

Report to District Development Management Committee



Report Reference: EPF/2829/21
Date of meeting: 26 January 2022

**Epping Forest
District Council**

Address: 1A Monkswood Avenue, Waltham Abbey, EN9 1LA

Description: Hip to gable extension to the roof and insertion of a rear dormer.

Responsible Officer: Sukhi Dhadwar

Committee Secretary: Gary Woodhall (01992 564470)

This application is before this Committee since it is an application that is submitted by or on behalf of a District Councillor (Pursuant to Article 10 of The Constitution).

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions: -

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Location Plan, Block Plan, Existing Plans Elevations and Section, Proposed Plans Elevations and Section.
- 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.

Description of Site:

Both applications relate a two-storey interwar semi-detached house which has been converted into two flats. It is located on a corner plot at the junction of the eastern side of Crooked Mile and the northern side of Monkswood Avenue.

The boundary of the Waltham Abbey Conservation Area is situated on the southern and western boundary of the site. The Grade II listed Waltham Abbey Methodist Church is located to the south east of the site. To the west is the Locally Listed New Inn Pub.

Description of Proposal:

Permission is sought for a hip to gable extension to the roof and insertion of a rear dormer with a Juliette balcony.

The width of the existing hipped roof will be extended by 4.5m to create a gable roof profile.

The rear dormer measures 2.73m deep by 4.5m wide and 2.17m high to the flat roof.

Materials will match those of the application property.

Relevant History:

Reference	Description	Decision
WHX/0025/73	Pavement crossover	Granted
EPF/1401/77	Garage and access.	Granted
EPF/1014/88	Two storey side extension.	Granted
EPF/0368/20	Application for a Lawful Development Certificate for exiting use of dwelling as two flats for more than four years.	Lawful

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:

CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
DBE10	Design of Extensions
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking
HC6	Character, Appearance and setting of Conservation Area

NATIONAL PLANNING POLICY FRAMEWORK (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:

- 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 (2017) **(LPSV)**

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

Consultation has been carried out on the Main Modifications. It is therefore at an advanced stage of preparation.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
T1 - Sustainable Transport Choices	Significant
DM7 - Heritage Assets	Significant
DM9 - High Quality Design	Significant
DM10 - Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received

Date of site visit: Yes
Number of neighbours consulted: 3
Site notice posted: No, not required
Responses received: No response received from neighbours
PARISH COUNCIL: No comment

Main Issues and Considerations:

The key considerations for the determination of this application are its impact on the character and appearance of the area; adjoining conservation area and neighbouring residential amenity.

Character and appearance

Policy CP 2 iv (Protecting the Quality of the Rural and Built Environment) requires that development should maintain, conserve and improve the quality of the built environment by:

Safeguarding an enhancing the setting, character and townscape of the urban environment;

Policy DBE10 (Residential Extensions) of the Local Plan states that: -

A residential extension will be required to complement and, where appropriate, enhance the appearance of:

- (i) the streetscene; and*
- (ii) the existing building*

This will be achieved by close attention to:

- (a) the scale, form, detail, elevations, materials, roof treatment and fenestration of the existing building; and*
- (b) separation from any neighbouring buildings; and*
- (c) the existence of any landscaping in the locality.*

The character and appearance of this part of Monkwood Avenue is defined by two storey semi-detached houses. To the east of the property there are dwellings of a similar design as the application properties.

Examples dormer extension can be found at 10, 14, 43, 57, 61A, 64, 67, 73, 76, 83,

84, 87A, 97 and 111 Monkswood Avenue.

It should also be noted that, if the original house had not been extended to the side or converted into two flats, it would still have benefited from permitted development rights to extend the original roof of the building to extend the original hipped roof into a gable roof and to install a dormer. Given that the Government considers that this form of development is in principle acceptable on this type of property, and the existing number of roof alterations already constructed within Monkswood Avenue, it is determined that the proposal will have a neutral impact on the character and appearance of this road. The proposal therefore meets the requirements of policies CP2, DBE10 of the Local Plan and DM 9 of the submission Version Local Plan.

Waltham Abbey Conservation Area

The site immediately adjoins the Waltham Abbey Conservation Area. The Grade II Listed Lee Valley Church is located to south east of the site, to the west is the Locally Listed building currently in use as Vince's restaurant and bar.

