

committee agenda



**Epping Forest
District Council**

***District Development Control Committee
Wednesday, 25th June, 2014***

You are invited to attend the next meeting of **District Development Control Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 25th June, 2014
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall
The Directorate of Governance
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, Mrs H Brady, R Butler, K Chana, J Hart, R Jennings, Mrs S Jones, H Kauffman, J Knapman, Ms Y Knight, Mrs J Lea, C C Pond and J M Whitehouse

**A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP
SPOKESPERSONS OF THE-COMMITTEE, AT 6.30 P.M.
IN COMMITTEE ROOM 1 PRIOR TO THE MEETING**

SUBSTITUTE NOMINATION DEADLINE:

18:30

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Democratic Services Officer on 01992 564470.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber’s lower seating area you are consenting to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Director of Governance) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on this agenda.

6. MINUTES

To confirm the minutes of the last meeting of the Sub-Committee (previously circulated).

7. EPF 2361/09 212 MANOR ROAD, CHIGWELL - REDEVELOPMENT OF LAND FORMERLY IN USE AS A GARDEN CENTRE TO PROVIDE 21 FLATS 80% OF WHICH WILL BE AFFORDABLE HOUSING (REVISED APPLICATION) (Pages 7 -

8)

(Director of Governance) To consider the attached report (DEV-001-2014/15).

8. **EPF/1399/09 212 MANOR ROAD, CHIGWELL - OUTLINE PLANNING PERMISSION FOR 68 RESIDENTIAL UNITS (52 AFFORDABLE) INCLUDING PUBLIC OPEN SPACE WITH ALL MATTERS RESERVED EXCEPT ACCESS (Pages 9 - 10)**

(Director of Governance) To consider the attached report (DEV-002-2014/15).

9. **EPF/2554/13 11 MOUNT END, THEYDON MOUNT - CERTIFICATE OF LAWFUL DEVELOPMENT FOR RETENTION OF HARDSTANDING AND USE OF HARDSTANDING FOR VEHICLE PARKING IN ASSOCIATION WITH DWELLING AND STABLES (Pages 11 - 16)**

(Director of Governance) To consider the attached report (DEV-003-2014/15).

10. **EPF/0630/14 69 BALDWINS HILL, LOUGHTON - SINGLE STOREY REAR EXTENSION, GARAGE CONVERSION AND DORMER WINDOW TO FRONT ELEVATION (Pages 17 - 22)**

(Director of Governance) To consider the attached report (DEV-004-2014/15).

11. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

12. EXCLUSION OF PUBLIC AND PRESS

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24

hours prior to the meeting.

Confidential Items Commencement

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers

Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

Report to District Development Control Committee



**Epping Forest
District Council**

Report Reference: DEV-001-2014/15

Date of meeting: 25 June 2014

Subject: Planning Application EPF/2361/09– Redevelopment of land formerly in use as a garden centre to provide 21 flats 80% of which will be affordable housing. (Revised application)- 212 Manor Road, Chigwell

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

(1) That the variation to the terms of the existing Section 106 Legal Agreement (to be completed within 6 months) be agreed by accepting the following amendment:

(a) The removal of the obligation to contribute the sum of £40,000 toward the re-opening of a Post Office Counter within the locality.

Report:

1. Members may recall the above planning permission given for the redevelopment of the former Jennykings Garden Centre car park.

2. That planning permission, which has been implemented, was subject to a Section 106 legal agreement which secured a number of matters, including a contribution of £40, 000 towards the re-opening of a post office counter service within the local area. It was intended that the sum of £40,000 along with a second sum of £120,000 secured from an adjacent development site would fund the operation of a Post Office counter from a nearby shop for a period of three years.

3. The payment of the £40,000 was to be made in three instalments (£20,000; £10,000 and £10,000) firstly upon commencement of the development with the second and third payments being due in subsequent years. No payment has been received.

4. It has since been brought to the Council's attention that the need/desire for a Post Office Counter within the locality no longer exists. The Post Office confirmed that it would be detrimental to business carried out at adjacent branches operating locally. On this basis, the removal of this obligation from the Section 106 is considered reasonable.

