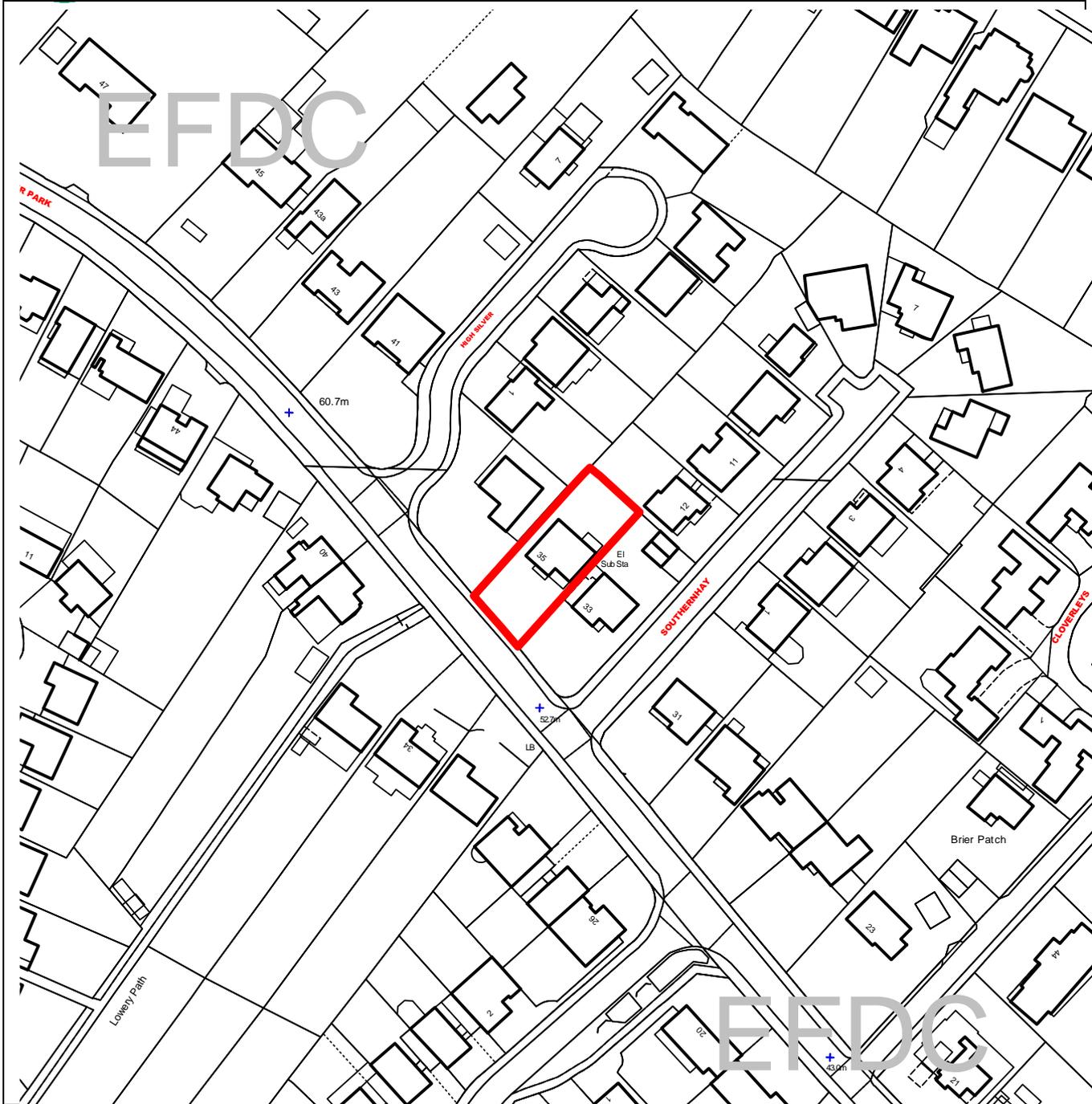




Epping Forest District Council



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Application Number:	EPF/1209/21
Site Name:	35 Upper Park Loughton IG10 4EQ
Scale of Plot:	1:1250

