



Alpha Planning Ltd.

**Planning, Design and
Access Statement**

Erection of third floor to
provide two flats

At:

13-17 High Beech Road,
Loughton, Essex IG10 4BN

On behalf of:

London and City Property
Investments Limited

APL Ref: APL/00290/RAI

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1.0 Introduction

- 1.1 This Planning, Design and Access Statement is provided in support of an application for planning permission for the erection of a third floor and creation of two flats at 13-17 High Beech Road, Loughton, Essex IG10 4BN.

2.0 Site and Surroundings

- 2.1 The site comprises a three storey office building located on the eastern side of High Beach Road, approximately 150m from the junction with the High Road. The location is just to the north of the defined Loughton Town Centre.
- 2.2 The building is currently used for office purposes, with offices on part of the ground floor (the other part being car parking with a central access through to parking at the rear), as well as occupying fully the first and second floor. There are two parking spaces to the front of the building and seven spaces to the rear, with further parking under the building itself.
- 2.3 To the south of the site is 9-11 High Beech Road, a three storey residential building, with the second floor being contained within the roof space. Immediately to the east is a gated car park that is accessed from Smarts Lane (between nos. 18 and 18A), together with the back gardens of the modern residential properties in Smarts Lane. To the north is a terrace of residential properties (nos. 19-25 High Beech Road) which projects further back than the application building by approximately 6m, with gardens to the rear. On the western side of the road, opposite the site, are further residential properties, being a mixture of 1920s two storey semi-detached properties directly opposite the site and 1960s three storey flat roofed dwellings to the south of these.

3.0 The Proposal

- 3.1 The proposal involves the upward extension of the existing building to provide an additional floor that would provide accommodation for two flats.

Amount

- 3.2 The proposal will provide two self-contained flats, with two bedrooms for three people. The gross internal area (GIA) would be 124sqm, with each flat exceeding the nationally described space standards set out in the Government's Technical Housing Standards.



Layout

- 3.3 Access to the two flats would be via a continuation of the existing stairways at either end of the building, with the front door to the individual flats opening to a hallway.
- 3.4 The flats are similar in layout, comprising a large open plan kitchen/dining area, a double bedroom (13sqm in the northern most flat and 14sqm in the southern) and a single bedroom (11sqm in the northern and 8.5sqm in the southern), together with bathroom, hallway and storage area. To the front of the flats a private roof terrace is provided for each unit, accessed from the living/dining room, with privacy screens at either end of the terraces.

Scale

- 3.5 The proposed additional floor would be 2.8m high, projecting 1.6m above the front parapet wall and would result in a building of 11.3m in height. The new floor would be set back 1.2m behind the existing parapet wall (approximately 2.0m behind the front façade of the building, or 2.7m behind the projecting bays). Consequently, the setback, combined with the limited projection above the parapet would mean that the proposed development would not be out of scale with the existing building.

Appearance

- 3.6 The proposed extension would be clad in timber with a grey finish to the roof, as such the proposal would appear as a light touch addition to the building. The set back of the extension from the parapet wall would also have the effect of reducing the impact in terms of the appearance in the street scene.
- 3.7 Following the comments of officers at the pre-application stage, the rear terrace that was proposed has been removed, whilst the proposed windows to the two bedrooms in the rear of each flat have been set out so that there is limited opportunity for overlooking. The windows in the rear to the bathroom of the southern-most flat and the hall of the northern flat are shown as obscure glass and non-opening below 1.7m.

Landscaping

- 3.8 Given that the two flats are located at third floor level there is no landscaping proposed as part of the development. However, the proposal includes a roof terrace at the front of each flat providing a useable amenity area of 12sqm per dwelling. These areas can be set out by the future occupiers with planting in pots to suit their personal preferences.



4.0 Planning History

- 4.1 Planning permission was granted in 1975 for the erection of a three storey building to comprise ground floor parking accommodation, offices on the ground and first floor and three flats on the second floor (ref: EPF/0825/75).
- 4.2 A subsequent planning application for the erection of a three storey office building with car parking at ground level was initially refused but allowed on appeal in 1976 (ref: EPF/1238/75).
- 4.3 A further application was granted planning permission for the erection of the three storey office building in 1977 (ref: EPF/0206/77).
- 4.4 Since that time there have been two applications that are relevant, namely:
 - Planning permission was granted in 2014 for the conversion and change of use of the existing second floor office premises to residential use to form 5 no. 1 bedroom flats (ref: EPF/2383/13).
 - In 2020 the Council confirmed that Prior Approval was required for the proposed change of use from B1 (offices) to C3 (dwellinghouse). The prior approval, involving the conversion of the first floor office space to x4 no. self-contained 1 bedroom flats & x1 no. studio flat, was granted (ref: EPF/1396/20).

5.0 Planning Policy

- 5.1 The general thrust of national, regional and local planning policy is to secure sustainable patterns of development and the re-use of previously developed urban land. This objective is a common thread running through Government guidance, the National Planning Policy Framework, and Epping Forest's Local Plan, which all encourage development that will contribute towards sustainable communities.

National Planning Policy Framework

- 5.2 The revised National Planning Policy Framework (NPPF), published in February 2019 (and updated in June 2019), sets out the Government's planning policies for England.
- 5.3 The NPPF provides guidance for local planning authorities both in drawing up plans and in determining applications. The NPPF states that decision-makers "should seek to approve



applications for sustainable development where possible” (paragraph 38). Sustainable development is considered in terms of economic, environmental and social objectives

- 5.4 The NPPF also records that it is important that a sufficient amount and variety of land should come forward where it is needed in order to support the Government’s objective of significantly boosting the supply of homes (paragraph 59).
- 5.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making.
- 5.6 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Epping Forest Local Plan.

Epping Forest District Local Plan

- 5.7 The Epping Forest District Local Plan was first adopted in 1998 and benefited from alterations in 2006 (published February 2008). Policies relevant to the application are as follows:
- Policy CP1: Achieving Sustainable Development Objectives – this policy establishes the LPA’s strategy for achieving sustainable forms of development;
 - Policy CP2: Protecting the Quality of the Rural and Built Environment – in relation to development, the policy considers the protection and improvement of the built environment through safeguarding and enhancing its setting, character and townscape;
 - CP3: New Development – establishes criteria for considering planning applications, including the need for development to be accessible, to be accommodated within existing or planned infrastructure and for the scale to be consistent with sustainability principles;
 - H3A: Housing Density – requires new developments to achieve a net site density of 30-50 dwellings per hectare, whilst taking into account constraints such as the shape of the site, surroundings, character and the impact upon the amenities of adjoining residential properties;
 - NC1: SPAs, SACs and SSSIs – recognises that the Council will comply with the UKs international obligations with regard to these areas;
 - DBE1: Design of New Buildings – requires new buildings to respect, inter alia, their setting in terms of scale and proportion and the relationship with the streetscene;
 - DBE3: Design in Urban Areas – relates to the provision of space around new developments and its function;



- Policy DBE9: Loss of Amenity – as regards the proposal, this policy requires that extensions do not lead to an excessive loss of amenity in relation to visual impact, loss of privacy (overlooking) or loss of light.

5.8 In December 2017, Full Council resolved to consider the Epping Forest District Local Plan (2011-2033) (Submission Version) 2017 as a material consideration in the determination of planning applications and that it be given appropriate weight in accordance with paragraph 216 of the NPPF. Hearing sessions concluded on 11 June 2019. Relevant policies of the submission Local Plan are as follows:

- Policy SP1: Presumption in Favour of Sustainable Development – establishes the LPA's strategy for achieving sustainable forms of development;
- Policy DM9: High Quality Design – considers the quality of design within the District and states that development must relate positively to the surrounding context with regard to height, form, scale and massing and detailing and materials. The Policy also requires that development provide adequate light and privacy to adjoining properties without impinging significantly upon outlook or being unduly visually intrusive;
- Policy DM10: Housing Design and Quality – as regards the subject of this appeal, requires that extensions respect the form, setting, period, detailing and materials of the host building; and
- Policy DM22: Quality – seeks to protect the District from the impacts of air pollution and provide appropriate mitigation for Epping Forest commensurate with the scale of development.

