This application is before this Committee for the following reasons:

1. *It is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d))*

2. *It is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)*

3. *The recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))*

Description of Site:

The proposal site occupies a prominent position on Loughton High Road opposite the entry point to High Beech Road, and an open area of public amenity space. The existing building is three storeys in height and forms the end of a row of properties. It is separated from the Marks and Spencer's development by the accessway to the parking at the rear of the store. An access point from the adjacent accessway provides entry to a rear yard area. A single storey structure straddles along the north east and south east boundaries of the site.

The site comprises office development and retail on the ground floor in the form of Lawlor's Estate Agents and Multiyork, a furniture store. The first floor is being used as office space, with the second floor in residential use, by way of four separate flats. The development is within the Key Retail Frontage of Loughton High Road as identified in the Proposals Map of the Adopted Local Plan and Alterations. The adjacent three storey building is in commercial use with office space above.

Description of Proposal:

The demolition of an existing outbuilding and a small section of stairwell to the rear. The erection of a 5 storey building to the rear of the site to provide one commercial unit (Use Class A2) at ground floor and 12 flats (6 x 1 bedroom and 4 x 2 bedroom flats) on upper floors. The refurbishment and revitalisation of the existing building to the front of the property including the erection of an additional floor to provide 2 x 1 bedroom flats.

Shops premises at ground floor and offices at the first floor of the existing building would be retained as would 4 studio flats at second floor. The proposed additional floor for the existing building would provide 2 one bedroom flats. The additional floor would be set in from its existing roof edges to provide a narrow terrace around it. This arrangement is similar to a proposal previously approved. Alterations to the exterior of the existing building would comprise the introduction of render to rationalise and update its appearance. The additional floor would have a mono-pitched roof gently rising from front to rear. Exterior walls would have timber style cladding.

The proposed five-storey building would be set 1.8m rear of the existing building with a link between the two buildings at the northern site boundary. The site as a whole

would be completely built on. Access to the upper floors would be through gates securing the gap between the existing and proposed building. Access to the ground floor would be from the parking area to the rear.

The ground floor of the new building would provide commercial floorspace (Use Class A2) and would have a shopfront facing both the parking area and access road to it. The upper floors would provide a total of 12 flats, comprising of 8 one-bedroom flats and 4 two-bedroom flats.

Aside from balconies at 10 of the proposed flats in the development as a whole, no private amenity space would be provided for the dwellings. The existing 4 dwellings do not have any private amenity space.

No off-street parking provision would be made for the proposed dwellings and none exists for the existing dwellings. Similarly, no off-street parking provision is made for the proposed commercial floorspace. Five parking spaces are provided for one of the existing ground floor commercial units within the Mark's and Spencer's development. They are secured by a S106 agreement in favour of the freeholder of the building.

Relevant History:

EPF/0221/11 Refurbishment and enlargement of existing building by way of a basement storage area, construction of one additional storey and erection of a four storey rear extension incorporating 5 parking spaces, extension to ground floor commercial units (12 additional flats) comprising 6 studio flats, 8 one bedroom flats and 2 three bedroom flats. - Refused. Subsequent appeal dismissed, solely on the basis that no contribution for education provision was offered.

EPF/0708/12 Refurbishment and enlargement of existing building by way of basement storage area, construction of additional storey, and erection of a four storey rear extension incorporating 5 parking spaces, extension to ground floor commercial units (12 additional flats) comprising 6 studio flats, 8 one bedroom flats and 2 three bedroom flats. - Approved subject to a unilateral undertaking dealing with a contribution towards education provision. A sum of £3,955 was secured.

EPF/2081/12 Minor material amendment to planning permission EPF/0708/12 comprising the removal of the rear parking spaces and replacing them with office space. In addition, bin store access moved to rear facade. - Approved subject to a unilateral undertaking dealing with a contribution towards education provision. A sum of £3,955 was secured.

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

ST1	Location of Development
ST2	Accessibility of Development
ST4	Road Safety
ST6	Vehicle Parking
H2A	Previously Developed Land
H3A	Housing Density
H4A	Dwelling Mix
H6A	Site Thresholds for Affordable Housing
TC1	Town Centre Hierarchy
TC3	Town Centre Function
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE3	Design in Urban Areas
DBE8	Private Amenity Space
RP5A	Adverse Environmental Impacts
L1A	Planning Obligations

In addition to the above Local polices, the National Planning Policy Framework (NPPF) is relevant, as is the Essex County Council Parking Standards 2001

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 62
The application was also advertised on site and in the local press.
Responses received:

