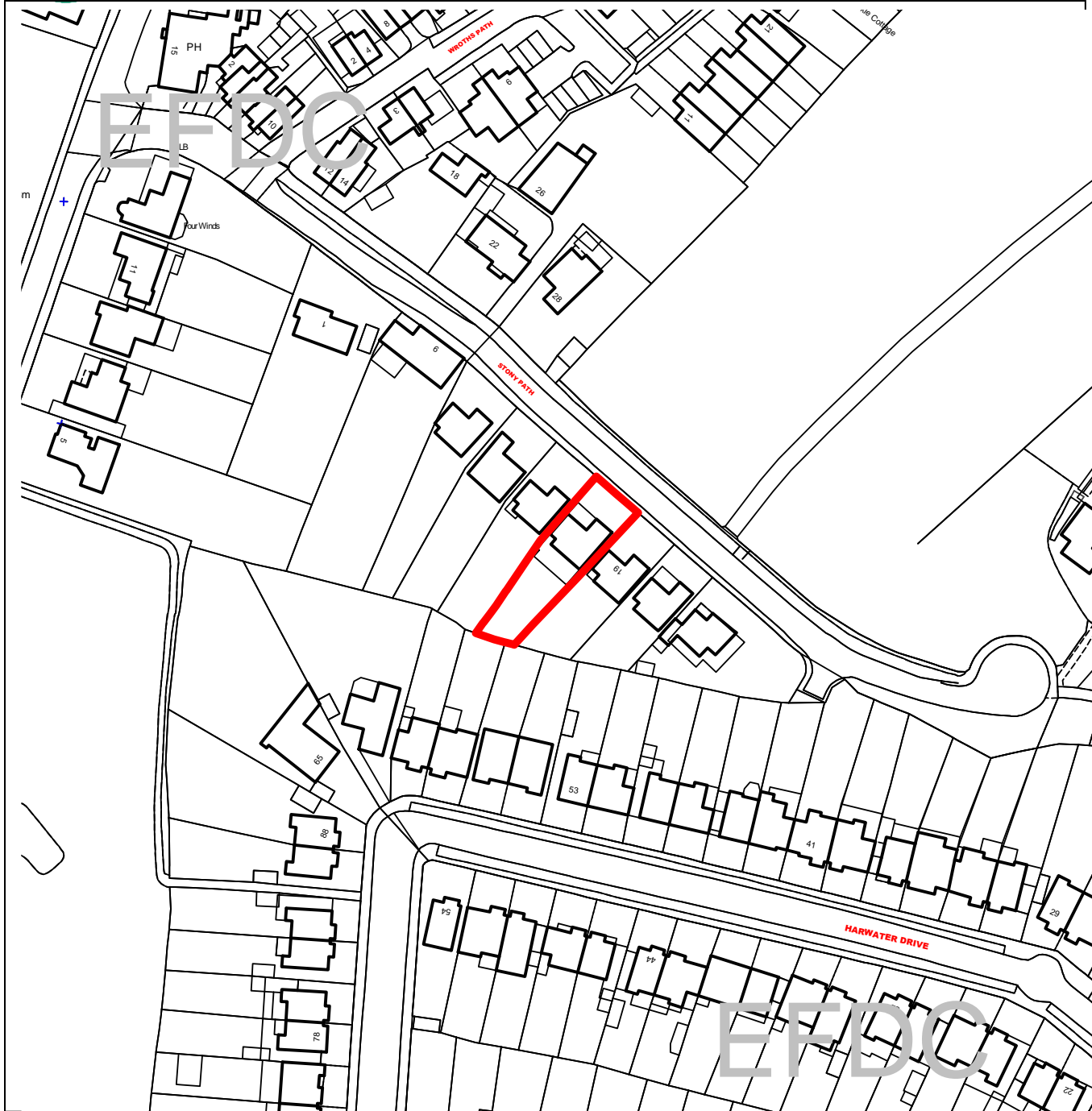




Epping Forest District Council



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Application Number:	EPF/2033/21
Site Name:	17 Stony Path Loughton IG10 1SJ
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/2033/21
SITE ADDRESS:	17 Stony Path Loughton IG10 1SJ
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr Lee Georgio
DESCRIPTION OF PROPOSAL:	Extension to the roof and addition of small front, side and rear dormer.
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=655418

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 No. 01 A - Existing Plans, Elevations, Site Plan & Street Scene
Drawing No. 02 J - Proposed Plans, Elevations, Site Plan & Street Scene
Covering Letter, 20th July 2021.
- 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 or those specified on the approved plans.
- 4 Prior to first occupation of the extension hereby permitted the windows in the side dormer window facing No. 19 Stony Path shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of those windows that are less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

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 site comprises a two storey detached dwellinghouse, located on the west side of Stony Path within the built-up area of Loughton. It is not a listed building nor is it in a conservation area although it is located adjacent to the Baldwins Conservation Area. The land levels fall significantly from west to east and as such the property is on higher land than no. 19 Stony Path and lower than no. 15. Land levels also fall to the rear of the site.

Description of Proposal:

Extension to the roof and addition of small front, side and rear dormer.

