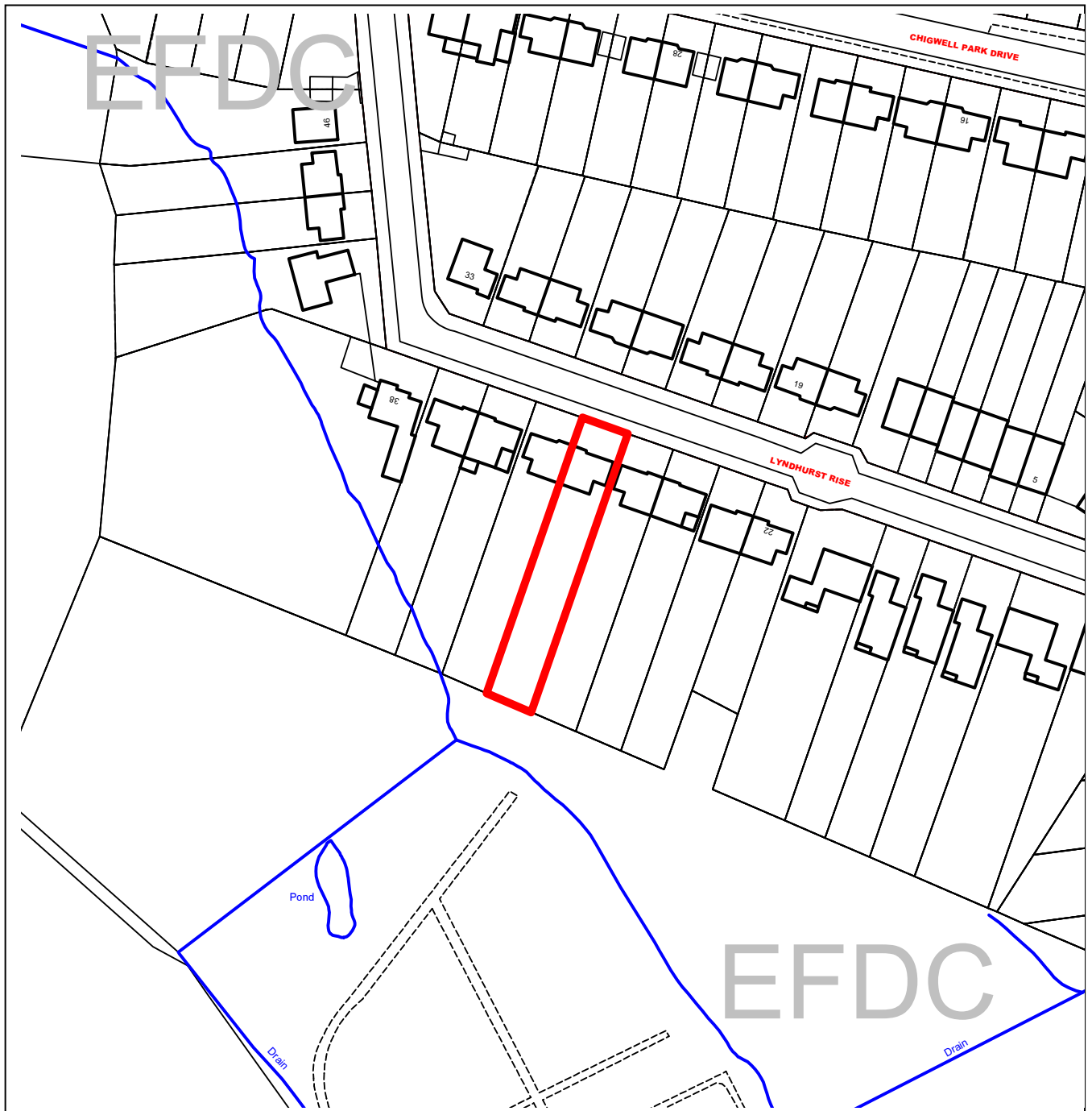
***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

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



Epping Forest District Council

AGENDA ITEM NUMBER 5



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Application Number:	EPF/2723/13
Site Name:	30 Lyndhurst Rise, Chigwell IG7 5BA
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/2723/13
SITE ADDRESS:	30 Lyndhurst Rise Chigwell Essex IG7 5BA
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	TAJ Uddin Ahmed, Azima Khatun, Joygun Nessa
DESCRIPTION OF PROPOSAL:	Demolition of existing garage and erection of proposed two storey side extension and single storey rear extension incorporating a ground floor bedroom and accessible wet room. New paved patio to rear.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558293

CONDITIONS

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

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

Lyndhurst Rise is located within the built up area of Chigwell. The existing building is a two storey semi detached property located within a relatively long, narrow plot. The site slopes sharply from east to west and then levels out. The surrounding buildings are two storey semi detached dwellings, some of which have been extended to the side and rear. 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 first floor element to be built over an existing single storey garage on the side elevation. The extension will be 2.5m wide and have an eaves height of 5.2m. This extension joins with the existing roof and matches the existing pitch. The application also includes a single storey rear extension 4.1m deep, 9.2m wide and a maximum height of 3.8m.