17 STATION ROAD Objection

The proposed building of a five storey building at this location is inappropriate for the following reasons. The plans include a number of flats with windows at the rear. Those windows will overlook my property, including an existing bedroom window and the garden, interfering with my privacy. The construction of a building of this height will interfere with my existing sight lines and will cause additional shadow over my property and garden. The plans will result in the provision of 14 additional flats in total, without providing any provision for additional parking, which will inevitably increase the amount of on-street parking, causing disruption to traffic flow, reducing available parking for visitors to existing residents and placing additional stress on an already congested traffic situation. The construction of a building of this height will disrupt the existing roof line of the High Road and change the character of the High Road. The proposed building of a five storey building at this location will cause a number disrupt the existing roof line of the High Road.

17A STATION ROAD Objection

I object to this development on a number of grounds.

1 Proposed development is not in keeping with the traditional high street shops next door.
2 The Five storey develop will significantly affect the parade of shops high street profile.
3 This is a significant change of use from commercial unit into a significant residential unit.
4 There appears to be no provision for any additional parking in what is a in effect now a residential unit with 12 Flats, with the loss of 10 exiting parking spaces.

5 My living environment will be disturbed significantly during the demolition and reconstruction of the proposed development.

20 STATION ROAD Objection

My house in Station Road is situated opposite the rear of the proposed development, facing the rear of the High Road parade of shops and Marks & Spencers. I wish to object on the following points:

At present, the height of the buildings along that part of old Loughton and towards Lopping Hall blend in together. The proposed new buildings are not in keeping with the street scene. I notice that the height on the High Road building would be kept to 4 storeys with the 5 storey building crammed in behind, where it would be noticeably prominent and unnecessarily near residential properties in Station Road. In addition, the current parking spaces for staff are to be removed, and no provision made for parking for the proposed 40 employees and residents of the flats, who are highly likely to be car owners. Nearby parking is already difficult without compounding the situation. A prominent development of this nature would also risk setting a precedent for more buildings of this type.

165 HIGH ROAD Objection

Having viewed the application on your website, we have serious concerns about the extra pressure this development would put on the already totally inadequate parking facilities in and around Loughton High Road. It appears that on completion of this project 14 1 & 2 bed flats would be created to replace the existing 4 bedsits and 19 extra employees are envisaged for the commercial units. This could potentially generate an additional 20 – 30 cars but no parking spaces are planned and the 6 existing car spaces would be replaced by cycle spaces.

Our employees struggle to park every day, as do many other people working at local companies. Although there are some parking spaces at Connaught House, the majority of our staff have to use Council car parks or unrestricted streets several roads away. The cost of parking in the local car parks is now exorbitant and parking restrictions on side roads are being increased all the time. Yet another development bringing in more cars will only heighten the problem.

167 HIGH ROAD Objection

I am the business owner of 167 & 183 High Road, Loughton, 1st & 2nd floor of both premises. I feel that the erection of this building will impact my business (teaching). During construction there will be significant noise and my ability to teach will be affected. Once the building is complete it would shut out natural light at the back of both premises and also be invasive of privacy. The building will be far too big to the rear of the property. The works undertaken will disturb my business as a beauty training academy and the noise during construction could put me out of business.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP Objection

Loughton High Road is characterised by buildings of between one and four storeys high. Despite the efforts to ameliorate the height of the 5-storey rear extension, it would be clearly visible from the High Road because of the entrance road which runs between number 165 and the M&S building, which is significantly lower.

5 storeys would also loom very large over the residences in Station Road, where the

gardens backing onto the High Road are very narrow front to back. The building would therefore be out of character with its surroundings. This if granted would set a most unfortunate precedent. We would be happy to see a four storey development throughout. Should planning permission be granted conditions are requested to mitigate the impact of construction work and improve pedestrian safety on the proposed pavement.

LOUGHTON TOWN COUNCIL Objection

The Committee liked the new design but OBJECTED to the addition of the fifth floor, which would set a precedent in the High Road and was considered an overdevelopment of the plot.

Members asked for a planning condition to prohibit occupants of those flats from being issued with residents parking permits, if such a scheme was brought into Loughton in the future, as no parking provision was being provided in the design.

Main Issues and Considerations:

Principle of Development and Main Issues:

The application site is part of the key frontage of Loughton Town Centre and is highly accessible by public transport. It is a very sustainable location for new commercial and residential development. There are no heritage assets within the vicinity of the site that could be affected by the proposal and the site is not in a conservation area. The proposal maintains the existing shop units at ground floor level and intensifies the business and residential use of the site. Having regard to the above planning history and its situation the principle of the development is acceptable.

