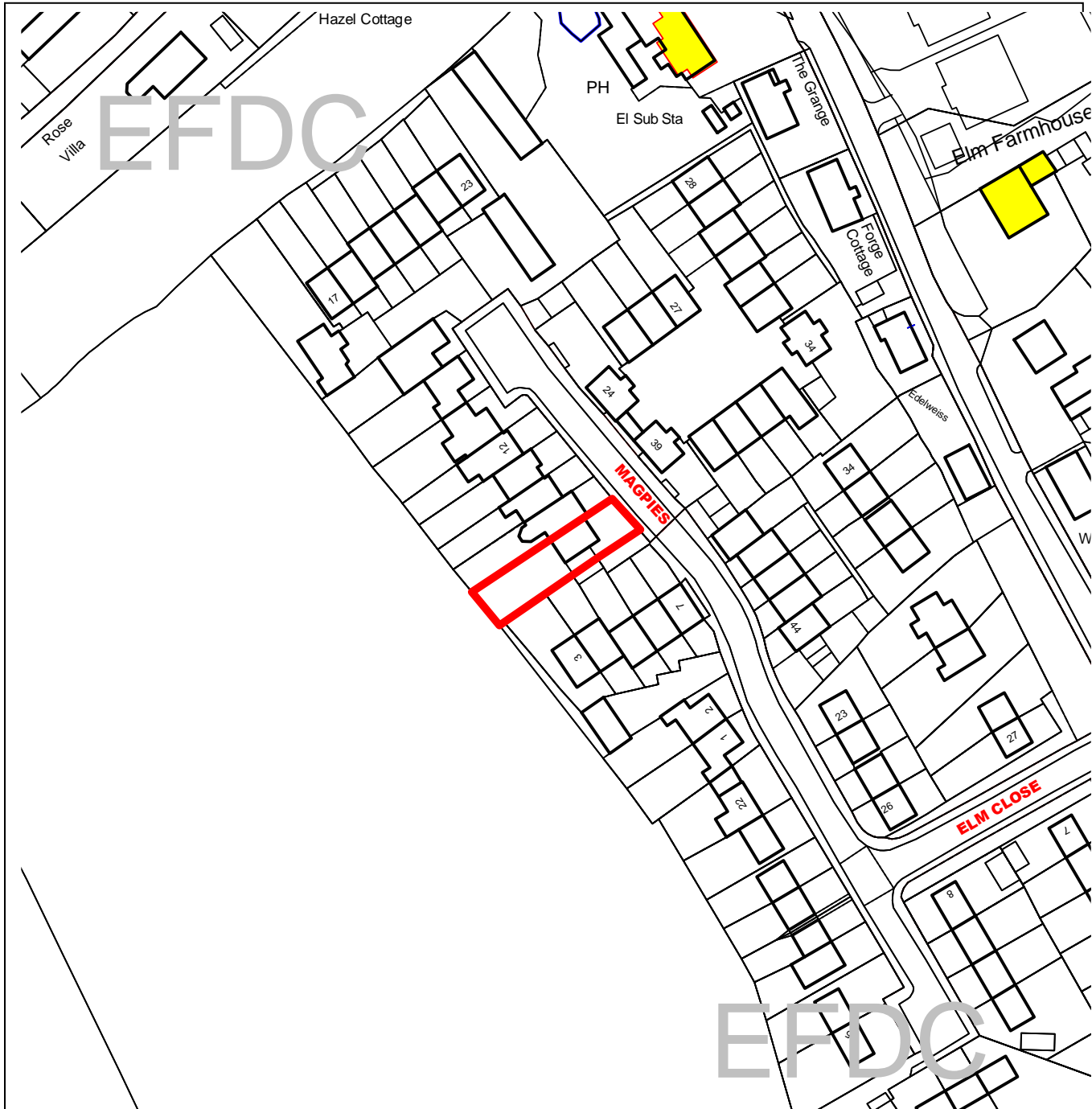




Epping Forest District Council



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/1529/21
Site Name:	8 The Magpies Epping Upland Epping CM16 6QG
Scale of Plot:	1:1250

Report Item No:

APPLICATION No:	EPF/1529/21
SITE ADDRESS:	8 The Magpies Epping Upland Epping CM16 6QG
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr & Mrs J & B Heaney
DESCRIPTION OF PROPOSAL:	Removal of existing conservatory and erection of part single storey and part two storey rear extensions.
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=653217

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 shall be carried out and retained strictly in accordance with the following approved plans:

Drawing 14391-P001-B - Proposed Plans and Elevations
Drawing 14391-S001-1st - Existing Plans and Elevations
Photographs
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building unless otherwise agreed in writing by the Local Planning Authority.
- 4 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

This application is before this committee since the recommendation is for approval contrary to an objection from a Local Council which is material to the planning merits of the proposal, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The subject property is an end of terrace house in a residential street on a rectangular plot within the small village of Epping Green.

There is an attached double garage on the end of terrace flank. The site backs on to open fields.

The site and surrounding area are not located in the Green Belt or a Conservation Area and not within the setting of any listed buildings.

