

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control **Date:** 8 October 2014
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.15 pm
High Street, Epping

Members Present: B Sandler (Chairman), B Rolfe (Vice-Chairman), Mrs H Brady, R Butler, K Chana, R Jennings, Mrs S Jones, H Kauffman, J Knapman, K Angold-Stephens, Ms G Shiell, D Stallan and B Surtees

Other Councillors: -

Apologies: A Boyce, J Hart, Ms Y Knight, Mrs J Lea, C C Pond and J M Whitehouse

Officers Present: N Richardson (Assistant Director (Development Management)), G J Woodhall (Democratic Services Officer) and S Mitchell (PR Website Editor)

19. WEBCASTING INTRODUCTION

The Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

20. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning meetings.

21. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Committee noted the following substitutions:

- Councillor Shiell for Councillor Lea;
- Councillor Stallan for Councillor Boyce;
- Councillor Angold-Stephens for Councillor C C Pond; and
- Councillor Surtees for Councillor J M Whitehouse.

22. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor K Angold-Stephens declared a personal interest in the following item of the agenda, by virtue of his Wife being the Chairman of the Loughton Town Council Planning Committee. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1183/14 95 High Road, Loughton.

23. MINUTES**Resolved:**

(1) That the minutes of the meeting held on 13 August 2014 be taken as read and signed by the Chairman as a correct record.

24. EPF/1183/14 - 95 HIGHROAD, LOUGHTON

The Committee considered an application for a double storey rear extension including the enlargement of existing basement and loft conversion with rear dormer windows. This application had been considered by Area Plans Sub-Committee South on 6 August 2014 and had been referred to this Committee without recommendation.

The Assistant Director of Governance (Development Control) stated that the proposed development was for the erection of a two-storey rear extension including an enlargement of the existing basement and loft conversion with rear dormer windows. The proposed development was significantly revised from the four applications made since 2012, all of which had been refused. The flank wall nearest 97 High Road would be separated from that property by 200mm; the flank wall nearest 93 High Road would align with the existing upper level flank wall of that property and be a distance of 2.4m away. There were no new windows in the flank of the proposed extension. The enlarged basement would only be part of the width of the proposed extension and would adjoin the neighbouring property at 97 High Road. The basement was actually a lower ground floor area, directly accessible from the rear garden by a short stairwell. It was also proposed to have a 1.5m wide raised platform at the boundary with 97 High Road, approximately 1 m above ground level; a 1.8m high obscure privacy screen would be erected at the end of the platform on the site boundary with 97 High Road.

The Assistant Director reported that the main issues to consider were the consequences for the character and appearance of the locality and living conditions of the neighbours. One of the previous applications refused by the Council (EPF/1500/13) had been appealed by the Applicant. The appeal was dismissed on the grounds that the proposed side extension would significantly reduce the visual gap between the property and the neighbour at 93 High Road, which would harm the character and appearance of the street scene. In addition, the proposed flank bedroom window also counted against the proposal. The Inspector made a further five comments in relation to that application, and these formed a material consideration of significant weight when considering this application.

The Committee noted the summary of representations, and that the Town Council had objected to this application and had described the receipt of a fifth application for the site as vexatious. Four neighbours had objected to the application, both the neighbours at 93 and 97 High Road, plus two adjoining properties in Algiers Mead which were located at the end of the Applicant's rear garden.

The Committee heard from an Objector and the Applicant before proceeding to debate the application.

Concerns were expressed by the Committee that the roof-line of the extension should not be higher than the adjoining roof-lines, and a proposal was put forward for this to become an extra condition. The Assistant Director reassured the Committee that the Council would take enforcement action if the roof-line at 95 High Road was built higher than the neighbouring properties. The Committee then proposed and

approved a condition that that the proposed extension (if granted planning permission) should be built in strict accordance with the submitted drawings.

The Committee was also concerned about the proposed 200mm gap between 95 and 97 High Road. The Assistant Director drew the Committee's attention to the fact that the Planning Inspector at the appeal for an earlier application on this site had considered the gap to be acceptable. In addition, only the visual impact of such a gap could be considered a planning issue. The Committee noted that the proposed side window in the south-west flank served a bedroom, and was concerned about possible overlooking of the neighbouring property. An extra condition was proposed and agreed that this window should be fitted with obscure glass and have fixed frames to a height of at least 1.7m from the floor.

In response to questions for the Committee, the Assistant Director stated that the decking in the rear garden protruded 1.5m from the house, and any further extension to this decking would require planning consent. The trees at the rear of the garden of 95 High Road were not protected by Tree Preservation Orders, and therefore the Committee could not insist that they remained in place to screen the extension from the adjoining properties in Algiers Mead. It was noted that the dormer windows did not extend into the roof-line, and that the application before the Committee was indeed the fifth received for this site since 2012.

Resolved:

That planning application EPF/1183/14 at 95 High Road, Loughton be granted permission, subject to the following 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) 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;
- (3) the development hereby permitted will be completed strictly in accordance with the approved drawings numbers: SSCD7748/RS01 Rev E, SSCD7748/RS02 Rev F, SSCD7748/RS03, and unnumbered site plan; and

Reason: To ensure the proposal was built in accordance with the approved drawings.

- (4) Prior to first occupation of the development hereby approved, the proposed first floor window opening in the south west flank elevation shall be entirely fitted with obscured glass and have fixed frames to at least a height of 1.7 metres above the floor of the room in which the window was installed and shall be permanently retained in that condition.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with the guidance contained within the National Planning Policy Framework and policy DBE9 of the adopted Local Plan and Alterations.

25. ANY OTHER BUSINESS

The Committee noted that there was no other urgent business for consideration.

CHAIRMAN