



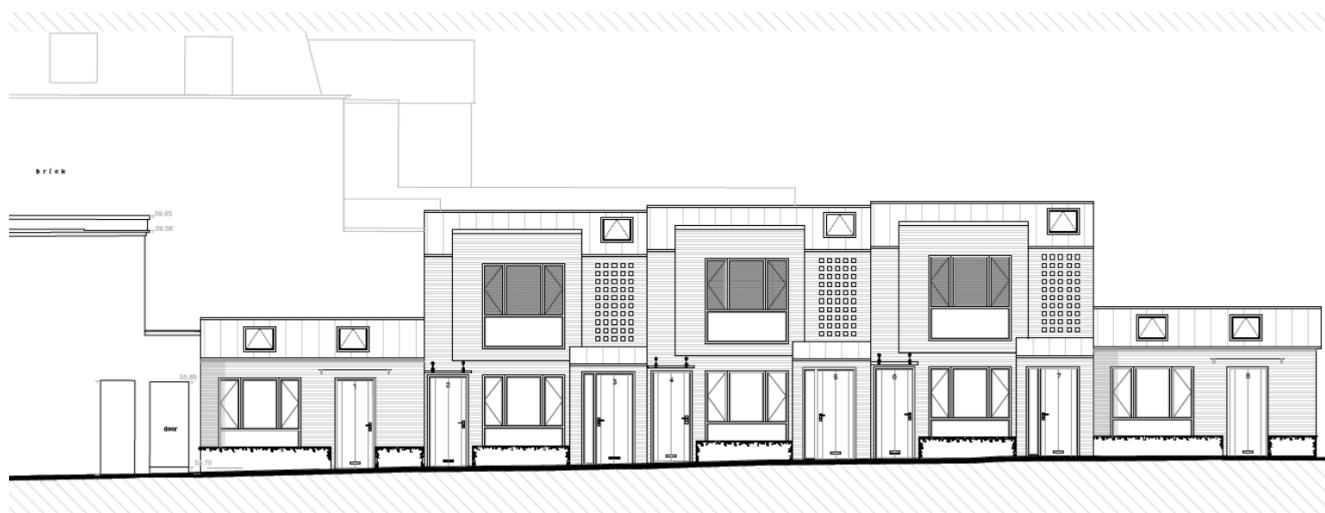
## Planning Statement

Submitted on behalf of:

**Scott Moore**

Application for:

**Demolition of structures to the rear of 75-77 Queens Road and erection of 8 new dwellings.**



At site address:

**75-77 Queens Road**

**Buckhurst Hill**

**Essex**

**IG9 5BW**



Statement prepared November 2020



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### Thompson Planning Ltd

Report written by:

Mrs J Thompson

Office 1, Brickfield House, High Road, Thornwood, Epping, Essex, CM16 8TH

Mobile: 07887 760573

Office: 01992 704857

Registered in England and Wales no.10675816

Registered Office: 8 Waldens Close, Bourne End, Bucks, SL8 5RT

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## The Site

The site comprises land to the rear of 75-77 Queens Road. The extended units have evolved over time and are independently occupied or enlarged units tied to the frontage properties. Number 77 is an A1 extended depth unit, attached to 75A, an extended restaurant and finally 75 is an A1 unit on the front, with sizable offices to the rear, formerly occupied by an Alarm and Security Company. To the rear most part of the site, open car parking and refuse storage is accessed by an existing road between nos. 73 and 75 Queens Road.

Figure 1 : Site Location Plan



The site lies towards the East end of Queens Road, 0.2 miles from Buckhurst Hill Underground station and 0.1 miles from the main shopping area. The buildings are not Listed, Locally Listed or set within a Conservation Area. The site is not located in a Flood Risk Zone. Queens Road runs West to East, where the West end is characterised by terraced and detached dwellings and where the East end is characterised by mixed uses comprising residential, offices, restaurants, shops and local amenities. The buildings on Queens Road are predominately 2-3 storeys in height and the adjacent site at number 71-73 is recently demolished and re-built to provide 2 retail units and 6 flats. Comparative to the application site, the plot at 71-73 is half the depth of 75-77 and two units wide as oppose to three.

Figure 2: Aerial Photo of the site



Local character varies generally, with a predominantly traditional appearance with natural brick, or render walls, timber windows and flat, tile or slate pitched roofs. The application buildings to the rear do not form a predominant feature of the street scene due to location to the rear. The site is presently a typical rear of retail area, hard paved, featureless and functional.

## Property History

The following application directly relates to the current proposals;

EPF/2514/19     Demolition of No. 75, 75 a-c, 77 Queens Road and the construction of fifteen     Refused  
new dwellings with ground floor retail unit

Figure 3: Proposed Block Plan of refused scheme EPF/2514/19:

