

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 20th November, 2019**

You are invited to attend the next meeting of **Area Planning Sub-Committee South**, which will be held at:

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 20th November, 2019**
at **7.30 pm** .

Georgina Blakemore
Chief Executive

**Democratic Services
Officer**

Democratic Services Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors G Mohindra (Chairman), A Patel (Vice-Chairman), R Baldwin, A Beales, R Brookes, S Heap, R Jennings, J Jennings, H Kauffman, J Knapman, A Lion, L Mead, S Murray, S Neville, M Owen, C P Pond, C C Pond, S Rackham, C Roberts, D Roberts, B Sandler, J Share-Bernia, D Sunger and D Wixley

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should speak to the webcasting officer or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast;
2. Members are reminded of the need to activate their microphones before speaking; and
3. the Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should speak the webcasting officer.”

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 23 October 2019.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

A Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing

Note is available at:

http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

8. SITE VISITS

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda, prior to consideration of the application.

9. PLANNING APPLICATION - EFP/1602/19 20 WELLFIELDS, LOUGHTON (Pages 15 - 26)

To consider the attached report.

10. PLANNING APPLICATION - EPF/2166/19 ROSE COTTAGE 17 POWELL ROAD, BUCKHURST HILL (Pages 27 - 32)

To consider the attached report.

11. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

This page is intentionally left blank

Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Committee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you are not present by the time your item is considered, the Committee will determine the application in your absence.

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee West or Area Plans Sub-Committee South you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained from Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

The Committee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services or through our leaflet 'Your Choice, Your Voice'.

Area Planning Subcommittee South 2019-20
Members of the Committee and Wards Represented:



Chairman
Cllr Mohindra
Grange Hill

Vice-Chairman
Cllr Patel
Buckhurst Hill West

Cllr Baldwin
Loughton Forest

Cllr Beales
Loughton Forest

Cllr Brookes
Loughton Roding

Cllr Heap
Buckhurst Hill East



Cllr B Jennings
Loughton St John's

Cllr J Jennings
Loughton St Mary's

Cllr Kauffman
Loughton St Mary's

Cllr Knapman
Chigwell Village

Cllr Lion
Grange Hill

Cllr Mead
Loughton Fairmead



Cllr Murray
Loughton Roding

Cllr Neville
Buckhurst Hill East

Cllr Owen
Loughton Broadway

Cllr C C Pond
Loughton Broadway

Cllr C P Pond
Loughton St John's

Cllr Rackham
Grange Hill



Cllr C Roberts
Loughton Alderton

Cllr D Roberts
Loughton Alderton

Cllr Sandler
Chigwell Row

Cllr Share-Bernia
Buckhurst Hill West

Cllr Sunger
Chigwell Village

Cllr Wixley
Loughton Fairmead

This page is intentionally left blank

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 23 October 2019
South

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.29 pm
High Street, Epping

Members Present: A Patel (Vice-Chairman), R Baldwin, A Beales, R Brookes, R Jennings, J Jennings, H Kauffman, A Lion, L Mead, S Murray, S Neville, C P Pond, C C Pond, B Sandler, J Share-Bernia, D Sunger and D Wixley

Other Councillors:

Apologies: G Mohindra, S Heap and M Owen

Officers Present: A Marx (Service Manager (Development Management)), A Hendry (Senior Democratic Services Officer), M Johnson (Development Management Manager) and R Perrin (Democratic Services Officer)

45. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

46. MINUTES

RESOLVED:

That the minutes of the meeting held on 25 September 2019 be taken as read and signed by the Chairman as a correct record.

47. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors C C Pond, S Neville, S Murray and D Wixley declared a non-pecuniary interest by virtue of knowing one of the objectors. The Councillors had determined that they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1602/19 – 20 Wellfields, Loughton, IG10 1NX

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Sunger declared a non-pecuniary interest by virtue of the applicant being his tenant but not owning the property. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1602/19 – 20 Wellfields, Loughton, IG10 1NX

(c) Pursuant to the Council's Code of Member Conduct, Councillor A Patel declared a non-pecuniary interest by virtue of being the Commercial and Regulatory Portfolio Holder. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1782/19 – 3 Landmark House, The Broadway, Loughton, IG10 2FA

48. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

49. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

It was noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

50. SITE VISITS

There were no formal site visits requested by the Sub-Committee.

