

# Committee Agenda



## Epping Forest District Council

### **AREA PLANNING SUB-COMMITTEE SOUTH** **Wednesday, 26th August, 2020**

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

**Virtual Meeting on Zoom**  
on **Wednesday, 26th August, 2020**  
at **7.00 pm** .

**Georgina Blakemore**  
**Chief Executive**

**Democratic Services**  
**Officer**

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

#### **Members:**

Councillors J Share-Bernia (Chairman), S Rackham (Vice-Chairman), G Chambers, R Baldwin, A Beales, R Brookes, S Heap, R Jennings, J Jennings, H Kauffman, A Lion, L Mead, G Mohindra, S Murray, S Neville, M Owen, A Patel, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler, 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 virtual meeting is to be webcast. Members are reminded of the need to unmute before speaking.

2. 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).

Please could I also remind Members of the Public who have registered to speak that they will be admitted to the meeting at the appropriate time.

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.”

**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**

To confirm the minutes of the last meeting of the Sub-Committee held on 29 July 2020 (to follow).

**4. APOLOGIES FOR ABSENCE**

To be announced at the meeting.

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

## 8. SITE VISITS

Members are reminded that for the duration of the coronavirus pandemic, as decided at the Group Leaders' Meeting of 24 June 2020, **no member site visits will be conducted.**

Therefore, any planning application deferred for a site visit at an Area Planning Sub-Committee will be automatically referred to the District Development Management Committee for determination.

## 9. PLANNING APPLICATION EFP/3046/19 - 19 GREAT OWL ROAD, CHIGWELL IG7 6AL (Pages 9 - 16)

To consider the attached report for the demolition of an existing house and replacement with a three-storey single dwelling house.

## 10. PLANNING APPLICATION EPF/0249/20 - 3 SPARELEAZE HILL, LOUGHTON IG10 1BS (Pages 17 - 22)

To consider the attached report for a two-storey side extension and a single storey porch.

## 11. PLANNING APPLICATION EPF/0674/20 - 32 QUEENS ROAD, LOUGHTON IG10 1RS (Pages 23 - 30)

To consider the attached report for a proposed annexe (revised application to EPF/2213/19).

## 12. PLANNING APPLICATION EPF/0997/20 - 11 DICKENS RISE, CHIGWELL IG7 6PA (Pages 31 - 36)

To consider the attached report for an outbuilding in the rear garden.

## 13. 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 Paragraph Number	Information
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.

**14. REFER SIGN (Pages 37 - 38)**

If any member wants to **refer** a planning application to the District Development Management Committee (DDMC), please **hold up this refer sign** in front of your screen immediately after the vote has been taken. If at least 4 members agree/hold up their refer signs, the application will be referred to DDMC.

Alternatively, if any member wishes to **refer** a planning application to DDMC, they should propose a **motion to refer** this application immediately after the vote has been taken. The Chairman will then ask for a seconder. After a seconder has been sought, the Chairman will then ask if any other member wishes to support this resolution. If at least 4 members agree then the application will be referred to DDMC, otherwise the motion to refer will fail.

## **Advice to Public and Speakers at virtual meetings of 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 virtually if you are a speaker, or to view on the Council's website. Only in special circumstances are the public excluded.

### **When is the meeting?**

Details of the 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 Services. 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.

Speakers will be contacted just before they will be asked to speak by telephone by an officer of the Council. If you are not present by the time your item is considered, the Committee will determine the application in your absence. Speakers should be following the meeting on the Council's webcaster to enable them to know when their item will be considered.

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 virtually. This will likely be by phone at the appropriate time in the meeting when a Democratic Services Officer will contact you. Therefore, a transcript of your representation must be supplied in advance of the meeting to enable the Democratic Services Officer to read this out on your behalf should there be a technical problem. Please email your written statement to [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

### **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 <https://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.

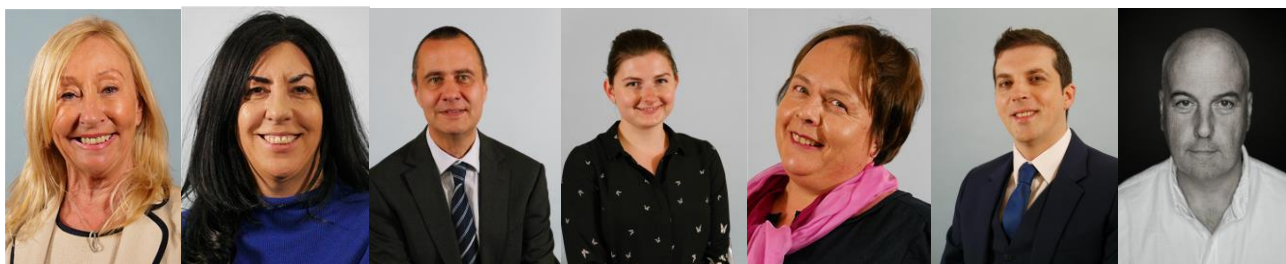
An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (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.