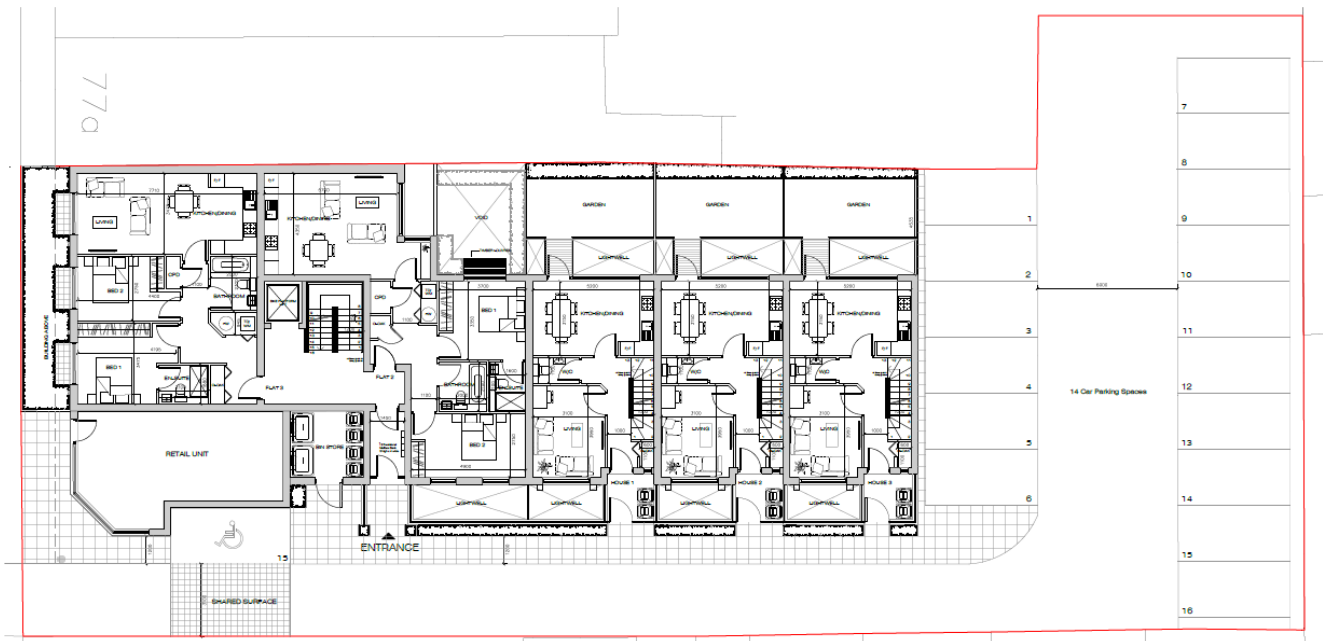


Figure 4: Proposed side elevation of refused scheme EPF/2514/19:





Reasons for refusal of EPF/2514/19 were as follows :

- 1) The proposed development will involve the loss of retail floorspace within the core area of the district centre and the creation of a non-retail use would have significant adverse effect on the retail function of this part of the town centre and on the general vitality and viability of the key retail frontage contrary to policies TC1 and TC4 of the adopted Local Plan and Alterations, policies E1 of the Local Plan Submission Version , and the NPPF.
- 2) The proposed development, by reason of the bulk, volume and form would result in a bulky appearance in comparison to the general pattern and form of built development in the vicinity, resulting in an intrusive addition and out of character addition to the street scene to the detriment of general visual amenity, and contrary to policies CP7, DBE1 and DBE3 of the adopted Local Plan and Alterations, policies DM9 and DM10 of the Local Plan Submission Version and the NPPF.
- 3) The proposed development introduces a level and intensity of development out of character with the scale, pattern and form of development and would, by reason of significant increase in vehicular and general activity, overlooking and perceived overlooking from the raised terraces, and general noise and disturbance, would have a significant adverse impact on residential amenity, contrary to policies CP2, CP7, DBE1, DBE2 and DBE9 of the adopted Local Plan and Alterations, policies DM9 and DM10 of the Local Plan Submission Version (2017) and the NPPF.
- 4) The proposal provides a cramped form of accommodation illustrated by poor outlook and lighting to rooms, and the lack of direct access to external amenity space for some of the units, results in poor living conditions for future occupiers, contrary to policies CP2, CP7, and DBE2 of the adopted Local Plan for Alterations, policies DM9 and DM10 of the Local Plan Submission Version (2017) and the NPPF.
- 5) The proposal fails to secure a minimum of 40% affordable housing, and is therefore contrary to policy H2 of the Epping Forest District Local Plan Submission Version 2017 and the NPPF.
- 6) The application does not provide sufficient information to satisfy the Council, as competent authority, that the proposed development will not adversely affect the integrity of the Epping Forest Special Area for Conservation and there are no alternative solutions or imperative reasons for overriding public interest why the proposed development should be permitted. In the absence of such evidence and of a completed Section 106 planning obligation to mitigate against the adverse impact that it will have on the Epping Forest Special Area for Conservation in terms of recreational pressure and air pollution, the proposed development is contrary to policies CP1 and CP6 of the Epping Forest Local Plan (1998) and



Alterations (2006), policies DM2 and DM22 of the Epping Forest District Local Plan Submission Version 2017, the NPPF and the requirements of the Habitats Regulations 2017.

The following applications also relate to the site;

EPF/1602/81	Ground floor rear extension, two storey side extension and conversion of first floor to self-contained flat.	Approved.
EPF/0612/08	Change of use of part of retail premises to part retail, part photographic studio with office, and part office use including ancillary alterations.	Approved.
EPF/1433/17	Prior approval for change of use from A1 retail shop use to A3 restaurant or café.	Prior Approval Granted.
EPF/2752/18	Advertisement application for new fascia sign which would be externally illuminated - in connection with proposed cafe/restaurant use.	Approved.

## Proposed Development

The application seeks consent for 8x 1-bed flats to the rear of 75-77 Queens Road. The frontage development is now removed with its additional storeys and basement areas have now been omitted entirely from this proposal to provide a significantly reduced scheme.

The proposed accommodation is targeted at young professionals looking for a starter home with a location that benefits from good transport connections and access to local facilities.

The proposals seek to provide five ground floor 1-bed flats and a further three at first floor. This makes use of the full depth of the existing buildings at ground floor but provides a lesser extent of new accommodation at first floor.