51. PLANNING APPLICATION - EFP/1602/19 -20 WELLFIELDS, LOUGHTON, ESSEX, IG10 1NX

APPLICATION No:	EPF/1602/19
SITE ADDRESS:	20 Wellfields Loughton Essex IG10 1NX
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	New glazed lantern on the existing rear single storey roof, change of use of existing garage, x 3 no. new dormers to the front elevation and miscellaneous windows.
DECISION:	Deferred

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=625619

Deferred

52. PLANNING APPLICATION - EPF/1782/19 - 3 LANDMARK HOUSE, THE BROADWAY, LOUGHTON, ESSEX, IG10 2FA

APPLICATION No:	EPF/1782/19
SITE ADDRESS:	3 Landmark House The Broadway Loughton Essex IG10 2FA
PARISH:	Loughton
WARD:	Loughton Broadway
DESCRIPTION OF PROPOSAL:	Erection of a Bin Store within service yard of Landmark House to facilitate waste removal from the commercial premises.
DECISION:	REFUSED

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=626499

REASON FOR REFUSAL

- 1 The proposal, by reason of its siting, proximity and materials, would result in a loss of residential amenity through noise and disturbance, and visual amenity given its free-standing position for the residents of Landmark house and the street scene in general. The proposal is therefore contrary to Policies DBE1 and DBE2 of the Adopted Local Plan 1998 and 2006, and Policy DM9 of the Local Plan Submission Version 2017.
- 2 The proposal, by reason of its siting would result in the loss of operational parking for the service yard to the detriment of parking management of commercial vehicles, loading and unloading to service the commercial premises and would consequently create noise and disturbance issues through restricted manoeuvring of vehicles detrimental to residential amenity. The proposal is therefore contrary to Policies DBE1, DBE2 and ST6 of the Adopted Local Plan 1998 and 2006, and Policy DM9 of the Local Plan Submission Version 2017.

53. PLANNING APPLICATION - EPF/1962/19 - PATSALLS, COACH HOUSE, PUDDING LANE, CHIGWELL, ESSEX, IG7 6BY

APPLICATION No:	EPF/1962/19
SITE ADDRESS:	Patsalls Coach House Pudding Lane Chigwell Essex IG7 6BY

PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	The proposed demolition of the existing Coach House building (used as a C3 dwellinghouse as per decision reference EPF/3357/18) and single storey stable building, and construction of a 5 bedroom replacement dwelling.
DECISION:	REFUSED

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=627215

REASON FOR REFUSAL

- 1 The proposal fails to demonstrate the public benefits of the demolition of this historic asset and its replacement with a contemporary dwellinghouse. Moreover, the proposed development would be situated on higher land and would as a result undermine the setting of the adjacent Grade II Listed Building known as Patsalls. The proposed development therefore fails to accord with policy HC12 of the adopted Local Plan 1998, policy DM7 of the SVLP 2017 and the NPPF 2019.
- 2 The access point for the proposed replacement dwellinghouse is little used at present. There is a veteran tree directly adjacent to this existing access point which has been recently granted tree preservation order status due to its civic and public amenity value. The proposed development is likely to result in a greater intensification of use of this existing access and could result in the deterioration of this tree. As such, the proposal is contrary to policy LL10 of the adopted Local Plan 1998, policy DM5 of the SVLP 2017 and the NPPF 2019.

54. PLANNING APPLICATION - EPF/1968/19 - PATSALLS, COACH HOUSE, PUDDING LANE, CHIGWELL, ESSEX, IG7 6BY

APPLICATION No:	EPF/1968/19
SITE ADDRESS:	Patsalls Coach House Pudding Lane Chigwell Essex IG7 6BY
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Curtilage Grade II listed building application for the proposed demolition of the existing Coach House building (used as a C3 dwellinghouse as per decision

	reference EPF/3357/18) and single storey stable building, and construction of a 5-bedroom replacement dwelling.
DECISION:	REFUSED

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=627221

REASON FOR REFUSAL

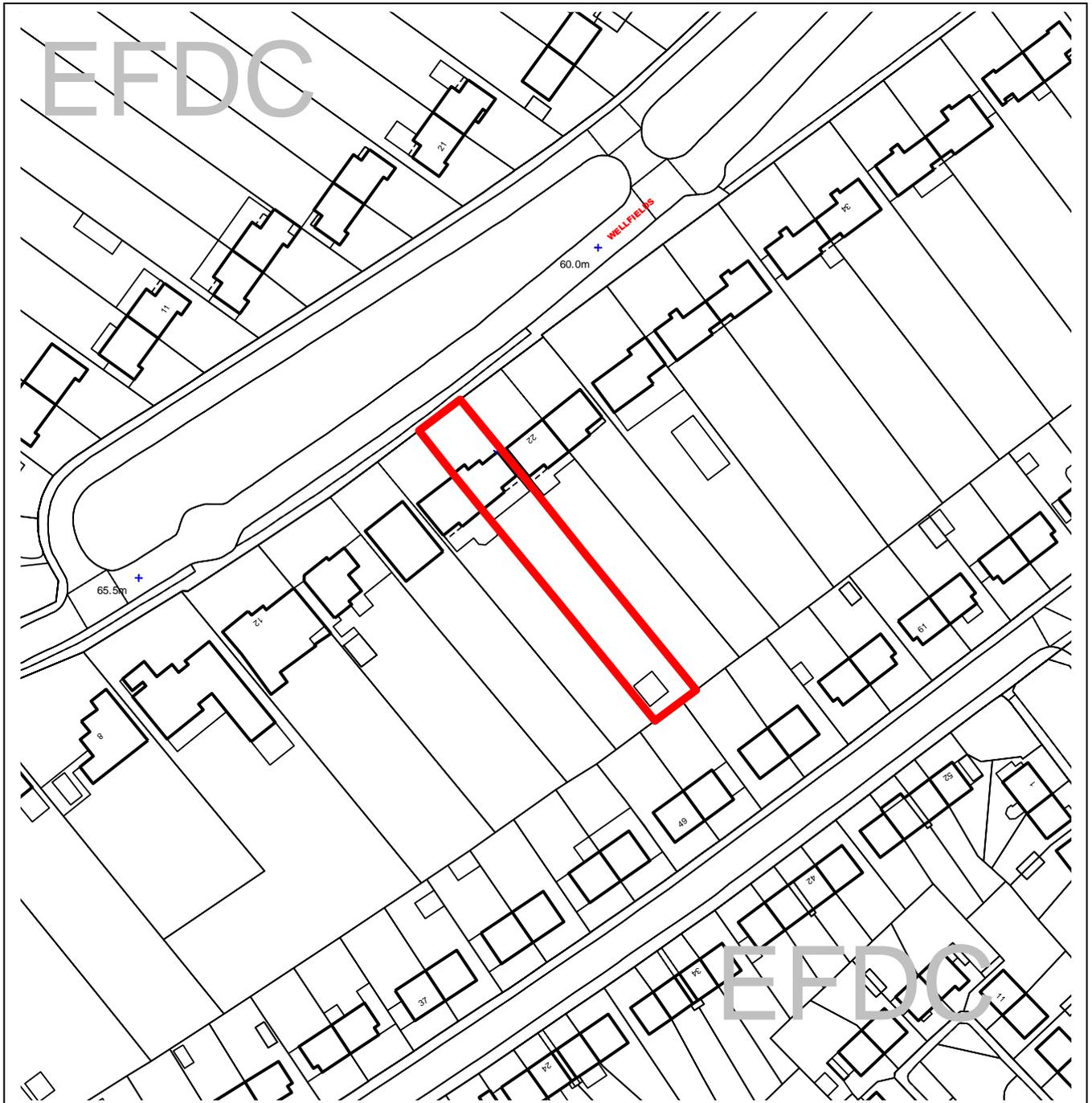
- 1 The proposal fails to demonstrate the public benefits of the demolition of this historic asset and its replacement with a contemporary dwellinghouse. Moreover, the proposed development would be situated on higher land and would as a result undermine the setting of the adjacent Grade II Listed Building known as Patsalls. The proposed development therefore fails to accord with policy HC12 of the adopted Local Plan 1998, policy DM7 of the SVLP 2017 and the NPPF 2019.

CHAIRMAN

This page is intentionally left blank



Epping Forest District Council



Unauthorised reproduction infringes
Crown Copyright and may lead to
prosecution or civil proceedings.

Contains Ordnance Survey Data. ©
Crown Copyright 2013 EFDC License No:
100018534

Contains Royal Mail Data. © Royal Mail
Copyright & Database Right 2013

Application Number:	EPF/1602/19
Site Name:	20 Wellfields Loughton Essex IG10 1NX
Scale of Plot:	1:1250

APPLICATION No:	EPF/1602/19
SITE ADDRESS:	20 Wellfields Loughton Essex IG10 1NX
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mrs Shahnilah Razaq
DESCRIPTION OF PROPOSAL:	Glazed lantern on the existing rear single storey roof, use of the existing garage as study, 3 no. new dormers to the front elevation and a widening of the existing rear roof extension
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=625619

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings numbers:
 - SR410D
 - SR420D
 - SR421D
 - SR430D
 - SR431D
 - SR435D
 - SR440D
 - Site Location Plan
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan), shall be formed in the flank walls of the proposed rear dormer plan numbers: SR430D and SR40D hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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).

Description of Site:

The application site comprises a two storey semi detached dwelling on the south-eastern side of Wellfields in the built-up area of Loughton. The land has a slight downward slope from south west to north east, hardstanding to the front accommodating 4 parking spaces, and a substantial rear garden with closed boarded fencing and a wooden outbuilding towards the rear of the garden. The application site is not within a Conservation Area or the Metropolitan Green Belt and is not a Listed Building.

The application was deferred from consideration at the Area Planning Sub Committee South of the 23rd October 2019 due to inaccuracies in the development description and the failure to notify neighbours of that deficiency during the formal notification stage of the application. The application has been re-presented to the Sub Committee following a revised description to include the widening of the existing rear roof extension and re-notification of the neighbours previously notified of the application.

Description of Proposal:

This proposal seeks permission for a glazed lantern on the existing rear single storey roof, use of the existing garage as study, 3 no. new dormers to the front elevation and a widening of the existing rear roof extension.

It is noted that the lantern element of the proposal is retrospective.

Relevant Planning History:

EPF/0576/19 - Lantern rooflight to extension approved under EPF/0247/18, conversion of garage to habitable room, three dormer windows to front elevation and changes to fenestration. 3-03-2019 - Refuse Permission (Householder)

Reason for refusal:

The proposed alterations to the front elevation in particular the removal of the centrally located full height window, would be detrimental to the character and appearance of this group of properties to which the subject site belongs and the street scene in general. The proposal is therefore contrary to policy DBE10 of the adopted Local Plan 1998, policy DM9 of the Submission Version of the Local Plan 2017 and the NPPF 2019.

EPF/2664/18 - Proposed alterations to provide 5 bed house with first floor extension, adding 3 new dormers and a change of use from garage to study (revised application to EPF/1717/18). 26-10-2018 - Refuse Permission (Householder)

Reasons for refusal:

- 1) *The proposed first floor rear extension would by reason of its excessive, height, width and depth appear excessively overbearing and cause excessive harm to the outlook of the inhabitants residing at no. 18 Wellfields when viewed from their rear habitable room windows and rear garden area. It would therefore fail to safeguard the living conditions*

of this adjoining neighbour and, accordingly, fail to comply with policy DBE9 of the adopted Local Plan (1998), policy DM 9 of the Submission Version of the Local Plan (2017) and the NPPF (2018).

- 2) *The proposed first floor rear extension by reason of its excessive bulk would appear over-dominant and incongruous when viewed from the rear garden areas of the application site and those of no's 18 and 22 Wellfields. It would fail to complement the existing dwellinghouse and would not comply with policy DBE10 of the adopted Local Plan (1998), policy DM 10 of the Submission Version of the Local Plan (2017) and the NPPF (2018).*
- 3) *The proposed middle front dormer window by reason of its insufficient set back from the eaves of the existing roof, would appear incongruous and dominant within the front roofslope of the application dwelling. It would fail to complement the existing house when viewed from the general street scene. Accordingly, it would fail to comply with policy DBE10 of the adopted Local Plan (1998), policy DM 10 of the Submission Version of the Local Plan (2017) and the NPPF (2018).*

EPF/1717/18 - Part two storey, part single storey rear extension, new dormers to front and garage conversion. 04-07-2018 - Refuse Permission (Householder)

Reasons for refusal:

- 1) *The proposed two-storey rear extension would by reason of its excessive, height, width and depth appear excessively overbearing and cause excessive harm to the outlook of the inhabitants residing at no. 18 Wellfields when viewed from their rear habitable room windows and rear garden area. It would therefore fail to safeguard the living conditions of this adjoining neighbour and, accordingly, fail to comply with policy DBE9 of the adopted Local Plan (1998), policy DM 9 of the Submission Version of the Local Plan (2017) and the NPPF (2018).*
- 2) *The proposed two-storey rear extension by reason of its excessive bulk would appear over-dominant and incongruous when viewed from the rear garden areas of the application site and those of no's 18 and 22 Wellfields. It would fail to complement the existing dwellinghouse and would not comply with policy DBE10 of the adopted Local Plan (1998), policy DM 10 of the Submission Version of the Local Plan (2017) and the NPPF (2018).*
- 3) *The proposed middle front dormer window by reason of its insufficient set back from the eaves of the existing roof, would appear incongruous and insubordinate within the front roofslope of the application dwelling. It would fail to complement the existing house when viewed from the general street scene. Accordingly, it would fail to comply with policy DBE10 of the adopted Local Plan (1998), policy DM 10 of the Submission Version of the Local Plan (2017) and the NPPF (2018).*

EPF/0247/18 -Prior approval application for a proposed 6m deep single storey rear extension, height to eaves 3m and maximum height of 3m - 29-01-2018 - Prior Approval Not Required.