Area Planning Sub-Committee South 2020-21  
 Members of the Committee and Wards Represented:



**Chairman**  
**Cllr Share-Bernia**  
 Buckhurst Hill West

**Vice-Chairman**  
**Cllr Rackham**  
 Grange Hill

**Cllr Baldwin**  
 Loughton Forest

**Cllr Beales**  
 Loughton Forest

**Cllr Brookes**  
 Loughton Roding

**Cllr Chambers**  
 Buckhurst Hill West

**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 Lion**  
 Grange Hill

**Cllr Mead**  
 Loughton Fairmead

**Cllr Mohindra**  
 Grange Hill

**Cllr Murray**  
 Loughton Roding



**Cllr Neville**  
 Buckhurst Hill East

**Cllr Owen**  
 Loughton Broadway

**Cllr Patel**  
 Buckhurst Hill West

**Cllr C C Pond**  
 Loughton Broadway

**Cllr C P Pond**  
 Loughton St John's

**Cllr C Roberts**  
 Loughton Alderton

**Cllr D Roberts**  
 Loughton Alderton



**Cllr Sandler**  
 Chigwell Row

**Cllr Sunger**  
 Chigwell Village

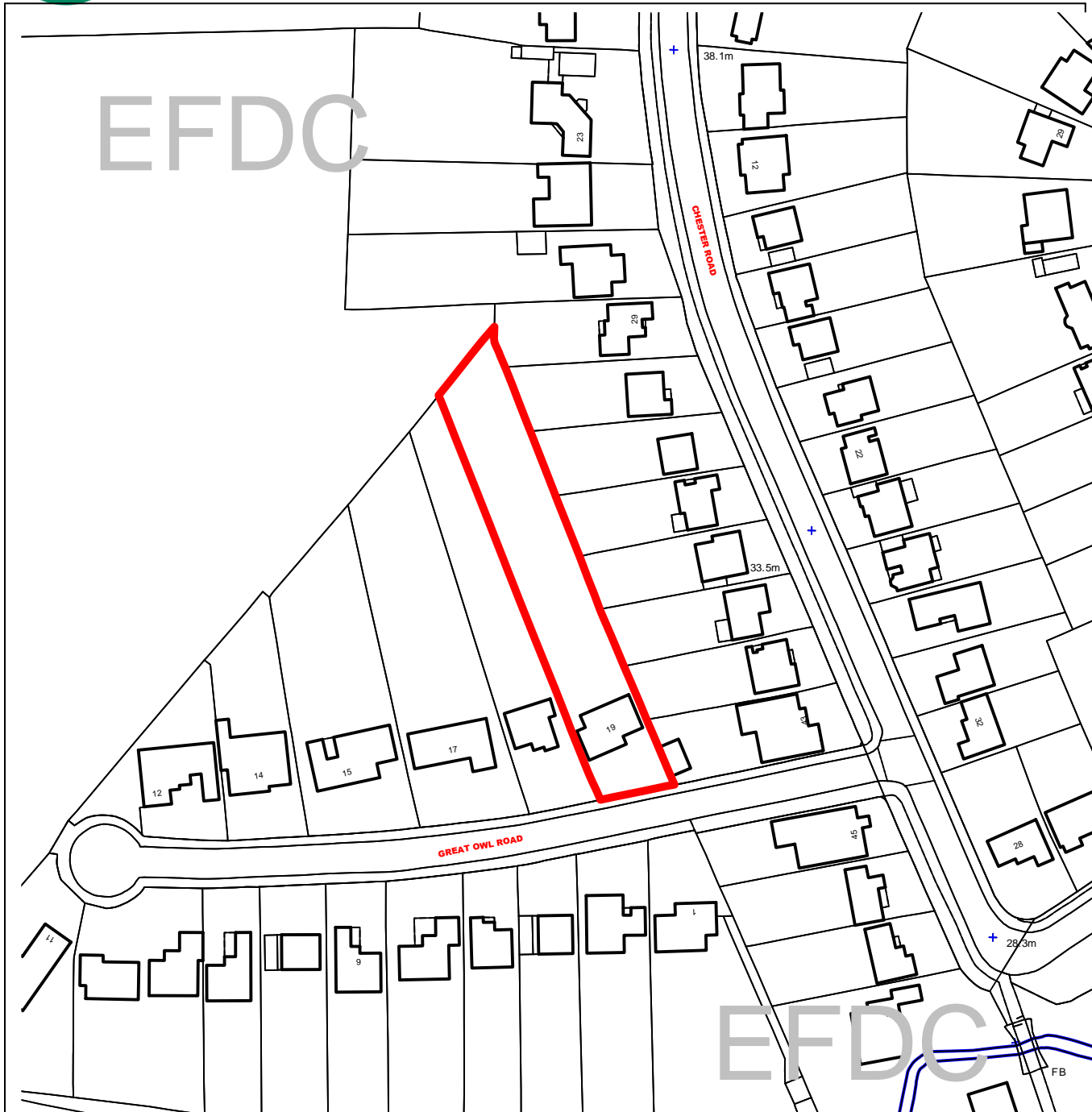
**Cllr Wixley**  
 Loughton Fairmead

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# Epping Forest District Council



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Application Number:	EPF/3046/19
Site Name:	19 Great Owl Road Chigwell IG7 6AL
Scale of Plot:	1:1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/3046/19
<b>SITE ADDRESS:</b>	19 Great Owl Road Chigwell IG7 6AL
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Syed Hassan Raza
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing house & replacement with a three storey single dwelling house.
<b>RECOMMENDED DECISION:</b>	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=631444](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=631444)

**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 and retained strictly in accordance with the approved drawings numbers: 1, 2, 3A, 4, 5, 6, 7, 8A, 9B, 10B, 11, 12B, 13, 15, 15A and 16A
- 3 No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 The window openings in the flank elevations shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 Access to the flat roof over the single storey element 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.
- 6 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.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, D and E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 No ground works shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by 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 is a detached two storey dwelling located on the north side of Great Owl Road within the built-up area of Chigwell. The property has a very long rear garden which backs onto open fields. The property has a central ridge and gable ends. The property sides onto the rear gardens of properties in Chester Road. The site is not within a Conservation Area.