Figure 5: Existing Ground floor

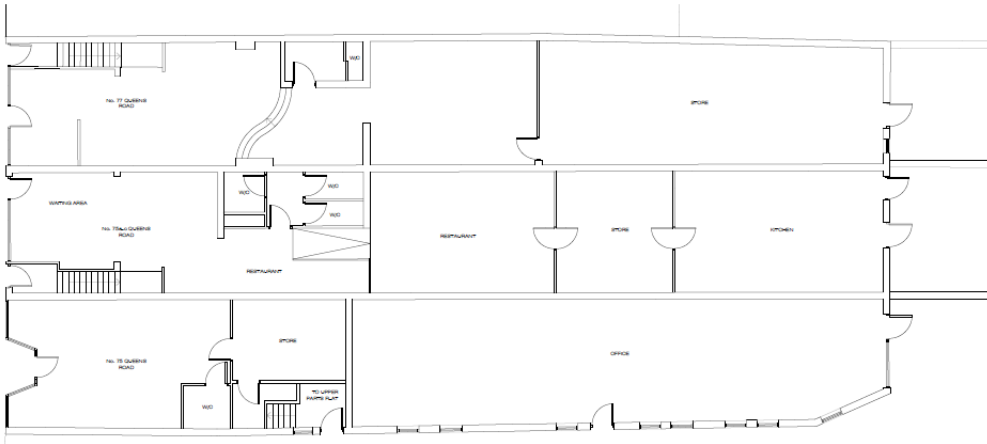
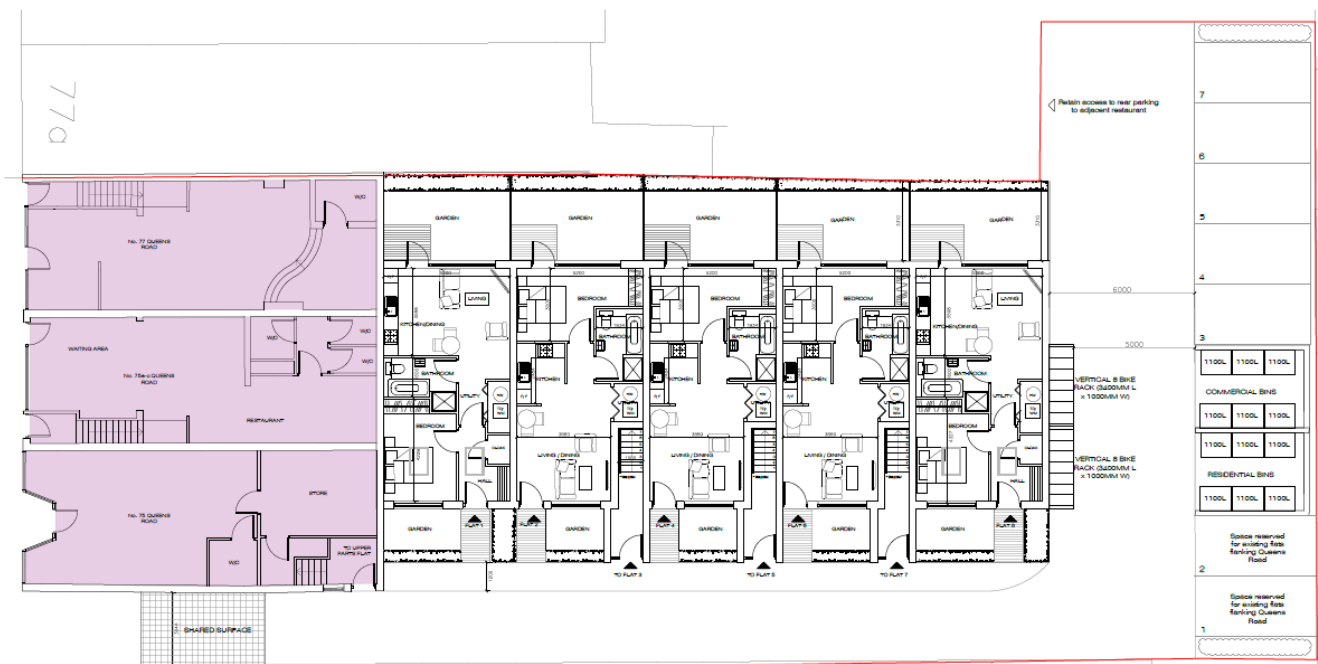


Figure 6: Proposed ground floor plan



The proposed layout provides for 7 parking spaces to the rear alongside refuse storage for both new residences and the existing commercial businesses on the front and shared cycle storage.



The proposed ground floor flats include separate bed, bath, lounge and kitchen areas with front and rear gardens provided. Floor plans differ for central units to accommodate the stairs to the units above.