5.9 It is worth noting that whilst the District Local Plan has been subject to an Examination in Public, the Inspector had reservations in relation to the housing supply and whether the Council's housing allocations could be relied upon to meet the housing requirement. The Covid 19 pandemic has delayed the work on this Local Plan and at this stage it would be premature to assume that the plan will be found sound and be adopted.

6.0 Analysis

6.1 From the Council's response of 14 December 2020 to the pre-application request the key issues relevant to this planning application are:

- The principle of development;



- The five year housing supply;
- The amenities of the adjoining occupiers and future occupiers of the two flats; and
- The impact upon the Epping Forest Special Area of Conservation (SAC).

The principle of development

- 6.2 The pre-application response considered that the principle of the provision of additional residential units at the property was in line with the NPPF and policies DBE1 and DBE3 of the adopted Local Plan in terms of increasing the housing stock.
- 6.3 The officer's pre-application advice recognised that there was a shortfall in the five year supply of housing and substantial weight should be given to maximising the use of urban sustainable locations. As such the pre-application advice concluded that the proposal accords with policies CP1, CP3 and H3A of the Local Plan.
- 6.4 However, the pre-application advice noted that in the emerging Local Plan the five year land supply is met through strategic sites and the application site was not put forward and would not deliver the associated infrastructure. Whilst the officer considered that, on this basis, the proposal would not accord with policy SP2 of the emerging Local Plan, as noted in the previous section on Planning Policy, whilst an examination in public has taken place in relation to the emerging Local Plan, the Inspector had reservations about the Council's five year housing land supply and whether alternative sites would need to be brought forward. At this stage, pending the issue of the Inspector's report, only limited weight can be given to policy SP2 of the emerging Local Plan.
- 6.5 It is also worth noting that the planning application is a 'minor development', proposing the delivery of only two additional two bedroom dwellings. Policy 11A of the Local Plan notes that "in appropriate circumstances" the Council will negotiate with developers to enter in to legal agreements to require financial contributions or community benefits related to the proposed development.
- 6.6 With regard to additional infrastructure associated with the provision of two dwellings, it would not be appropriate to seek contributions for additional infrastructure since the proposal would not result in unacceptable impacts and the tests set out in the NPPF would not be met (paragraph 56). In considering the tests set out in the NPPF, we contend that an obligation would not be necessary in order to make the development acceptable in planning terms; an obligation requiring community infrastructure would not be directly related to this minor development; and an obligation requiring financial contributions towards such



infrastructure would not be fairly and reasonably related in scale and kind to the proposed development.

Five year housing supply

- 6.7 The pre-application advice recognises that Epping Forest does not have a five year land supply. In 2019 the Council declared a housing land supply of 4.2 years, but this was based on a buffer of 5% and not the 20% required, further the delivery of housing within the District is very low, partly due to the fact that many applications for new housing are refused due to the potential impact upon the SAC.
- 6.8 Whilst the officer's pre-application advice quoted the emerging Local Plan as delivering a five year housing land supply, the Inspector raised questions about the deliverability of all the strategic allocations identified in the plan, noting that the Council may have to consider bringing forward others. Given that the Local Plan has not yet been adopted and the deliverability of the Council's housing projections has been questioned, it is considered that only limited weight can be attached to emerging policy SP2.
- 6.9 Further, it is clear from the emerging Local Plan that outside the strategic sites, new housing is to be allocated on the basis of an evidenced based need and the constraints of the site. The Inspector's advice of 2 August 2019 after the hearing sessions was clear that a number of the allocated sites within Loughton were unlikely to come forward or deliver the level of housing identified by the Council. Loughton is one of the centres within the District where development could take place and reuse of urban land would be appropriate given the Green Belt constraints throughout the District.
- 6.10 The proposed development comprises the provision of two dwellings, as such the Council has recognised that it accords with national and local policy in terms of meeting housing supply, whilst with the potential reduction in housing supply in Loughton in the emerging Local Plan, this sustainable site, located within 150m of the town centre would be result in a net addition of dwellings which, whilst limited, would help to meet the shortfall that already exists within the District.

