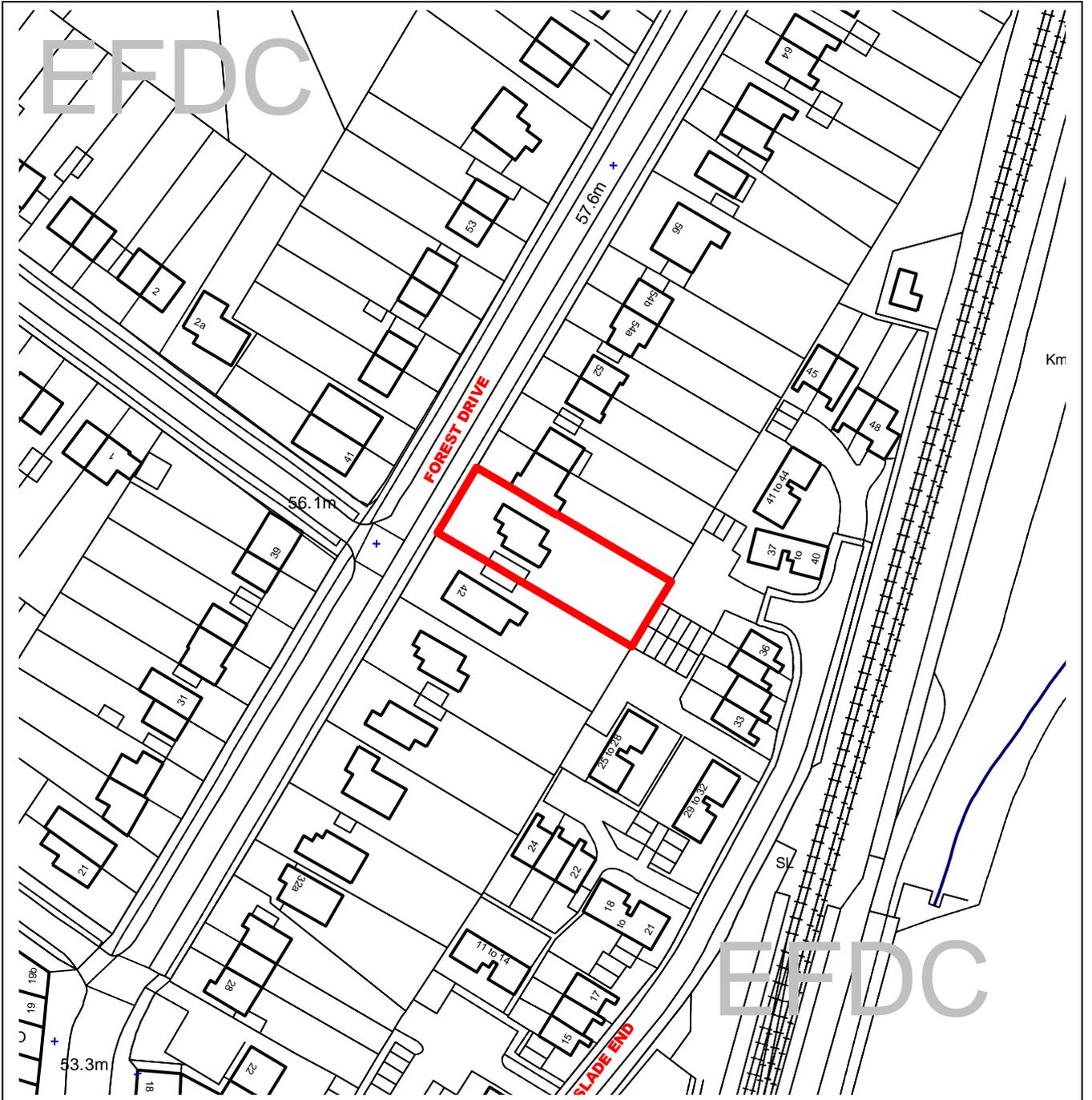




Epping Forest District Council



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Application Number:	EPF/2377/19
Site Name:	44 Forest Drive Theydon Bois Epping CM16 7EZ
Scale of Plot:	1:1250

