

## AREA PLANS SUB-COMMITTEE SOUTH

2 April 2014

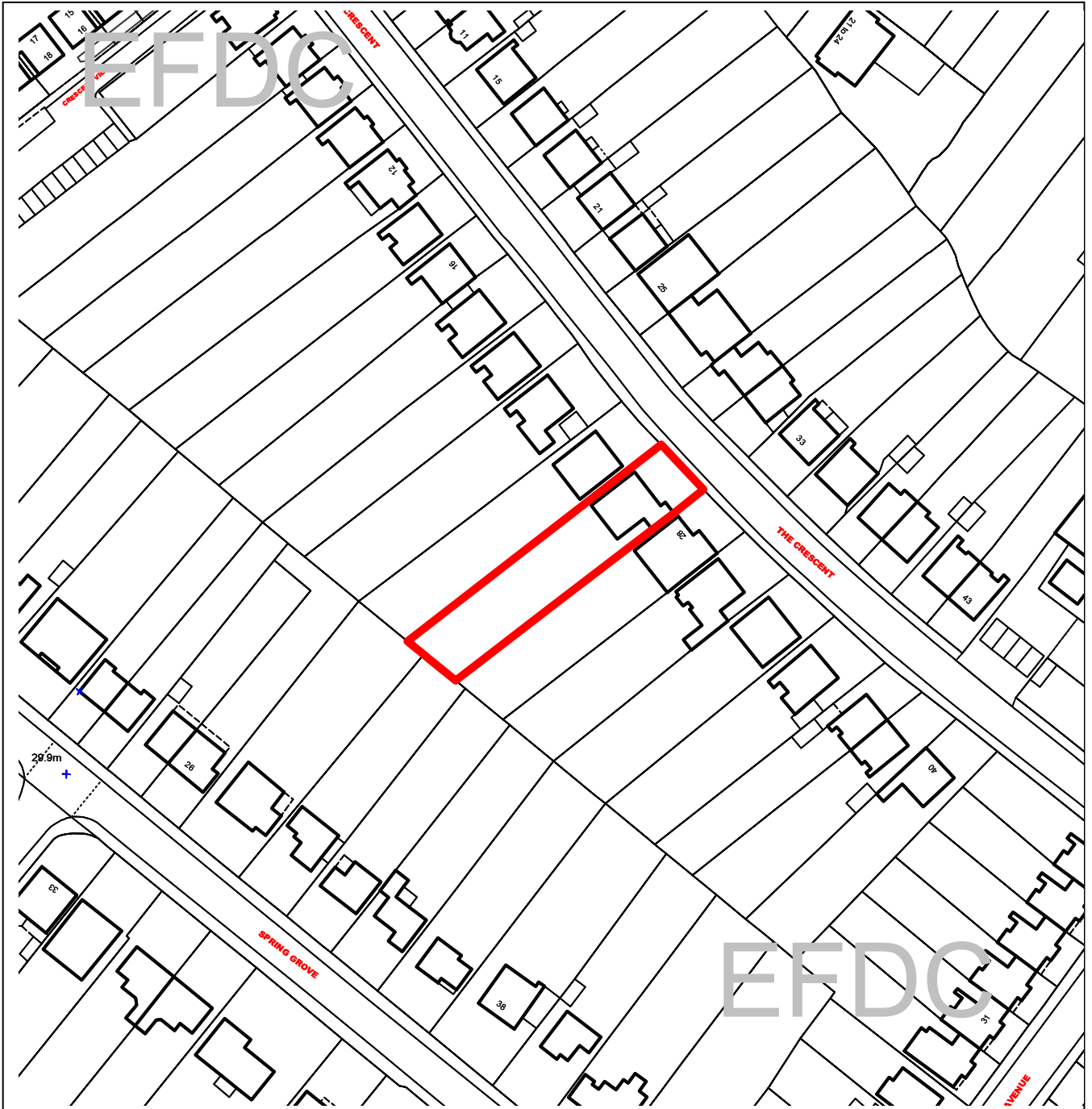
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# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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Application Number:	EPF/2415/13
Site Name:	26 The Crescent, Loughton, IG10 4PY
Scale of Plot:	1/1250

**Report Item No:1**

<b>APPLICATION No:</b>	EPF/2415/13
<b>SITE ADDRESS:</b>	26 The Crescent Loughton Essex IG10 4PY
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr & Mrs Roy Gower
<b>DESCRIPTION OF PROPOSAL:</b>	First floor 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=556795](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=556795)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening in the south 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.
- 4 All construction works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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 in a road containing a mix of dwelling types with bungalows in the top (north) part of the road and houses in the bottom part. The house is not listed nor does it lie in a conservation area.

### **Description of Proposal:**

First floor rear extension.

### **Relevant History:**

EPF/241/06 – Permission granted for first floor extension to bungalow – and this approval has been implemented.

EPF/2447/07 – Permission granted for single storey rear extension – and this approval has also been implemented.

### **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 owing to the deleterious effect on the amenities of the adjacent neighbours at nos. 24 and 28 The Crescent, from the height and bulk of the proposed first floor rear extension.

NEIGHBOURS – 5 properties consulted and 2 replies received:-.

28, THE CRESCENT – I would like to request that a) the new first floor bathroom window which overlooks our patio should be glazed using obscured glass, and b) that any noisy work and deliveries take place during normal working hours on Monday to Friday and not during weekends and evenings.

24, THE CRESCENT – object – if granted this would be the third extension to this property in recent years. The first application converted a bungalow to a house, and light and outlook to our (side facing) bedroom window was reduced. The proposed first rear extension will further reduce light and outlook to this bedroom. The proposed first floor rear extension will reduce light and outlook to our (rear facing) living room window. The extension will be overbearing, and will overlook our living room and garden. My husband is in poor health and he may struggle to cope with noise and dust from building works – and should approval be granted I request that construction work should be limited to normal business hours and be avoided at weekends.

### **Issues and Considerations:**

The main issue raised by the application is whether the proposed first floor rear extension will significantly affect light and outlook to neighbouring properties. The original proposal contained a vertical gable roof over the first floor. This was considered to be too large and overbearing to

neighbours, and it has now been replaced by a hipped roof that slopes back in common with the existing roof profile.

The extension project 4m rearwards on top of the existing ground floor extension. The application property, and the two neighbouring ones, are detached dwellings with space between their flanks and the common side boundaries. This means that the proposed extension will be close to but will not breach a 45 degree line drawn from the nearest bedroom window in the 2 storey house at no.28. In addition, these properties have quite wide plots with long rear gardens. For these reasons the proposal will not have an undue effect on the light and outlook of no.28, and it is noted that the occupants of that property have not raised any concerns in this respect.

The other neighbouring dwelling at No.24 is a bungalow which has a slightly greater depth than the original depth of no.26 – this means that the proposed net depth of the extension in relation to No 24 is 3.2m and not 4m. This reduces the effect of the proposal on light and outlook to No.24, and again the gaps at the sides of these detached dwellings further lessens impact. The removal of the gable end roof structure has also lessened the overbearing nature of the proposal, and given the open and spacious nature of these plots the proposed extension will not have an undue effect on the amenity of no.24.

The revised hipped roof on top of the proposed extension relates more satisfactorily to the design of roofs in the locality, and the appearance of the proposed extension is now satisfactory.

#### Comments on representations received:-

In respect of the Town Councils objection on overdevelopment the rear garden of the property is over 40 metres long and 8m wide. The proposed extension can be comfortably accommodated in this size of plot. The neighbour at no.24 raises concerns about overlooking but the first floor extension does not contain any side windows facing no.24 and hence loss of privacy would not result. On the other flank a new first floor bathroom window will face no.28 and the plans show this to be obscured with a fan light window openable only above 1.7m above floor level - this detail complies with the request of the neighbour at no.28. Both neighbours are concerned that construction works take place only during normal working hours. Given the nature of the concern raised it is felt that any approval to this householder application should in this case carry a condition prohibiting construction work in the evenings and at weekends - with the exception of Saturday mornings. With regard to the Town Council and neighbour concerns over loss of light and outlook this issue is covered in the report above.

#### Conclusions:

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:***

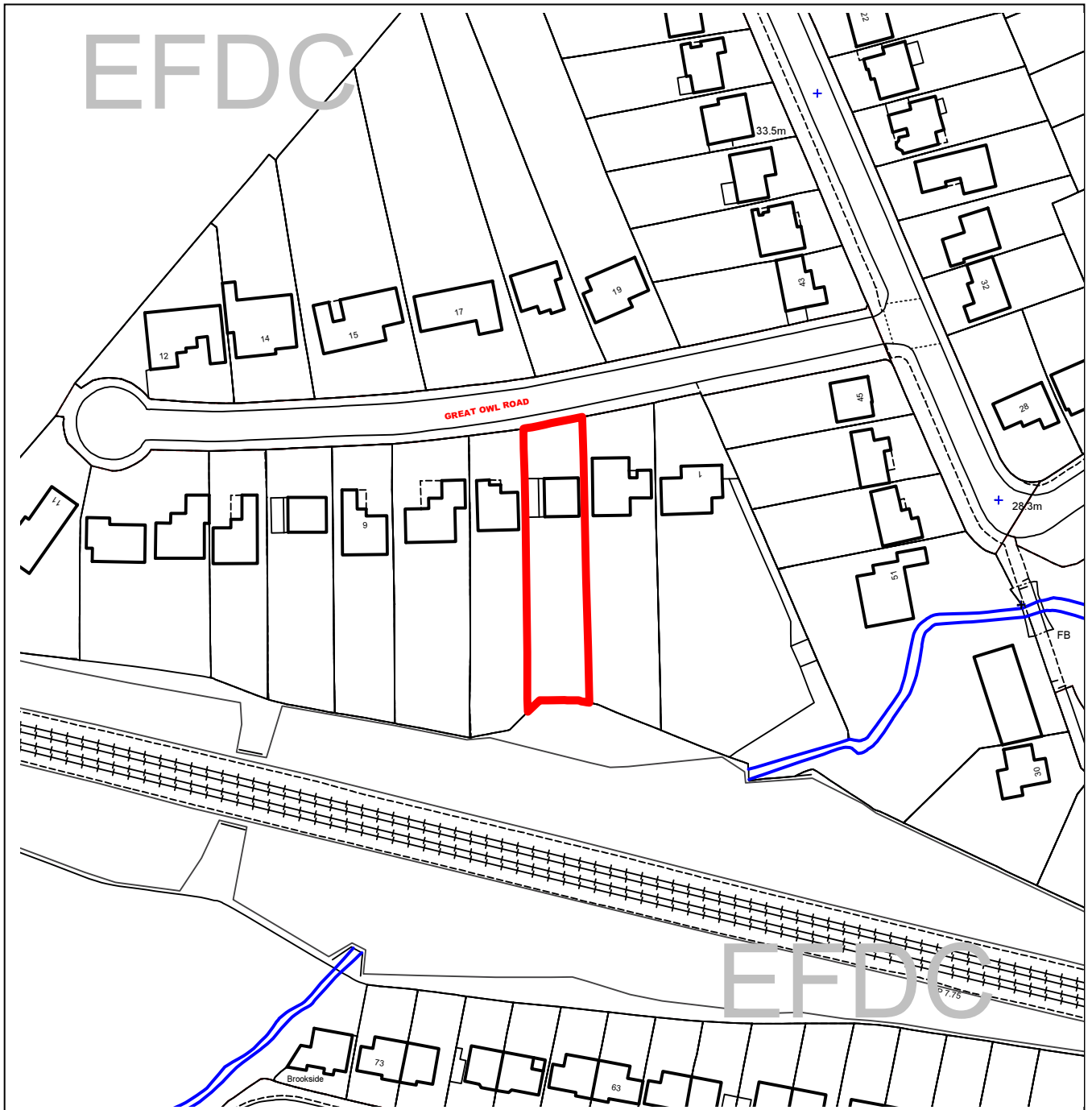
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 2



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Application Number:	EPF/2477/13
Site Name:	3 Great Owl Road, Chigwell IG7 6AL
Scale of Plot:	1/1250

**Report Item No:2**

<b>APPLICATION No:</b>	EPF/2477/13
<b>SITE ADDRESS:</b>	3 Great Owl Road Chigwell Essex IG7 6AL
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Chris Payne
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of side garage, erection of two storey side extension, two storey front extension and part two and part one storey rear extension with first floor juliet balconies, together with provision of raised rear patio with side privacy screens.
<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=557050](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557050)

**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 privacy screens to the raised rear patio, as shown on the plans hereby approved, shall be erected before the raised patio is first brought into use.

*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 on the south side of Great Owl Road a cul de sac which lies off Chester Road. The house is not listed nor does it lie in a conservation area.

### **Description of Proposal:**

Demolition of side garage , erection of two storey side extension, two storey front extension, and part one storey rear extension with first floor Juliet balconies, together with provision of raised rear patio with side privacy screens.

### **Relevant History:**

EPF/1526/13 - Permission granted for two storey front and rear extensions, incorporating new pitched roof to garage, and balcony, and raised patio area.

### **Policies Applied:**

DBE9 - Loss of amenity.  
DBE10 – Residential extensions.

These two policies are compliant with the NPPF.

### **Summary of Representations:**

CHIGWELL PARISH COUNCIL – objects to this application as an overdevelopment of the site.

NEIGHBOURS – 5 properties consulted and no replies received.

### **Issues and Considerations:**

This application is similar to the previous application EPF/1526/13 which was approved last year under delegated powers. The main difference is that the proposed two storey side extension, close to the side boundary with no.4, will project further forwards now by 1.1m on the ground floor, and by 2m on the first floor. This projecting wing will now match the profile and design of the other proposed front wing and provides an improved appearance to the front of the house. The greater forward projection will have some impact upon the front amenity and outlook of the nearest neighbour at no. 4, but this further addition will not breach 45 degree lines drawn from the nearest ground and first floor windows in no.4. In addition the property on the other side at no.2 stands more forward of the proposed front line for no.3 – and hence a staggered line is already a feature of this row of properties. For these reasons the proposed additional front projection will not have an undue effect on the amenity and outlook of no.4, and it is noted that no representations on the proposal have been received from this neighbour further

At the rear the bulk of the 2 storey rear extension remains the same as previously approved. However, a first floor balcony, enclosed by high side walls is now replaced by an increase in size the rear bedrooms coupled with the provision with Juliet balconies. This change does not make any change to the mass of the extension, and the removal of the balcony means that there will be much less no scope for overlooking of neighbouring rear gardens.

### **Comments on representations received:-**

In respect of the Parish Councils objection on overdevelopment, the rear garden of the property will still be 30m long after the extensions and patio are constructed. The property also and the plot has a sizeable width of 12.5m, and even after the front extensions are built there will remain a front garden of 10m in depth. In this context the proposed extensions can be satisfactorily accommodated on the site without giving rise to an excessive size of development.



**Conclusions:**

For the reasons given above this revised 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:***

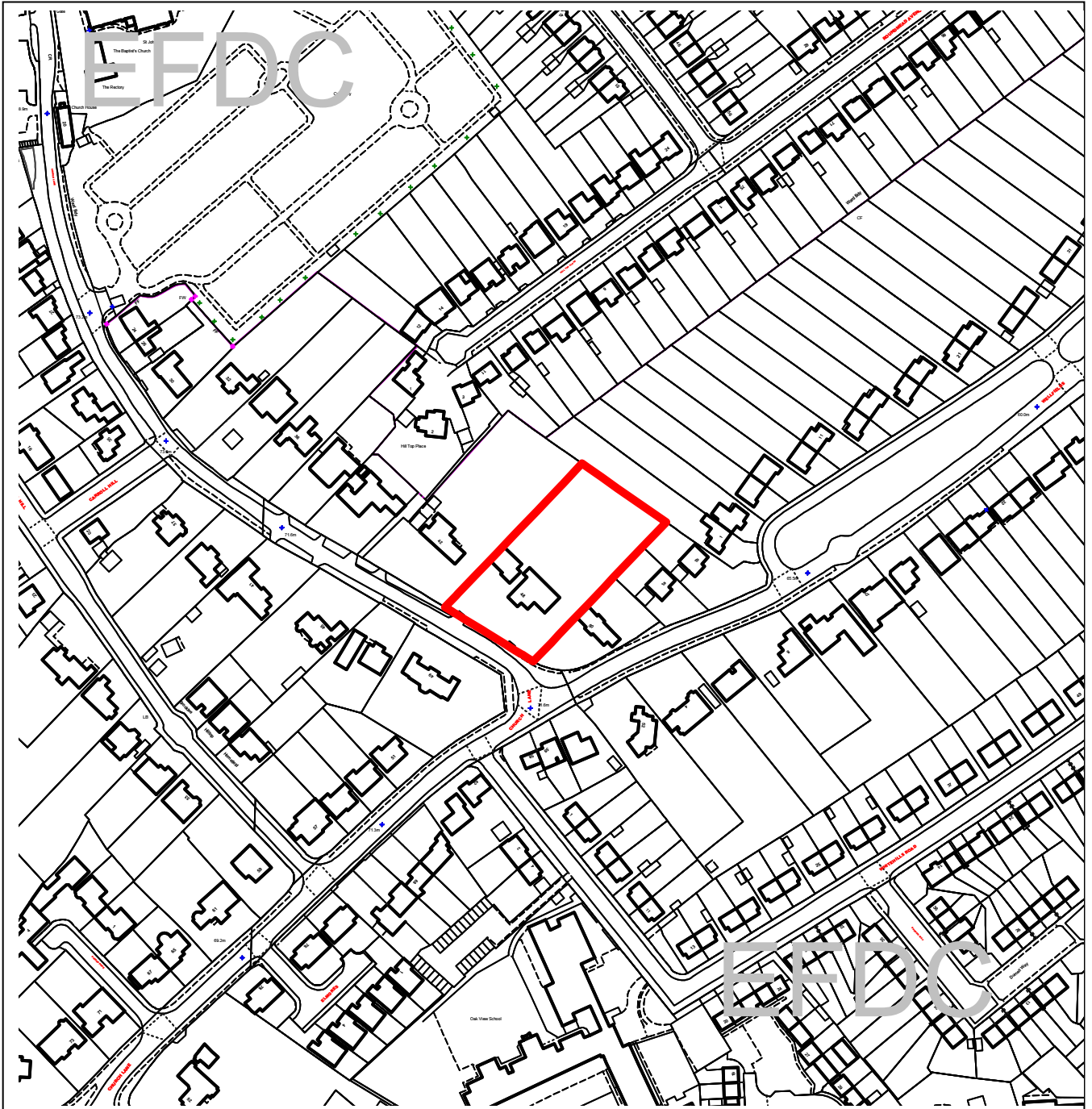
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 3



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Application Number:	EPF/2664/13
Site Name:	48 Church Lane, Loughton, IG10 1PD
Scale of Plot:	1/2500

**Report Item No:3**

<b>APPLICATION No:</b>	EPF/2664/13
<b>SITE ADDRESS:</b>	48 Church Lane Loughton Essex IG10 1PD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Banner Homes - Neil Cottrell
<b>DESCRIPTION OF PROPOSAL:</b>	Redevelopment of site to create four detached dwellings, formation of vehicular access and car parking
<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=557993](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557993)

**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: Plan nos LP.01; PL/010756/01 rev.C; PL/010756/02 rev.G; PL/010756/03 rev.E; PL/010756/04 rev.E; PL/010756/05 rev.E; PL/010756/06 rev.E; and PL/010756/07 rev.C.
- 4 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.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions or enlargements to the roofs of the dwellings generally permitted by virtue of Classes a and B of Part 2 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 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.
- 7 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.
- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the

adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 Prior to the commencement of the development hereby approved, details of refuse storage within the site shall be submitted to the Local Planning Authority for its approval in writing. the approved refuse storage shall be constructed and available for use prior to the first occupation of any dwelling hereby approved.
- 12 Prior to first occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the north west (to include the removal/clearance of vegetation in the highway verge to a height of 2m) and 2.4m metres by 37 metres to the south east, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.
- 13 Prior to first occupation of the development details shall be submitted to and approved in writing by the Local Planning Authority for the reinstatement of the two existing redundant vehicular accesses. The access to the east shall have the footway and kerbing reinstated to full height and shall be continued to terminate at the proposed new access.
- 14 Prior to first occupation of the development, the proposed private drive shall be constructed to a minimum width of 5 metres for at least the first 6 metres from the back edge of the carriageway and provided with an appropriate dropped kerb crossing of the footway/verge.
- 15 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

- 16 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 17 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 18 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 19 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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).) and 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 a large detached dwelling situated in a large and mature plot on the north-eastern side of Church Lane, close to its junction with Wellfields.

The site has a width of approximately 42m and a depth of approximately 80m. It is presently accessed by an in/out driveway onto Church Lane. There are changes in level across the site, which steps down slightly towards the east.

There are a number of protected trees within the site, which is not located within either a conservation area, or the green belt. 49 Church Lane, opposite the site, is a locally listed building.

### **Description of Proposal:**

This application seeks consent for the demolition of the existing dwelling and its replacement with four detached dwellings – two fronting onto Church Lane and two set to the rear, accessed by a single shared drive adjoining Church Lane towards the centre of the site frontage.

The two dwellings to the front would each be two storeys in height with lower one and a half storey elements to the sides. The dwellings within the rear plots would each have single storey side

elements following a revision to the originally submitted scheme. All dwellings would have second floor accommodation within their roof space and would have attached single storey garages with further off-street parking within the garage aprons.

The dwellings would have heights to eaves of approximately 5.7m and maximum heights of 9.1m. Each would have an area of flat roof, discreetly located towards the centre of the dwelling. Private amenity space would also be provided to the rear of each dwelling.

### **Relevant History:**

EPF/1972/88. O/A for six detached houses. Refused, but subsequently allowed at appeal. Not implemented.

EPF/1973/88. O/A for 19 aged persons flats, wardens' flat and commercial facilities. Refused, but subsequently allowed at appeal. Not implemented.

EPF/0632/92. Outline application for the demolition of outbuilding and single storey extension to existing house and erection of 3 x 5 bedroom houses and garages. Withdrawn (following failure to acquire the site).

