



# Epping Forest District Council



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Application Number:	EPF/1680/19
Site Name:	30 York Hill Loughton Essex IG10 1HT
Scale of Plot:	1:500

<b>APPLICATION No:</b>	EPF/1680/19
<b>SITE ADDRESS:</b>	30 York Hill Loughton Essex IG10 1HT
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr Guvenc Topcuoglu
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed two storey side and rear extension.
<b>RECOMMENDED DECISION:</b>	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=625996](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=625996)

## 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 will be completed and retained strictly in accordance with the approved drawings numbers: 1906\_LG\_LS1 01, 02, 1904\_LG\_EE3 01, EE2 01, E01 01, PE1 O1 and PE2 01 & 1906\_LG\_G01\_P01 Rev 02, P02 Rev 02, S01 REV 02, E02 REV 02 AND E03 REV 02
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The window openings in the south western flank elevation(s) shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

*This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

### **Description of Site:**

Semi-detached dwelling on narrow site, opposite triangular green just north west of the junction of Queens Road and York Hill, Loughton. The site falls within York Hill Conservation Area and forms part of a frontage of mostly Victorian dwellings. There is a narrow rear access lane serving the application site and neighbouring properties including a terrace of properties in Forest Way to the rear.

### **Description of Proposal:**

Proposed two storey side extension measuring 1.2m wide, 3.7m deep, 7.6m high (max) reducing to 7.2m (due to the land rising to the rear of the site) and eaves height 4.3. The extension would provide an extended kitchen/dining room and at first floor level provides an extended bedroom with en-suite. The proposed materials are yellow stock brick to match existing, plain clay roof tiles to match existing, and timber framed windows painted white and white oak frame doors to the rear of the site.

### **Relevant History:**

EPF/0623/14:- Two storey rear extension. Granted Permission 16.05.2014

The above application was approved by Planning Committee South on the 14<sup>th</sup> May 2014.

### **Planning Policy:**

#### **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).

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  
DBE9 Loss of Amenity  
DBE10 Residential Extensions  
HC6 & HC7 Development within Conservation Areas

*National Planning Policy Framework (NPPF) (February 2019)*

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 14<sup>th</sup> 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 2<sup>nd</sup> 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.

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
DM7 Heritage Assets	Significant
DM8 Heritage at Risk	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

**Summary of Representations:**

Number of neighbours consulted: 7  
 Site notice posted: Yes

Amended plans were received and a reconsultation took place. The majority of the below responses were to the original submission.

LOUGHTON TOWN COUNCIL – Objection – on the grounds that it is overbearing due to bulk, mass and height and was out of keeping with the street scene and conservation area. The first floor terrace would cause overlooking and be detrimental to the amenity and

privacy of the neighbours. A member of the Committee would not be willing to attend an Area Planning Sub-Committee South meeting, having nothing further to add.

**Neighbours Responses:**

THE HILLS AMENITY SOCIETY: - objection – the only alterations were to remove the balcony to the rear; there are no measurements on the proposed plans, and next door no.32 is not mentioned on these proposed plans hence it is difficult to gauge what impact they would have. The properties are original Edwardian cottages this proposal is completely out of keeping with the attached property. Large rear window will affect the privacy of neighbours living in Ashley /Grove and Forest Way.

2 FOREST WAY: - Objects to the planning application, the gardens at Forest Way are very small. If this is approved then I would lose privacy as the development would overlook my property.

4 FOREST WAY: - Objects to the proposal on the following two grounds: Loss of privacy – across the whole house and garden, especially the kitchen and bedrooms and Massing – making the area feel very crowded and built upon, particularly due to the roof extension becoming overbearing from our position and making us feel hemmed in.

32 YORK HILL: - Objects the images clearly demonstrate how doctored the presentation of the computer render on page 7 of the Design Access Statement which accompanied the planning application for the proposed two storey rear side extension and roof terrace at 30 York Hill.