APPLICATION No:	EPF/2377/19
SITE ADDRESS:	44 Forest Drive Theydon Bois Epping CM16 7EZ
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Daniel Hosford
DESCRIPTION OF PROPOSAL:	Proposed single storey outbuilding to rear.
RECOMMENDED DECISION:	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=628979

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:

713:01, 713:20, 713:21 A and 713:22 A.
- 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 proposed development shall only be used for purposes incidental to the dwelling house on the site. It shall not be used for primary accommodation, any business or commercial purposes at any time.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council which is material to the planning merits of the proposal, and the Local Council confirms it intends to attend and speak at the meeting where the application will be considered (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site comprises of a detached bungalow on the south eastern side of Forest Drive in Theydon Bois. It has a detached garage on its south west elevation. The application dwelling is not a Listed Building and is not located within a Conservation Area or Metropolitan Green Belt.

Description of Proposal:

This proposal seeks permission for a single storey outbuilding to rear.

Relevant Planning History:

EPF/0390/89 - Single storey rear extension. Grant Permission (With Conditions)

Policies Applied:

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	Design of Residential Extensions

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.

In addition to paragraph 11, the following sections of the NPPF are considered to be of relevance to this application:

Section 12.

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 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
DM9 - High Quality Design	Significant

Consultations Carried Out and Summary of Representations Received:

Number of neighbours consulted: 2

Responses received: no objections have been received from the neighbouring properties.

Site notice posted: N/A

THEYDON BOIS PARISH COUNCIL: The Parish Council have raised objection to this proposal. Their comments are summarised below:

- The outbuilding would be constructed in close proximity to the boundaries of the plot, with no allowance for any significant planting to help screen the structure, or to soften the impact, when viewed from the perspective of the adjacent gardens, thereby making it visually intrusive;
- Given the proposed size of the outbuilding and the intention to fit double glazing and cavity wall insulation, concerns are raised as to its intended use. It was felt that the proposed building would be, in fact, more akin to a small bungalow, rather than to a storage facility or shed.
- If planning permission is granted a suitable condition should be put in place to ensure that the building will not be used for any primary residential, or commercial, purposes.

Planning Considerations:

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) The impact on the living conditions of neighbouring amenities;

Character and appearance:

The proposed outbuilding will be located at the rear curtilage of the subject dwelling on the north eastern side of the garden. The outbuilding will have a width of 7.0 metres and a maximum depth of 6.4 metres and minimum depth of 4.0 metres. It will have a pitched roof with a maximum height of 4.0 metres. The outbuilding will be set in from the boundary on both sides by 0.8 metre.

It is noted that no. 42 on the south west elevation has an outbuilding to a similar height and dimensions under approved planning reference: EPF/1391/16.

Taking into account the above example and the size, location and design of the proposed outbuilding, it is considered that it will not have a detrimental impact on the character or appearance of the subject dwelling or those within the surrounding area. The proposal therefore complies with Policy DBE10 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM 9 of Epping Forest District Local Plan Submission Version 2017.

Living conditions of neighbours:

The proposed outbuilding is adjacent to a parking block containing garages serving properties in Slade End. Taking into account the location, the size and the design of the proposed outbuilding, it is considered that it would not give rise to material adverse impact on the occupiers of the neighbouring properties in terms of loss of light, overshadowing, overlooking, or overbearing impact such that it would justify a refusal of this application. The proposal therefore complies with Policy DBE9 of Epping Forest District Local Plan (1998) and Alterations (2006) and policy DM9 of Epping Forest District Local Plan Submission Version 2017.

Other matters raised by third party consultees

As mentioned above the Theydon Bois Parish Council have raised objection to the proposed outbuilding. Whilst their comments are acknowledged, having reviewed the related planning issues it is considered that the above stated reasons do not justify a reason for refusal of the application. However, a condition has been attached to the decision notice relating to this application which prohibits the use of the outbuilding for primary accommodation, business or commercial purposes.

Conclusions:

For the reasons above, it is recommended that planning permission be granted for the above proposal subject to conditions.

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: Honey Kojouri

Direct Line Telephone Number: 01992 56 4124 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk