

DP9 Limited
100 Pall Mall,
London
SW1Y 5NQ

20 February 2023

**TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Development Management Procedure) Order 2015
REFUSAL TO GRANT PLANNING PERMISSION**

Application Type: Full Planning Permission

Application Ref: EPF/1822/22

Site Address: 13-15a Alderton Hill, Loughton, IG10 3JD

Proposal: Proposed demolition of existing buildings at nos. 13, 15 and 15a, Alderton Hill, and the erection of linked blocks of elderly persons' apartments, with integrated care facilities (Use Class C2) with supporting amenity facilities, landscaping, car and cycle parking and all associated ancillary works & structures.

In pursuance of the powers exercised by the Local Planning Authority this Council do hereby give notice of their decision to **REFUSE PERMISSION** for the development described above.

Signed



Nigel Richardson
Planning Service Director

Case Officer | Sukhvinder Dhadwar | sdhadwar@eppingforestdc.gov.uk

Refusal Reasons: (4)

- 1 The 89 units proposed on the site will result in the proposal having a bulk and massing which fails to respond positively to its surrounding context and provides poor internal / external amenity, residential quality, and circulation for the intended future occupiers. The proposal therefore fails to create a high quality development, contrary to Chapter 12 of the NPPF, The National Design Guide, policies CP7, H3A, DBE1 and DBE3, DBE5, DBE8, DBE9, LL11 of the Adopted Local Plan, Alterations and SP 3, DM5, DM9 and the site specific requirements of LOU.R14 of the Submission Version Plan.
- 2 The proposal, by virtue of the position of habitable room windows within flats 35, 56 and 71 directly facing number 17 Alderton Hill, would result in an increase in real and perceived loss of privacy to the occupiers of that adjoining residential dwelling. The proposal would therefore cause significant harm to the living conditions of this neighbour, contrary to the requirements of policy DBE9 of the Epping Forest District Local Plan and Alterations and DM 9 of the Submission Version Local Plan.
- 3 The application does not provide sufficient information to satisfy the Council, as competent authority, that the development has not adversely affected the integrity of the Epping Forest Special Area for Conservation and there are no alternative solutions or imperative reasons of overriding public interest why the development should be permitted. As such, the development is contrary to policies CP1 and CP6 of the Adopted Local Plan and Alterations, policies DM2 and DM22 of the Submission Version Local Plan 2017 and the requirements of the Habitats Regulations 2017.
- 4 In the absence of a legal agreement agreeing a review mechanism prior to the completion of the development in order to determine whether or not the financial viability of the scheme has increased to such an extent that a contribution towards affordable housing then becomes feasible, the development is contrary to the requirements of policy H2 of the Submission Version Local Plan.

Informatives: (2)

- 5 The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Council's website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.
- 6 This decision is made with reference to the following plan numbers:

Site Location Plan P0-001 1:1250 A3 PA; Site Block Plan as existing P0-002 1:250 A1 PA; Site Elevations as existing - North (Alderton Hill) elevation P0-003 1:250 A1 PA, Site Elevations as existing - South elevation P0-004 1:250 A1 PA; Site Sections as existing - Sheet 1 P0-005 1:250 A1 PA, Demolition Plan P0-006 1:250 A1 PA, Site Block Plan as proposed P0-007 1:250 A1 PA, Site elevations as proposed - North and South elevations

P0-008 1:200 PB, Site elevations as proposed - East and West elevations P0-009 1:200 PB, Lower Ground Plan as proposed P1-099 PB, Ground Floor Plan as proposed P1-100 PB, First Floor Plan as proposed P1-101 PB, Second Floor Plan as proposed P1-102 PB, Third Floor Plan as proposed P1-103 PB, Fourth Floor Plan as proposed P1-104 PB, Roof Plan as proposed P1-105 PB, North (Alderton Hill) Elevation as proposed P2-100 PB, South Elevation as proposed P2-101 PB, East Elevation as proposed P2-102 PB, West Elevation as proposed P2-103 PB, Courtyard Elevations/Sections as proposed P3-100 PB, Courtyard Elevations/Sections as proposed P3-101 PB, Typical bay Section and Elevation - Main Entrance P4-100 PA, Typical bay Section and Elevation - Front Elevation P4-101 PA, Typical bay Section and Elevation - South Block P4-102 PB, Typical Apartment Layouts - sheet 1 P4-110 PB, Typical Apartment Layouts - sheet 2 P4-111 PB, Combined Mechanical Services Roof Layout 0710038-HL-XXRF-GA-M-500-1005 P1, Topographical Survey S616/0453/P/0002, Design and Access Statement (including Landscape Statement), by Collado Collins and BBUK June 2022; Financial Viability Assessment by DS2 June 2022; Flood Risk Assessment and Drainage Strategy, by WSP reference ALD-WSP-SW-XX-RP-C-001-P04 June 2022 Daylight, Sunlight and Overshadowing Report, by Eb7 August 2022 and Daylight Sunlight Report Addendum January 2022; Energy and Sustainability Statement (including Sustainability Checklist, Whole Life Cycle Carbon Assessment, Circular Economy Statement and Overheating Assessment June 2022 and Updated Overheating Assessment – December 2022; by Hoare Lea; Environmental Noise Survey, by Hoare Lea June 2022; Air Quality Assessment, by WSP June 2022; Tree Survey and Assessment, by Thomson Environmental Consultants June 2022; Waste Management Strategy by WSP June 2022; Economic Statement, by Volterra June 2022; Health Impact Assessment, by Volterra June 2022; Statement of Community Involvement, by Morris Consultancy June 2022; Preliminary Ecology Assessment (PEA), by WSP June 2022; Power Electric Generators P300-5 manufacturers details Appropriate Assessment (including Special Protection Area Mitigation) by WSP June 2022; Transport Assessment, by WSP June 2022; Pedestrian Environment Review System Audit, by WSP June 2022; Travel Plan, by WSP June 2022; Draft Construction Environmental Management Plan, by Elysian Residences July 2022; Townscape, Heritage and Visual Impact Assessment, by KM Heritage June 2022; Basement Impact Assessment, by WSP June 2022; Lighting Impact Assessment, by Hoare Lea June 2022; Care Needs Assessment, by Nigel Appleton (Contact Consulting Ltd June 2022 and Contact Consulting Housing Need Response; Biodiversity Net Gain Assessment, by WSP June 2022.

It is important that you read and understand all the following:

a Limitation of Permission

This decision is for planning purposes only and for no other purpose including Building Regulations. Separate approval may be required for these works.

b Sustainable Drainage Systems

The Council encourages all developers to follow the principles of Sustainable Drainage Systems (SuDS) in designing facilities for the handling of rainwater run-off. Furthermore, if storm drainage discharges to an existing ditch or watercourse and/or if any works are to take place to, or within 8 metres of, any open or piped watercourse, then Land Drainage Consent is required from the Council under its byelaws.

c Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse to grant

permission you may wish to consider making an appeal.

Details of how to appeal can be found at

<https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

d Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council of the District or London Borough in which the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Act 1990

e Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Act 1990.