9 ASHLEY GROVE: - objects to the proposal, the size of the rear extension would be intrusive and block my outlook; cause loss of light from my property; design and scale of the proposal appears to be out of character with its surroundings and the Conservation Area. Concerned that the foundations of the proposed new building would affect the boundary wall between our two properties. The previous planning application, which has now lapsed, was for a side extension, not a rear extension. This current proposal, which includes a rear extension, would be prominent in the back garden of No. 30 and alter the design of this one of a pair of houses.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP: - We object to this application, which appears to be an over-development out-of-keeping with this Conservation Area, and with neighbouring properties. We are also concerned about the adverse effects on the privacy of residents of neighbouring properties which would be created by the first floor.

However, if the District Council is minded to approve the application, we ask for conditions as follows:

- to provide suitable landscaping
- to restrict demolition and building work hours to the Council's usual standard hours
- to require wheel-washing equipment on-site
- to restrict vehicles to those of a size suitable for the roads leading to the site.

**Application History:**

A scheme for a two storey side extension was granted permission with conditions at

**Planning Considerations:**

Since the original submission the proposed plans have been amended following advice from officers. The alterations are as follows:-

- The 0.7m deep ground floor single storey rear extension and the green roof have been removed.
- The proposed roof height of the proposed extension has been reduced by 0.9m.
- The floor to ceiling window openings to the side elevation at ground floor and first floors have been removed and revised to similar window openings to the existing.

The amended proposal remains the same as that previously approved under EPF/0623/14 in regards to the two storey side extension, there are however some alterations to the fenestration to the rear wall and flank wall.

### Character and Appearance

The key considerations in this case relate to design and appearance, impact upon the conservation area, and on neighbouring amenity.

The roof of the extension would adopt the same roof pitch and height as the ridge of the original rear projection and the proposed materials are to be in keeping with the existing dwelling. In terms of design and scale the proposed extension is considered to be sympathetic to the character and appearance of the property.

The extension would extend from the rear of the property and finish flush with the original two storey rear projection to the north eastern side of the property, due to this positioning the proposed extension to the rear of the property would have limited public views from the street and therefore would not impact the character and appearance of the street scene.

Since the proposal is not almost identical to that previously approved under EPF/0623/14, which was deemed to be appropriate, it is still considered that this extension is acceptable within the conservation area.

### Impact on neighbouring amenity.

The proposed extension would be sited on the common boundary with No.9 Ashley Grove. The extension would have little impact on that property since there are no windows in the flank wall of No.9 directly opposite to the proposed addition. The proposal does not extend beyond the rear wall of No.9 and therefore does not restrict light or views from its rear facing windows. A new window in the flank wall of No.30 should not create any overlooking although it might be precautionary if this were obscure glazed.

The proposal would have no impact to the attached neighbour at no. 32 as the proposed extension would not extend beyond the existing rear projection that is along the boundary with no.32.

The proposal would be located 10m from the rear wall of no 2 Forest Way, there would be no impact in terms of overlooking as there are no additional windows proposed to the rear elevation at first floor level, and even if this was the case these windows would be no different to the existing rear windows at the property are surrounding neighbouring properties at nos. 9 Ashley Grove and 32 York Hill.

Consent was previously granted for an almost identical extension to this in 2014, however has now expired. Nonetheless the previous extension was assessed with regards to the impact on neighbouring amenities and deemed to be acceptable. There is no change in circumstance that alters this decision.

### Objections Addressed

Although this is a small site any loss of rear amenity space due to the extension will be minimal and this proposal does not amount to overdevelopment. The only practical drawback to the proposal will be lack of access during construction. Although there is a very narrow rear access lane, and it will be important to neighbours that this is not blocked at any time, unfortunately this is not considered to be a material planning consideration since it would relate to a legal matter with regards to rights and access and easement.

**Conclusion:**

The proposal is a small, well designed addition that respects the character and appearance of the house and the quality of the surrounding Conservation Area and would not detrimentally impact on the amenities of neighbours. Due to the amended plans the proposal is almost identical to the planning permission that was granted consent in 2014 under EPF/0623/14. As such the proposal complies with relevant planning policy and consequently is recommended for approval.

***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: Natalie Price  
Direct Line Telephone Number: 01992 564718***

***or if no direct contact can be made please email:  
[contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***