**Description of Proposal:**

The application seeks consent for the demolition of the existing 1960's property and the replacement with a three-storey dwelling (two storeys with rooms in the roof). The plans have been amended since first submission at Officer suggestion, to lower the ridge height, hip the roof and reduce the rear dormer size. The proposal will result in an 8.3m high property, with a main two storey depth of 14.1m with an additional single storey element to the rear adding 3m depth and a 2-storey front central gable projection of 1.5m. To the rear a pitched roof central dormer is proposed.

**Relevant History:**

None relevant

**Policies Applied:**

*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  
DBE1 – Design of new buildings  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
ST06 – Vehicle Parking  
LL10 – Adequacy of provision for landscape retention

*NPPF:*

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 paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph 124  
Paragraph 127  
Paragraph 130  
Paragraph 131

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

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 2<sup>nd</sup> 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:

<b>Policy</b>		<b>Weight</b>
DM2	Epping Forest SAC and the Lee Valley SPA Significant	Significant
DM9	High Quality Design	Significant
DM10	Housing Design and Quality	Significant
DM22	Air Quality	Significant
T1	Sustainable Transport Choices	Significant

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 12

41 CHESTER ROAD – Strong Objection – overbearing impact (more so than that refused at 39 Chester Road, side aspect not in proportion to site, blocking sunlight, visual impact, overbearing enclosure with garden due to works also at 39 Chester Road,

CHIGWELL PARISH COUNCIL: The Council **OBJECTS** to this application, because the proposed structure would be an overdevelopment of the site, which would be detrimental to the visual amenity.

### **Main Issues and Considerations:**

#### **Design**

The design of the proposal results in a contemporary appearance particularly to the front elevation which has a prominent heavily glazed front gable projection. To the rear the proposal is more traditional with a hipped roof. Although an individual design, other properties within Great Owl Road have been rebuilt or significantly altered in recent times (most notably No. 17) and there is a mix of property styles.

The proposal is set in from the side boundaries by a minimum of 1m and due to a proposed ground level reduction of 1.5m the new dwelling does not disrupt the appearance of the streetscene with the proposed ridge height marginally lower than the existing property.

The proposal results in a deep property, however given the unusually deep garden this is considered proportionate to the application site.

The design is considered acceptable given the above.

### **Impact on Amenity**

The proposed dwelling will be located within 1m of the shared boundary with No.18 Great Owl Road but will be set at a lower level. No.18 has been extended at two storeys and this proposed scheme will not extend beyond the rear of No. 18 at two storeys. The single storey rear element will extend 3m beyond the rear, however given this is single storey and set in from the boundary with a maximum height of 3.6m, it is not considered that the proposal will result in any excessive impact on the amenity currently enjoyed by the occupiers of No. 18.

With regards to the properties on Chester Road, 41 and 43 back onto the side of the application site with the rear garden of No. 41 directly facing the side of the proposed dwelling.

The outlook for No. 41 will certainly change with this proposal extending across the full width of the rear garden at 2 storeys in height. However, although deeper, unlike the existing situation (which is a gable end facing Chester Road), the proposal will have a hipped roof which will slope away from Chester Road. The proposal has a height to the eaves of 5.4m with the main ridge set a further 3m away from the shared boundary. In addition, at Officer request, the proposed rear gables have been removed and replaced by a rear hipped roof which removes bulk and is considered a more neighbourly design. In addition, the proposal will not exceed the height of the existing property.

In terms of loss of sunlight, given the location of the proposal to the west of Chester Road, afternoon/evening sunlight will be lost given the orientation. This is considered to be minimised by the reduction in height and removal of the rear gables, which has reduced the overall built form to the rear.

Bathroom windows are proposed in the side elevations and these can be conditioned to be obscured glazed to avoid any overlooking. Although bi-fold doors/windows are proposed at first floor these do not access any balcony areas (and this can be conditioned as such) and are not considered to give rise to any additional overlooking above that of regular windows.

Concerns raised over the proposed height can be controlled by a site levels condition to ensure that the ground level is lowered as proposed.

In addition, to limit any further harm by future extensions or outbuildings (and to control the design), it is considered reasonable to remove permitted development rights for extensions, roof additions, porches and outbuildings.

Although a large proposal it is considered that given the above, on balance the proposal will not result in excessive harm to the amenity of No. 41.

### **SAC and Air Quality**

As this is a replacement dwelling it is not impacted by the SAC legislation.

### **Conclusion:**

Given the above discussion, it is recommended that on balance given the amenity considerations that planning permission is **approved**.