The proposed development is a revised scheme following the refusal of EPF/2989/20 and EPF/1714/19 both of which were refused on grounds of design and character in relation to the works to the roof and the rear dormer.

The current scheme differs from the refused EPF/2989/20 scheme in the following ways:

- Existing two storey front gable to remain unaltered (not extended upwards as previously proposed)
- Existing ridge height / maximum height to remain as existing (maximum height of building will not increase as previously proposed)
- Proposed rear dormer reduced in width
- Side dormer added
- Front dormer added

Relevant History:

17 Stony Path:

EPF/2989/20

Removal of existing roof and construction of a higher roof, rear dormer and new pitched roof over rear first-floor projection.

Refused 11.02.2021

Reason for refusal:

The proposed alterations to the roof due its bulk, scale and form results in a poorly designed and incongruous form of development at odds with the established built form of its surroundings failing to complement or enhance the existing building or the character and appearance of the wider area contrary to policies CP2, DBE9 and DBE10 from the Local Plan and Alterations (LP) (1998 & 2006), policies DM9 and DM10 from the Epping Forest District Local Plan Submission Version (LPSV) (2017 and the NPPF.

EPF/1714/19

Removal of existing roof and construction of higher roof with feature front gable, rear dormer and new pitched roof over rear first floor projection.

Refused 27.05.2020.

Reason for refusal:

The proposed alterations to the roof due to its bulk and scale, results in a poor design, appearing as a top heavy feature, which fails to complement or relate positively to the existing building. The proposed development would therefore cause significant harm to the character and appearance of the locality, existing house and street scene, contrary to Policies CP2 and DBE10 of the adopted

Local Plan and to Epping Forest District Local Plan (submission version) 2017 Policy DM9 which are consistent with the National Planning Policy Framework.

15 Stony Path:

EPF/0619/07

Two storey side extension and loft conversion with front and rear dormer window.

Approved 10.05.2007.

Expired and unimplemented.

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 (ended 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:

SP1 Presumption in Favour of Sustainable Development
DM9 – High Quality Design
DM10 – Housing Design and Quality.

Consultation Carried Out and Summary of Representations Received:

Loughton Town Council: Objection:

“The Committee OBJECTED to this application, stating it was overbearing, creating a negative impact on the street scene. The additional Velux windows to the main front dormer bedroom would be out of keeping with other dwellings in Stony Path.

The proposed new third storey left side dormer would cause overlooking, creating a loss of privacy for the neighbours at No. 19.”

4 neighbours consulted: 1 responses received comprising 1 strong objection.

19 Stony Path:

“Our main objection to this planning application is still the height and size of the proposed extension which amongst other things will adversely affect the street scene of Stony Path.

The proposed new third storey left side dormer which overlooks our house and garden is overpowering in size and will loom over us as the gradient of Stony Path is so steep.

Furthermore the addition of velux windows to the main front dormer bedroom is out of keeping with every other house in the road.

Stony Path is a narrow road opposite ancient allotments known as Loughton Potato Ground which is a conservation area. We feel that to preserve the character of this narrow quiet road and for the other reasons given that this planning application should therefore be refused.”

The Hills Amenity Society, Loughton – Strong objection:

- Height in relation to No. 19 is the same as the original application but is set back and with a dormer window at the side of the roof overlooking No. 19 but with opaque glass, we feel that the owner of No 19 has the same concerns which we endorse.
- Property has previously been extended and this will increase its size further
- In close proximity to the Conservation Area
- May cause subsidence
- Proposed 3 storey extension is out of keeping with surrounding area and will overlook No. 19.

Issues and Considerations:

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

Character and Appearance

Stony Path largely comprises of two storey detached dwellings with hip ended roofs.

The amended scheme now proposed would retain a hipped roof form and it is considered that the current proposal has overcome previous concerns in relation to character and appearance (bulk, scale and form).

The existing front gable element and maximum ridge height will remain as existing and the proposed rear dormer will be reduced in width.

The side and front dormers now proposed are relatively modest in size and are considered to be acceptable additions to the existing house and streetscene.

Overall the proposed development is now considered to be acceptable in design, character and appearance terms and in accordance with policies CP2, DBE9 and DBE10 from the *Local Plan and Alterations (LP) (1998 & 2006)*, policies DM9 and DM10 from the *Epping Forest District Local Plan Submission Version (LPSV) (2017 and the NPPF)*.

Residential Amenity

An objection has been raised by the occupants of no. 19 Stony Path pertaining to loss of privacy / overlooking arising from the proposed side dormer.

The side facing windows in the side dormer are shown on the submitted drawing to be obscure glazed and will serve a staircase. A condition will be added to any planning permission granted requiring obscure glazed windows (non-opening below 1.7m) to be retained in perpetuity.

It is not considered that the proposed development would have a harmful impact on the visual or residential amenity of the occupiers of No. 19 or any other neighbouring residential property.

The proposal therefore complies with policies DBE2, DBE9 and DBE10 from the *Local Plan and Alterations (LP) (1998 & 2006)*, policies DM9 and DM10 from the *Epping Forest District Local Plan Submission Version (LPSV) (2017 and the NPPF)*.

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 564248.

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