CHI/0005/70 - 09-01-1970 - BR/8703 Extension. 09-01-1970 - Grant Permission

Policies Applied:

Development Plan Context

Local Plan (1998) and Alterations (2006)

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. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of amenity
DBE10	Design of Residential Extensions

National Planning Policy Framework (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 sections of the NPPF are considered to be of relevance to this application:

Section 12.

Epping Forest District Local Plan Submission Version (2017) (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 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:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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

- 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 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her 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
DM9 - High Quality Design	Significant
DM10 – Housing Design and Quality	Significant

Consultations Carried Out and Summary of Representations Received:

Original notifications: 09/07/2019

Number of neighbours consulted: 5

Responses received: 3 objections have been received from the neighbouring properties numbers: 18, 22 and 24 Wellfields.

The objections are summarised below:

18 Wellfields

- This application is the fifth presented by 20 Wellfields since autumn 2017. The application references are:
- EPF/0576/19 - Lantern rooflight to extension approved under EPF/0247/18, conversion of garage to habitable room, three dormer windows to front elevation and changes to fenestration. 3-03-2019 - Refuse Permission (Householder)
- EPF/2664/18 - Proposed alterations to provide 5 bed house with first floor extension, adding 3 new dormers and a change of use from garage to study (revised application to EPF/1717/18). 26-10-2018 - Refuse Permission (Householder)
- EPF/1717/18 - Part two storey, part single storey rear extension, new dormers to front and garage conversion. 04-07-2018- Refuse Permission (Householder)
- EPF/0247/18 -Prior approval application for a proposed 6m deep single storey rear extension, height to eaves 3m and maximum height of 3m - 29-01-2018 - Prior Approval Not Required.
- No objection to the proposed change of use of the garage at the front of No. 20 to a study.
- The objection principally relate to the lantern.
- The lantern has already been constructed without planning permission.

- Object to the construction of the lantern. The lantern is too large, obtrusive and is more visible at night due to illumination.
- The lantern can be seen from numbers 22 and 24.
- Front window to be retained.
- Insufficient setback of the middle dormer window was given as a reason by the planning officers for rejecting application EPF/1717/18.

22 Wellfields

- This is the fourth planning application made for No.20 in the last two years and is similar in scope to the last application (EPF0576/19) which was rejected.
- Objected to the last application on the grounds of the lantern light on top of the ground extension on the basis that the lantern is too large and obtrusive and adds to an already significant and over-bearing ground floor extension.
- Object to the installation of this lantern once again.
- The lantern was built without planning permission.
- No objection to the works proposed to the front of the property or the alterations to the windows on the top floor at the rear of the property.
- Object to the widening of the existing rear roof extension.

24 Wellfields

- The lantern has already been installed.
- This proposal has already been rejected by planning.

Following re-notification on the 1/11/2019, the further comments were received from 18 and 22 Wellfield Road. Members are to note that the notification period ends on the 15th November 2019. Any further comments received between the publication of this agenda and the date of the committee will be verbally presented to members by the presenting officer.

18 Wellfields

- The enlarged rear dormer was omitted from the notification letters on previous consultation.
- The enlargement of the dormer would cause loss of privacy and amenity in particular in the garden and the conservatory.
- Any side or extended windows will further invade the privacy of the garden, bedrooms and dwelling.
- The present plans are too vague and they are not clear as how they will impact no. 18.
- Under planning reference: EPF/0247/18, there is no mention of the lantern over the extension and it is therefore incorrect.
- A lantern was included in three subsequent applications (EPF/1717/18, EPF/2664/18, and EPF/0576/19), for all of which permission was refused.
- The lantern is out of keeping with the rest of the road and is particularly visible at night.
- The air conditioning units are large and industrial in appearance and make humming noise when operating. They have been installed without planning permission.
- No objection to the garage conversion.
- Objected were raised to the previous proposal to replace the picture window at the front of No. 20, as this would have been detrimental to the streetscape. That proposal appears to have been dropped from the present application, but we would retain our objection if the proposal were revived.

- The middle dormer at the front elevation would be larger than the other two, not symmetrically placed between them, and not set back so far from the eaves (plan SR4 31D).

22 Wellfields

- Object to the widening of the existing rear roof extension.