### **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

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

Essex County Council Development Management Policies (February 2011)

The Essex Design Guide: for Residential and Mixed Use areas (1997)

## **Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 7 neighbouring properties.

Consultation on the application has attracted the following responses:

LOUGHTON TOWN COUNCIL. Objection. The Committee strongly objected to this application on the basis that the proposal was an overdevelopment of the site leaving little private amenity space; was garden grabbing and contrary to government guidelines; would have a deleterious effect on neighbouring in Wellfields; and was out of keeping with the street scene.

48 letters of objection and 6 comments have been received from the following 1, 1A, 1B, 3, 8, 9, 11, 13, 15, 24, 36 and 64 WELLFIELDS, 3 Ashmeads, 8, 10, 12, 20, 23, 24, 25, 27, 30, 34, 35, 37, 38, 39, 41, 42, 45, 47, 50 and 70 CHURCH LANE, 6, 8, 9, 12 and 16 HILLTOP CLOSE, 1 and 2 HILLTOP PLACE and the observations made are summarised below:

We wish to object to this planning application for the following reasons:

- The houses are too large for the size of the plot and the small garden size relative to the house size is not in keeping with the local area. The houses will be bulky in relation to the space available and not in scale with surrounding properties.
- The plans indicate that many trees are to be destroyed. The Loughton area is renowned for how green it is and although the trees may not be under any preservation order, removing them will again not be in keeping with the area. Even trees to be retained may be at risk of future requests to prune by occupiers of the proposed development.
- Additionally, the willow tree that overhangs the bottom of 1b Wellfields is noted on the plans to be removed and this will drastically affect the privacy of both that house and garden. Also, 1A Wellfields are concerned that the root protection area of the Norwegian Maple situated close to their boundary extends further than shown in the submitted tree report.
- Regarding 1b Wellfields: we will have our privacy seriously affected by plot 3. We have a glass roofed, 'orangery' style conservatory which will be overlooked by the new house, especially given that it appears the plans allow for building into the roof level. We are not currently overlooked at all which was one reason we bought the house. Also over dominating /loss of privacy from 1 and 1 a Wellfields. Amenity concerns (overbearing, overlooking, disruptive, loss of light also raised by 42 and 50 Church Lane.
- The site access route off of Church Lane will cause disruption and congestion during the build process and further disruption will arise from noise and dust.
- The corner of Church Lane and Wellfields is not suitable for another junction to exit onto. This would be dangerous.
- The existing dwelling (to be demolished) is beautiful and adds to the character of the road.
- The proposal contravenes the Human Rights Act (in particular, Protocol 1, Article 1 and Article 8).
- Refer to dismissed planning appeal for EPF/2417/11 for 47 Moreton Road, Ongar as relevant to this case, indicated that permission should be refused.
- The development will destroy wildlife.
- The houses are of mock Georgian style and not in keeping with the road. The development of a cul-de-sac is also not appropriate.
- This is an example of garden-grabbing/back land development, which is contrary to Government policy.
- The impact is sufficient to substantially damage the value of all our properties due to the removal of any privacy, apart from the fact it is totally out of character both architecturally and in site layout and height.



- Servicing vehicles, refuse lorries, recycling collection will not be able to cope and therefore bins will have to be sited in the road where there is no pavement. In the event of the terrible occurrence of a major fire, it would be virtually impossible for a fire engine or perhaps two with the necessary other emergency vehicles to access trapped people.

LOUGHTON RESIDENT ASSOCIATION (PLANS GROUP). Objection. We object to this application because: This is garden-grabbing! The Design & Access statement says "*permission was also refused in 1989 for two proposals, namely (1) the demolition of the existing dwelling and the erection of six detached houses and (2) an "aged persons complex" comprising 19 flats, a wardens flat etc. Both applications were in outline form with all matters reserved. The proposals were the subject of a conjoined Public Inquiry and an appeal decision dated 22nd November 1989. The TPO was issued around the same time. Both appeals were allowed. [.....] The site circumstances have not changed materially since the date of the appeal decisions and significant weight can be given to the Inspectors' conclusions on the character of the site and wider locality*". However, although the site circumstances may not have changed since 1989, the position on garden-grabbing has certainly changed, and so little or no weight should be given to the earlier appeal decisions. The proposal would require the removal of a number of protected trees. The houses are over-sized, with inappropriately small amounts of amenity space. Modern "executive" houses are wholly out-of-keeping with this attractive, tree-lined road. If nevertheless the District Council is minded to approve the application, we ask for the usual condition limiting working hours during any demolition and building work.

### **Issues and Considerations:**

The main issues to be considered are the principle of the proposed development and also its impacts on the character and appearance of the area, on neighbouring amenity, on existing trees and landscaping and in terms of highways access and car parking provision.

### **Principle of the Development**

This application seeks planning permission for development within an existing rear garden. The NPPF makes it clear that residential gardens are not considered previously developed land. However, this does not create any presumption against development, subject to the usual requirements for conformity to the policies of the NPPF and the local plan. The NPPF requires that application for housing are considered in the context of the presumption in favour of sustainable development.

Accordingly, where the development accords with national and local planning policies and does not give rise to serious social, environmental or economic issues, a principle in favour of the development exists.

Also of some relevance, despite the passage of time that has lapsed since they were permitted, are the appeal decisions from the late 1980's, which both allowed intensive development of the site. The six dwelling proposal indicated two dwellings along the street frontage, with an access running along the side boundary with 42 Church Lane serving four additional properties at the rear. In the decision, the Inspector noted the relevant policy at that time in PPG3 relating to the need to make full and effective use of land within urban areas and for new housing to relate in scale and location to the pattern of existing development. These principles are still relevant in relation to current planning policy. At that time, the Inspector noted that whilst this is an attractive residential area and development close to the appeal site predominantly comprises detached houses there is a wide range of dwelling types and plot sizes. The Inspector did not, therefore, consider that this part of Loughton exhibited any special characteristics, either by virtue of the existing pattern of development of the buildings themselves, which justify a particular form of development on the site. Although the lane will have matured over this passage of time, some considerable weight is

given to those Inspectors findings as a significant degree of relevance may still be attached to them.

### Design and Appearance

The dwellings proposed are all quite large, detached two storey dwellings, with additional accommodation being provided within the roof space. Two basic designs of dwelling are proposed, with plots 1 and 3 and plots 2 and 4 accommodating dwellings of similar style.

Objections have been received in relation to the style of the dwellings, stating that their Georgian style is out of keeping with the character and design of existing dwellings and buildings within Church Lane. Whilst the proposal contains some features that are traditional of Georgian architecture (for example, the window casement detailing, the pillared entrance canopies) the design is that of a modern dwelling. Although crown roofs are proposed, these are hidden behind fairly traditional hipped roof slopes and the proportions of the buildings are also in keeping with traditional design. Buildings within Church Lane are individually designed and accordingly there is no requirement to uniformly follow any existing dwelling design. It is considered that the proposed design would, subject to considerate selection of materials, not detract from the existing street scene.

Whilst paragraph 60 of the NPPF states that decisions should not seek to impose architectural styles or particular tastes through unsubstantiated requirements to conform to certain development forms of styles, it does confirm that it is proper to seek to promote or reinforce local distinctiveness. It is considered that Church Lane does benefit from an attractive local distinctiveness, which is characterised by the generally large detached dwellings, normally occupying generous plots (although some development has taken place to the rear of plots including 50, 38 and 40). In its appearance from the street, the proposed dwellings would conform to this distinctiveness – the application site benefits from considerable width and the plot sizes resulting from the development would not be smaller than others nearby in Church Lane (notably those west of 40 Church Lane). A reasonable set back (in excess of 10m) would be retained between the fronts of buildings and the highway. Although some hedging and vegetation would be required to be removed to facilitate visibility splays, this greenery is not present along the length of Church Lane further west or, indeed, on the opposite side of the road. The land is not designated as a Protected Lane, nor as a Conservation Area. Furthermore despite references made in a Character Appraisal commissioned by a neighbouring resident, the land is not designated as an Area of Townscape Merit – nor does the District Council have any such designated areas within its administrative boundary.

### Neighbouring Amenity

Neighbouring residents that would be the most affected by the proposed development are those residing at 1, 1a and 1b Wellfields, 50 and 42 Church Lane, as their properties directly bound the site.

In terms of overlooking, the most direct views would be from the rear houses (plots 2 and 3) towards the garden area of 1 Wellfields. Upper floor windows would be set at least 14 metres from the boundary with the long rear garden of 1 Wellfields and it is not considered that any reduction to amenity would be material. Furthermore in the case of overlooking from the dwelling at plot 2, views would be partially obscured by retained trees.

Plots 1 and 2 would have oblique views across the side boundary towards the garden area of 42 Wellfields. However, views of the garden area from these new dwellings would be comparable to those from existing neighbouring properties at present. Consequently, they are not considered so

harmful they could justify withholding a planning permission. The same consideration applies to the oblique views from plots 3 and 4 into the Wellfields properties. The positioning of the additional dwellings within the plot would result in some loss of light to neighbouring dwellings – particularly in the morning to 42 Church Lane situated to the north west of the site and in the late afternoon/evening to the garden areas of 1a and 1b Wellfields, to the east of the site. The degree of light loss would be limited in extent and duration therefore no excessive harm would arise.

Views from 42 and 50 Church Lane would considerably alter. Outlook would be most significantly affected from the rear of 1a Wellfields, which would have the dwelling at plot 3 situated close to the rear boundary of its 11.5m deep rear garden. Following an amendment to the originally submitted scheme, the dwelling at plot 3 has been repositioned towards the middle of the side and its side element has been reduced in height to single storey only (similar alterations have been made to the dwelling at plot 2 in relation to 42 Church Lane). As a result of this change, the two storey side elevation of the dwelling at plot 3 would be set approximately 7 metres from the side boundary of the site, creating a gap of approximately 18.5 metres from the rear of 1a Wellfields. This separation is considered adequate to prevent material harm to amenity arising from the potential for the development to appear overbearing.

The relationship to 42 Church Lane is such that primary views of the house at Plot 2 would be from the rear part of its extensive rear garden. The garden is over 50m in length with a width of some 35m. Views from the house itself would be at an oblique angle from a distance of approximately 35-40m. Such views would not amount to excessive harm to outlook.

On the matter of consequence for neighbouring amenity, therefore, it is concluded that the proposal would not cause any excessive harm.

#### Amenity for Future Occupiers of the Proposed Development

Occupiers of the proposed dwellings would have adequate levels of amenity in terms of the levels of natural light and outlook within habitable rooms of the dwelling.

Garden areas, particularly in relation to Plot 1 would be small in relation to the size of the dwelling, by comparison with others in Church Lane, but would still provide adequate space for enjoyment and sitting about. They would not be dissimilar in size to those of 1a and 1b Wellfields – built within the original plot of 50 Church Lane. The rear garden areas for the proposed dwellings would be as follows:

Plot 1 – approximately 196m<sup>2</sup>, maximum depth 14.4m

Plot 2 – approximately 295m<sup>2</sup>, maximum depth 16m (large tree coverage)

Plot 3 – approximately 292m<sup>2</sup>, maximum depth 14.6m

Plot 4 – approximately 165m<sup>2</sup>, maximum depth 10.6m

#### Trees and Landscaping

The application site contains a large number of trees and, following the planning appeals in the 1980's, some of these are now protected by TPO. The application proposes the loss of a considerable number of trees, although a large number are also to be retained within the development. The submitted Arboricultural Appraisal has been assessed by the Council's Tree and Landscape Officer who accepts that those trees being removed are in poor condition and/or of low amenity value.