Planning Issues

5. Paragraphs 203-205 of the National Planning Policy Framework (NPPF) set out guidance relating to planning obligations. This requires that obligations should

only be sought where they are necessary, directly related to the development and fairly and reasonably related in scale and kind.

6. The obligation was sought initially to provide a community facility as required under policy E4B of the Local Plan, which required former employment sites to be used for purposes which fulfil community needs, prior to use for open market housing. Whilst a need for a Post Office counter service no longer exists, other community needs do. One such need within the locality is for affordable housing, despite the provision of a considerable number of units within the development.

7. Earlier this year a new planning permission was given in respect of the block fronting Manor Road within this development. The building was originally approved to accommodate the 4 market housing dwellings within the development and the new permission granted consent for the inclusion of an additional dwelling within the roof space. That permission was subject to a further Section 106 legal agreement, which secured the equivalent sum of £40,000 towards further provision of affordable housing. On this basis, it is considered that the development has fulfilled other community needs and no additional obligation is now sought.

Conclusion

8. The variation to the legal agreement, as set out within the recommendation above, be agreed.

Report to District Development Control Committee

Report Reference: DEV-002-2014/15
Date of meeting: 25 June 2014



**Epping Forest
District Council**

Subject: Planning Application EPF/1399/09– Outline planning permission for 68 residential units (52 affordable) including public open space with all matters reserved except access - 212 Manor Road, Chigwell

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564249)

Recommendation:

(1) That the variation to the terms of the existing Section 106 Legal Agreement (to be completed within 6 months) be agreed by accepting the following amendment:

(a) The removal of the obligation to contribute the sum of £120,000 toward the re-opening of a Post Office Counter within the locality; and

(b) The additional obligation to contribute the existing paid sum of £40,000 toward the provision of affordable housing within the local area.

Report:

1. Members may recall the above planning permission given for the redevelopment of the former Jennykings Garden Centre and land to the rear. The development is nearing completion.

2. That planning permission, which has been implemented, was subject to a Section 106 legal agreement which secured a number of matters, including a contribution of £120, 000 towards the re-opening of a post office counter service within the local area. It was intended that the sum of £120,000 along with a second sum of £40,000 secured from an adjacent development site would fund the operation of a Post Office counter from a nearby shop for a period of three years.

3. The payment of the £120,000 was to be made in three instalments of £40,000 – firstly upon commencement of the development with the second and third payments being due in subsequent years. The first has been received by the Council and the second is due.

4. It has since been brought to the Council's attention that the need/desire for a Post Office Counter within the locality no longer exists. The Post Office confirmed that it would be detrimental to business carried out at adjacent branches operating locally. On this basis, the removal of this obligation from the Section 106 is requested by the site developer.

5. On the basis that the removal of this obligation would remove an element of community gain from the proposed development, Officers have negotiated that rather than return the existing payment of £40,000, it may be retained for the purposes of delivering additional affordable housing within the local area. The developer has finally agreed to this.

Planning Issues

6. Paragraphs 203-205 of the National Planning Policy Framework (NPPF) set out guidance relating to planning obligations. This requires that obligations should only be sought where they are necessary, directly related to the development and fairly and reasonably related in scale and kind.

7. The obligation was sought initially to provide a community facility as required under policy E4B of the Local Plan, which required former employment sites to be used for purposes which fulfil community needs, prior to use for open market housing. Whilst a need for a Post Office counter service no longer exists, other community needs do. One such need within the locality is for affordable housing. However, the site has been developed with 77% being affordable housing and therefore already there is provision of a considerable community benefit within the development. On this basis, the site developer has agreed to the Council retaining the sum of £40,000 previously paid, for the purposes of delivering Affordable Housing. This is very reasonable given the community need for a post office no longer exists.