**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: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564414**

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**

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# Epping Forest District Council



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Application Number:	EPF/0249/20
Site Name:	3 Spareleaze Hill Loughton IG10 1BS
Scale of Plot:	1:1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/0249/20
<b>SITE ADDRESS:</b>	3 Sparelease Hill Loughton IG10 1BS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Kelly
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed two storey side extension and a single storey porch.
<b>RECOMMENDED DECISION:</b>	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=633194](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=633194)

**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 and retained strictly in accordance with the approved drawings numbers:  
  
NEO.1097.01, NEO.1097.02 A and NEO.1097.03 A
- 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.

*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 is a detached dwelling on the southern side of Sparelease Hill where the land has a downward slope from east to west. The application site is not located in a Conservation Area or the Metropolitan Green Belt and is not a Listed Building.

**Description of Proposal:**

This proposal seeks permission for a two storey side extension and a single storey porch.

### **Relevant Planning History:**

EPF/0556/07 - Two storey and single storey extensions to sides and rear, and loft conversion with front and rear dormer windows. Grant Permission (With Conditions)

EPF/0147/03 - Two storey side extension, single storey side extension and dormer to front. Grant Permission (With Conditions)

EPF/1201/94 - Two storey side extension, single storey side extension and dormer to front. Grant Permission (With Conditions)

### **Policies Applied:**

*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 (NPPF) (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 (LPSV) (2017)*

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

<b>Policy</b>	<b>Weight afforded</b>
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:**

Number of neighbours consulted: 6

1 objection has been received from the neighbouring property no. 1 Sparelease Hill. Their comments are summarised below:

The development will create terracing effect.

The proposed eaves and gutter will trespass to no. 1 Sparelease Hill. 1m not sufficient to overcome this issue.

The current 1m gap will not allow for the fence posts to be reinstated and will require removal of this critical support to build the proposed boundaries.

Loss of view between buildings to large cedar tree enjoyed by the public from the road.

No prior discussion on behalf of the applicant with the neighbours before submission of plans of both original and amended plans.

Poor siting, mass and bulk resulting in overdevelopment of the plot and reduction in openness.

Loughton Residents Association Plans Group: Object to the proposal on the following reasons:

- Not enough land between the existing house and the boundary which will result in no inset for eaves, guttering and maintenance.
- Too bulky and detrimental to visual amenity

LOUGHTON TOWN COUNCIL: OBJECT to the proposal and state that the development overbearing on the street scene and cramped on site.

### **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 proposed development will result in an addition of a front single storey extension which will create a front porch and enlarge part of the front reception room. This element of the extension will have a minimum depth of 1.3 metres and a maximum depth of 1.6 metres. It will have a width of 6.4 metres and a height of 2.9 metres.

Another element of the proposal is a single storey side extension which is sited on the west elevation of the dwelling. This extension will extend along the entire depth of the dwelling and will have a width of approximately 3.2 metres. The first floor part of the extension will be sited above this ground floor extension and will have the same depth as the ground floor extension, it will however have a width which measures approximately 2.2 metres and will be set in from the shared boundary at a minimum of 1 metre at the rear and a maximum of 1.2 metres at the front elevation. The proposed two storey extension will have a hipped roof and will be approximately 0.8 metres set down from the main roof ridge. The first floor extension will be 0.5 metres set in from the ground floor extension.

Other features of the alterations will include the removal of the front dormer and its replacement with a gable feature. The rear flat roof dormers will be altered and will have pitched roof forms. A significant number of windows will have new glazing and the overall outlook of the windows will have a modern appearance.

This section of the road is characterised by large dwellings set on large plots of land and the properties have various architectural features. As such, taking into account the above points as well as the character of the street scene and the size of the subject plot, it is considered that the proposed development will sit well within this locality and will not have a negative impact on the subject dwelling or the local townscape. The proposal therefore 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. 1 on the west elevation have raised objection to the proposed development for the reasons outlined above. Amended plans were submitted and the first floor

extension is set in by between 1 metre and 1.2 metres from the shared boundary in order to improve the appearance. Nonetheless, no. 1 still object to the proposal on the same grounds. Whilst the points raised are noted, taking into account the amendments to the proposal and the above outlined character features, it is considered that the new development will not be detrimental to the appearance of the host dwelling or those within the wider townscape.

The proposed development will not project forward or rearward of no. 1 and will have no windows within this flank wall. As such the development will not have a negative impact on this property in terms of loss of light, overbearing, or overshadowing impacts. Other matter with regard to gutters and fence posts are not planning matters and need to be dealt with under the civil jurisdictions.

It is therefore 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:**

The comments from the Town Council and the LRA are acknowledged and for the reasons outlined above it is considered that the proposed development will not have a detrimental impact on the subject dwelling or the wider townscape and complies with the above listed policies.