Specific concern has been raised by some objectors in respect of the weeping willow to be felled from the corner of the site closest to the garden with 1b Wellfields. However, this tree has been inspected by the Council's Tree and Landscape Officer who confirms that the tree is in a poor condition and felling is required, regardless of whether or not the proposed development proceeds.

A report has been commissioned by neighbouring residents. It is important to note that this report states that it is based on inspections from ground level only without access to the site – so all observations have been made off site and reliant on information contained within the report submitted by ACD on behalf of the Applicant. The author of the commissioned report considers that the application has a detrimental impact upon the landscape, is potentially harmful to some of the trees and unrealistic in the schemes ambitions for boundary trees to be retained in small gardens.

Both the Council's Tree and Landscape Officer (who has visited the site and inspected the trees) and its Conservation Officer disagree with this conclusion and consider that the impact of the development on the character of this location would not be so significant as to justify withholding planning permission.

### Car Parking and Vehicular Access

The proposed dwellings would provide large family homes. The proposals shown indicated that each dwelling would benefit from the provision of at least a two bay garage (a triple bay in the case of Plot 2) with further parking on the garage aprons. This is more than adequate having regard to the Council's adopted parking standards.

Access to the dwellings would be created onto Church Lane by a shared driveway positioned towards the centre of the site. The existing in/out carriage crossings would be reinstated. Officers at Essex County Council have been consulted on the application and raise no objection. They state the proposal for four dwellings at the site will have only a minimal impact on the highway network in terms of capacity and efficiency at this location. The safety aspects for pedestrians and vehicles alike has also been assessed and it is concluded that the development will have no detrimental impact on highway safety, neither would it necessitate any further highway improvements in the vicinity. They also commented that the developer may well need to relocate the lamp column at the front of the site, at their own expense.

A number of planning conditions are suggested by the Highway Officer and these are recommended for inclusion within any grant of planning permission. These conditions include an on-going requirement for visibility splays of 2.4m x 43m to the north west of the site (further along Church Lane) and 2.4m x 37, to the south east (towards Wellfields). Compliance with this planning condition would necessitate the remove of low level (i.e. below 2m high) vegetation for the area of the visibility splays. However, Highway Officers have confirmed that there would not be a need to remove trees from the area of these visibility splays. The Highways Officer is satisfied that the required visibility splays may be accommodated within the site and land controlled by the Highway Authority.

A condition is also suggested requiring the construction of the front 6m part of the access drive to be at 5 metres in width (it is shown on plan as 4.2m wide). Compliance with such a condition is achievable.

Subsequent to the Highway Officer's appraisal of the proposal, a neighbouring resident has commissioned and submitted their own appraisal, which raises a number of concerns in respect of the proposal. These concerns are summarised as:

- It is not clear if adequate driver visibility can be achieved within land controlled by the applicant and/or public highway.
- There is uncertainty regarding pedestrian facilities at the site (particularly regarding to footway provision and pedestrian visibility splays).

- There has been no Stage 1 Road Safety Audit undertaken, notwithstanding the increased vehicle trips.
- There is insufficient car parking.
- There is insufficient turning space within the site to accommodate delivery vehicles, waste collection vehicles and fire tenders.

However, this proposal has been carefully considered by Officers at County Highways, who are satisfied that suitable visibility may be achieved. Essex County Council's Development Management Policies (at DM14) only requires a Stage 1 Safety Audit to accompany a planning application 'which seeks to materially alter the existing highway'. The same document defines the term 'materially alter' as 'alterations or improvements to the highway that alter or disrupt the alignment of the existing highway network'. Accordingly there is no requirement for a safety audit in respect of this application, which proposes only the closures of the existing in/out carriage crossings and their replacement with a new access point.

As stated above, parking provision within the development exceeds the Council's standard. Within the appraisal commissioned by the neighbouring resident, it is commented on that the garage spaces sizes fall below the Council's adopted standard (Plot 1 would have a double garage 6 x 5.6m instead of 7 x 6m); Plot 2 would have a triple garage 6.1 x 9m instead of 7 x 9m; Plot 3 would have a double garage 6 x 6.1m instead of 7 x 6m; and Plot 4 would have a double garage 5.5 x 5.6m instead of 7 x 6m). However, these spaces are sufficient to accommodate the parking of vehicles and any need for additional storage (as envisaged by the Council's normal standard) is likely to be minimal given the scale of accommodation proposed on the plots. Accordingly provision is considered acceptable. Contrary to the contention made within the commissioned report that no additional parking is available for plots 2 and 3, it is anticipated that further parking will take place on the garage aprons.

The matter of waste collection is dealt with below, but EFDC Waste Management Officers have been consulted and do not raise any objection to the proposal. They note the need for bin storage to be provided and comment that collection crews will not pull bins more than 25m from the collection point to the vehicle – meaning that if the vehicle is stationed on the highway, residents of the new dwellings will need to leave their waste at a collection point within 25 metres. There is not a requirement for the vehicles to be able to enter the site. Indeed, the Essex Design Guide states that normally refuse vehicles will not enter private drives and any dwellings more than 25m from the highway will need a bin collection point within that distance. The need for future residents to leave refuse within 25m of the highway is not onerous. It would only affect Plots 2 and 3 (the rear plots) and the furthest their occupants would need to realistically carry refuse is 50m. Such an informal arrangement is practical and would not cause harm.

Comprehensive consideration of the Essex Design Guide is given within the commissioned report. Policy DM7 of Essex County Council's Development Management Policies states the Highway Authority will ensure all works *within the highway* comply with the ECC design standards. However some (albeit limited due to the passage of time lapsed since its drafting and adoption) consideration should still be given to the Essex Design Guide when taking this decision as the 1997 design guide is adopted by EFDC as supplementary planning guidance (although the subsequent 2005 guide has not been adopted). It does, however, provide guidance to promote best practice developments, rather than establishing a set of criteria against which developments must comply. In this case, on the basis that the Highway Authority is satisfied that vehicles can safely enter and leave the site and the Council is satisfied that adequate provision is made within the development for off-street parking, the proposed arrangements are considered satisfactory. Specifically, the proposed layout poses no difficulty for emergency vehicles accessing the site. The largest vehicle would be a fire appliance and it would be able to access the site safely for hoses to reach the farthest point of the site in the event of a fire.

Concern has also been expressed within the commissioned report, that the Applicant would be unable to comply with the suggested condition of the Highway Authority that the front 6m of the access drive be increased in width to 5m, due to the presence of trees. However, either side of the affected part of the drive, a distance of 8m exists between the root protection areas of protected trees. Compliance with such a planning condition is, therefore, achievable.

### Other Matters

*Contaminated Land* – Although the site is located within an area previously used for commercial purposes, there is no evidence of potentially contaminating activities having taken place historically on the site. Accordingly, there is no need for imposition of the Council's standard planning conditions requiring further investigations into contaminated land to take place. Imposition of a condition covering the possibility of contamination being discovered during site works will, instead, be recommended.

*Flood Risk* - The site does not lie within an Epping Forest District Council flood risk assessment zone. However, development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. The applicant is proposing to dispose of surface water by soak away. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. A Flood Risk Assessment (FRA) is required and this can be secured by the imposition of a planning condition. The site does not lie within any Environment Agency (EA) Floodzones; therefore consultation with the EA is not required.

*Refuse Collection* - Each dwelling will require their own set of bins. There would need to be space for a 1 x 180 litre refuse bin, 1 x 180 litre food and garden waste bin, a blue 55 litre glass box and recycling sacks. The refuse collection crew should not have to pull the bins more than 25m from the property to the collection vehicle. Suitable provision for waste storage within the site can be secured by planning condition, if planning permission is given.

### Conclusion:

In light of the above appraisal, it is considered that the proposed development accords with both national and local planning policies. Despite the high level of concern raised by local residents, the proposed development is sustainable and does benefit from the presumption in favour of sustainable development as set out within the NPPF. Officers consider that the development would not cause such significant harm to either the character and appearance of the area or to neighbouring amenity that the withholding of planning permission is justified. It is, therefore recommended by officers that planning permission be given, 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) 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 4



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Application Number:	EPF/2676/13
Site Name:	38 Stanmore Way, Loughton, IG10 2SA
Scale of Plot:	1/1250



**Report Item No:4**

<b>APPLICATION No:</b>	EPF/2676/13
<b>SITE ADDRESS:</b>	38 Stanmore Way Loughton Essex IG10 2SA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr and Mrs Lund
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of the existing building and the erection of a replacement dwelling.
<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=558031](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558031)

**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: Drawing nos 001-009
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions to the house hereby approved or any enlargement of its roof generally permitted by virtue of Classes A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 Access to the flat roof over the ground floor rear projection 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.

- 6 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 8 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.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

*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 a detached dwelling sat within a long plot on the eastern side of Stanmore Way, backing onto Loughton Golf Club.

**Description of Proposal:**

This application seeks planning permission for the redevelopment of the existing dwelling with a replacement detached dwelling. The proposed build would be of contemporary design, dominated by a large front gable with extensive glazing to the first and second floors.

The dwelling would have a height to eaves of 6m and a maximum height of 10.6m. It would be 9.8m wide and would have a two storey depth of 15.6m and would extend a further 4.5m at ground floor level.

**Relevant History:**

EPF/1481/02. Loft conversion with side and rear dormers, the demolition of existing conservatory and the erection of single storey rear extension with balcony roof for the first floor. Refused for the following reasons:

- 1) The balcony roof to the rear extension and the fenestration, together with the position of the rear dormer, will cause excessive overlooking and resultant loss of privacy to the neighbouring residential properties contrary to policy DBE9 of the adopted Local Plan.
- 2) The side dormer to the roof, because of its position, would result in overlooking and loss of privacy to an existing facing side window to 36 Stanmore Way, which would be contrary to Policy DBE9 of the adopted Local Plan.
- 3) The proposed dormer to the rear roof face, by reason of its size, design and appearance would represent an intrusive alteration, out of scale and character with this and neighbouring dwellings, contrary to policy DBE10 of the adopted Local Plan.

EPF/2308/02. Loft conversion with side and rear dormers. Demolition of existing conservatory and the erection of single storey rear extension with balcony roof. (Revised application). Reasons for Refusal:

- 1) The proposed balcony roof to the rear extension will cause excessive overlooking and loss of privacy to neighbouring properties in Stanmore Way, which would be contrary to Policy DBE9 of the adopted Local Plan.
- 2) The proposed balcony roof to the rear extension will cause excessive overlooking and loss of privacy to neighbouring properties in Stanmore Way, which would be contrary to Policy DBE9 of the adopted Local Plan.

EPF/1203/03. Erection of part single and part two storey rear and first floor front extensions and construction of side dormer window in roof space. Approved 03/11/2003.

**Policies Applied:**

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

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.

### **Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 5 neighbouring premises. A notice has also been displayed close to the site.

The following representations have been received:

LOUGHTON TOWN COUNCIL. Objection. The Committee objected to this application. The visual impact of the proposed design on the street scene, particularly the roof line and expansive glass areas was considered out of keeping and detrimental. Members were also concerned the proposed ridge height would possibly cause loss of light to the adjacent properties, especially to the neighbour downhill of the site.

