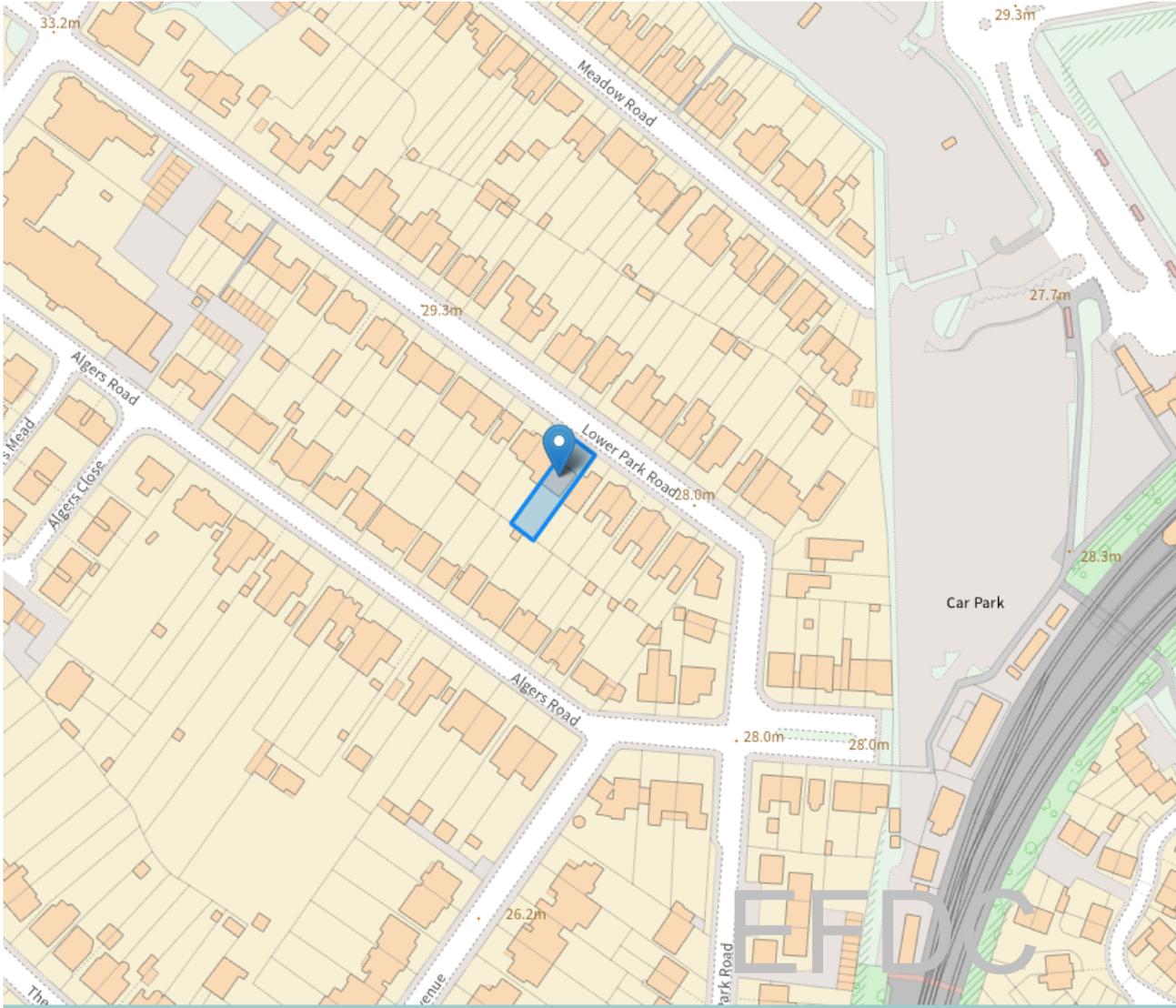




# Epping Forest District Council

# EFDC



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|                     |   |
|---------------------|---|
| Application Number: | EPF/2933/22                             |
| Site Name:          | 35, Lower Park Road, Loughton, IG10 4NB |
|                     |   |

# OFFICER REPORT

**Application Ref:** EPF/2933/22  
**Application Type:** Householder planning permission  
**Applicant:** Anuradha Rupel  
**Case Officer:** Caroline Brown  
**Site Address:** 35, Lower Park Road, Loughton, IG10 4NB  
**Proposal:** Conversion of garage into living accommodation, Ground & first floor front, rear & side extensions, loft conversion with a rear dormer & front porch extension.  
**Ward:** Loughton Forest  
**Parish:** Loughton  
**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001V08e>  
**Recommendation:** Approve with Conditions

*The application is also before this committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident on planning grounds material to the application. (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

## **Site and Surroundings**

No. 35 is a 2-storey gable roof semi-detached dwellinghouse with a brick and pebbledash finish, located to the south of Lower Park Road in a residential built-up area in Loughton. The property has been extended with a 2- storey (half depth) side extension with integral garage and front hardstanding for a car space and has a single storey rear extension.

The properties in Lower Park Road vary in design and scale. No.37 Lower Park Road is sited immediately to the east of no. 35 comprising of a detached, shallow gable roof dwelling sited forward of no. 35 with a front flat roof garage and porch.

The property lies outside of a conservation area and is not listed.