**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.

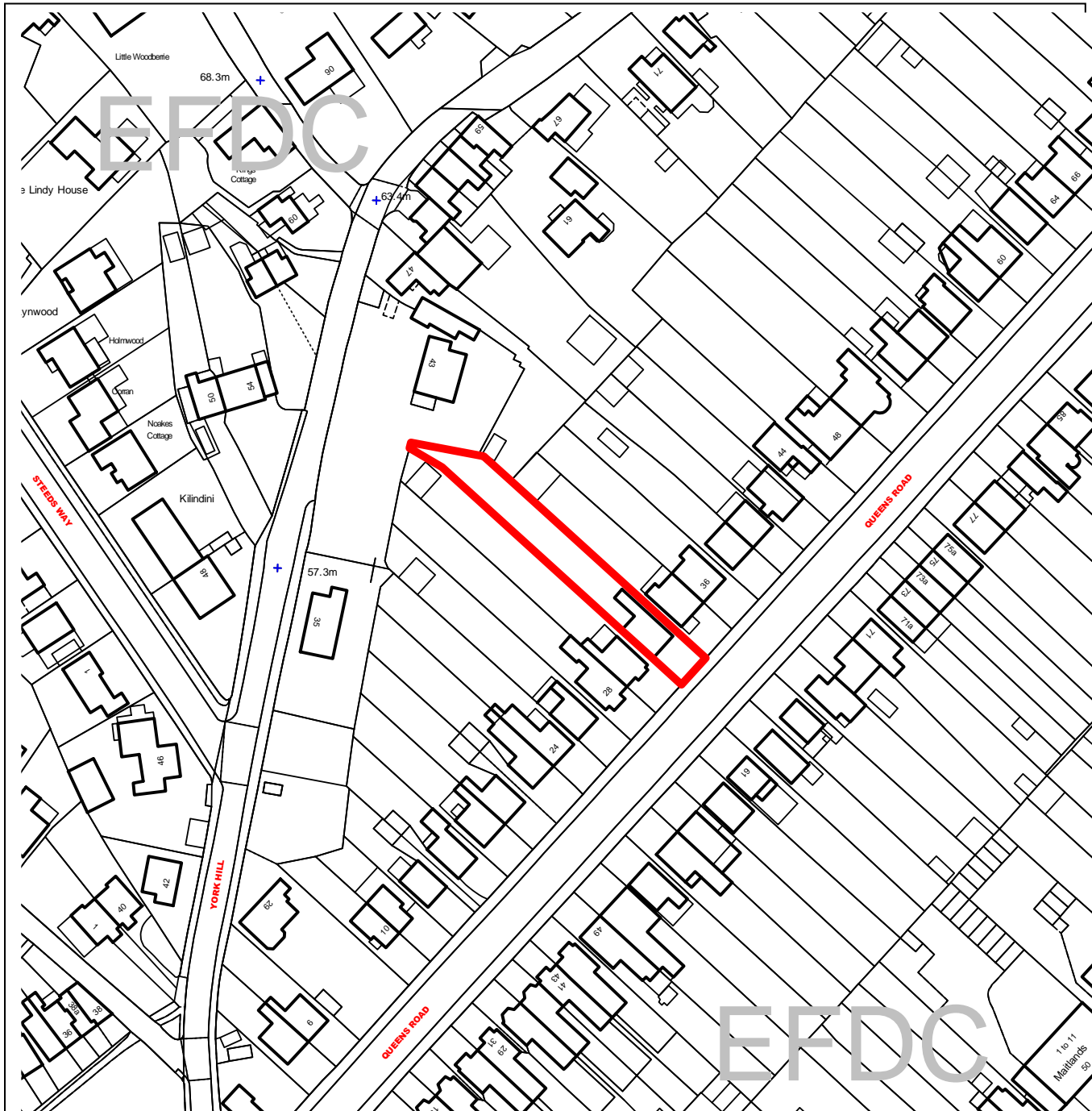
***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

***Planning Application Case Officer: Honey Kojouri  
Direct Line Telephone Number: 01992 56 4124***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council



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Application Number:	EPF/0674/20
Site Name:	32 Queens Road Loughton IG10 1RS
Scale of Plot:	1:1250

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/0674/20
<b>SITE ADDRESS:</b>	32 Queens Road Loughton IG10 1RS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr & Mrs Smith
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed annexe (Revised application to EPF/2213/19).
<b>RECOMMENDED DECISION:</b>	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=635181](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=635181)

**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 and retained strictly in accordance with the approved drawings numbers:  
  
3017/EX00 B, 3017/PR00 B, 3017/ PR01 B, 3017/ PR02 B, 3017/ PR03 B and ROC/QU/01 A.
- 3 Materials to be used for the external finishes of the proposed development shall match those submitted, 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 No.32 Queens Road, Loughton, nor used for business or commercial purposes.
- 5 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be installed as shown on Moore Partners Ltd 'Tree Constraints / Protection Plan' drawing number ROC/QU/01 rev A dated 3rd June 2020.  
Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory



appearance to the development in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2019.

*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 is a two storey detached dwelling to the north western side of Queens Road in the built up area of Loughton. The dwelling lies on land which has a downward slope from west to east. The application site is not located within the Conservation Area and is not a Listed Building. It however adjoins York Hill Conservation Area at the rear of the garden.

**Description of Proposal:**

This proposal seeks permission for an annexe (Revised application to EPF/2213/19).

