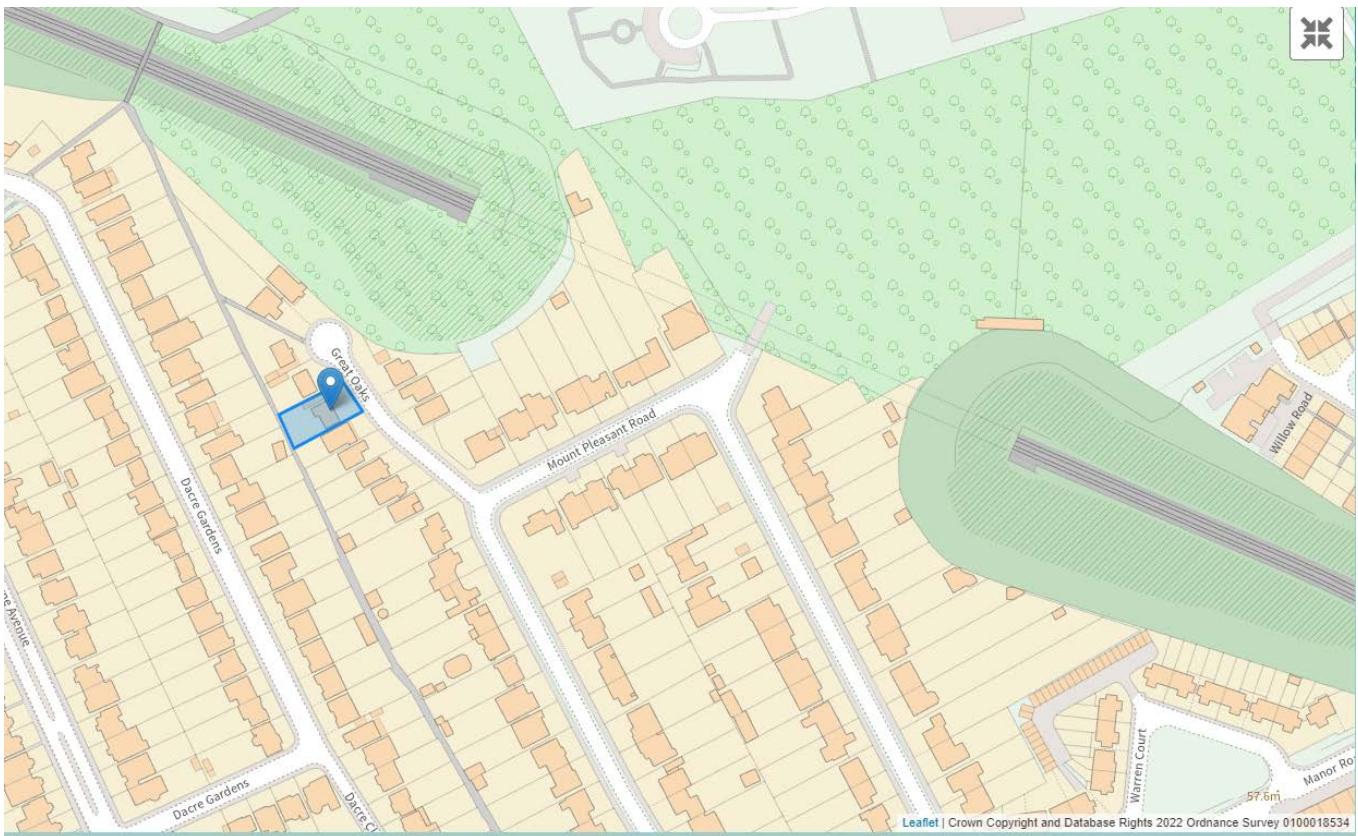


OFFICER REPORT

Application Ref: EPF/1415/23
Application Type: Householder planning permission
Applicant: Mr Berg Bedrossin
Case Officer: Muhammad Rahman
Site Address: 6, Great Oaks, Chigwell, IG7 5ES
Proposal: Demolition of existing garage and the construction of a two-storey rear/side wraparound extension (Revised app to EPF/2316/22).
Ward: Grange Hill
Parish: Chigwell
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wegq>
Recommendation: Approve with Conditions



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This application was deferred from the 6th December 2023 meeting to a future meeting upon the request of the applicant.

Since the deferral a number of further updates were made, namely, the revised Parish Comments below and the update to the National Planning Policy Framework 2023 replacing Paragraph numbers 126 & 131 with Paragraph numbers 131 & 135.

The Council OBJECTS considering there remains insufficient evidence to show all the reasons for the previous refusal have been adequately addressed. There remains concern regarding the material overbearing, loss of light and visual impact to No. 7, which sits on a lower ground level than the host house.

This application is 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

The site comprises of a detached house located within a built-up area of Chigwell. It is not listed nor in a conservation area or a flood zone. No protected trees lie within the site.

Proposal

The proposal is for the demolition of the existing garage and the construction of a two-storey rear/side wraparound extension.

Plans were amended since the initial submission alteration the design of the extension. All parties were reconsulted on the plans.

This is also a revised application to EPF/2316/22 which was refused on design and amenity grounds. The main changes are; the set in from the common boundary with No.7 by 1m and the pitched roof to the rear extension as opposed to a flat roof.

Relevant Planning History

EPF/2316/22 - Proposal to build a two-storey rear extension a first-floor side extension as well as incorporating a side garage into the main house - Refused

PRE/0044/23 - Post application to EPF/2316/22 - Proposed two storey side and rear extension - Advice Given

Development Plan Context

Epping Forest Local Plan 2011-2033 (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 policies within the current Development Plan are considered to be of relevance to this application:

DM9 High Quality Design

National Planning Policy Framework 2023 (Framework)

Paragraphs 126 & 130

Summary of Representations

Number of neighbours Consulted: 7. 1 response(s) received.
Site notice posted: No, not required.

7 GREAT OAKS – I do not fully object to this extension; I am just a little concerned about the size and the effect on our light and being overlooked by a two-story build to the rear of the property.

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application on the grounds of mass, bulk, and poor design and that it is considered detrimental to the local area, contrary to Policy DM9 of the adopted Local Plan.

Chigwell Parish Council comment: The Council expects householder applications to demonstrate they adequately comply with Policy DM9 iii (sustainable design and construction), DM19 (sustainable water) and/or DM20 (the incorporation of low carbon and renewable energy measures) and make sufficient contribution to meeting the EFDC objective of net zero by 2030 or 2050. The householder sustainability checklist was not available; the Council OBJECTS to this application on the grounds of insufficient available information. If, however a householder sustainability checklist is submitted to show 10 (ten) or more of the possible 19 (nineteen) sustainable design principles and building elements are being adopted and fulfilling these is made a condition of planning being granted, then the council is willing to waive this objection.

Planning Considerations

The main issues are whether the previous reasons for refusal for EPF/2316/22 have been overcome. The reasons for refusal are;

1. The proposed extensions are considered to be of a bulky appearance and of a poor design, that fails to complement the appearance of the existing building and street scene. Consequently, it would have a harmful effect to the character and appearance of the area, contrary to policies CP2, CP7 & DBE10 of the adopted Local Plan 1998 & 2006, Policy DM9 of the Local Plan Submission Version 2017, and Paragraphs 126 & 130 of the NPPF 2021.
2. The additional bulk to the rear in close proximity to the common boundary with No. 7, would result in a material overbearing and visual impact when viewed from their rear garden area. Also, given the orientation of the host house facing northeast, there would likely be a loss of afternoon light and increased overshadowing to their detriment. Therefore, the proposal is contrary to policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006, Policy DM9 (h) of the Local Plan Submission Version 2017, and Paragraph 130 (f) of the NPPF 2021.

1st Reason for Refusal - Character and Appearance

There is no uniform building form or architectural design in this street. The proposed works now appear as a subservient design that complement the appearance of the existing building and by extension the street scene. There is still ample space to the front and rear along with the 1m set in from the common boundary with No.7, it would not amount to harmful overdevelopment of the site. The proposal does not extend further than the rear building line of both neighbouring dwellings.

On balance, the proposed works would not have a harmful effect to the established character and appearance of the area.

2nd Reason for Refusal - Living Conditions

The host building is orientated towards the northeast and given the visual gap of 1m from the common boundary with No.7, the absence of any flank windows, together with the rear elevation not extending further than the rear building line of both neighbouring buildings, there will be no material loss of light, overshadowing, overbearing and visual impact that warrants a reason for refusal.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with Policy DM9 (H) of the LPSV and Paragraph 130 (f) of the Framework.

Other Considerations

Officers note the concerns raised by the Parish with regards to sustainability. However, the minimum standards for sustainability as set out within the available guidance is to meet the building regulations, which sits outside the planning regime. As such, there are insufficient grounds to refuse in this regard.

Conclusion

Officers are of the opinion that the previous reasons for refusal have been overcome.

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

If you wish to discuss the contents of this report item please email the case officer by 2pm on the day of the meeting at the latest, or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Conditions: (6)

- 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 in accordance with the following approved plans: Location Plan, A2.0, A2.3, A2.4, A3.01, A3.1, P.2, P.5-A, and P.6-A.

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 building.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 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 Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 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, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes A & B of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (1)

- 7 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.