Relevant History

No relevant history

Policies Applied:

CP2: Quality of Rural and Built Environment

DBE9: Loss of Amenity

DBE10: Residential Extensions

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

5 Neighbours consulted –

32 LYNDHURST RISE – OBJECTION – The excessive height of the extension will cause significant loss of light to our property.

28 LYNDHURST RISE – OBJECTION – The excessive height of the extension will cause a loss of light and outlook to our property

CHIGWELL PARISH COUNCIL – OBJECTION – The proposed height of the pitched roof will cause significant loss of natural light to the neighbouring property. However the Parish Council and the respective neighbour will remove their objection if the height of the extension were to be reduced to 3m.

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 first floor extension is set 0.85m from the boundary and 4m from the habitable areas of the neighbouring house at 28 Lyndhurst Rise. Moreover, no 28 is situated on land some 0.5m higher than the application site. As a consequence of that relationship it will not cause any harm to the living conditions of neighbouring properties.

The single storey rear extension reaches a maximum height of 3.8m where it adjoins the rear wall of the house, reducing in height to 2.8m at its rear elevation. It is sited such that it would leave a gap of 0.85m from the boundary with no.28. The extension projects 3m on the boundary with the neighbouring property of no.32. It then steps in 1m and extends a further 1m, giving a total projection of 4m from the existing rear building wall.

The Parish Council and the adjacent neighbours are objecting on the basis that the extension is too high, causing a loss of natural light to the neighbouring properties. It is acknowledged that the rear extension will be visible from neighbouring residential outlook, but there is nothing unusual about that.

The extension is of a single storey design that leaves a reasonable gap of 0.85m from the boundary with 28 Lyndhurst Rise. A high and well established hedge is situated on this boundary which acts as a screen. Were this screen removed, boundary treatment will still obscure the majority of the development. As stated above, no 28 is situated on land some 0.5m higher than the application site therefore the highest point of the proposal. In the circumstances the visual impact of the rear extension would be significantly mitigated and be little greater than that of a permitted development extension.

The extension will be situated on marginally higher ground than no.32. The degree of change in level is not of an order that would result in the extension appearing materially higher than its maximum height of 3.8m when seen from this neighbour. Furthermore only a 3m projection of the extension is situated on the shared boundary, with the rest recessed 1m, and the height of the extension would reduce along its projection from the existing rear wall. Having regard to the scale, design and siting of the proposed rear extension its visual impact when seen from no. 32 is found to also not be harmful.

Taken as a whole, the proposed extensions would safeguard the living conditions of neighbours.

The application also proposes a paved area to the rear. It would be some 300mm above ground level and project 2.5m from the rear wall of the proposed single-storey extension. Boundary treatment approximately 1.8m high on either side will prevent any potential overlooking into private areas of neighbouring properties, but would not be so high it could appear excessively overbearing when seen from either neighbouring property.

From the above appraisal the proposal does not harm the living conditions of the neighbours and therefore complies with policy DBE9 of the Adopted Local Plan and Alterations.

Design

The first floor extension above the existing garage is of a reasonable size and design that respects the existing building. As such it will not appear overly dominant within the street scene of Lyndhurst Rise.

The addition brings the first floor of no.30 to within 0.85m of the boundary with the neighbour of no.28. Currently the two storey element of no.28 is situated 4m from the proposed extension. This neighbour is also located on higher ground than the application property. As such, if the neighbour was to extend in a similar way to this application the eaves and ridge heights of the two properties will not clash and there would be a minimum separation of 1.7m between the flank walls. As a consequence of that relationship a potential terracing effect would not arise and the semi detached character of the locality would be maintained.

The single storey rear extension is of a conventional design which respects the existing building. Furthermore it will not be visible when viewed from the public areas of Lyndhurst Rise.

Conclusion

The extensions are of a conventional design that respect the existing building and will not cause undue harm to the living conditions of the neighbouring properties. As such the application complies with the relevant policies of the Adopted Local Plan and Alterations and with the objectives of the NPPF.

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 564 371***

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