**Relevant Planning History:**

EPF/2213/19 - Proposed annexe. Refuse Permission (Householder)

Reason for refusal:

*The proposed annexe by the reason of its size in the context of the size of the main house and the entire curtilage will be detrimental to the character and appearance of the subject dwelling and the surrounding townscape contrary to Policy DBE10 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM9 of Epping Forest District Local Plan Submission Version 201.*

**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:

<b>Policy</b>	<b>Weight afforded</b>
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: 4

Responses received: 2 from neighbours and 1 from The Hills Amenity Society.

43 York Hill

- Overdevelopment
- Conflict with character of the conservation area
- Negative impact on the trees (lime TPO)
- Insufficient parking spaces
- Harm to landscape
- Incompatible with the design of existing homes
- Light pollution to existing homes
- Precedent set for homes being built at the end of gardens with shared access and no parking
- Residential let properties liable for separate Council Tax banding at the end of gardens if there is no family member living there.

30 Queens Road:

- The proposed use of the building is inappropriate to the area. The proposed development is a single storey residence and the owners could let the property for commercial purposes to single or multiple occupants. Concerned about the precedence this sets.
- The property will cause extra light (interior and exterior) and noise pollution consistent with the living habits of permanent residents. This will have a bearing on neighbouring narrow gardens, dwellings and wildlife habitats.
- The prospective occupants in and around the proposed building will overlook neighbours' gardens and would look directly into the back of upper floors of some neighbouring properties creating loss of privacy.

The Hills Amenity Society

- The proposal is single, double bedroom bungalow
- It would set precedent for future planning proposals.
- It will back onto York Hill Conservation Area and will be an inappropriate development within a residential garden.

LOUGHTON TOWN CONCIL: OBJECT to the proposal and state whilst the proposal is much smaller than the original scheme, it will be a one bedroom bungalow and not an annexe. It will also

have a negative impact on Epping Forest Special Area of Conservation by the reason of greater number of occupants.

### **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;
- c) The impact on trees and landscape

### **Character and appearance**

The proposed annexe will have a depth of 7.0 metres, a width of 5.0 metres with a maximum height of 2.8 metres. It will have a flat roof with one window at the rear elevation and 2 no. windows and bi-fold doors at the front elevation. The annexe will have no windows on its side elevations. The proposed development will be set in from both side boundaries by approximately 1.2 metres.

As noted above, the previous application was refused due to its size, however the new proposal has been reduced in size significantly and as such it is considered that it will be in keeping with the character of the host dwelling and the surrounding neighbouring properties. It is noted that the neighbouring property no. 34 on the north east elevation also benefits from an outbuilding with similar dimensions.

Taking into account the above factors it is considered that the proposed annexe will not have a detrimental impact on 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.

Whilst the application site is not located within the Conservation Area it adjoins York Hill Conservation Area at the rear of the garden. The Conservation Officer has been consulted on the scheme and has no objection to the development.

### **Living conditions of neighbours:**

The neighbouring property at no. 30 Queens Road is located on the south west elevation of the subject dwelling. The occupiers of this property have raised concerns as outlined above. One of the reasons for their objection is the loss of privacy with regard to overlooking issues. As there is a separation gap of approximately 35 metres to the rear of no. 30, it is not considered that there would be any loss of privacy as a result of this single storey annexe.

The garden of the neighbouring property at no. 43 York Hill is located to the rear garden of the application site. The occupiers of this property have raised concerns as outlined above. One of the reasons for their objection is the loss of privacy with regard to overlooking issues. Due to the position of the annexe and the separation gap of approximately 13 metres in from no. 43, it is considered that the proposed development will not have an undue impact on privacy.

Taking into account the above factors, as well the siting of the proposed annexe, its size, its and design, it is considered that it will not have a material adverse impact on the amenities of neighbouring residents in terms of loss of privacy, overbearing impact, overshadowing, or overlooking. 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.

## **Trees and Landscape**

Concern has been raised regarding potential loss or damage to trees. The Landscape Officer was consulted and further information was received. The appropriate information for tree protection has been submitted and reviewed by our Landscape Officer and no objection has been raised to this affect. In addition to the submitted information, the Landscape Officer has recommend a condition.

## **Other Matters**

The neighbours have raised concerns about multiple occupancy; however it must be noted that a doctor's letter has been received on behalf of the applicant which indicates that the proposed annexe will be constructed due to medical reasons. In addition a condition will be attached to the decision notice which will prohibit the use of the annexe for separate use or commercial purposes.

The Town Council objections regarding the annexe 'being a one bed bungalow and not an annexe' and about it having an impact on the Epping Forest Special Area of Conservation are not material planning objections since the application is for an annexe. There is no indication that the building would be used as anything other than an annexe, and further permission would be required if used as a separate dwelling. Furthermore, as an annexe the impact on Epping Special Area of Conservation is not relevant.