LOUGHTON RESIDENT ASSOCIATION (PLANS GROUP). Objection. The proposal appears higher than its neighbour on the “uphill” side, and the design appears out-of-character with its surroundings. If nevertheless the District Council is minded to approve the application, we ask for the usual condition limiting working hours during any demolition and building work.

### **Issues and Considerations:**

The main issues for consideration are the impact of the proposed dwelling on neighbouring amenity and on the character and appearance of the area. Other matters including the amenity for future occupiers of the dwelling, parking provision, landscaping and flood risk will also be taken into consideration.

#### **Neighbour Amenity**

Both immediate neighbours have existing ground floor rear extensions. In relation to no. 36 (set at a higher ground level), the dwelling would extend 3 metres beyond the rear of the ground floor addition and the first floor rear of the proposed dwelling would sit some 4.5m beyond the rear of the first floor elevation of this neighbouring dwelling. This would not be dissimilar to the relationship that neighbouring dwelling has with number 34 (except that no. 34 occupies a higher ground level). In relation to no. 40, the ground floor element of the proposed dwelling would project approximately 6 metres beyond its rear ground floor, alongside its patio area. The first floor would project approximately 3 metres beyond the first floor rear elevation of no. 40.

#### **Design**

The NPPF states that planning decisions should not seek to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms of styles.

The proposed dwelling would have a contemporary design that would differ considerably from the general character of the immediate street scene. However, there are newer additions to the street

scene (particularly of note are the dwellings at 34 Stanmore Way and 43 Broadstrood) which do incorporate similar design elements and as such the principle of a dwelling of this style is acceptable.

In particular, the dwelling at number 34 (permitted in 2004) is considerably taller than neighbouring dwellings, with a ridge height some 3.6 metres above that of neighbouring no. 36 which can be seen to the right of the proposed dwelling on the submitted street scene plan. Accordingly the ridge height of this existing dwelling, despite being situated on higher ground level by approximately 1.5m, would stand approximately 1.3m taller than that of the proposed dwelling. Accordingly, when viewed from the north by persons travelling up Stanmore Hill, the proposed dwelling would not appear overbearing – indeed it would create a step up to the dwelling at no. 34, thereby reducing the prominence of that building, as presently seen. The pitch of the roof of the new dwelling is also similar to that of the side hips to the existing dwelling, resulting on the front elevation of the dwelling adopting a similar (although taller) profile within the street scene.

Furthermore, the dwelling at 43 Broadstrood incorporates large glazed elements to its front elevation which span the first and second floors, which does set a local precedent for this element of the design of the new dwelling.

It is part of the character of this part of Loughton that the plots accommodate dwellings of individual style. Whilst those are generally properties of a similar era of design and with similar use of materials and roof pitches, it is not considered that the addition of contemporary dwellings of sympathetic design would harm this character. Furthermore, it is considered that the proposed dwelling is well designed and would complement the existing street scene by incorporating elements of design which are already present in the local area. The palette of materials proposed for the elevational treatment of the dwelling comprises render, stone and timber cladding, with the roof being finished in a slate effect tile. The Officer is concerned that the use of these materials may not result in the dwelling integrating with the street scene to its fullest potential – however the imposition of a suitable planning condition can enable to the Council to give full consideration to this matter following the grant of planning permission, if that is the course of action decided upon.

#### Amenity for future occupiers of proposed dwelling

Rooms within the dwelling would benefit from high levels of amenity and the property would retain a large garden area.

#### Parking

Adequate space would be retained to the front of the dwelling for the parking of two vehicles.

#### Landscaping

Landscaping of the front garden exists at present and either the retention of this landscaping, or its replacement if desired by the Applicant, will be necessary to ensure softening of the proposed new dwelling. This matter may be secured by the imposition of a planning condition, if permission is granted.

#### Flood Risk

The Council's Land Drainage Team has been consulted on this planning application and has commented as follows: The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. This may be secured by the imposition of a planning condition.

The site does not lie within any Environment Agency (EA) Floodzones; therefore consultation with the EA is not required.

The proposed development also includes a large basement. Accordingly an informative should be imposed alerting the Applicant to possible issues in respect of groundwater.

#### Other Matters

Loughton Residents Association (Plans Group) has requested the imposition of a planning condition limiting working hours, if consent is granted. Such a condition is both necessary and reasonable given the location of the site within an existing built up residential area. The imposition of such a condition will therefore be recommended. Furthermore, because of the scale of the dwelling proposed, if consent is given, conditions are also considered necessary to prevent future additions to the building without the need for express planning permission. A further consideration will be proposed preventing the use of the roof of the ground floor rear projection as a balcony.

#### Conclusion:

It is considered that this proposed dwelling, having regard to examples of nearby development, would not cause serious harm to the character and appearance of the area. Furthermore it would not give rise to any material reduction to the amenities presently enjoyed by the occupiers of neighbouring dwellings.

***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***

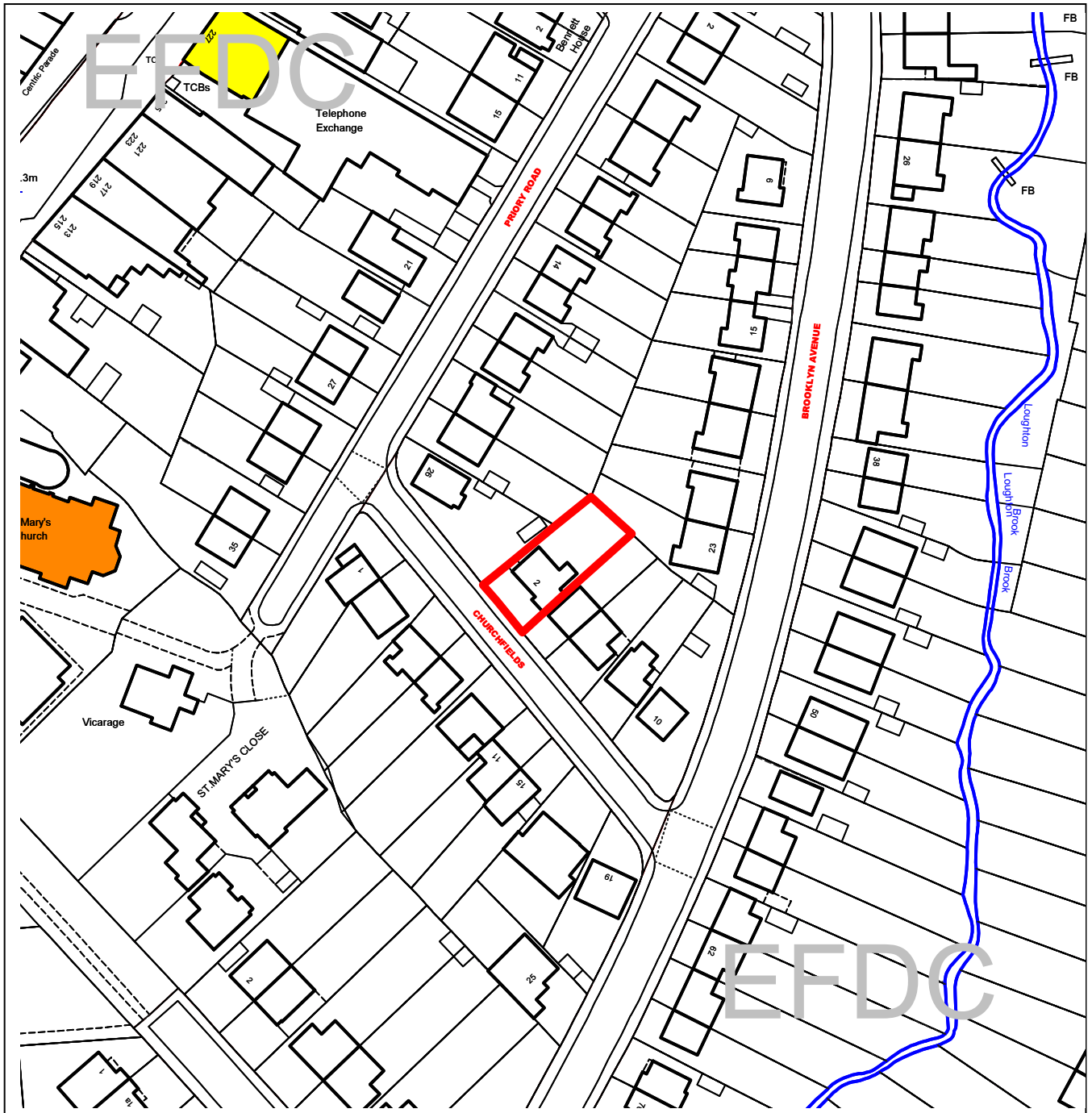
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## AGENDA ITEM NUMBER 5



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Application Number:	EPF/2707/13
Site Name:	2 Churchfields, Loughton IG10 1AG
Scale of Plot:	1/1250



**Report Item No:5**

<b>APPLICATION No:</b>	EPF/2707/13
<b>SITE ADDRESS:</b>	2 Churchfields Loughton Essex IG10 1AG
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Carl Hellen
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing bungalow and erection of a pair of two storey semi detached dwellings plus rooms in loft, and 2 front car parking spaces (Revised application to EPF/1755/13)
<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=558212](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558212)

**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 Prior to first occupation of the development hereby approved, the proposed first and second floor window opening in the north east and south west flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the stairwells they serve, and shall be permanently retained in that condition.
  
- 4 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works for the front area of the site have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved.
- 6 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1 of 3, 2 of 3, and a 1/1250 site location plan.

*This application is before this Committee because the recommendation for approval is a) contrary to an objection from a local council which is material to the planning merits of the proposal and b) contrary to more than two objections which are also 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 and g).*

**Description of Site:**

Bungalow located in a short road containing a mix of two storey semi and detached houses and bungalows. The property is not listed or locally listed, and nor does it lie in a conservation area.

**Description of Proposal:**

Demolition of existing bungalow and erection of a pair of two storey semi detached dwellings plus rooms in loft, and two front car parking spaces. (Revised application to EPF/1755/13)

**Relevant History:**

EPF/1755/13 was a refusal of a proposal to demolish the bungalow and to erect a pair of semi detached dwellings with rear dormers, together with forecourt parking for 4 cars.

**Policies Applied:**

CP7 – Urban form and quality.  
DBE1 – Design of buildings  
DBE9 – Loss of amenity.  
ST6 – Vehicle parking.

The first 3 of these policies are compliant with the NPPF, with the fourth policy ST6 being generally compliant.

**Summary of Representations:**

LOUGHTON TOWN COUNCIL – Object – members were concerned that the sub division of the plot would set a harmful precedent. The combined effect of a pair of 2 storey semi detached houses would result in a bulky overdevelopment of the site that would lack sufficient amenity space, and was considered to be inappropriate in the street scene.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP – object – 2 houses are out of character with a street comprising of houses on wider plots eg nos. 4 and 6. Despite small changes made the proposed houses still appear cramped. The proposal would set an undesirable precedent, and we are increasingly concerned at the loss of bungalows in the area. It is essential that parking provision is adequate. If nevertheless the District Council is minded to approve we ask that conditions be applied controlling hours of construction work, wheel washing, and requiring suitable planting at the front.

