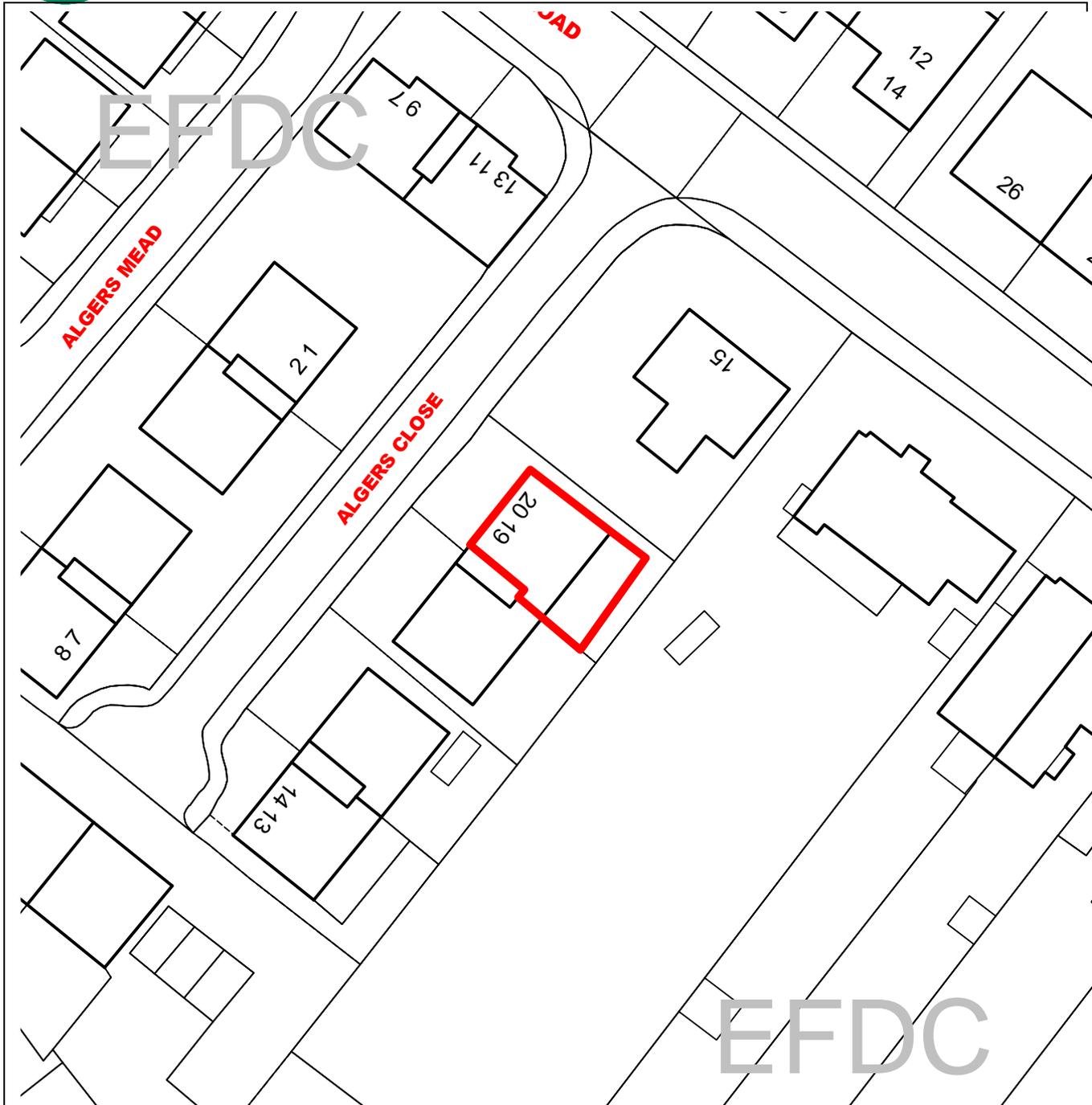




Epping Forest District Council



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Application Number:	EPF/0320/21
Site Name:	20 Algers Close Loughton IG10 4NH
Scale of Plot:	1:500

Report Item No: 10

APPLICATION No:	EPF/0320/21
SITE ADDRESS:	20 Algiers Close Loughton IG10 4NH
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr P Guthrie
DESCRIPTION OF PROPOSAL:	Ground floor rear extension.
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=648033

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 shall be carried out and retained strictly in accordance with the following approved plans: Existing Ground Floor Plan, Existing and Proposed Elevations, Proposed Ground Floor Plan, Location Plan and Site Plan & Section Plan
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Access to the flat roof 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.

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)).

Description of Site:

The application site is a ground floor flat located on the Southern side of Algiers Close. The site is not located within the Metropolitan Green Belt, it is not located within a Conservation Area and it is not a Listed Building.

Description of Proposal:

Ground floor rear extension.

Relevant History:

None

Policies Applied:

Adopted Local Plan:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 - Design of Residential Extensions

NPPF:

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) 2017

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 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
SP7 – The Natural Environment, Landscape Character and Green Infrastructure	Significant
DM9 – High quality design	Significant
DM10 – Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received

Site notice posted: No, not required

Loughton Town Council: OBJECTION: The committee OBJECTED to this application stating that it would be unacceptable for the neighbours, both above and adjacent, as it would reduce their amenity and make their properties less secure. The proposal would remove the symmetry and styling of the whole block; and be detrimental to the authenticity of these period apartments.

Number of neighbours consulted: 5

Neighbour responses received: 1

15 Algiers Road: OBJECTION: As long-standing (30 years) owners of the property whose south facing elevation with two ground floor windows which will be behind the proposed extension, we have concerns that it will infringe the Common Law of Right to Light, i.e., a right to maintain the current level of illumination to our own and neighbouring properties. Thus, we are concerned that it would have an adverse effect on the visual amenity of our property. Due to the proximity of the proposed extension to our rear boundary and the gardens of the other flats, we are also concerned that it has not been designed to minimize over shadowing of neighbouring properties. The application does not detail the usage of the building so we do not know if increased noise and disturbance would result from its use. We are concerned that the proposed development is out of character with the other ground floor flats in the block and will set a precedent for similar developments in the other flats, especially as any such developments would result in considerable loss of garden land for the flats.

Main Issues and Considerations:

The main issues to consider are the design and the impact on neighbouring amenity.

Design

The proposal is acceptable, its simple design is in keeping with the main building. The site is not situated within a conservation area nor is it a heritage asset (designated or non-designated). Given the modest scale and location of the extension it is not considered that this would be unduly harmful to the character or appearance of the block or the wider streetscene. Therefore the proposal complies with policies CP2 and DBE10 of the Adopted Local Plan 1998, policies SP7 and DM10 of the LPSV 2017 and the NPPF 2019.

Impact on Neighbouring Amenity

The application dwelling is a ground floor flat in a two storey building. The proposal is set in from the boundary with attached neighbouring property of 17 & 18 Algiers Close, there will be no impact on these neighbours. The depth of the extension is approx. 2.3m, this would not adversely impact the amenities of the property of no. 19 (first floor flat in the same building) of No. 15 (which backs on to the site) by way of overbearingness, loss of light (daylight and sunlight), loss of outlook and loss of privacy. The proposal therefore does comply with policies DBE9 of the Adopted Local Plan, DM9 of the LPSV 2017 and the NPPF 2019.

Conclusion:

The proposal complies with relevant planning policy and it is recommended that planning permission be **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: Zara Seelig
Direct Line Telephone Number: 01992 564379***

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