Figure 7: Ground floor layout

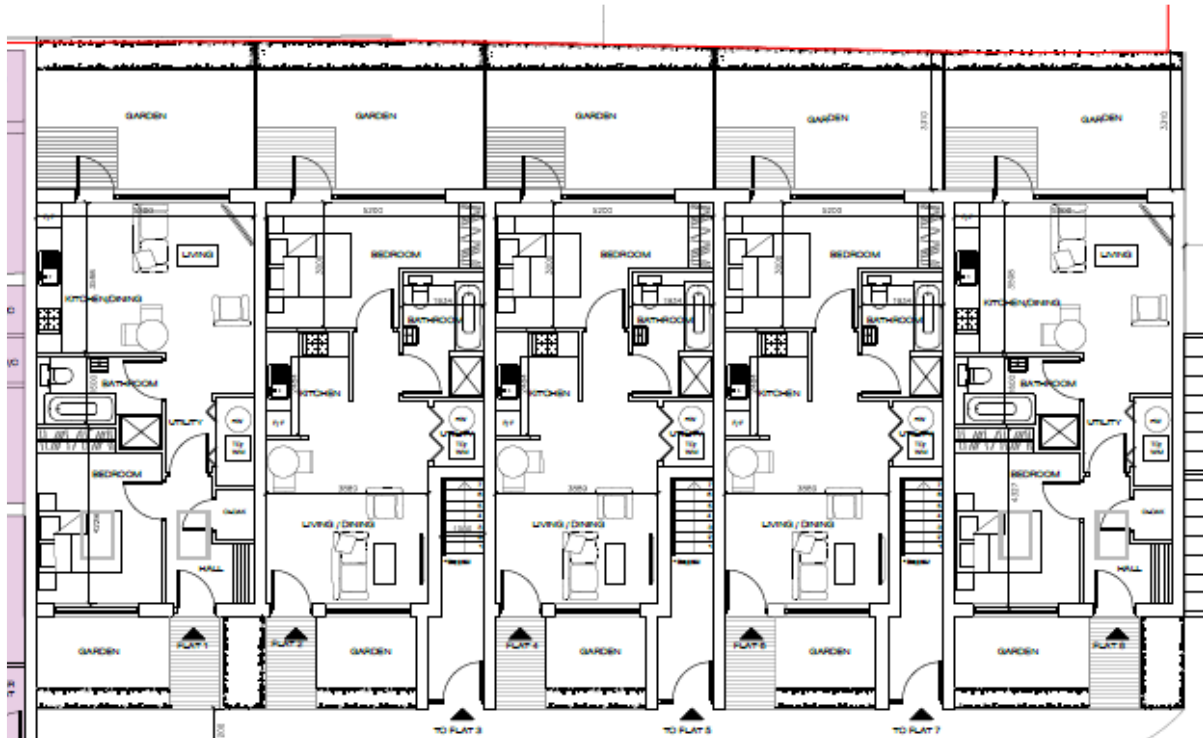
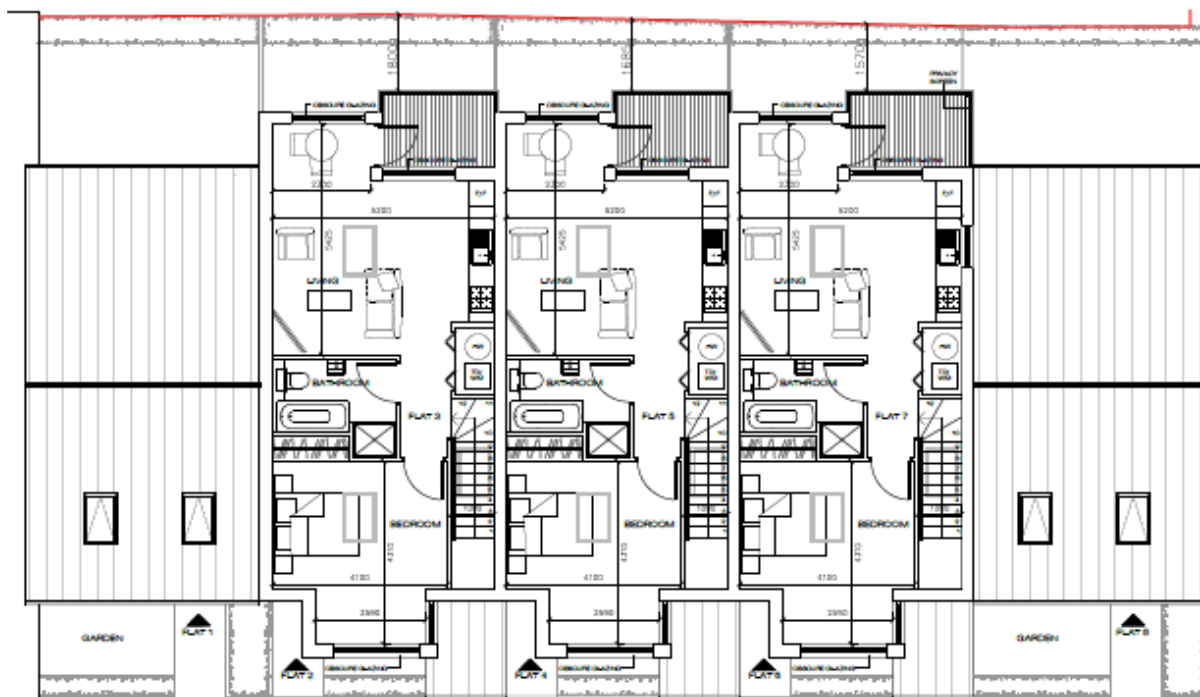
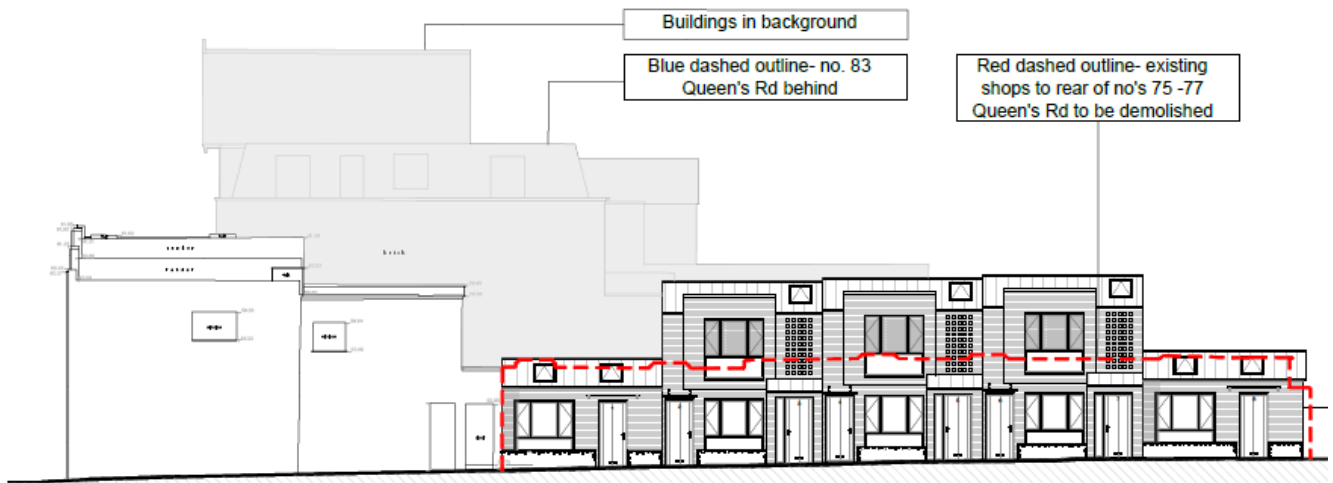