NEIGHBOURS – 17 properties consulted and 9 objections received:

26, PRIORY ROAD – which lies adjoining the site. Object – to go from a 3/4 bed bungalow to two, 4 bedroom houses creates a harmful precedent which would encourage similar developments locally. The design has 2 windows looking into our kitchen diner and hence our privacy will be removed. The increased height of the 2 houses will shade half of our garden for half of the daylight hours, and will reduce light to our workshop. A telegraph pole and parked car on the forecourt will impede access to the house on the left hand side. The development will add further strain on local services eg there are too few school places.

8 other objections were received from properties close to the site – from 18, and 31, PRIORY ROAD, and from 3, 1, 11, 6, 5, 8, CHURCHFIELDS.

Most of these objections refer to the overdevelopment of a bungalow site to provide 2 4 bed houses; the harmful precedent it would set, that 2 ‘town houses’ would look out of character with the older style of dwelling in the road, that one off street car space per unit is inadequate and does not appear to comply with Essex CC standards. Other points made are that use of concrete tiles on the roof would not be appropriate, that half hips on the roof looks out of place, that overlooking of rear gardens of Priory Road and Brooklyn Avenue will still occur from the proposed first floor rear windows, that the loss of a bungalow suitable for elderly persons would reduce the local mix of housing available, that Churchfields is a busy road close to the town centre and sometimes cars are parked on the pavements, and this proposal will aggravate pedestrian safety, that local services eg schools are already under pressure, that the gaps between the flanks of the houses and side boundaries are still too narrow and are less than a metre, that the height of the houses will result in loss of views to nearby properties, that excavation may be necessary to line up the roof heights with nos. 4 and 6 as shown on the plans, and that an alternative scheme proposing one house of 2 to 3 stories would be supported.

ESSEX CC HIGHWAYS – The Highway Authority has no objections to this proposal as it is not contrary to the Highway Authority’s Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 and ST6 of the Local Plan. The informative explaining these comments adds that Loughton is generally considered to be well served by public transport and is accepted as an accessible location, so the reduction in parking for the site is acceptable.

### **Issues and Considerations:**

This is a revised proposal to that refused recently under EPF/1755/13, and the main issue raised is whether the amendments to the proposal sufficiently meet the previous reasons for refusal. EPF/1755/13 was refused for the following reasons:-

- 1) The development, by reason of its size, height, and depth, would have an overbearing relationship with the neighbouring no.26 Priory Road, and would reduce outlook, light, and sunlight to that property and its garden. The proposal also contains side facing windows, and second floor rear dormer windows, that would give rise to a loss of privacy to adjoining

dwellings. The proposal is therefore contrary to policy DBE9 of the adopted Local Plan and Alterations.

2) The development, by reason of inadequate space left at the sides of the building, together with a front area dominated by car parking, represents a cramped and discordant form of development that would detract from the appearance of the street scene. The proposal is therefore contrary to policies CP7 and DBE1 of the adopted Local Plan and Alterations, and contrary to the NPPF.

The revisions to this current scheme made are 1) provision of wider gaps between the flank walls and the side boundaries so as to reduce any cramped effect and reduce impact on 26, Priory Road – the gap on the left or north west boundary is now 1.2m at the front reducing to 0.7m at the rear, and the gap on the right or south east boundary is 0.9m, 2) introduction of half hips to each side of the roof to reduce bulk, 3) deletion of the two rear dormer windows at second floor level to reduce overlooking down the rear gardens of Brooklyn Avenue, and Priory Road, 4) the provision of garden and planting areas at the front together with a corresponding reduction in off street car spaces from 4 to 2.

#### Effect on amenity of no.26, Priory Road:

This house lies at a sharp angle to the application property and it has a rear garden depth of some 16m to the side boundary of the application site. Although the flank of the proposed 2 houses will have some impact on the amenity, light and outlook of no.26 this impact has been reduced by the provision of a wider gap (1.2m to 0.7m) between the flank of the proposed houses and the boundary with no.26. The removal of the gable ends and replacement with half hip features also reduces the height of the proposal. No.26 Priory Road also stands on land some 0.5 to 0.7m higher than the application site which again lessens the bulk of the proposed flank of the proposed houses when viewed from no 26. In addition, the application site lies to the south east of no.26 – hence only morning sunlight to parts of the rear garden will be adversely affected. Taking into account these various factors the revised proposal will now not have an overbearing relationship with no 26, and hence light and outlook to that property will not be significantly affected.

#### Potential for Overlooking:

The removal of the rear dormer windows now means there is less actual and perceived overlooking of rear gardens of houses to the rear, particularly nos. 23 and 21 Brooklyn Avenue. Although one objector states that overlooking will still occur from skylight or velux windows in the rear roof slope it would not be possible to see out and down out of these windows and hence loss of privacy from the proposal will be reduced. The neighbour at 26 Priory Road is concerned about overlooking from proposed side facing windows in the flanks of the proposed houses. However, these windows, at first and second floor levels, serve stairwells, and the plans show them to be obscured glazed – and obscured glazing will also be required by a condition on any consent.

#### The appearance of the proposal and parking issues:

The previous proposal had a front area dominated by hard surfacing for 4 off street car spaces – and this was referred to in one of the reasons for refusal of the previous scheme. The revised scheme now only provides 2 car spaces, one for each dwelling – and hence more space is now available for providing front landscaping areas which will improve the appearance of the development – as will the provision of larger gaps between the flanks of the proposed houses and the side boundaries of the site. Most of the objections received argue that one space per dwelling is insufficient. It is noted that Churchfields lie close to Loughton town centre and the tube station, and hence yellow lines have been imposed to prohibit on street parking between 2 to 3pm, and parking of cars by shoppers, sometimes partly on the pavement, is a concern to residents. However, as the Essex CC highways Authority point out in their comments, one space per

dwelling in this sustainable location close to the town centre and tube and bus facilities, is a satisfactory provision that complies with policy requirements.

Comments on representations received:

Some objections received, including the one from the Town Council, feel that this proposal is an overdevelopment of the site, that 2 new houses will look out of place in the road, and that a bungalow should not be lost. However, the height and bulk of the proposed roof will be lower than that on the neighbouring 4 and 6 Churchfields. There is also a variety of house designs locally, and it would be difficult to refuse the proposal on grounds that the two houses would look out of character in the street scene. In terms of overdevelopment each of the houses will have an acceptable size of rear garden of some 14m in length by 6m in width, and the agents for the application point out that the NPPF states that developments should optimise the potential of sites that are found in sustainable locations. Although there is some sympathy with residents' concerns over the bulk of the 2 houses replacing a bungalow it would not be reasonable to refuse the proposal on grounds of overdevelopment – particularly because revisions made to the scheme now reduce its impact on neighbour's amenity.

**Conclusions:**

For the reasons given above this proposal, as revised, now complies with relevant policies. It is recommended therefore 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](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 6



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Application Number:	EPF/0061/14
Site Name:	188 Queens Road, Buckhurst Hill, IG9 5BD
Scale of Plot:	1/1250

**Report Item No:6**

<b>APPLICATION No:</b>	EPF/0061/14
<b>SITE ADDRESS:</b>	188 Queens Road Buckhurst Hill Essex IG9 5BD
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Joyen Uddin
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 3 of planning permission EPF/0273/93 (Change of use from bank to restaurant (A3 Use) (ground floor and basement only) to allow Sunday trading from 10.30am to 3pm and 6pm to 10pm.
<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=558634](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558634)

**CONDITIONS**

- 1 The premises shall not be used by customers before 1800 hours nor after 2300 hours on weekdays and Saturdays, nor outside the hours of 1030 hours to 1500 hours and 1800 hours and 2200 hours on Sundays nor at any time on statutory holidays.
- 2 Equipment to suppress and disperse cooking and food preparation fumes shall be installed in the premises and maintained in effective working order for as long as the use continues.
- 3 A take away service shall not be available to customers outside the hours of 6.00pm and 10.30pm Monday to Saturday and not at all on Sundays.

*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 is a restaurant (Buckhurst Tandoori) with residential use above, situated on the corner of Queens Road and Princes Road. The building is included within the Council's local list.

### **Description of Proposal:**

This application seeks consent for a variation of a planning condition imposed to limit the opening hours of the restaurant operating from the site. The condition, imposed on consent issued by the planning Inspectorate following approval of the appeal relating to application EPF/0273/93 requires:

*The premises shall not be used by customers before 1800 hours nor after 2300 hours on weekdays or Saturdays nor at any time on Sundays and statutory holidays.*

This application seeks a variation of that condition to allow trading on Sundays, between the hours of 10.30-1500 and 1800-2200.

### **Relevant History:**

EPF/0273/93. Change of use from bank to restaurant (A3 Use) (ground floor and basement only).

Subsequent applications for variations of planning conditions have been submitted, notably:

EPF/1218/06. Variation of condition 3 of planning permission EPF/273/93 to enable the use for a home delivery service for one year (temporary) from 6.00pm to 10.30pm Mondays to Saturdays – approved.

EPF/1980/07. Removal of condition 1 (temporary time limit) on EPF/1218/06 to allow permanent hot food home delivery service from 6pm to 10.30pm Monday to Saturday – approved.

### **Policies Applied:**

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

RP5A – Adverse Environmental Impacts  
DBE9 – Loss of Amenity

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 25 neighbouring properties.

Consultation of the application has attracted the following responses:

BUCKHURST HILL PARISH COUNCIL. No objection.

#### **Objections**

Received from: 189, 189a, 194b, 198, 200, 202 Queens Road, 174 Princes Road



Summary - General harm to amenity by noise and disturbance. My (no. 198) bedroom window is directly opposite - there are regular fights/altercations/ noise/ racist abuse/ incidents/loud talking/people being sick/peeing outside my bedroom/ police called/somebody died 6 months ago - extending hours will extend the nuisance. Additional traffic. We are also particularly concerned of these permitted hours should the restaurant be sold and turned into a bar/another restaurant. To now rescind condition 3 would fly in the faces of local resident who have already seen greater disturbance from A3 development lower down Queens Road throughout their weekends.

### Support

A petition signed by residents of 194 and 194b Queens Road, 9 Parkside, 3<sup>rd</sup> Floor Flat 188 Downs Road, 11 Stag Heights Stag Lane, 25 Wimborne Close, 156 Princes Road and 9 Westbury Lane Buckhurst Hill supports the application for the following reasons:

- 1) Since the restaurant opened there have been no problems/disruptions;
- 2) The food is exquisite and the service excellent;
- 3) There are no parking restrictions on Sundays;
- 4) All other restaurants have Sunday opening including the newly opened Al Bacio at 180 Queens Road; and
- 5) The restriction preventing Sunday opening has been detrimental and put them competitively behind the other restaurants – hard in this economic crisis. We, the local residents, would like the Sunday restriction listed as this will allow us to have lunch or dinner with our families.

### Issues and Considerations:

The main issues to be considered are the impacts of the increased opening hours on the level of amenity enjoyed by the occupiers of nearby neighbouring dwellings.