Site notice posted: N/A

LOUGTON TOWN COUNCIL: OBJECT to the proposal as summarised below:

- The committee deplore the nature of the retrospective nature of this application.
- Air conditioning units have been installed without planning permission.
- The proposed front dormers will have an adverse impact on the street scene.
- The lantern has not been shown on plans accurately and it is overbearing to the neighbouring properties numbers: 18 and 22.

Planning Considerations:

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) The impact on the living conditions of neighbouring amenities;

Character and appearance:

Following the previous resolution to refuse by this committee on the 29/05/2019, the applicant has responded to the suggested way forward by retaining the centrally located first floor window feature under this proposal.

Amended plans have been received to show the correct angle of the lantern and its relationship with the rear first floor windows. It was noted at the time of the site visit that the lantern had already been constructed and as such this element of the proposal is retrospective. Amended plans have also been received to show the widening of the rear dormer.

According to the submitted plans, the lantern has a width of 4.0 metres, a depth of 2.0 metres and a height of 0.46 metres. The side glazing on the lantern show that they are slanted at 23-degree angle.

Taking into account the dimensions and siting of the lantern, it is considered that it is not detrimental to the character or appearance of the building as it is located to the rear of the property and it does not have a negative impact on public views from the street scene. It is brought to members attention that planning permission is only required for the lantern as it is fixed to a rear extension which was constructed under the prior approval permitted development regime. The total height of the rear extension is 3.046m, which is below the height of a rear extension which could be constructed under prior approval or standard permitted development, that being 4m.

The existing garage will be converted to a study. The footprint of the proposed conversion will remain the same as existing. The garage door and 1 no. casement window will be replaced

with 1 no. casement window at the front elevation. The proposed garage conversion will not have a detrimental impact on the subject dwelling or those within the surrounding townscape.

3 no. dormers are proposed as part of this proposal. 2 no. small dormers on each side of the roof plane and 1 no. larger dormer in the middle... The smaller dormers will measure 1.6 metres in width, 2.72 metres in depth and 1.9 metres in height. The larger dormer will measure 1.8 metres in width, 3.25 metres in depth and 2.4 metres in height. All dormers will have pitched roofs. It was noted at the site visit that a number of other neighbouring properties in close proximity benefit from front dormers of different sizes and styles. Given the size and design of the proposed dormers as well as other dormer examples within the street, it is considered that they will not be detrimental to the character or appearance of the subject dwelling or the street scene. As mentioned above it is noted that on a previous application reference: EPF/2664/18, the middle dormer was refused for the reason of its insufficient set back from the eaves of the existing roof. This matter has now been resolved and the dormer is now approximately 0.3 metre set back from the eaves of the existing roof.

The existing rear dormer will be widened towards the north-east elevation by approximately 0.6 metres and the fenestration design will be altered from 3 no. casement windows to a row of larger windows which span across most of the width of the rear dormer. The proposed alterations to the rear dormer are considered to be minimal and modest in nature and will not have a negative impact on the character or appearance of the subject dwelling or the surrounding properties.

Taking into account the above factors it is considered that the proposed development complies with Policy DBE10 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM9 of Epping Forest District Local Plan Submission Version 2017.

Living conditions of neighbours:

The neighbouring property no. 18 is located on the south west elevation of the subject dwelling. This neighbouring property has objected to the proposal as outlined above. One of their main objections is to the installation of the lantern and its negative impact on their amenity. However, taking into account a separation gap of approximately 2.8 metres to the boundary line and its modest height with slanted sides, it is quite clear in officer's view that the lantern does not give rise to any detrimental impacts in term of overbearingness, overshadowing, loss of privacy or loss of light to this neighbouring property to justify a reason for refusal of this application. Furthermore, the fact that it can be seen from neighbouring properties or allows diffused light to pass through it, does not constitute harm and is not a planning issue. If a nuisance is perceived through light emission, this can be addressed, in cases such as this, through environmental health legislation as light pollution. From officer's experience, it is highly unlikely that light emitted from a lantern (that light would be domestic illumination to a habitable room) could qualify as statutory light pollution, unlike an external security light with high luminance and shining directly into habitable room windows.

The location of the proposed front dormers does not result in any impacts as it fronts onto public space, and is not dissimilar to others nearby. The proposed garage conversion will not result in any increase in the footprint of the building and as such it will not have any negative impact on this property.

No. 18 has also objected to the widening of the rear dormer. However, as no. 18 has a dormer of the same size and character as that which is proposed, it is considered that the modest dormer alterations will not give rise to any adverse impact to the amenity of no. 18. In addition, a condition will be attached to the decision notice, should members support the recommendation, which prohibits the installation of windows on the both side elevations of the dormer. Notwithstanding, planning legislation requires that any side facing windows above

ground floor level be constructed with fixed and obscured glazing up to 1.7m above floor level of the room in which it is installed.