## **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 day of the meeting at the latest:***

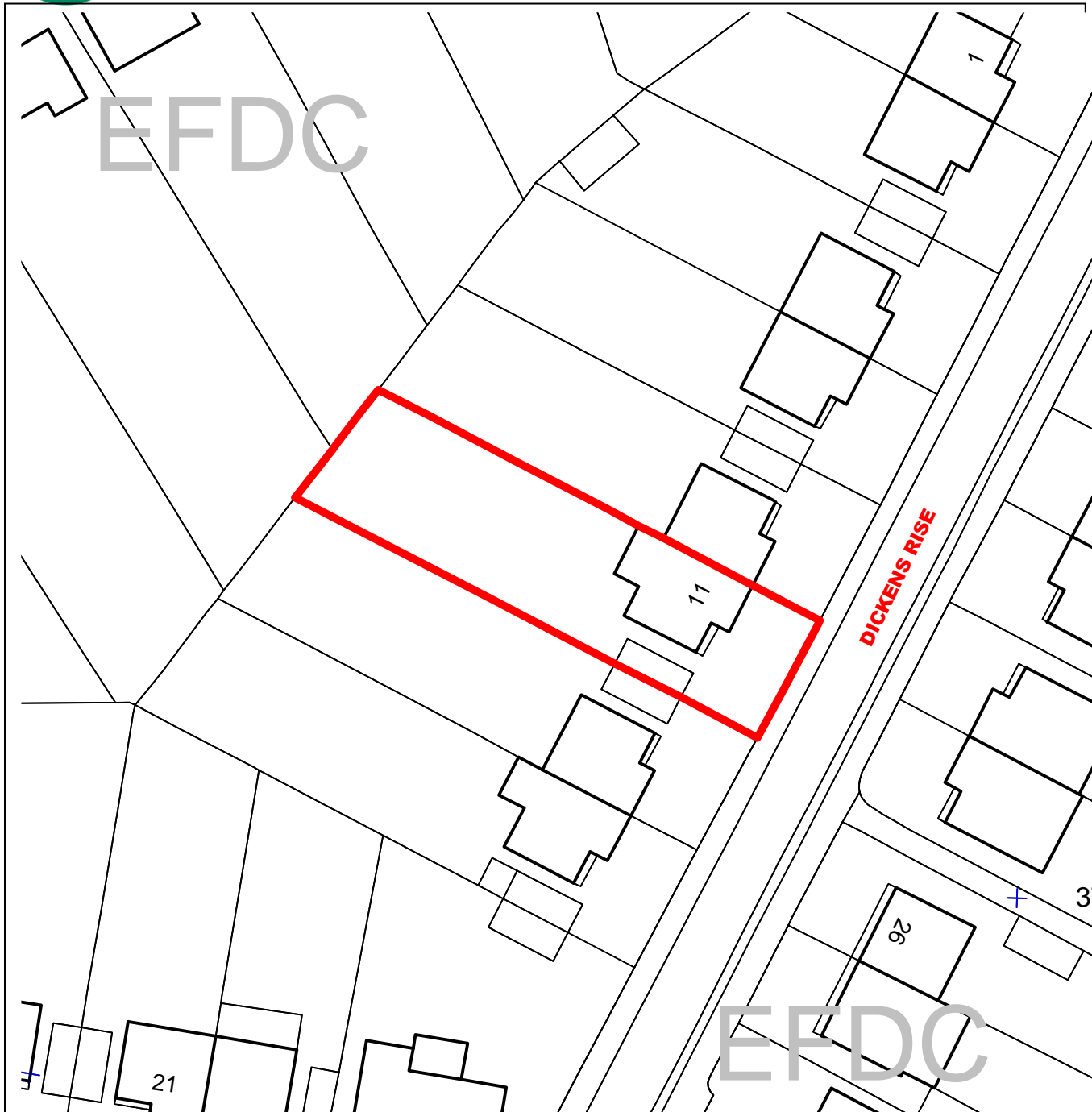
***Planning Application Case Officer: Honey Kojouri  
Direct Line Telephone Number: 01992 56 4124***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council



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Application Number:	EPF/0997/20
Site Name:	11 Dickens Rise Chigwell IG7 6PA
Scale of Plot:	1:500

**Report Item No: 12**

<b>APPLICATION No:</b>	EPF/0997/20
<b>SITE ADDRESS:</b>	11 Dickens Rise Chigwell IG7 6PA
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Asim Hasan Khan
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed outbuilding in the rear garden.
<b>RECOMMENDED DECISION:</b>	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=636817](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=636817)

**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 and retained strictly in accordance with the approved drawings numbers: PL01 Rev B, PL02, PLO3, PL04 Rev B, PL05 Rev C, PL06 Rev C and PL07 Rev C.
- 3 Materials to be used for the external finishes of the proposed development shall match those specified, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The proposed outbuilding 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 11 Dickens Rise, Chigwell, IG7 6PA or used for Business.

*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 Surrounding**

The application site is that of a two-storey semi-detached house. The existing house benefits from a two-storey side extension and a rear extension, a loft conversion and a rear dormer.

**Description of proposal:**

The outbuilding measures 9.7m wide, 5.0m deep and 2.5m at eaves level increasing to 3.4m in height to the pitch of the roof. The outbuilding would be set away from the boundaries of the site



by 0.6m. The outbuilding would provide an office/playroom with a tea counter, shower room and garden storage.