Conclusion

8. The variation to the legal agreement, as set out within the recommendation above, be agreed.

Report to District Development Control Committee

Report Reference: DEV-003-2014/15
Date of meeting: 25 June 2014



**Epping Forest
District Council**

Subject: Planning Application EPF/2554/13 - Certificate of lawful development for retention of hardstanding and use of hardstanding for vehicle parking in association with dwelling and stables - 11 Mount End, Theydon Mount.

Responsible Officer: Katie Smith (01992 564103).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation:

(1) That the application be approved for the following reason:

(a) The Local Planning Authority is satisfied that the development described is lawful by reason of the passage of time prescribed in Section 171(b) of the Town and Country Planning Act 1990 (as amended) having been met.

Report:

1. (Director of Governance) This application is reported to this Committee because the applicant is the spouse of Councillor Heather Brady and relates to property in their ownership. The Council's Constitution requires that planning related applications in such cases be reported direct to this Committee for determination and decision making.

Planning Issues:

Description of Site

2. The application site comprises land to the side and rear of 11 Mount End. It is loosely surfaced with gravel and has vehicle access from Mount End.

Description of Proposal

3. This application seeks the grant of a certificate of existing lawful development/use in respect of hard standing used for the parking of vehicles in association with the dwelling and stables.

Relevant History

4. None relevant.

Summary of Representations

5. Notification of this application was sent to Theydon Mount Parish Council.
6. The application has attracted the following responses:
 - THEYDON MOUNT PARISH COUNCIL. No objection.
 - 1 BEACHETT COTTAGE, THEYDON MOUNT. Support. We have visited the Brady family at 11 Mount End. I have parked my car and observed throughout this time numerous vehicles parked upon the land to the south of the property and stable yard on the hard standing.
 - 28 KINGSMEAD PARK, COGGESHALL ROAD, BRAINTREE. Support. I have visited the property over the last 20 years in my profession as a hairdresser and I have used the car park to the South of the property outside the hedge to park in. I have also noted various vehicles parked in the stable yard (that is beyond the metal gate in the car park) for at least 20 years.
 - GREAT TAWNEY HALL, STAPLEFORD TAWNEY. Support. I have known the Brady family for over 30 years. The area in question where Mr Brady stations his mobile caravan/motor home has been a hard standing for many many years.
 - TAWNEY BARN, TAWNEY COMMON. Support. I have over the last 20 years or so been spraying, fertilising and cutting the hedges of the fields around 11 Mount End and can confirm that the car park to the south of the property outside the hedge has been used to park in along with various vehicles parked in the stable yard for at least 20 years.
 - SCHOOL HOUSE, MOUNT END. Support. I have lived at the School House for some 25 years and have seen various vehicles continually parked upon the hard standing.
 - BARKERS FARM. Objection. There is a difference between a hard standing and a hard surface. The Brady's have a patch of ground covered with a scattering of stones, this is a temporary surface, best described as a hard surface. A hard standing should be a minimum of half a metre deep and have foundations. I do not believe that Mr Brady has used the area for a period of ten years or more. I walk around the area regularly and have never seen a vehicle parked where the caravan now is. The parking obstructs the route of horses coming and going from the stable block. Letters supporting the claim are not sufficient – solemn declarations/affidavits should be made. Has the Council looked at aerial photographs? Have they measured the depth of the hard area and does it have foundations? Have other neighbours been consulted?

Issues and Considerations

7. The only issues to be considered is whether or not evidence demonstrates that the Applicant's claim that the hardstand has existed for over four years and the parking use has taken place without interruption for a period of at least ten years is probable. There are therefore no national or local planning policy issues.

8. It is for the applicant to prove that the use is lawful. However, in case law, *“the Court has held (see F W Gabbitas v SSE and Newham LBC [1985] JPL 630) that the applicant's own evidence does not need to be corroborated by “independent” evidence in order to be accepted. If the LPA have no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate “on the balance of probability”.*”

9. Accordingly, it must be determined whether there is sufficient evidence to prove, on the balance of probability, that the described use has taken place for a continued period of at least ten years and that the hard standing has been in situ for a period of at least four years.