The neighbouring property no. 22 is located on the north-east elevation of the subject dwelling. As mentioned above this neighbouring property has objected to the installation of the lantern. However, it is considered that due to an even greater separation gap than No. 18 of approximately 4.5 metres to the flank wall, the lantern equally does not give rise to planning impacts as mentioned above with No. 18. Similarly, there are no impacts from the proposed front dormers or the garage conversion.

No. 22 has also objected to the widening of the rear dormer. However, no. 22 has a dormer of the same size and character and in addition there is approximately a 2.0 metre separation between the subject dwelling and no. 22. Therefore, it is considered that the modest increase in the proposed dormer will not give rise to any adverse impact on the amenity of no. 22. In addition, a condition will be attached to the decision notice which prohibits the installation of windows on both side elevations.

Objections on grounds of loss of amenity and privacy from the widened dormer are therefore unfounded as rear roof extensions already exist to all three properties (18, 20 and 22) and co-overlooking already exist between all three.

Taking into account the above factors, it is considered that the proposed development complies with Policy DBE9 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM9 of Epping Forest District Local Plan Submission Version 2017.

Other Matters Raised by 3rd Parties

Objections have been received in regard to the air conditioning unit which has been installed without planning permission. However, the air conditioning unit has not been proposed as part of this application and as such cannot be assessed under this proposal. Notwithstanding, there are no visual amenity impacts to the street scene as the unit is located to the rear of the property. The only matter of consideration in terms of its appearance would be the materials but given that is small scale and located to the rear, its impact on the building is diminimus and would not warrant enforcement action. Furthermore, the noise alluded to by neighbouring properties in the form of a 'hum' is not a statutory nuisance and not inconsistent with domestic paraphernalia of this type. Again, it would not be considered expedient to undertake enforcement action as such action would be considered disproportionate. As stated above, if nuisance is perceived, the neighbours have recourse to the Councils noise pollution team to investigate as to whether a statutory nuisance is occurring.

Objections have also been received in terms of dormers having an adverse impact on the street scene. However as noted above, a number of other neighbouring properties benefit from front dormers with varied sizes and styles and as such the refusal of the dormers cannot be justified.

As stated above, the lantern / roof light has been installed without planning permission, however, carrying out development without planning permission is not unlawful or a criminal offence unless to a Listed Building. This element of the proposal is now being sought to be regularised under this application and has been assessed as acceptable and in compliance with planning policies. A refusal to this element cannot be reasonably justified.

With regards to the widening of the rear dormer, the case was put to Committee for consideration, however it was not until the agenda was published that it was realised that the description on the notification letters the neighbours received was incorrect by not identifying the enlarged rear dormer. It was for this reason that it was withdrawn from consideration pending re notification of neighbours with the correct description.

Other objections which are not relevant to this application cannot be considered under this proposal.

Conclusions:

For the reasons outlined above, it is recommended that planning permission is granted for this proposal subject to conditions attached within the decision notice.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the Monday preceding the meeting at the latest:

***Planning Application Case Officer: Honey Kojouri
Direct Line Telephone Number: 01992 564124***

***or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk***

This page is intentionally left blank

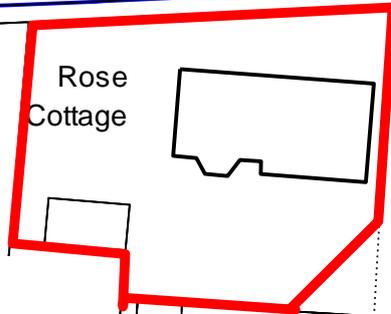


Epping Forest District Council

EFDC

2m

Drain



Rose Cottage

15

1

EFDC

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/2166/19
Site Name:	Rose Cottage 17 Powell Road Buckhurst Hill Essex IG9 5RD
Scale of Plot:	1:500

APPLICATION No:	EPF/2166/19
SITE ADDRESS:	Rose Cottage 17 Powell Road Buckhurst Hill Essex IG9 5RD
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr & Mrs Driscoll
DESCRIPTION OF PROPOSAL:	Conversion of detached garage to habitable space.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYP E=1&DOC_CLASS_CODE=PL&FOLDER1_REF=628076

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings numbers:
 - 2019.019.PA- 01
 - 2019.019.PA- 02
 - 2019.019.PA- 03
 - 2019.019.PA- 04
 - 2019.019.PA- 05
 - 2019.019.PA- 06
 - 2019.019.PA- 07
 - 2019.019.PA- 08
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Rose Cottage, 17 Powell Road, Buckhurst Hill.
- 5 No new window openings shall be formed in the flank elevations or the roof of the building, the subject of this approval, beyond what has been approved under this application.