The main issues raised by the proposal are the consequence for the character and appearance of the locality, consequences for neighbouring commercial uses, consequence for living conditions of neighbours, whether the proposal would provide an adequate standard of living conditions for the occupants of the proposed flats and off-street parking provision. It is also necessary to consider whether there are any matters that can only be addressed in a planning obligation.

Character and Appearance:

The proposed design shows the front part of the development would achieve a more refined version of the development approved under planning permissions EPF/0708/12 and EPF/2081/12. This part of the proposal would relate at least as well to neighbouring buildings as the approved development.

The proposed new building at the rear of the application site would be taller and bulkier than existing buildings in the locality. However, it would be set rear of the enlarged building at the front of the site, some 16m away from the High Road. Consequently, main views of the building from the High Road would be through the access road to the Marks & Spencer car park. Visually, its siting would place it within the context of the enlarged building and modern Marks & Spencer building. The primary views of the site from the High Road, particularly views from the north, would be of the enlarged existing building. The additional height of the 5-storey building would therefore not appear excessively prominent within the street scene of the High Road.

The new building would appear prominent when seen from the car park to the rear

and its upper floors would also be visible from Station Road. Existing buildings and trees fronting that road would obscure views of the lower floors. Furthermore, the distance separating it from Station Road, a minimum of 35m, would also mitigate its visual impact. It is therefore concluded that the building would also not appear excessively prominent when seen from Station Road.

The scale of the development as a whole would be appropriate in this context. It would not appear over-dominant in relation to neighbouring buildings and land and it is considered that it would complement the townscape.

Impact on neighbouring uses:

The proposal would not result in any change in the balance of retail and non-retail uses within the key frontage of Loughton Town Centre and would not result in any loss of shop units. Indeed, it would result in an increase in shop units within the Town Centre since the additional commercial floorspace would be for offices within Use Class A2. The development as a whole is not of a scale or siting that would have a harmful consequence for neighbouring commercial uses. Indeed, the provision of additional employment opportunities within the Town Centre is welcome.

The bulk and siting of the new building would not have a significantly greater impact on neighbouring buildings than the approved development. Outlook from neighbouring buildings would be affected but not to an excessively harmful degree. No harmful loss of light is likely to be caused.

The proposal would achieve an improved footway link from the High Road to the car park to the rear and would create a more active frontage at ground level alongside the access and car park elevations. Pedestrian movement would be freed up and the environment within the immediate vicinity of the building would be significantly improved.

The provision of additional new dwellings within the Town Centre is likely to assist its vitality and viability.

The new building would appear prominent when seen from the nos. 11 and 15 Station Road, the nearest buildings to the site on Station Road. However, a minimum distance of 20m would separate the building from the boundary with those properties. That distance is sufficient to avoid the building appearing excessively overbearing or give rise to any harmful degree of overlooking.

On the matter of impact on neighbouring uses, it is concluded no excessive harm would be caused to living conditions and the proposal is likely to improve the vitality and viability of Loughton Town Centre.

Living Conditions of Proposed Dwellings:

The proposed flats would provide a good standard of accommodation but would not include any significant private amenity space. That is acceptable in a town centre location. Access to the flats and refuse storage arrangements are acceptable.

Environmental Health Officers point out the new flats in the proposed addition to the existing building are likely to be exposed to occasional high levels of noise from neighbouring uses in the High Road. They suggest conditions for mitigating such exposure.

Parking:

The absence of any provision of off-street parking for the proposed flats and commercial floorspace is appropriate in this location, which is in a town centre well served by public transport. That principle has previously been accepted and there is no doubt that the Planning Inspectorate adheres to that view since it did not support a previous refusal of consent on the basis of inadequate parking provision. Moreover, that assessment is in accordance with the Vehicle Parking Standards.

It would not be possible to use a condition on any consent to prohibit residents of the development from seeking a residents parking permit in a possible future residents parking scheme as requested by the Town Council. The use of any mechanism to achieve that is unnecessary at present since no residents parking scheme exists and it would be unreasonable to exclude residents of this development from any future residents parking scheme.

Planning Obligations:

Previously Essex County Council sought a contribution for education provision. In connection with this application it advises its policy for seeking contributions for education has changed since the previous applications were decided and now has greater regard to the size of proposed dwellings. Since there are only 4 qualifying dwellings in this proposal the County Council advises it does not require any contribution in connection with this proposal.

The proposal is also for less new dwellings than the threshold number for securing affordable housing.

Conclusion:

The proposal complies with relevant planning policy 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: Stephan Solon
Direct Line Telephone Number: 01992 564018

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