Figure 8: Proposed first floor plan



First floor units provide a single bedroom, bathroom, lounge/diner/kitchen space and separate closet for laundry appliances. The first floor units are designed externally to appear traditionally facing with front and rear elevations, however internally views are offered towards the rear of the application site, with further light provided by the front and rear facing obscure glazing and rooflights.

Figure 9: Proposed east side elevation fronting the access road (front of the flats)



The proposed mass, form and intensity of development is significantly reduced from that previously considered. The red dotted line illustrates the outline of the existing building. When measured the new roof would be 2.6m higher than the roof which presently exists with a total height of 6.3m.

To the rear of the plot (north) the outline of the shell of the building would be broken by the reduction in ridge height, the expressed window feature adjacent the access and the balcony feature to the rear overlooking remaining yard areas. Grey window and roof detailing would contrast against a proposed red brick.

Figure 10: North elevation

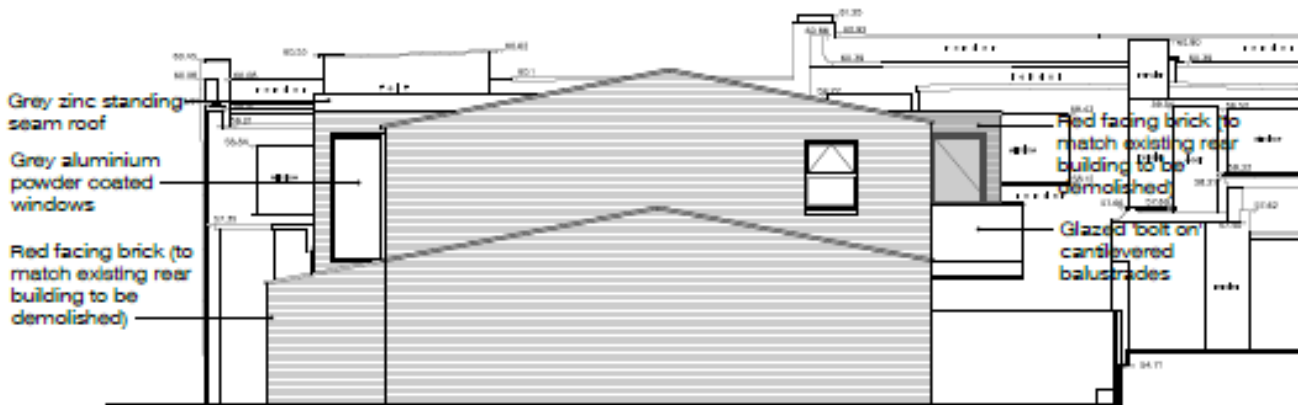


Figure 11: Proposed West Elevation



Glazing on the first floor of the western elevation is suggested to be obscured due to the poor views and to reduce concern from neighbouring properties, and increase privacy in the gardens below, however, should the Council request this could be clear glazed.

## Relevant Policies

National planning policies are set out within the National Planning Policy Framework 2019 (The NPPF). Local planning policies are set out within the Epping Forest District Local Plan (1998) and the Local Plan Alterations (2006). The Submission Version Local Plan (2017) is also relevant. The relevant policies from these documents are detailed below.

### NPPF (February 2019)

The revised NPPF is a material consideration in determining planning applications.

As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either: -

- (a) Approving development proposals that accord with an up-to-date development plan without delay; or



(b) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11 the following parts of the NPPF are considered to be of relevance to this application:

Section 2 - Sustainable development

Section 3 - Core principles for plan making and strategic policies

Section 5 - Delivering a sufficient supply of new homes

Section 7 - Ensuring the vitality of town centres Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making an effective use of land in meeting the need for homes and other uses.

When deciding planning applications, local planning authorities should: -

- (i) Consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recession;
- (ii) Take into account the need to maintain a flexible and responsible supply of land for key sectors, including housing;



- (iii) (iii) Consider the range of likely economic, environmental and social benefits of proposals; including long term and indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may where relevant, include matters such as job creation and business productivity);
- (iv) (iv) Be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggests that prior assessments of needs are no longer up to date;
- (v) (v) Ensure that they do not impose unnecessary burdens on development.

‘In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable economic growth are treated favourably (consistent with Policy PPS4) and that they can give clear reasons for their decisions’.

#### **Epping Forest Local Plan 1998 and 2006 Saved Policies**

The following Local Plan Policies are relevant to the determination of this application;

- 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
- H2A Previously Developed Land
- H3A Housing Density
- DBE1 Design of New Buildings
- DBE2 Effect on Neighbouring Property



- DBE3 Design in Urban Areas
- DBE8 Private Amenity Space
- LL10 Adequacy of landscape protection
- ST1 Location of Development
- ST2 Accessibility of Development
- ST4 Road Safety
- ST6 Vehicle Parking

### **Epping Forest District Local Plan (Submission Version) 2017**

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to: -

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given).
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and Hearing sessions were held on various dates from February 2018 to June 2019. The appointed Inspector has indicated an intention to provide advice to the Council by 12 July 2019; this advice will be given without prejudice to the Inspector's final conclusions.