### **Relevant History:**

EPF/1832/19 Proposed double storey side/part rear extension. Granted Permission 29.09.19

EPF/0666/19 - Notification of Prior Approval for a proposed 6.0m deep single storey rear extension, height to eaves 2.8m and overall height of 3.0m - existing rear element to be demolished – Prior approval not required

EPF/0840/19 - Prior approval application for a 5.3-metre-deep single storey rear extension, height to eaves 2.8 metres and overall height of 3 metres – Prior approval not required

EPF/1005/20: - Proposed outbuilding in the rear garden. Approved 24<sup>th</sup> March 2020

EPF/0202/19- Proposed Outbuilding Refused Permission: - 24<sup>th</sup> March 2020

*The proposed outbuilding by reason of its height and scale would appear as a bulky, over-dominant and incongruous addition that would detract from the amenity and outlook of the neighbouring occupiers, that would cause harm to the character and appearance of the locality as a result. Accordingly, the proposal fails to comply with policy DBE9 & DBE10 of the adopted Local Plan (1998), policy DM 10 of the Submission Version of the Local Plan (2017) and the NPPF (2018).*

### **Relevant Policies:**

#### **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. 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:

DBE9 – Loss of amenity

DBE10- Design of Residential Extensions

#### **National Planning Policy Framework Policy (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: 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 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.

### Epping Forest District Local Plan Submission Plan (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:

DM9 – High quality design

DM10 – Housing Design and Quality

### **Summary of Consultations and Representations**

**PARISH COUNCIL:** Objects to the proposal because the outbuilding would be overdevelopment and is positioned excessively close to the site boundary. If planning officers deem the proposal permissible, then the committee requests that the use of the outbuilding be restricted to non-residential purposes.

**13 DICKENS RISE:-** Objects as outbuilding is still positioned excessively close to the site boundary; the look of the building is the same as previous application; and the floor space in the building is the same size as previous application.

**15 DICKENS RISE:-** Objects as the proposal contravenes the definition of "an outbuilding" which cannot be used as separate living or sleeping accommodation and must serve the house but not be independent from it, meaning it cannot be used as self-contained accommodation or as a bedroom, bathroom or kitchen. The outbuilding seems to be of a very substantial size and depth.

**4 BARNABY WAY:-** Although not adjoining this garden able to see the proposed outbuilding from our house and it appears to be disproportionately large for the size of the property and garden. Concerned that it may be used as a residence or as a commercial gym.

**RESIDENT OF BARNABY WAY:-** Comments that if the outbuilding is approved then request that there are no rear windows. Maybe some large trees planted behind the building would prevent overlooking.

**RESIDENT AT DICKENS RISE:** - Object as the outbuilding is out of keeping, overbearing, large in scale, and will be taller than the surrounding fence and therefore impact on neighbouring gardens.

### **Main Issues and Considerations:**

#### Previous Applications:

This application follows the refusal of an outbuilding under ref. EPF/0202/19- this was refused for the following reason: -

*The proposed outbuilding by reason of its height and scale would appear as a bulky, over-dominant and incongruous addition that would detract from the amenity and outlook of the neighbouring occupiers, that would cause harm to the character and appearance of the locality as a result. Accordingly, the proposal fails to comply with policy DBE9 & DBE10 of the adopted Local Plan (1998), policy DM 10 of the Submission Version of the Local Plan (2017) and the NPPF (2018).*

A Certificate of lawful development was approved for an outbuilding to the rear garden. This outbuilding has the same dimensions; however, the proposed roof would be flat and 2.5m in height. This outbuilding also includes high level opening to the rear of the outbuilding.

#### Current Application and Amended plans

The outbuilding has been reduced in height from 3.7m to 3.4m high and the depth of the outbuilding has been reduced from 6.4m to 5.0m as the front canopy feature has been removed.

Since submission of this application the plans have been amended to remove the high level windows located to the rear of the outbuilding- this was requested by officers to protect the privacy of any neighbours located to the rear of the site.

#### Design

The depth of the proposed rear outbuilding is acceptable in this location. The proposed materials would be in keeping with the property and surrounding area. Overall the proposed development is considered of a scale, width and bulk that would not unduly dominate or subsume the character or appearance of the existing dwelling house and therefore, would be acceptable in terms of design.

The previously agreed lawful development certificate for an outbuilding would be similar in footprint and would be designed with a flat roof. In terms of overall design this current proposal is more in keeping with the property in that the design of the roof would match the main roof. The proposed outbuilding is considered to respect the character and appearance of the property and has been designed with regards to form and detailing of the original property.

The use of the outbuilding is as an office, although a sink and shower room would also be provided. Whilst the intended use would be ancillary to the residential property, a condition can be attached to ensure the use of the outbuilding does not become a separate unit of accommodation.

#### Living Conditions of neighbours

Since submission, the plans have been revised to remove the high-level windows that overlooked to the rear gardens of properties in Barnaby Way, this would prevent overlooking between the

garden and outbuilding.

The proposed development would not cause excessive harm to the amenities of neighbouring dwellings due to the separation distance from the proposal to neighbouring properties, by way of loss of light, appear overbearing, create a sense of enclosure or cause loss of outlook, as such, the development proposal would safeguard the living conditions of neighbours.

Objections Addressed

#### Objections Addressed

The objections are noted and have been addressed above in the report. A condition would be imposed that the used should remain ancillary to the main dwelling and shall not become a separate unit of accommodation.

#### **Conclusion:**

The proposal complies with relevant planning policy and it is recommended that planning permission be granted

***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: Natalie Price***

***Direct Line Telephone Number: 01992 564718***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



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