## **Proposed Development**

The proposal seeks planning consent for the conversion of the existing garage into a habitable room, a single storey 1m deep front extension, an infill 2-storey side addition with a roof extension, single and first floor rear extension, rear dormer to provide second floor habitable room accommodation.

Materials are to match the existing property.

Relevant History

EPF/1424/84- Single storey rear extension- Approved 0052/21- 18/01/85

CHI/0676/73 - 2 storey Extension - Approved -12/12/73.

## **DEVELOPMENT PLAN**

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

## **Epping Forest District Local Plan (2011-2033) (March 2023)**

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption.

The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following table lists the relevant policies to the determination of this application.

DM9 - High Quality Design  
DM10 - Housing Design and Quality.

### **Local Plan (1998) and Alterations (2006)**

CP1- Achieving sustainable development objectives.  
CP2 - Protecting the quality of the rural and built environment.  
DBE2 - Impact on Neighbouring Properties  
DBE3 - Design in Urban Areas  
DBE9 - Loss of Amenity  
DBE10 - Residential Extensions

### **NPPF, 2021**

The NPPF is a material consideration in determining planning applications. 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 paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph 126-7 - Achieving well designed Places.

## **CONSULTATIONS CARRIED OUT & SUMMARY OF REPRESENTATIONS RECEIVED:**

Loughton Town Council: - Objection  
- Incongruous of keeping with the existing extension

- Overdevelopment of the site

9 adjoining neighbours were notified, and 2 objections have been received that raise the following concerns:

33 Lower Park Road:

- the ground floor rear extension: due to its position and size will result in loss of daylight into our rear living space.

37 Lower Park Road:

- may be a concern over the proposed application overshadowing and affecting the daylight received by the two adjacent properties.

### **Main Issues & Considerations:**

The main issues relate to Character and Appearance and Residential Amenity.

#### Impact on the character and appearance of the property and the surrounding area

Epping Forest adopted Local Plan Policies seeks to ensure a high quality of design and that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These objectives are broadly consistent with the core principles of the NPPF that planning should seek to secure high quality design.

There is no objection to the conversion of the existing garage into a habitable space. the 1m deep ground floor front extension is an existing feature in Lower Park Road with the immediate neighbouring property no. 37 that has a deeper front ground floor extension.

The property has an existing approved 2-storey side extension that is half the depth of the main house. The proposed infilling to the rear of the existing 2-storey side extension and roof extension is considered of a satisfactory design and siting.

The property has an existing 2.1m deep rear extension and the additional flat roof rear extension would increase the depth to a maximum of 5.1m. No. 33 has a rear extension and the property at no. 37 extends deeper beyond no. 35 and therefore the scale and siting of the extension is considered satisfactory.

The proposed first floor rear extension with a shallow pitched roof and rear dormer is somewhat jarring, however is not of a dissatisfactory design. The overall scale is in keeping with the character and appearance of the property and surrounding area. Furthermore, a large rear dormer and roof extension could be erected without the need for planning consent. Such a permitted development fallback option should be given some weight when considering the proposal.

Overall, the design and scale of the development is acceptable and responds to the character and appearance of the existing property and surrounding area and complies with policy DM10 of the Local Plan (2011-2033) and policy DBE10 of the Local Plan & Alterations (1998-2006).

#### Impact on Neighbours' Amenities

In terms of amenity, the proposed ground floor rear extension extends a depth of 3m beyond no. 33, who have a single storey rear extension. The west flank of the proposed first floor rear extension is to be set in over 3m from the shared boundary with no. 33.

No. 37 comprises of a 2-storey detached dwellinghouse that is of a different design to no. 35 and extends further forward and to the rear and therefore would not suffer any demonstrable harm from the

proposal, subject to the proposed first floor east flank elevation window being conditioned to be obscure glazed to prevent overlooking and a loss of privacy.

It is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DM9 of the adopted Local Plan (2011-2033) and policy DBE9 of the Local Plan & Alterations (1998-2006).

The comments made by the Town Council and neighbouring properties are noted. The design, scale and siting of the proposed extensions are considered proportionate additions that would not result in any harm to the amenity of adjoining properties.

## **Conclusion**

The development is of an appropriate design and scale that is in keeping with the character and appearance of the dwellinghouse and maintains an acceptable level of amenity to adjoining properties and is supported by the policies of the adopted Local Plan (2011-2033) and the Local Plan & Alterations (1998-2006) and the NPPF, 2021. In the light of the above considerations, it is recommended that planning permission is approved subject to 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: Caroline Brown***

***Direct Line Telephone Number: 01992 564182 or if no direct contact can be made, please***

***email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

## **Conditions: (7)**

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 4092-01A; 4092-02

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DME10 of the Local Plan (2011-2033), 2023 and Policy DBE9 of the Local Plan and Alterations, (1998-2006) and the NPPF.

- 4 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies DM9 and DM21 of the Local Plan 2011-2033, 2023 and policy RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and the NPPF.

- 5 Prior to first occupation of the building/extension hereby permitted the window(s) in the East flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that window that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DM9 of the Local Plan (2011-2033), 2023 policy DBE9 of the Local Plan and Alterations (1998 & 2006), and the NPPF.

- 6 Access to the flat roof over the extension 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.

Reason: To safeguard the privacy of adjacent properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 7 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy T1 of the Local Plan 2011-2033, 2023 and policy ST4 of the Local Plan and Alterations 1998 & 2006, and the NPPF.

**Informatives: (1)**

- 8 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.