The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated.

POLICY	WEIGHT AFFORDED
SP1 - Presumption in favour of sustainable development	Significant
T1 – Sustainable Transport Choices	Significant
DM2 – Epping Forest SAC and Lee Valley SPA	Significant
DM9 – High Quality Design DM10 – Housing Design and Quality	Significant
DM16 – Sustainable Drainage Systems	Significant
DM19 – Sustainable Water Use	Significant
DM22 – Air Quality	Significant

### Revisions following refusal

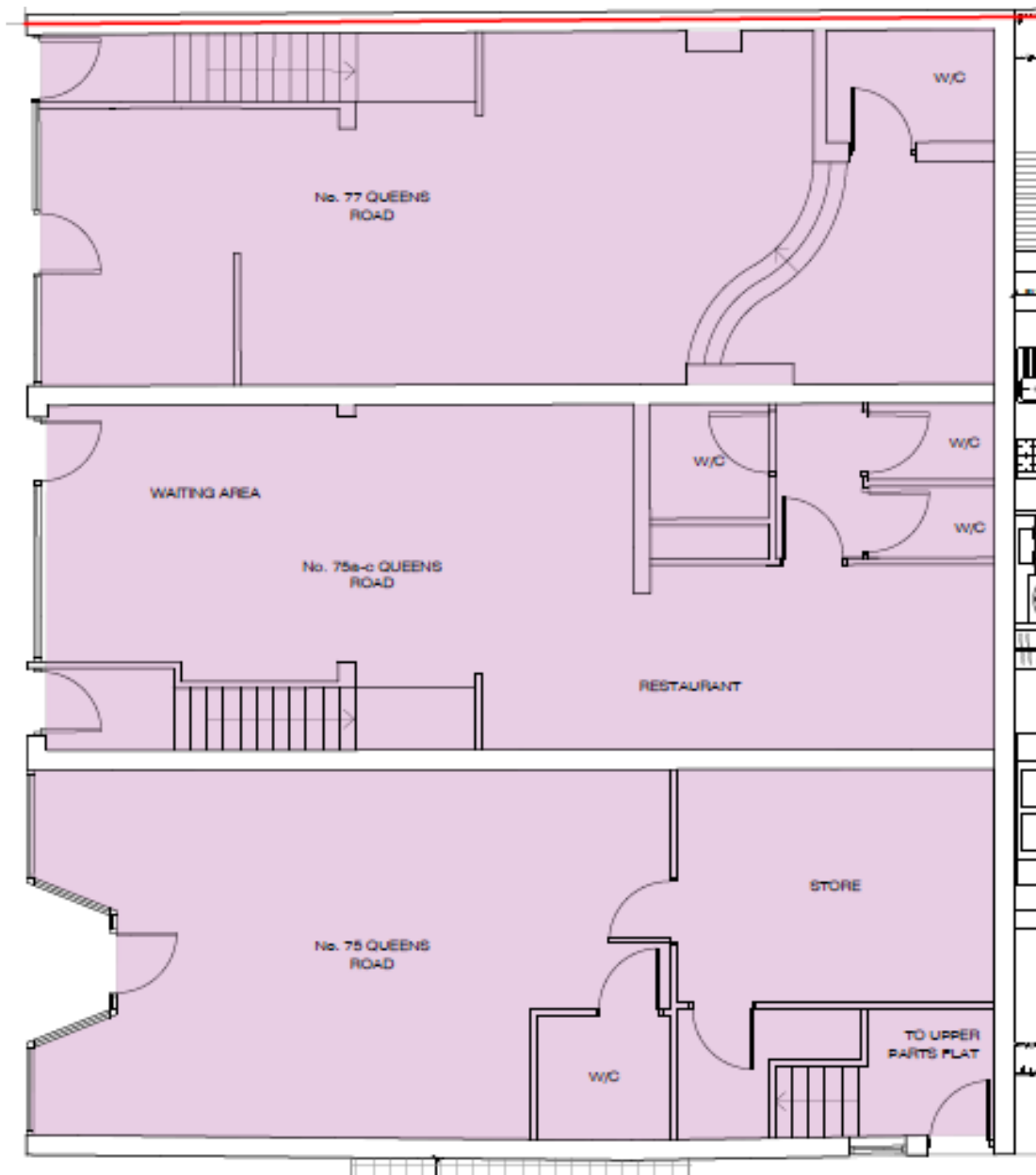
Following the 6 reasons for refusal detailed above on page 6, the following revisions have been made;

#### 1) Loss of retail floorspace

The previous application resulted in the retention of only one partial retail unit on the main frontage of the site, turning all remaining space over the flats. This application retains all three frontage commercial units in a meaningful fashion akin in scale to original construction. The extended areas are removed to make available the floor space for the proposed 8 units. All retail units would be viable in size for operational use, provide an active street frontage and remain useful additions to the shopping area.



Figure 12: Proposed Retail units retained



## 2) Bulk and form out of keeping

The Officer's report cites the four storey provision on the street frontage as 'excessive' in the context of neighbouring properties. The report cites the fourth floor as a 'top heavy façade that would make the building overly dominant and would detract from the character of the surrounding area.

Following this analysis the upper floors have been removed and the proposals as now presented relates to the rearmost part of the site only. This is intended to resolve issues of intrusion in the Streetscene and impacts to visual amenity cited as harmful in this reason for refusal.