Amenities of adjoining occupiers

- 6.11 In the pre-application advice, the officer noted that the proposed rear terrace was considered likely to result in perceived overlooking of the rear gardens of properties fronting Smarts Lane. As such the proposed development was considered to be contrary to policy BDE9 of the Local Plan.



- 6.12 The planning application has been amended to reflect the concerns raised at the pre-application stage. The rear terrace has been removed, whilst windows to non-habitable rooms at third floor level will be obscure glazed and non-opening below 1.7m above finished floor level. The windows to the four bedrooms have also been redesigned, so that they project out, thereby constraining views from within those habitable rooms. The projection of the windows, combined with the distance of the rear façade of the third floor extension to the rear parapet wall, would mean that the opportunity for direct overlooking, and even perceived overlooking is severely constrained.
- 6.13 It is also worth noting that the property backs on to parking areas, both the parking associated with the property itself and the private gated parking in Smarts Lane accessed between nos. 18 and 18A, with only one garden (that of 20 Smarts Lane) being directly to the rear. The other gardens would all be at oblique angles from the habitable rooms, other than those of nos 18 and 18A Smarts Lane, which are shielded by the garages to the rear of their gardens.
- 6.14 From the planning history reported in Section 4.0 above, it can be seen that the Council has previously granted planning permission for the change of use of the second floor offices to five flats. The officer's report noted that "the Smarts Lane houses lie between 21 and 27m away and they also lie at an angle to the application premises. While there will be some overlooking these angled distances would again not cause significant overlooking." That previously approved scheme had more habitable rooms (six) facing Smarts Lane, with the distances between the properties being less than that associated with this application.
- 6.15 It is therefore considered that overlooking and loss of privacy would not occur as a result of the proposed development and that therefore the proposal would not be contrary to policy BE9 of the Local Plan.
- 6.16 With regard to the amenity of future occupiers of the proposed dwellings, the officer's pre-application advice recorded that the internal layout of the proposed dwellings was considered to be acceptable. The dwellings would have two bedrooms each and be able to accommodate three people in each flat. The room sizes exceed the minimum standards for both single and double bedrooms set out in the Government's nationally described space standards, whilst the overall size of each flat also exceeds the minimum requirement in the Technical Housing Standards.



Epping Forest SAC

- 6.17 The pre-application advice indicated that given the proximity to the Epping Forest SAC the proposed development would be required to contribute to the management and monitoring of air quality in the SAC, with a financial contribution being secured through a Section 106 legal agreement in line with policy DM22 of the Local Plan.
- 6.18 We understand that the financial contribution is £352 per net additional dwelling. The London Borough of Redbridge, also affected by the Epping Forest SAC, secures contributions from developers prior to releasing the decision notice, and since the amount is not a significant sum, it would be appropriate to follow this approach rather than requiring a legal agreement, the cost of which would far outweigh the financial contribution being sought. We look forward to confirmation that this would be an appropriate approach.

7.0 Summary and Conclusion

- 7.1 The development involves the upward extension of this building in order to provide two dwellings. Upward extensions on both residential and commercial buildings are being encouraged by the Government as part of its strategy of increasing the provision of housing within the country.
- 7.2 The additional floor would be set back from all facades, behind a parapet, with the consequent effect that the extension would have a very limited impact when viewed from ground level. In order to address concerns raised at the pre-application stage in relation to perceived overlooking and loss of privacy to properties in Smarts Lane, the rear terrace has been removed and the windows in the rear elevation redesigned to be either obscure glazed (where non-habitable) or to project out from the bedrooms thereby limiting views out and preventing direct overlooking.
- 7.3 In summary, the application proposals are considered to be acceptable, according with the NPPF, the Government's Technical Hosing Standards and policies in the development plan. The proposed development would not cause harm to interests of acknowledge importance and consequently permission should be granted subject to appropriate conditions.