The site is located outside the defined Buckhurst Hill Town Centre (which the Local Plan draws tightly around the eastern end of Queens Road), but still within an area containing a number of commercial uses, mixed with residential properties. Accordingly, the level of amenity which may be reasonably expected by residents within the vicinity of the site, particularly in terms of noise and disruption, is less that within a predominantly residential area. It is not considered that this level of amenity would be significantly diminished by permitting the premises to open during Sunday daytimes and up until 10.30pm in the evening.

Furthermore, in 2011 planning permission was given for the conversion of the ground floor of 182 Queens Road for use as a restaurant (now Il Bacio). That permission enabled the restaurant to open 0700-2300, throughout the week. Having regard to the use of the premises and the proximity to the application site, it would seem unreasonable to now take a contrary view in respect of the application property.

Concern has also been raised in respect of traffic movements. However within this commercial area, with a public car park situated almost opposite the site, it is not considered that the increased traffic movements on a Sunday would justify withholding planning permission.

### Conclusion:

In light of the above appraisal, it is considered that the extension of opening hours to allow the Sunday trading as proposed by the Applicant would not give rise to material harm to amenity and would accord with relevant local plan policies. It is, therefore, recommended that permission be granted. It is necessary to repeat other relevant conditions imposed on the original consent and subsequent variations to planning 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: Mrs Katie Smith***

***Direct Line Telephone Number: (01992) 564103***

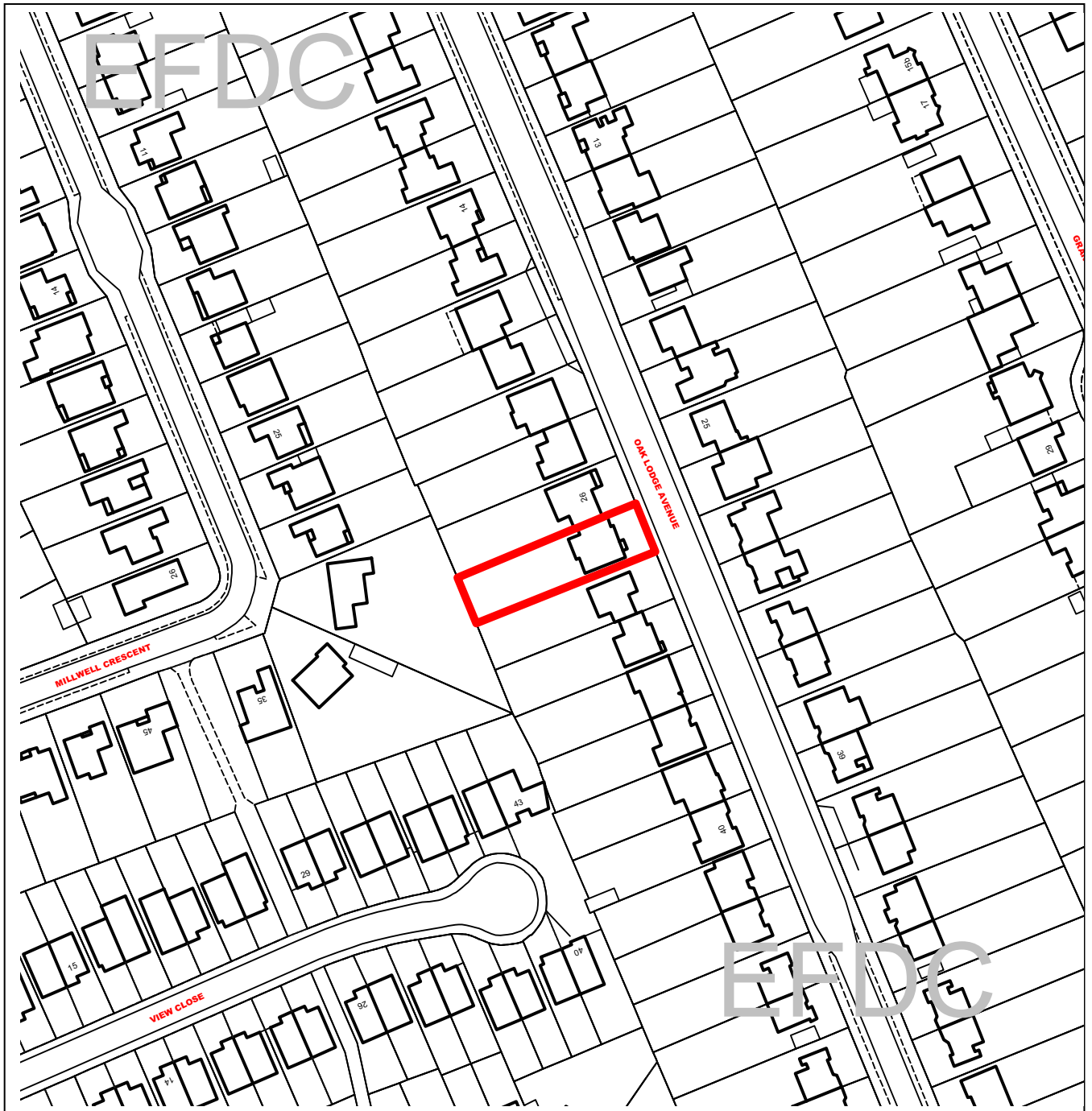
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## AGENDA ITEM NUMBER 7



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Application Number:	EPF/0074/14
Site Name:	28 Oak Lodge Avenue, Chigwell, IG7 5HZ
Scale of Plot:	1/1250

**Report Item No:7**

<b>APPLICATION No:</b>	EPF/0074/14
<b>SITE ADDRESS:</b>	28 Oak Lodge Avenue Chigwell Essex IG7 5HZ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr & Mrs Keizner
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of garage and erection of two storey side 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=558711](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558711)

**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.

*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:**

Two-storey detached house with attached garage in residential Road. Not listed or within a conservation area.

**Description of Proposal:**

Erection of two-storey side extension.

### **Relevant History:**

EPF/1177/13 Single storey side extension. Approved

### **Policies Applied:**

DBE9            Loss of Amenity  
DBE10          Residential Extensions

NPPF

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

Number of neighbours consulted. 5

Site notice not required

Responses received: No response received from neighbours.

Chigwell Parish Council: object on the grounds that the proposed development has the potential for a terracing effect due to the building extension being intolerably close to the side boundary.

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

This two storey extension will replace an existing single garage on the side of the house. The extension is reasonably well designed with matching windows and a dual pitched roof which is subservient to the main house but appears acceptable within the street scene.

As the Parish Council point out the extension extends onto the common boundary with the neighbouring property No.26 leading to a terracing effect which ordinarily would be unacceptable.

In this instance, however, there are several other properties within the road that have been extended in this way and the current proposal would not therefore be out of character with a trend which has been established within the street scene.

In view of these factors and since the extension would not prejudice neighbouring properties amenities it is considered the proposal in this particular instance is acceptable.

### **Conclusion:**

In view of the local situation it is felt the current proposal complies with the aims of relevant planning policy and it is recommended that planning permission in this case be granted

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

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

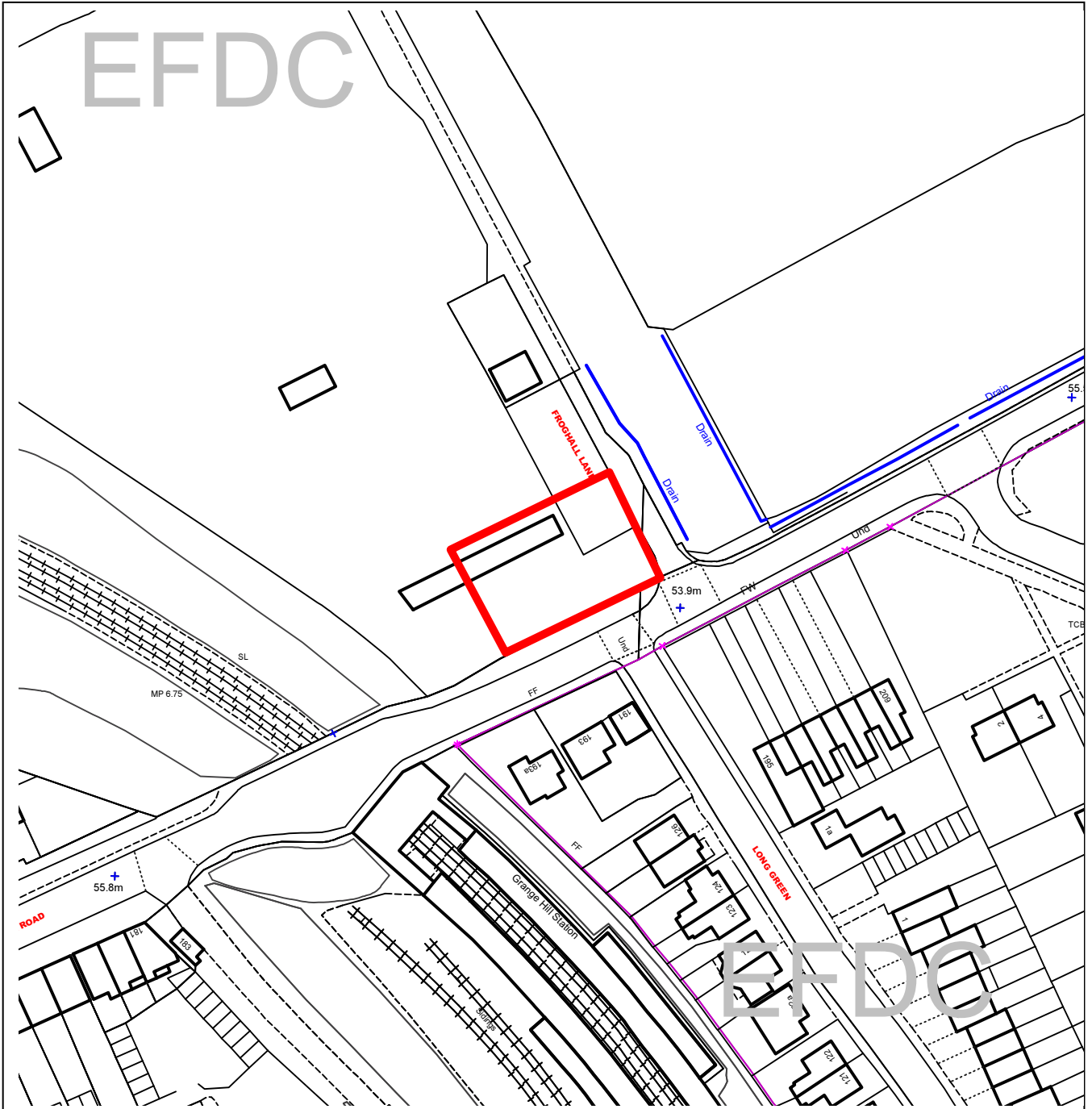
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# Epping Forest District Council

## AGENDA ITEM NUMBER 8



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Application Number:	EPF/0282/14
Site Name:	212 Manor Road, Chigwell, IG7 4FB
Scale of Plot:	1/1250



**Report Item No:8**

<b>APPLICATION No:</b>	EPF/0282/14
<b>SITE ADDRESS:</b>	212 Manor Road Chigwell Essex IG7 4FB
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	
<b>APPLICANT:</b>	Homestyle Properties Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed 5 no. two bed flats.
<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=559834](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559834)

**CONDITIONS**

- 1 Within 3 months of the date of this permission a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), shall be submitted in writing to the Local Planning Authority for its approval. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 2 Within 3 months of the date of this permission details of proposed boundary treatment of curtilage of the building hereby approved shall be submitted in writing to the Local Planning Authority for its approval. The curtilage shall be enclosed in accordance with the details approved unless the Local Planning Authority gives its written consent for any variation.
- 3 Within 3 months of the date of this permission details of the means of refuse storage for the building hereby approved shall be submitted in writing to the Local Planning Authority for its approval. The approved means of refuse storage shall be provided within 3 months of their approval and thereafter permanently retained, unless otherwise agreed in writing by the Local Planning Authority.