The Applicant's Evidence

10. The Applicant's submitted evidence comprises a letter from the occupier of School House, Mount End. Subsequently further letters have been received during the course of the application which, with the exception of one, supports the claim.

The Council's Evidence

11. The area of hard standing is visible (along with the stable buildings) on aerial photography taken in 2004, 2007 and 2011.

Assessment of Evidence Available

12. Usually, as stated by the occupier of Barkers Farm, there is a requirement for supporting statements submitted accompanying applications for certificates of lawfulness to be witnessed. This is because greater weight can be applied to declarations made under oath when assessing the evidence provided.

13. However, in this case, the letters submitted support the Council's own aerial photography, which clearly shows the existence of the hard surface over the requisite period. On this basis, it is not necessary to seek additional evidence in the form of sworn statements.

14. Whether or not the surface which exists and is visible within the aerial photography constitutes a hardstanding or hardsurface is a matter raised by an objector. However, the Oxford Dictionary definition of a hardstanding is *‘an area with a hard surface for a vehicle to stand on’*. No definition is given in either The Town and Country Planning (General Permitted Development Order) or the Highways Act. Accordingly, it is not considered necessary for the surface to sit on foundations for it to be considered a hardstanding.

15. With regard to parking, the presence of vehicles within the site cannot be ascertained from the aerial photography (with the exception of one vehicle clearly visibly in the 2004 image). Furthermore, whilst there is supporting information from neighbouring occupiers in respect of this claim there is also a statement to the contrary from the occupier of nearby Barkers Farm.

16. In the instances described by the Applicant and within the supporting statement, the parking of vehicles would not be the primary use of the land. The parking would be ancillary to either the adjacent dwelling, or the stables to the rear. Furthermore, the hardstanding has clearly been erected for an intended use.

Ostensibly, that intended use will have been for parking and access. Accordingly, whilst the evidence submitted is not sufficient to demonstrate that the primary use of the land for the parking of vehicles is lawful, it is considered that the existence of the hardstanding for the period at least since 2004 along with the written evidence of neighbouring properties is sufficient to demonstrate (on the balance of probability) that the use has taken place for the required period.

17. An objection has been received and the content of the representation are largely irrelevant to the material facts of the application. However, two comments are notable. Firstly, the objector has not seen a vehicles parked previously in this position that a caravan is now parked; and secondly, that the location of the car parking is not logical in relation to access to the stables. With regard to the position of the caravan, for a use involving the parking of vehicles to become lawfully established it is not necessary for the parking to have taken place within the same very specific location and without interruption (i.e. as long as the use has occurred throughout the site and that vehicles are regularly parked this is sufficient - vehicles are able to come and go and change over time). In relation to the matter of where vehicles would logically be parked, the site is adjacent to a residential property and the stables are not commercially run. On this basis it is considered likely that the car parking would be managed to suit the Applicant's needs, even if this occurs in a way which may not seem logical to third parties.

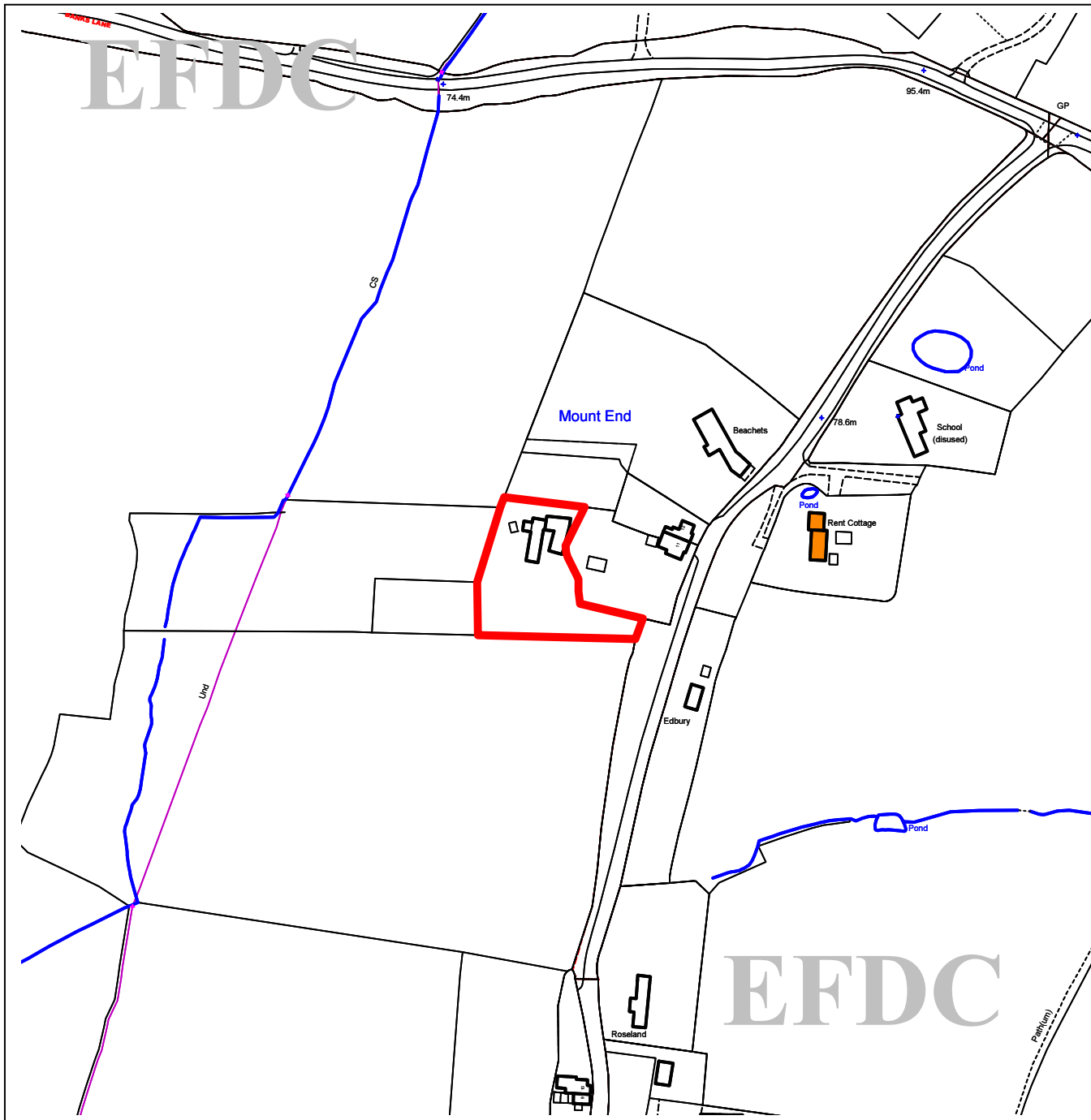
Conclusion:

18. In light of the above appraisal, it is the opinion of officers that sufficient evidence exists to demonstrate on the balance of probability that the claim is lawful. The Committee should decide whether they agree with this recommendation. If Members do agree and a certificate is issued confirming the existence of the hardstanding and its use as lawful, it is recommended that this will be subject to limitations including that the use is incidental to the use of the stables and the residential property of 11 Mount End. Accordingly, the site would not form any extension to the existing residential curtilage.



Epping Forest District Council

AGENDA ITEM NUMBER



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/2554/13
Site Name:	11 Mount End, Theydon Mount CM16 7PS
Scale of Plot:	1/2500

This page is intentionally left blank

Report to District Development Control Committee

Report Reference: DEV-004-2014/15

Date of meeting: 25 June 2014



**Epping Forest
District Council**

Subject: EPF/0630/14 69 Baldwins Hill, Loughton - Single storey rear extension, garage conversion and dormer window to front elevation

**Responsible Officer: Stephan Solon (01992 564018)
James Rogers (01992 564371)**

Democratic Services: Gary Woodhall (01992 564249)

Recommendation:

(1) That Planning permission be granted subject to the following conditions:

(a) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice; and

(b) All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Report:

1. This application was reported to the Area Plans South Sub-Committee on 11 June with the above Officer recommendation. The vote on that recommendation went against it with 5 Members in favour of it and seven against. Cllr Mohindra was concerned that, notwithstanding the vote, subsequent discussion on a motion for refusal was likely to result in Members being asked to vote on a motion that was not based on sound planning grounds with risk that the Council's case on appeal would not be sound. In order to protect the Council against any costs associated with an appeal he initiated a proposal to refer the item to the District Development Control Committee as a minority reference. That was supported by sufficient Members with the consequence that the application is now reported for the Committee's consideration.

2. There was no vote on a motion to refuse planning permission therefore the Area Plans South Sub-Committee did not proceed to formally recommend permission be refused. The District Development Control Committee is consequently asked to consider the application and Officers recommendation afresh. The original report on the application is set out below.

ORIGINAL REPORT TO AREA PLANS SOUTH SUB-COMMITTEE

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 (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of Site

Baldwins Hill is located within the settlement of Loughton. The existing building is a two storey detached property located within a relatively short plot. The rear garden is approximately 13m long. The adjacent neighbours have not been extended to the rear; however there are some examples of rear extensions along Baldwins Hill. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposed development is for a single storey rear extension which will be 3.5m deep, 10.5m wide and 3.2m high. The application also includes a front porch and new front dormer windows which alter the façade of the dwelling. It is also proposed to change the garage into habitable living space.

Relevant History

EPF/0420/86 - Single storey rear extension and conversion of garage to living room - Refused and dismissed on appeal

Policies Applied

CP2: Quality of Rural and Built Environment
DBE9: Loss of Amenity
DBE10: Residential Extensions

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

Consultation carried out and summary of representation received

4 neighbours consulted –

71 BALDWINS HILL – OBJECTION – It is an overdevelopment of the site and would result in a loss of daylight, sunlight and outlook to my home and is grossly out of keeping with the area.

THE HILLS AMENITY SOCIETY – OBJECTION – The single storey extension will be imposing and affect neighbouring outlook. The front porch should not be allowed.

LOUGHTON TOWN COUNCIL – OBJECTION – The committee stated that the application is a gross overdevelopment of a very small plot and there was concern that the building line would be breached at the front and thus visually impact on the neighbouring properties.

The committee was also concerned that the scheme would cause grave loss of amenity and light to the neighbours, exacerbated by the large number of trees previously planted at this locality by Dr Fred Stoker, many with TPOs and over 22m high. Members considered the trees were an integral part of the historic landscape and were concerned no account had been submitted with the application documentation.

Members also commented that the design and access statement had incorrectly outlined the property that was shown on the photograph of the site on page 5, which exaggerated the depth of the garden and so was misleading.

Issues and Considerations

The main issues to consider when assessing this application are the effects of the proposal on the living conditions of neighbours and the design of the proposal in regards to the existing building and its setting

Neighbour Amenity

Although the rear gardens of the application site and that of the adjacent neighbours are relatively short, the rear building lines of no.71 and no.73 are set back approximately 1.5m further than the application property. As such the extension will only project 2m past the rear elevation, therefore given its reasonable height the extension will not appear excessively overbearing or cause any significant light loss to the neighbouring property.

The front porch is of a reasonable height and depth. Therefore it will not harm the living conditions of the neighbours.

Design

The rear extension is of a conventional design which respects the existing building. The front extension is a very minor addition and will not appear overly prominent within the street scene. The alterations to the front dormer windows appear somewhat bulky in appearance. However there are numerous examples of large box dormers on the front elevation of properties along Baldwins Hill. One such example is the adjacent dwelling (no.67). Therefore the dormer windows will not appear overly prominent within the street scene.

Conclusion

The development will not harm the living conditions of the neighbouring properties and the design respects the existing building. Therefore it is recommended that planning permission is granted.

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: James Rogers
Direct Line Telephone Number: 01992 564 371***

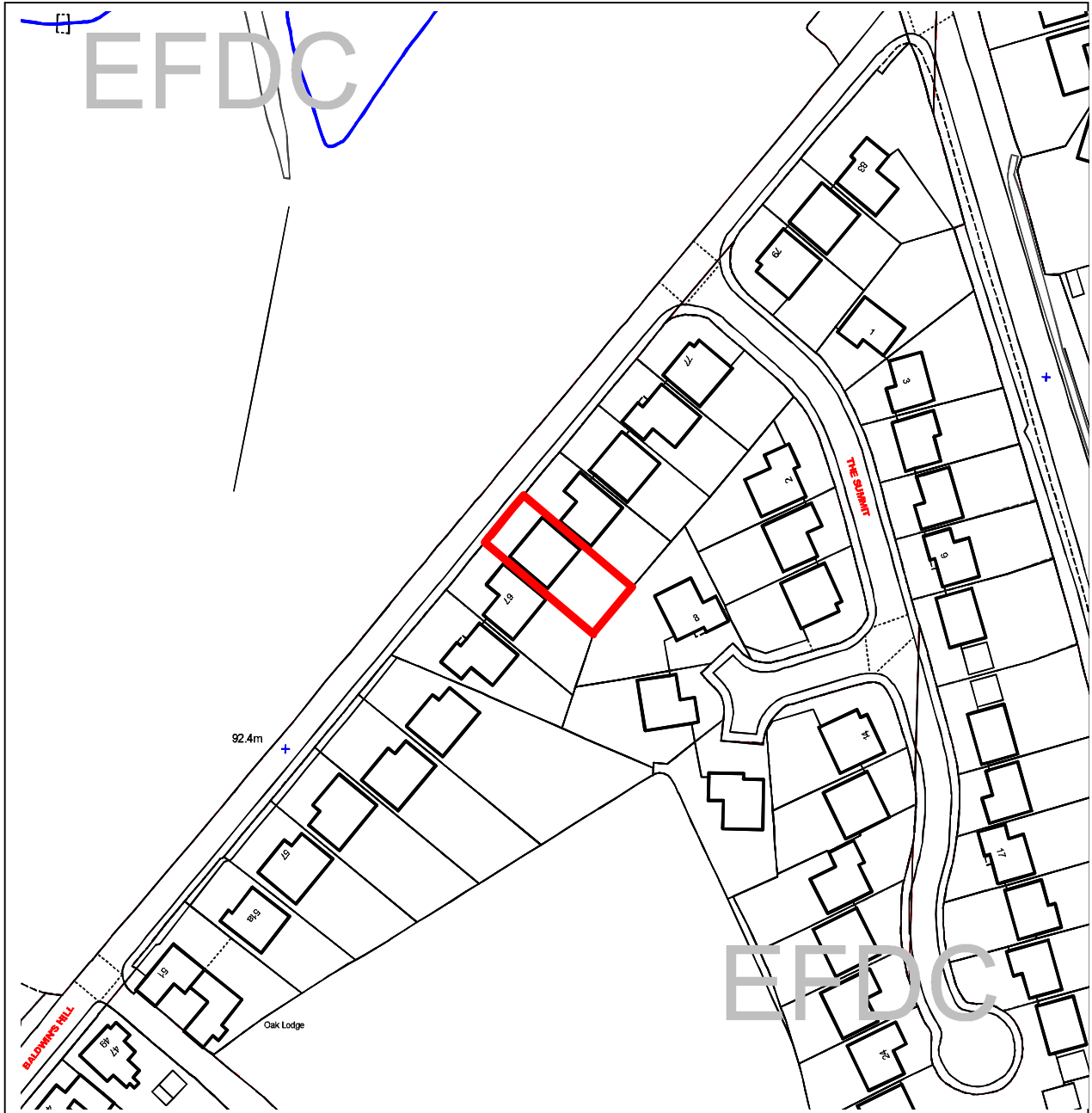
***or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk***

This page is intentionally left blank



Epping Forest District Council

AGENDA ITEM NUMBER 8



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0630/14
Site Name:	69 Baldwins Hill, Loughton IG10 1SN
Scale of Plot:	1/1250

This page is intentionally left blank