

Report to District Development Management Committee



Report Reference: EPF/2870/21
Date of meeting: 26 January 2022

**Epping Forest
District Council**

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

Subject: Single storey side/rear extension.

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 of the site. To the west is the Locally Listed New Inn Pub.

Description of Proposal:

Permission is sought for a single storey infill side/rear extension.

It measures a maximum of 3m wide by 2.7m deep of the property. It has a height of 4.2m to the ridge of its monoslope 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.

EPHING 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.

The applications together seek to construct a hip to gable extension with a rear dormer.

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 and 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.

The proposed infill extension is modest in size and has a pitched roof which is in keeping with the application property. A condition to ensure that external materials also match those of the application property is recommended. It is on this basis that the proposal complies with 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. Directly to the south is Grade II listed Lee Valley Church, 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.

Given the single storey height and position of the extension at the rear of the house, it is considered that the proposal will not have an adverse impact on the character and appearance of the adjoining Conservation Area. The proposal therefore accords with the requirements of policy HC6 of the Local Plan and DM 7 of the Submission Version Plan.

Impact on neighbouring amenity

The extension is attached to the western elevation adjoining highway land on Crooked Mile and does not extend beyond the existing rear elevation of the property. 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 will preserve the character and appearance of the site and wider locality. It will also not have an excessive adverse impact on the living conditions of neighbouring residential occupiers. The proposal therefore meets the requirements of policies CP2 and DBE10 of the adopted Local Plan. It will also not impinge upon the character and appearance of the adjoining conservation area in accordance with HC6 of the 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***