



Epping Forest District Council

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Application Number:	EPF/1327/22
Site Name:	6 Willow Tree Close Lambourne RM4 1BL

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OFFICER REPORT

Application Ref: EPF/1327/22
Application Type: Householder planning permission
Applicant: Miss Anita Mayer
Case Officer: Caroline Brown
Site Address: 6 Willow Tree Close, Lambourne, Romford, RM4 1BL
Proposal: Loft conversion with a dormer on the rear and 3no. roof lights to the front elevation
Ward: Lambourne
Parish: Lambourne
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000O1L2>
Recommendation: Refuse

This application is before this Committee since it has been 'called in' by Councillor Rolfe (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).

Description of Site:

No. 6 Willow Tree Close is a modest 2 -storey 2- bed mid-terrace dwelling located to the west of Willow Tree Close. The property is sited within a row of 21st century terrace houses located within the Abridge Conservation Area. The neighbouring properties are similar in character

Willow Tree Close sits back from the main road (Market Place) within a built-up area in the northwest of the Conservation Area.

Description of Proposal:

Permission is sought for the construction of a loft conversion involving a rear dormer and 3no. roof lights to the front elevation to provide an additional 3rd bedroom and WC.

This application is a resubmission following refusal of EPF/0407/22 where the following amendments have been made:

- the depth of the proposed dormer has been reduced and set back from the existing eaves line; the glazed area has been reduced; the eaves of the dormer has been lowered; and the roof pitch of the dormer altered.

Relevant History:

- EPF/0407/22 - Loft conversion with a dormer on the rear and 3no. roof lights to the front elevation
- Refused 29th April 2022

The proposed rear dormer by reason of its design, scale, bulk, materials and siting is considered disproportionate for the size of the property and roof slope resulting in an excessively dominate and intrusive development that is detrimental to the character and appearance of the property and which fails to protect and enhance Abridge Conservation Area contrary to the requirements of policy DBE9, DBE10, HC6 and HC7 of the adopted Local Plan 1998 & 2006, policy DM10 and DM7 of the Local Plan Submission Version 2017 and the NPPF 2021.

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).

CP2: Protecting the Quality of the Rural and Built Environment

CP6 Achieving sustainable urban development patterns

CP7 Urban Form and Quality

DBE3 - Design in Urban Areas

DBE9: Neighbouring residential amenity

HC6 & HC7- Conservation Areas

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 (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 of 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 the Inspectors final conclusion.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as Main Modifications, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional Main Modifications, the highest weight should be afforded to LPSV policies in accordance with paragraph 48 of Framework. The following policies below are relevant to the determination of this application.

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
SP1 Presumption in Favour of Sustainable Development	Significant
SP6 Green Belt	Significant
DM7- Heritage Assets	Significant
DM9 -High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received

LAMBOURNE PARISH COUNCIL: No Objection

Site Notice Displayed and application Advertised 20th July 2022

Neighbours consulted: 6: No objection received.

Main Issues and Considerations:

The main issues for consideration in this case are as follows:

- Impact of the development on the character and appearance of the property and conservation area.
- Impact on the amenity of neighbouring residents.

Design and Impact on Conservation Area

Epping Forest Local Plan Policies seeks to ensure a high quality of design and that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These objectives are broadly consistent with the core principles of the NPPF that planning should seek to secure high quality design.

In line with the 'Listed Buildings and Conservation Areas Act 1990', the Council will seek to ensure that all development respects and preserves the Listed Building and the setting of the conservation area and that important views are preserved.

Planning permission was refused for a similar proposal, (ref. EPF/0407/22) in April 2022 due to the design, scale, bulk, materials and siting of the proposed rear dormer. A minor amendment was submitted regarding the proposed material finish, but this was not considered sufficient to address all the concerns raised.

The design of this modern terrace was informed by the Essex Design Guide, (EDG) ensuring its suitability to the associated setting and context. While there is no objection to a loft conversion in principle, the

altering of the roof line with introduction of a dormer of such scale and disproportionality attached to the ridge line and using most of the height of the roof slope is an inappropriate and unacceptable design.

Dormer windows should be modest in appearance and a subordinate addition to the roof. The dormer should be positioned a clear distance from the ridgeline, significantly clear of the boundary parapets and above the line of the eaves. The design of the dormer window should be in keeping with the original dwelling and relate to the windows of the house in proportion, detailing and position.

The siting of the proposed dormer should take into account the composition of the window immediately below it on the elevation; they should be line up with and be no wider. As a result, the window of the dormer should be narrower than the window on the main building. The solid surrounds (cheeks) of the dormer should be as slender as possible; simple lead/tile cheeks with a flush side casement window. Except for the window frame and cheeks, there should not be any solid face.

In this particular context with the relatively shallow roof slope, the design, height and scale of a dormer window and extension would be unsympathetic to the host building and wider setting as a terrace, as well as the intended building form. Alternatively, roof lights of good quality could be introduced as a lighting solution.

The applicant refers to a similar example of a dormer to No. 17 Willow Tree Close however this is not directly comparable with two different key considerations. In design terms the loft conversion in the form of a gable end, essentially forms an extension of the roof, incorporating materials to match existing, that, with its setting being an end terrace and its neighbouring dwelling already incorporating multiple gabled roof elements.

We acknowledge that there have been minor alterations to the design of the dormer as part of the current proposal, i.e., the depth of the proposed dormer has been reduced and set back from the existing eaves line; the glazed area has been reduced; the eaves of the dormer has been lowered; and the roof pitch of the dormer altered. However, these alterations do not address the primary objections regarding the substantial scale, design, and placement of the dormer which, as proposed, erodes the built form of the existing terrace within a designated heritage asset (conservation area). Acceptable architectural standards in this regard have been set by the EDG.

Furthermore, proposed development affecting a designated heritage asset is expected to maintain a particularly high standard of design. The Local Planning Authority is required by the Planning (Listed Buildings and Conservation Areas) Act 1990 to evaluate proposals to ensure that they either preserve the existing special character, appearance and setting of a designated heritage asset or, ideally, that they enhance these features. The applicant is of the opinion that a loft conversion incorporating a large gable end extension at a nearby dwelling serves as reasonable justification for the current proposal. This assertion ignores the key differentiating factors of that property's-built form; its context and immediate setting (neighbouring properties) and the differing design elements of that proposal. Any further applications incorporating the objectionable elements as outlined above will similarly be deemed unacceptable.

Neighbouring Amenity

The proposed development does not result in any significant harmful amenity implications in terms of, overlooking or privacy. Overall, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level in accordance with the requirements of policy DBE9 of the adopted Local Plan and policy DM9 of the Local Plan submission Version, 2017.

Conclusion:

The proposed rear dormer by reason of its design, excessive scale, bulk, width, height and siting is considered disproportionate for the size of the property and roof slope resulting in an excessively dominate, intrusive development that is detrimental to the character and appearance of the property and which fails to preserve and protect Abridge Conservation Area contrary to the requirements of policy DBE9, DBE10, HC6 and HC7 of the adopted Local Plan (1998 & 2006), and policy DM10 and DM7 of the Local Plan Submission Version, 2017 and the NPPF 2021. In the light of the above considerations, it is recommended that planning permission is refused.

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: Caroline Brown

Direct Line Telephone Number: 01992 564182 or if no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk

Refusal Reason(s): (1)

- 1 The proposed rear dormer by reason of its design, excessive scale, bulk, height and siting is considered disproportionate for the size of the property and roof slope resulting in an excessively dominate and intrusive development that is detrimental to the character and appearance of the property and which fails to protect and enhance Abridge Conservation Area contrary to the requirements of policy DBE9, DBE10, HC6 and HC7 of the adopted Local Plan 1998 & 2006, policy DM10 and DM7 of the Local Plan Submission Version 2017 and the NPPF 2021.

Informatives: (2)

- 2 The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development.
- 3 This decision is made with reference to the following plan numbers: 1010-22-PL001; 002 Rev D; 003 Rev K; 004 Rev H; 005 Rev H; 006; 007 Rev B;