*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)) and because 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 is part of the former Jennikings Garden Centre off the north side of Manor Road opposite Grange Hill Underground Station and the junction with Long Green. Froghall Lane, an access road to a cemetery bounds the eastern site boundary. The site is within the Metropolitan Green Belt.

The application site is part of a flatted residential development being carried out by 2 developers on the south-eastern part of the former garden centre. This application relates to a block of five substantially complete open market flats at the site boundary with Manor Road, adjacent to the eastern site boundary with Froghall Lane. The remainder of the flatted development is being carried out separately by East Thames Housing Association to provide affordable dwellings. Car parking and communal amenity space for the development as a whole is shared. Access is off Manor Road via a separate larger development site extending rear of this site. That larger site is being developed for some 68 dwellings (flats and housing) by Moat Housing Association.

### **Description of Proposal:**

The application proposes the erection of the substantially complete block of five flats. The block is in place of a previously approved private block of four flats at the front of the site. The development has been achieved by raising the eaves and ridge of the approved block and carrying out alterations to its external appearance in order to achieve a further 2 bedroom flat in the roof space.

The foot print of the building this application relates to is identical to that of the approved building. Its appearance at ground and first floor of the development is similar to that of the approved development. The main difference in appearance arises from a significant increase in the height of the roof of the building and a change in the roof shape to a pyramid form rather than a ridged roof of hipped design. The eaves height has been raised 1m from 5.4m to 6.4m. The apex of the roof as constructed is 11.5m whereas the approved ridge height of the previously approved building was 9.8m, an increase of 1.7m. A further significant difference is the formation of an enlarged stairwell with a cantilevered forward projection at upper level between the two parts of the block.

The application is accompanied by a Unilateral Undertaking that obliges the Developer to make a financial contribution of £40,000 towards the provision of affordable housing within the District in the event of planning permission being granted.

### **Relevant History:**

*In respect of the application site:*

- EPF/2405/07 Outline application for proposed development of 20 no. 2 bed flats, 4 no.3 bed flats and car parking. Refused
- EPF/2361/09 Redevelopment of land formerly in use as a garden centre to provide 21 flats 80% of which will be affordable housing. (Revised application). Approved subject to a S106 agreement in respect of: provision of affordable housing; the development not being commenced until the access road off Manor road on the adjacent site is completed; permanent securing of car parking provision; financial contributions towards the provision of street lighting and the reopening of a Post Office facility in the locality (£40,000) and a requirement that future occupants are provided with public transport vouchers.
- EPF/1951/12 Minor Material amendment to design of residential development (21 flats) approved under EPF/2361/09. Refused
- EPF/0550/13 Non material amendment to EPF/2361/09 (Redevelopment of land formerly in use as a garden centre to provide 21 flats, 80% of which will be affordable housing - revised application). Refused
- EPF/0932/13 Non material amendment to EPF/2361/09 (Redevelopment of land formerly in use as a garden centre to provide 21 flats, 80% of which will be affordable housing - revised application). Approved
- EPF/0852/13 Minor material amendment to planning permission EPF/2361/09 for the erection of 21 flats to provide one additional two bedroom flat within the roof space of block B fronting Manor Road and associated enlargement of central stairwell. Refused on the basis that the proposal did not properly deal with matters that were the subject of the S106 agreement attached to planning permission EPF/2361/09.

*Development of land to the rear is closely related to that of the application site. Relevant applications are:*

- EPF/1399/09 Outline planning permission for 68 residential units (52 affordable) including public open space with all matters reserved except access. Approved subject to a S106 agreement. The S106 included the same requirements in relation to affordable housing and financial contribution to a Post Office facility that exist in respect of planning permission EPF/2361/09.
- EPF/0136/13 Reserved matters for 68 residential units (52 affordable) including public open space pursuant to outline planning permission granted under application EPF/1399/09. (Revised application) Approved

### **Policies Applied:**

The NPPF is the primary policy context. The following Local Plan and Alterations policies are consistent with the NPPF.

- CP1 – Achieving Sustainable Development Objectives
- CP2 – Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- CP4 – Energy Conservation
- CP5 – Sustainable Building
- CP7 – Urban Form and Quality
- CP9 – Sustainable Transport

GB2A – Development in the Green Belt  
GB7A – Conspicuous Development  
H2A – Previously Developed Land  
H5A – Provision for Affordable Housing  
DBE1 – Design of New Buildings  
DBE2 – Impact of New Buildings  
DBE8 – Amenity Space Provision  
ST4 – Highways Considerations  
*ST6 – Car Parking Standards*  
LL11 – Landscaping Schemes

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

Number of neighbours consulted. 37  
Site notice posted: No, not required

Responses received:

The occupants of 195, 201 and 203 Manor Road raise objection to the development on a number of grounds, which are summarised below:

1. The third floor completely changes the character of the building. Initial proposals in 2009 were found too bulky. They were reduced in scale and redesigned to appear as two large houses. The current proposal appears as two three-storey blocks of flats that are significantly higher than the adjacent Block A adjacent to the access to the development sites off Manor Road. It consequently appears over-dominant in relation to Block A and Manor Road, fails to complement the remainder of the development and therefore detracts from its overall appearance.
2. Buildings fronting Manor Road should only be two-storey.
3. The additional floor results in a loss of privacy for neighbours and increases the scale of the building to an extent that is harmful to the character and appearance of the locality.
4. Due to its additional forward projection at upper level, the glass link between the two parts of the building results in undermining the design objective of achieving a building that appears as two separate buildings.
5. The development has a cramped form within the site.
6. The proportion of affordable housing in the overall development is reduced from 80% to 76% as a consequence of providing the additional open market unit.
7. The Developer is seeking to profit from carrying out an unlawful development and subsequently gaining a retrospective planning permission. That is not acceptable in principle and consent should therefore be refused.

CHIGWELL PARISH COUNCIL: No objection

LONDON BOROUGH OF REDBRIDGE: No response received

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

The proposal is inappropriate development in the Green Belt. The previous grant of planning permissions for extensive residential development at the former Jennikings Garden Centre and adjacent land, which includes a four dwelling block of flats on the application site is a material consideration that significantly weighs in favour of the proposal in terms of its consequence for the Green Belt. The additional scale of the proposed five dwelling block of flats within the wider development at the former garden centre is not of an order that would result in materially greater harm to the openness of the Green Belt. These matters clearly outweigh any harm the proposal would cause to the Green Belt.

The increase in the number of dwellings on the overall development site arising from the proposal is one. The total number of dwellings depending on the same parking area and communal amenity space will increase from 21 as approved to 22 as a consequence of this proposal. That is a small enough number to be of no consequence.

The area available for parking is sufficiently large to provide one parking space per flat. That level of provision on a site opposite an Underground Station and on bus routes is adequate. The Highway Authority has no objection to the proposal.

The demand for use of the approved communal amenity space provision would potentially increase as a consequence of the proposal but it is unlikely that any increase in demand would be to an extent that would be harmful to any residents of other flats in the development. It is more likely that the occupants of the additional flat would make more use of two balconies included in the flat than the communal amenity space. Amenity space provision for the development as a whole is therefore found to be adequate.

Having regard to the above assessment and the representations received, the main matters to assess in deciding this application are considered to be design and the consequence for the character and appearance of the locality together with whether the proposal properly deals with outstanding S106 obligations given in respect of the original planning permission for the wider site.

In respect of design, the building erected is found to be well articulated with a pleasing mix of external finishes. The raising of eaves and overall roof height has been achieved in a manner that is not harmful to the proportions of the building. While the upper part of the glazed link between the east and west parts of the building appears prominent due to its height and projection above eaves level and forward of the lower levels of the link, it is sufficiently subordinate to the main parts of the building that it does not appear over-dominant.

A consequence of the additional bulk at upper level is the building does not appear as a pair of houses, which the original consent sought to achieve. However, the design of the building retains a strong domestic character that is not undermined by the additional bulk and height. Indeed, having regard to its siting directly opposite the junction of Manor Road with Long Green, the additional bulk of the building does not appear inappropriate and serves as attractive focal point in views north along that street. Since the additional flat achieved by the proposal is primarily in the roof space of the building, the additional bulk and height has been minimised and the relationship to the adjacent Block A remains harmonious. It certainly does appear cramped within the site as claimed by the objectors. Within the overall street scene, which includes the southern part of the wider development, the proposal sits well and complements its surroundings.

The proposal is therefore found to be acceptable in design terms and in terms of its consequence for the character and appearance of the locality. In relation to its consequences for the living conditions of neighbours, it is no more harmful than the previously approved block of four flats and would not give rise to any excessive loss of privacy or light to any neighbouring dwelling, including those presently under construction within the wider site.

The original planning permission is subject to a S106 agreement dealing with a number of matters, most importantly the provision of affordable housing on wider development site. The obligation in relation to street lighting has been met and the Post Office has made clear that there is no likelihood that any Post Office facility would be provided in the locality. There does remain a general need for affordable housing in the District and Officers therefore find any contribution sought for the provision of a Post Office facility in the locality would be better used to contribute to the provision of affordable housing. Since the developer for the remainder of the wider site is a Housing Association whose business is the provision of affordable housing, there is no benefit in seeking any financial contribution for affordable housing from it. In pre-application discussion, therefore, Officers sought the full contribution of £40,000 from the Applicant. The Applicant agreed to provide it and has submitted a Unilateral Undertaking obliging him to do so in the event of planning permission being granted. The provision of the Undertaking is found to properly deal with the outstanding S106 obligations in respect of the original planning permission for the wider site. It is also found to be an acceptable way of dealing with the slight reduction in the overall proportion of affordable housing on the wider site.

### **Conclusion:**

The proposal is acceptable in design terms and in terms of its consequences for the Character and appearance of the locality and living conditions of neighbouring dwellings. The development would provide a good standard of accommodation that is appropriately served by off-street parking provision and private amenity space. The Unilateral Undertaking included with the proposal properly deals with the matter of outstanding obligations in the S106 agreement linked to the planning permission for the wider development within which the proposal is situated. Although it is inappropriate development in the Green Belt, other considerations clearly outweigh the harm that would be caused to it and are found to amount to very special circumstances in favour of the development.

For the above reasons the proposal is acceptable and it is recommended that planning permission be granted subject to the obligation contained in the submitted Unilateral Undertaking. Aside from conditions dealing with landscaping, boundary treatment and refuse storage, no further conditions are necessary in this case. That is partly because the building is substantially complete and is of satisfactory appearance, and partly because matters dealt with outside of the curtilage of the building, particularly parking provision, are the subject of enforceable conditions on the consent for the wider development.

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

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

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