Description of Proposal:

Removal of existing conservatory and erection of part single storey and part two storey rear extensions.

The application proposes a part single part two storey rear extension.

The ground floor element would be 8.6m wide extending across the full width of the rear elevation of the house and attached garage. The depth would be 3.5m which is a very similar depth to that of the existing conservatory. The ground floor element would have a flat roof with parapet wall (maximum height 3.2m) and rooflights and would be constructed from red stock brick to match existing.

The first floor element would be 3.5m deep, 3.5m wide and would be set in from the side boundary with No. 9 by approximately 2.5m. The first floor element would have a hipped roof with clay roof tile to match existing and would be rendered to match the existing house.

Relevant Planning History:

EPF/0561/03
Conservatory
Approved 16.05.2003.

Policies Applied:

Epping Forest Local Plan and Alterations 1998/2006

CP2 – Protecting the quality of the rural and built environment
DBE9 – Loss of amenity
DBE10 – Residential extensions

National Planning Policy Framework (NPPF) (July 2021)

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:
- c)
 - 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.

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

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

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 issued her initial advice on 2 August 2019 and since then, the Council has undertaken further work to address the actions identified by the Inspector. This has led to the production of a number of proposed changes to the Local Plan Submission Version 2017 (known as the Schedule of Main Modifications) and additional supporting documents associated with the Main Modifications. These are to address issues of soundness and/or legal compliance identified by the Inspector.

The Main Modifications include changes to some of the supporting text and Policies within the Plan, deletion and amendment to some site allocations, updated Housing Supply data to March 2020, along with associated changes to the mapping contained within the Plan.

The Main Modifications are put forward without prejudice to the Inspector's final conclusions on the Plan. Following the close of the consultation (ends 23rd September 2021), the representations will be passed to the Inspector for her consideration before the publication of the Inspector's final report.

The following policies in the LPSV are considered to be of relevance to the determination of this application:

DM9 – High Quality Design

DM10 – Housing Design and Quality.

Consultation Carried Out and Summary of Representations Received:

Epping Upland Parish Council: Objection:

“Overdevelopment of the building, the double storey aspect will be too dominant, a single storey would be more in keeping with the surrounding buildings.

There is also a concern raised about the silver birch tree marked on the existing plan and not shown on the proposed plans.”

6 neighbours consulted: 1 response received comprising 1 objection.

4 The Magpies:

“Over development - current view from our garden is trees / countryside, this will be replaced with double extension brick work. No issue with single extension, although double with greatly impact current view / day light. Also invades on privacy. We always support improvement of houses and living, although this one is just too much of an impact on living, especially in a beautiful country village.

There is a ditch running along the bottom, would this development have an impact on the drainage, as there it is a ditch that gets regularly blocked up.”

Issues and Considerations:

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

Character and Appearance

The proposed extension is considered to be a proportionate addition which is in keeping with the design of the existing house.

The first floor element is well set in from both side boundaries (2.5m on both sides) and its depth is not excessive at 3.5m.

It is considered that the proposal would not have a harmful impact on the character or appearance of the site or surrounding area and is therefore acceptable in this respect.

Residential Amenity

Due to its single storey nature (max height 3.2m to top of parapet wall) and limited depth it is considered that the ground floor rear element would not have a harmful impact on the visual or residential amenities of any neighbouring residential properties. No side facing windows are proposed that could result in a loss of privacy to neighbours and the rooflights are in the flat roof behind a parapet wall.

The first floor rear element would have a depth of 3.5m and would be set in from the boundary with No. 9 by 2.5m. It is considered that this set back is sufficient to ensure that the first floor element will not have a harmful impact on the visual or residential amenities of the occupiers of No. 9 in terms of loss of light or outlook (including when viewed from the nearest bedroom window). No side facing windows are proposed and the rear facing window will not result in a harmful loss of privacy.

The first floor element would be set in 2.5m from the side boundary running along the bottom of the rear garden of No. 4. The Magpies. No side facing windows are proposed which could result in loss of privacy to No. 4. Existing Conifer trees at the end of No. 4's rear garden would provide some screening of the proposed extension but in any case the separation distance between the proposed extension and the rear facing habitable room windows of No.4 is sufficient to ensure that there will be no harmful impact in terms of loss of light or outlook.

The proposed extension is considered to be acceptable in terms of impact on residential amenity.

Trees and Landscaping

The Council's Tree Officer has no objection to the loss of the silver birch as follows:

"The birch doesn't look in a very good specimen, so not we would object to its loss. It would be good if they could plant a new tree in the garden so that there is not loss of green infrastructure."

Response to objections

The concerns raised by the Parish Council and the occupier of No. 4 The Magpies have been addressed elsewhere in this report.

Loss of views are not a material planning consideration.

Conclusion:

The proposed extension is considered to comply with relevant Local Plan policies and the guidance set out in the NPPF and the application is therefore recommended for approval subject to conditions.

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

***Planning Application Case Officer: Kie Farrell
Telephone Number: 01992 564000 Ext 2025.***

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