### **3) Level and intensity of development out of character with the scale, pattern and form of development**

Whilst the Officer's Report provides no assessment of neighbouring or local residential amenities, this reason for refusal is clear in identifying that the increase in vehicular activity would cause noise and disturbance to neighbouring properties. This reduced scheme now reduces traffic movements significantly from those previously proposed. In comparison to existing uses, the level of activity will reduce as demonstrated in the accompanying Transport Statement, thus overcoming this concern and reducing use of the access from existing lawful levels.

The scale of development has been significantly reduced with the omission of frontage development.

Overlooking has been resolved on the upper floors by reducing glazing with the reduction of the scheme. Openings on the frontage of the site now remain unchanged. The incorporation of significant areas of obscure glazing prohibit loss of privacy to the surrounding areas, but enables light to penetrate. Clear glazing to provide outlook is secondary in nature and looks rearward across the site and upper floors are provided with a tertiary light source from roof lights in addition. For first floor units if Officers deem it necessary the glazing on the balcony side could be clear glazed to afford greater outlook, however this can be secured by condition.

The design provides internal spaces that are well lit, afforded an outlook and modern in feel. In the living areas of flats 3,5 and 7 additional obscure glazing has been incorporated so as not to prejudice the potential of adjacent sites and also to steer the eye to the outlook across the balcony area, an enhanced view in comparison to the alternative looking across functional yard areas to the rear of the units fronting Queens Road.

The loss of the business use with associated reduction in traffic and loss of overlooking to neighbouring properties addresses this reason for refusal. At present the design includes traditional white/clear obscure glazing adjacent the access, to reduce perceptions of overlooking a colour obscure glass could be used if the Council prefers, the incorporation of a pastel obscure glazed panel could mitigate further the perception of overlooking by appearing instead as a construction feature.

### **4) Cramped accommodation, poor outlook, lighting and lack of external space being harmful to occupiers**

The proposals as revised all meet the National Space Standards, outlook and lighting is improved significantly, not least due to the removal of basement areas, and all units now benefit from either a balcony or private rear garden space. Therefore cramped is no longer applicable, outlook is resolved and light and external space maximised.



### **5) Absence of affordable housing provision**

As revised the proposed development now provides only 8 new units. This falls below the affordable housing threshold.

### **6) Impact to the Epping Forest Special Area for Conservation**

As demonstrated in the accompanying Transport Assessment, the proposed redevelopment results in a reduction in traffic movements from that which lawfully exists associated with former uses on site. In this context it is anticipated that the Council will waive the need for contributions toward traffic impacts due to the betterment which occurs as a result of the scheme. It is hoped that Natural England will lift the holding objection in respect of this application.

It is anticipated the Council will wish to secure funds to contribute towards the increased visitor pressure within the Epping Forest Special Area for Conservation. The Applicant is willing to enter into a S106 agreement to provide this contribution.

### **Local Consultation**

Whilst no direct local consultation has been undertaken in respect of the revised scheme, the Council have published a summary of neighbouring comments in their report on the previous application EPF/2514/19. This clearly identified a number of key issues that it is hoped the revisions now overcome.

Objections were previously raised by residents from Queens Road, King's Avenue and Pedlars End. Issues raised included

- Overshadowing/loss of light and impact to local character arising from the 4 storeys (now removed)
- Overdevelopment (scale of development now reduced)
- Parking impacts (parking provision increased and units reduced)
- Loss of retail (retail now restored)
- Concern regarding the design of the rear units (retained as the proposals are viewed in isolation)



- Noise and disturbance from increased traffic (now mitigated as demonstrated in Transport Assessment)
- Refuse storage concerns (refuse storage clearly indicated now for entire site)
- Lack of amenity space (amenity space now incorporated for each unit)
- Overlooking and loss of privacy (mitigated by obscure glazing)

Whilst we acknowledge any development will have an impact, we hope it is clear that we have reviewed the issues raised and attempted to resolve these where possible.

### Principle of development

The proposal would make more efficient use of a previously developed site within the highly sustainable, Centre location. Buckhurst Hill is well serviced by a supermarket, a good high street offering, a full selection of education facilities, a good bus network in walking distance & an underground connection on the Central Line.

Figure 13: Site Map with indicative bus and underground links nearby



The Council's Local Plan submission version 2017 identifies new homes for the period until 2033 and allocates only 87 new homes as possible within the constrained village that is Buckhurst Hill. Accordingly eight flats will make a significant contribution towards locally derived need and present a significant opportunity for starter homes that would be available on the open market to all, including local families, enabling some to start their homes without having to move from the area to find somewhere suitable.

Although a small scheme, the development would contribute towards the Council's housing need, in a central location, over the forthcoming five year period. All the more important in an area where locally derived housing need is having to be met elsewhere in the District due to physical constraints to the settlement.

Figure 14: EFDC Local Plan Submission 2017 indicating allocations in Buckhurst Hill with site annotated demonstrating central location



The principle of the development directly accords with policies CP1, CP7, H2A, TC3 and ST1 of the adopted Local Plan and also with the presumption in favour of sustainable development, as set out in national planning policy and reinforced within the emerging Epping Forest Local Plan.





## **Design, Character and Appearance**

The rear of 75-77 Queens Road is currently a typical rear high street environment, functional and with minimal features. The proposed development re-uses the existing access to create a street presence at the rear, with a development visually akin to a low level residential terrace. The modern design and layout will reflect the form of the development, site constraints and intended occupancy.

The revisions address previous reasons for refusal in respect of design and thus policy objectives of policies DBE3, DBE6, DM1, DM10 and DM11 are achieved.