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).

Description of Site:

The application site comprises of a two-storey detached dwelling with a detached garage on the south west of the side of the subject dwelling. There is approximately a 4.3 metres distance between the main house and the garage. The application site is located at the end (north side) of Powell Road which is a cul-de-sac and is situated in the built-up area of Buckhurst Hill. The amenity area of the site is mainly to the side/west elevation of the dwelling and the rear garden is of limited size and depth. The building comprises of 2 no. large flat roofed dormers to its front and rear elevation. The rear garden is adjacent to Green Belt land however, the site is not with the Metropolitan Green Belt and is not within the curtilage of a Conservation Area or a Listed Building.

Description of Proposal:

This proposal seeks permission for conversion of the detached garage into a habitable space.

Relevant Planning History:

EPF/1572/19 - Proposed two storey side extension. Grant Permission (With Conditions)

EPF/1108/74 - Two-storey side extension and detached garage. Grant Permission (With Conditions)

Policies Applied:

Development Plan Context

Local Plan (1998) and Alterations (2006)

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. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of amenity
DBE10	Design of Residential Extensions

National Planning Policy Framework (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 sections of the NPPF are considered to be of relevance to this application:

Section 12.

Epping Forest District Local Plan Submission Version (2017) (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 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:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- 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 2019 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
DM9 - High Quality Design	Significant

Consultations Carried Out and Summary of Representations Received:

Number of neighbours consulted: 3

Responses received: 1 objection from the no. 1 The Drive has been received. The occupiers of no. 1 object strongly to the proposal and state that the garage is halfway up their garden and is approximately 18 inches away from the shared boundary. This would feel like someone lives in their garden and prevents them from the enjoyment of their garden.

Site notice posted: N/A

BUCKHURST HILL PARISH COUNCIL: OBJECT to the proposal and have concerns that the conversion of the garage may be turned into a separate dwelling and future applications may be submitted to enlarge the building.

Planning Considerations:

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) The impact on the living conditions of neighbouring amenities;

Character and appearance:

The existing garage will be converted into a habitable room. The external envelope of the (height and the footprint) will not be affected; external works involve new windows and doors. The garage door on the east elevation will be replaced with 1 no. casement window and a new window will be created on its west elevation. The north elevation of the garage will comprise of full height windows/doors and 2 no. casement windows. The 3-no. roof lights are proposed to the rear roof slope.

Taking into account the above factors it is considered that the alterations will not have a detrimental impact on the garage itself, the main dwelling and the surrounding townscape. It is therefore considered that the proposal complies with Policy DBE10 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM9 of Epping Forest District Local Plan Submission Version 2017.

Living conditions of neighbours:

As mentioned above the occupiers of no.1 The Drive, have raised objections to this proposal. The neighbouring property no. 1 is located to the south of the proposed development. No fenestrations have been introduced on this elevation, but roof lights have been proposed. There will be approximately 17.6 metres from the south elevation of the garage to the rear elevation of no. 1. The centre point of the roof lights are approximately 2.5m above finished floor level and the lowest point approximately 2.2. In this respect there could be no overlooking from the roof light to the rear garden of No.1 the Drive. In addition, the conversion would not give rise to noise which could be described as detrimental to adjoining residential amenity. Noise generated from residential occupation would not normally be considered nuisance generating unless the development comprises multiple occupancies in which case additional matters may need to be taken into consideration (comings and goings etc). In this case, the conversion would create an additional habitable room to the existing dwelling and therefore any residential activity would be well within what would be expected from a single dwelling in a residential setting.

Taking into account the separation distance and the siting of the garage, it is considered that the garage conversion will not give rise to any adverse impacts in terms of loss of privacy or noise to justify a reason for refusal of this application. There would be no impact on the character of the area as the building exists and a separate dwelling is not proposed. The proposal therefore

complies with Policy DBE9 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM9 of Epping Forest District Local Plan Submission Version 2017.

Other Matters Raised by 3rd Parties:

As mentioned above the Parish Council have objected to this proposal. Their comments are acknowledged and as such a condition will be attached to the decision notice which prohibits the use of the garage as a separate dwelling.

Conclusions:

For the reasons outlined above, it is recommended that planning permission is granted for this proposal subject to conditions attached within the decision notice.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the Monday preceding the meeting at the latest:

Planning Application Case Officer: Honey Kojouri

Direct Line Telephone Number: 01992 564124 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk