



Epping Forest District Council



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Application Number:	EPF/0912/23
Site Name:	40 Ibbetson Path Loughton IG10 2AS

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OFFICER REPORT

Application Ref: EPF/0912/23
Application Type: Householder planning permission
Applicant: Mr Constantin Frigura
Case Officer: Nathaniel Raimi
Site Address: 40, Ibbetson Path, Loughton, IG10 2AS
Proposal: Demolition of the existing single storey side extension and erection of a new single storey rear and side wrap around extension, including the replacement of all existing windows.
Ward: Loughton Broadway
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001W4QP>
Recommendation: Approve with Conditions

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

The subject dwelling is a two-storey semi detached dwelling. It is located on a residential street with dwellings, some of which have undergone alterations to the front such a front extensions and porches. All the dwellings along the side of the road that the application site is located are brick built. The application site benefits from a forecourt which can used be for off road parking. The application site is not within the Green Belt, Conservation Area nor within a Flood Zone.

Proposal

Demolition of the existing single storey side extension and erection of a new single storey rear and side wrap around extension, including the replacement of all existing windows.

Relevant Planning History

EPF/0327/23 - Demolition of the existing single storey side extension and erection of a new single storey rear and side wrap around extension, including the replacement of all existing windows - Refused

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023);

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following policies within the current Development Plan are considered to be of relevance to this application:

DM9 High Quality Design
DM10 Housing Design and Quality

National Planning Policy Framework 2021 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs 132 & 134

Summary of Representations

Number of neighbours Consulted: 9. 1 response(s) received.
Site notice posted: Yes.

25 Paley Gardens – Objections – Summarised as;

The plans submitted are the same as the ones submitted before. By saying the bedroom before is now a study will have the same effect once agreed. It is turning into a large hmo which is already rented to students, the back extension is bringing the back of the house closer to our gardens with bifold doors allowing for more entertaining and possible noise. We have had ongoing water leaks for over a year already caused by multiple extensions being built in Ibbetson path where a house with revised potential to house 9 people with 3 bathrooms will put added strain on an already broken drainage system.

LOUGHTON TOWN COUNCIL – OBJECTS the committee made the following comments:

The proposal is no different to the previous application on this site (EPF/0327/23) and the comments for the previous application are reiterated:

The Committee OBJECTED to this application on the grounds that the proposed extension was too large for this house. Six bedrooms for a house this size was too many, with some of the bedrooms appearing to be below the nationally prescribed space standards. Members believed this proposal appeared to be a conversion into an HMO. The property should be retained as a family home.

There was not enough habitable space for the occupants and eight people sharing two bathrooms was not considered fit for modern living.

Members noted that Ibbetson Path was already a very cramped road, with excessive parking.

Planning Considerations

The main issues for consideration in this case are:

- a) Character and Appearance;
- b) Neighbouring Amenities

The previous application EPF/0327/23, for the same description, was refused for the following reason:

The proposal fails to meet the minimum internal space standards set out in National Prescribed Space Standards. As such, it fails to safeguard the amenity of existing and future occupants and is contrary to policy DM10(A) of the Epping Forest District Local Plan 2011-2033 (2023), policy DBE9 of the adopted Local Plan 1998 & 2006, and the NPPF 2021.

The previous refusal was in relation to the room previously identified Bedroom 6. However, this bedroom is no longer being proposed and the room previously proposed as Bedroom 6 is now a study and therefore the reason for refusal has now been addressed. Since this was the only reason for refusal on the previous scheme, the proposal is considered acceptable and in accordance with the relevant policies.

Character & Appearance

The application proposes the demolition of the existing single storey side extension. The existing single storey side extension has a depth of c.3.2m and is setback 4.2m from the principal elevation with a ridge height of c.2.6m when viewed from the street scene. The proposal is for the erection of a wraparound extension that would be setback from the principal elevation by 3.5m. the proposed wrap around extension would project beyond the rear wall of the existing dwelling by 4.5m and have a ridge height of 3m when viewed from the street scene. The materials proposed would match existing.

The proposed extensions are relatively extensive, but when considered against the relatively large rear garden of the application site and the subservient appearance of the side extension (taking regard of its setback distance), the proposal is considered to be a sympathetic response to the existing dwelling and accords with the character of the dwelling and its context. In addition, the proposal to use materials to match the existing is considered to be acceptable.

Officers also note that adjacent property No.42 Ibbetson Path has been granted planning permission for a similar development (EPF/3310/21 - 4.5m deep rear, full length side and front extension). As with this development, this extension is considered to have an acceptable impact upon the character and appearance of the existing dwelling, surrounding properties and street scene.

Replacement of all existing windows with anthracite grey UPVC windows which is considered acceptable.

Neighbouring Amenities

The main properties to consider are:

Adjacent No.42 to the west

This property has both prior approval and planning permission for a 4.5m deep single-storey rear extension. Taking this into account, the proposed extension would not protrude any further rearwards than this property. Should the neighbouring extension not go ahead, the distance between the two properties, together with their orientation and siting (applicant dwelling on slightly lower land than No.42) is not considered to produce an excessive loss of daylight/sunlight, overshadowing, visual impact or overlooking as a result of this proposed single-storey extension.

Attached No.38 to the east

This property has not been extended to the rear and the proposal would therefore result in the application dwelling protruding 4.5m further rearwards than it. Whilst this is a considerable depth, the orientation of the properties (south facing) limits the extension's impact in terms of loss of daylight/sunlight and overshadowing. Further, as a single storey 3m high addition, the extension is not considered to have an excessive impact upon the occupants' amenities. It is also noted that no objections were received from the occupants of this property.

Conclusion

Overall, the proposal is considered to be acceptable and to have addressed the reason for refusal for the previous scheme under application EPF/0327/23.

Additional Notes

Concerns have been raised around the use of this dwelling as an HMO property. Whilst the application dwelling would go from a 3-bed to a 6-bed as a result of the proposed works, this planning application must be considered on its merits as a Class C planning usage and the matter of the dwelling's use or potential use as an HMO is not material to the consideration of this planning application. It is however noted for the information of the applicant that all houses in multiple occupation (HMOs) now need to be licensed, and depending on the number of people living there, may require planning permission for change of use.

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: Nathaniel Raimi 01992 564 4793

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

Conditions: (4)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Access to the flat roof(s) 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.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 0110 Rev 01, 0010 Rev 01, 0020 Rev 01, 0011 Rev 01, 0001 Rev 01, 0101 Rev 01 and 0120 Rev 01

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

Informatives: (1)

- 5 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.