## **Residential Amenity**

### **Neighbouring properties**

The location of the site, design of the flats and neighbouring land uses are such that there would be no significant material loss of amenity to any existing residents as a result of the proposed development. Nearest neighbours are well separated and the increase in height by only 2.6m to 6.3m in total height is not sufficient to result in significant levels of overshadowing or loss of light to neighbouring plots. New first floor window openings are included, but all are proposed as obscure glazed unless facing into the rear of the site. Accordingly, privacy is protected by the design.

Neighbouring residential properties in King's Avenue are separated from the development by the generous depth of plots along King's Avenue and the width of the access proposed to be retained with the new units proposed also providing a modest front garden. This equates to over 20m of separation. At a height of only 6.3m the proposed new accommodation would not significantly harm outlook.

### **Future Occupiers**

All flats achieve the standards set out in the Nationally Described Space Standards (2015), all units benefit from significant levels of glazing for light and all units within the development would benefit from outdoor private space.

## Summary

Whilst the introduction of a built form at the greater height (as a first floor is included) is included in the scheme this is not considered to result in significant harm. The height of the existing commercial buildings is evident from the red line below, the additional mass is therefore minimal and at distance therefore not significantly harmful to residential amenities nearby. In respect of outlook, the proposed flats are designed to make use of obscure glazing at first floor to provide elevations punctuated by glazing as would be anticipated, and this is a good internal light source, however outlook is provided to the rear of the units and looking towards the shared parking area. This design approach prohibits overlooking of the neighbouring gardens and obscure glazing can be retained by condition. Should Officers wish to emphasis the obscure nature of the glazing when viewed from King's Avenue then the Applicant is willing to consider coloured obscure glazed panels as the design is robust enough to accommodate these.

Figure 15 : The new frontage elevation



The proposed new units meet the Council's residential amenity policies being usable private spaces in accordance with the Local Plan and emerging Local Plan. Regarding flats at the frontage. These are within the applicants control and an urban high road location. The units retained are unchanged and would retain good levels of amenities.





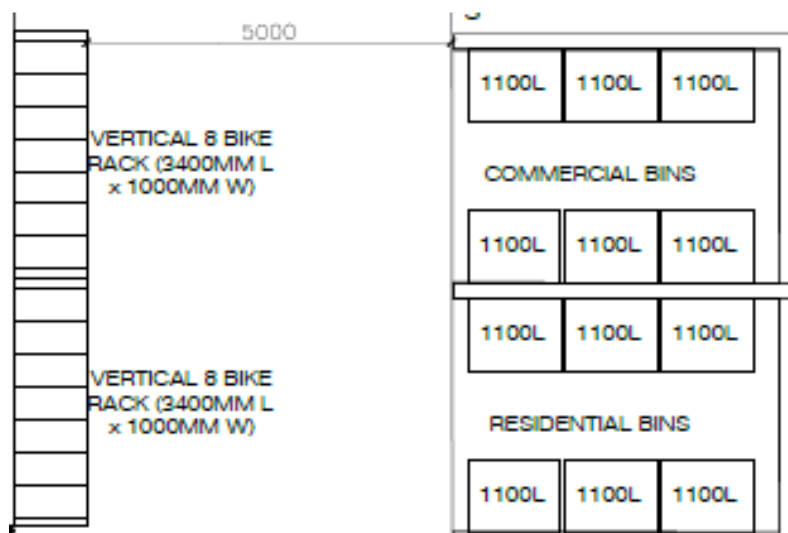
## Parking and Highways

The site is located in a highly sustainable location, as encouraged by local and national policies. The site was formerly occupied by an alarm company and the associated fleet of vans for engineers used the site daily. The proposed new 8 units represent a reduction in vehicular movements on site comparative to its lawful use when in operation. The site provides 7 parking spaces to serve the site in its entirety. As detailed in the accompanying Transport Statement the ground floor frontage units use the rear area for refuse only with no parking provision. The refuse provision for all site users is clearly demonstrated in the plans and the parking provision would be shared among residential units.

## Refuse and cycling

The proposed layout provides secure cycle parking for one cycle for each flat and refuse storage in accordance with guidelines. This is a significant enhancement on current refuse provision which is informal and excess cycle storage would be made available to existing occupants of premises on the front of the site. This storage can be enclosed on request.

Figure 17 : Refuse and Cycle storage proposed





## **Landscaping, Biodiversity and Special Area of Conservation**

The existing site has a negligible ecological value being a hard landscaped yard. The proposals incorporate soft landscaping to the front and rear which results in significant enhancement to landscaping on site and provides ecological value for insects and invertebrates.

Regarding the Epping Forest District Council SAC and the present issue of mitigation of impacts arising from new development, the matter can be split into Transport Impacts and additional Recreation Pressure from visitors to the forest. Regarding Transport Impacts, as the development results in a reduction in traffic flows it is demonstrated that emissions would reduce and thus this issue is negated. Regarding Recreational Impacts the Applicant is willing to enter into a S106 to make an appropriate contribution to mitigate these effects.

## **Planning Obligations**

It is envisaged the Applicant will need to make contributions towards the Epping Forest District Council SAC Recreational Mitigation and the Applicant is willing to enter into a S106 to make this contribution.

No other contributions are anticipated due to the scale of development.

## **Summary and Conclusion**

The site is situated in a highly sustainable location, with excellent access to services and public transport. The development would make better use of this previously developed site to deliver 8 additional flats to contribute towards the Council's housing need within Buckhurst Hill.

We consider that the revised proposal has overcome the Council's reasons for refusal in 2019 and that whilst not without impact, the development does not result in a degree of harm sufficient to justify refusal.

It is therefore anticipated that the proposal will receive a favourable recommendation however, if any further information or clarification is required during the course of the application, please do contact the Agent.