S72(1) of the Planning and Listed Building and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

In determining planning applications, the Council is required by the NPPF to consider the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF requires that "*When considering the impact of a proposal on the significance of the designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater weight should be given to its conservation. Significance can be harmed or lost through (inter alia) development within its setting*".

Paragraph 194 of the NPPF requires "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*".

The Conservation Officer raises concerns about the design of the proposal, she states:

The building subject to this application stands in a prominent location on the corner of Crooked Mile and Monkswood Avenue, directly adjacent to the Waltham Abbey Conservation Area. This semi-detached dwelling was built in the mid twentieth century and was extended in the late 1980s with a two storey side extension, and subsequently split into two units.

Due to the location and positioning of the building, with the rear exposed to views particularly from the north, the house is very much seen in conjunction with the conservation area and placed within its setting. According to policy HC6 therefore, "Within or adjacent to a conservation area, the Council will not grant planning permission for any development or give listed building consent or consent for works to trees, which could be detrimental to the character, appearance or setting of the conservation area."

These applications will be assessed together as it applies to the whole of the

building. EPF/2870/21 seeks consent for a single storey side/rear extension and EPF/2829/21 for 1A Monkswood Avenue, Waltham Abbey, EN9 1LA a hip to gable extension with rear dormer along with a first floor infill side/rear extension.

The result of these proposed schemes would create a crown roof at first floor level and a box dormer with Juliet balcony at roof level.

The roof alteration

As stated in the Essex Design Guide "Each building should be composed of a 'family' of forms, with roofs of similar pitch and without discordant flat-topped elements." In line with this, the proposed crown roof at first floor is found to be unacceptable.

The addition of a rear dormer window

As stated in the Essex Design Guide, dormers are often the result of an attempt to provide habitable accommodation within the roof space which makes them over-dominant in their composition; they should be a minor incident in the roof plane. Their purpose should be to light the roof-space, not to gain extra headroom over any great width. They should not be located close to verges or hips and should have gabled, cat-slide or flat leaded roofs. Box dormers, such as the one proposed, are an inappropriate and unacceptable design solution. By reason of its position and design the proposed box dormer window will relate poorly to the host-building, appear over-dominant in the roof slope and cause great harm to its appearance and that of the adjacent conservation area.

For the above reasons, we OBJECT to the proposal as it would cause harm to the setting of the conservation area.

This is supported by policy HC6 of our Local Plan and Alterations (1998 and 2006), policy DM7 of our Submission Version Local Plan (2017), and paragraphs 194, 195, 197, 199, 200 and 206 of the NPPF (2021)."

The Conservation Team's comments were made on the basis of a now superseded plan to include a first-floor side/rear infill extension. The applicant has revised the scheme to only extend the original roof to provide a hip to gable extension and rear dormer.

Given that the proposal is located outside of the Conservation Area and is separated from the boundary of the Conservation Area by a distance of 2.8m, it will read as being part of the Monkswood Avenue built development more than the adjacent conservation area.

The proposal will be most visible looking in a southerly direction from Crooked Mile. The roof alterations will not screen further the views to the Grade II listed Church as it is located further east.

The proposal will be seen in conjunction with the side flank wall of 2 Sewardstone Road, the thoroughfare of Sewardstone Road and Trinity House. (A three-storey office building built around the 1970's). Given that the proposal will not rise above the maximum height of the existing house or extend beyond its footprint, and the vista affected being of mixed quality, it is on balance considered that this proposal will have a neutral impact on the character and appearance of this Conservation Area.

Impact on neighbouring amenity

All the extensions proposed are within the existing footprint of the building, it is therefore considered that there will be no excessive impact on the living conditions of neighbouring residential occupiers. The proposal therefore complies with the requirements of DBE9 of the Local Plan.

Conclusion:

The proposal would have a neutral impact on the character and appearance of the host property, wider streetscene and adjoining conservation area. The living conditions of neighbouring properties will also not be adversely affected. The proposal therefore meets the requirements of policies HC 6, CP2 and DBE10 of the adopted Local Plan. The requirements of these policies are mirrored in policies DM 7 and DM 9 of the Submission Local Plan.

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: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

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