Report Item No: 10

APPLICATION No:	EPF/1209/21
SITE ADDRESS:	35 Upper Park Loughton IG10 4EQ
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Ms Maria Poullos
DESCRIPTION OF PROPOSAL:	Proposed loft conversion with increase of roof ridge level by 500mm with rear dormer.
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=651861

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:

2021.028.DD01; 2021.028.DD02; 2021.028.DD03; 2021.028.DD04;
2021.028.DD05; 2021.028.DD06;
2021.028.DD07; 2021.028.DD08; 2021.028.DD09; 2021.028.DD10;
2021.028.DD11; 2021.028.DD12;
2021.028.DD13; 2021.028.DD14A; 2021.028.DD15A; 2021.028.DD16A;
2021.028.DD17A; 2021.028.DD18; 2021.028.DD19A; 2021.028.DD20;
2021.028.DD21.
- 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.

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).

Site and Surroundings

35 Upper Park is a two-storey detached property with an integral garage, situated in a built-up area in Loughton. The road Upper Park runs off the High Road and up a relatively steep hill, with number 35 situated towards the apex of the hill on the northerly side of the street. The property has a first-floor balcony to the primary elevation (currently being renovated), a garden and driveway to the front, and a garden to rear. The houses in the street and surrounding area are of

varied character and appearance. 35 Upper Park is not a listed building, it does not lie in a conservation area, and it is not in the Metropolitan Green Belt.

Proposal

The applicants propose to raise the ridge of the roof by 50 centimetres, in order to accommodate a rear dormer to contain two bedrooms and an en-suite bathroom.

Following objections from neighbours and Loughton Town Council, the applicants amended their original plans, substantially reducing the amount of glazing to the rear of the proposed dormer and also removing the previously proposed Juliet balcony.

The rear dormer now proposed would have a width of 8.3 metres, height of 2.6 metres and depth from ridge of 3.46 metres, with a total volume of 37.33 cubic metres ($8.3 \times 2.6 \times 3.46 / 2$). It would have three windows to the rear, two with double panes and one with a single pane. The dormer would be set in by over a metre at each side, so it would not extend the full width of the roof. The windows would then be set in circa 1 metre from each side of the dormer. The dormer would not have a Juliet balcony. A single roof light is also proposed to the front elevation. The submitted drawings indicate that a grey tiled roof is proposed, with the dormer clad in grey tiles to match.

Relevant Planning History

CHI/0111/60 – Erection of detached house and garage – Grant permission.

EPF/0217/84 – Erection of ground floor extension – Grant permission (with conditions)

Development Plan Context

Local Plan and Alterations 1998 & 2006 (LP)

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 2019 (Framework)

The Framework 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 paragraphs of the NPPF are considered to be of relevance to this application:

Paragraphs 124, 127.

Epping Forest District Local Plan Submission Version 2017 (LPSV)

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.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Summary of Representations

Site visit: 15/07/21

Number of neighbours consulted and re-consulted: Seven. Two objections received from neighbours.

37 Upper Park object to the application as they are concerned about loss of light to rooms on the side of their house. They also believe that they would have the view from their top floor window obstructed by a dormer. They state that they like their neighbours and that they can understand their need to expand their home, but that they are opposed to the proposal to raise the ridge of the roof. They comment, 'On the first floor of our house, there are two rooms that would also be

impacted by a higher roof. Our house is very close in distance to next door and the bedroom and bathroom on the first floor of our house are already quite dark, due to the proximity of our neighbour's house. A higher roof height will only compound that issue and plunge those rooms further into darkness.'

1 High Silver objected to the initial and amended plans. In relation to the amended plans, they object to the raising of the ridge of the roof because, in their view, it would set a precedent and it would break the line of roofs on Upper Park, front and back, and 'look ugly'. They comment that the *'measurements of the increase of the roof ridge as shown on the plans appear to be over 500mm. There seems to be an error in the plans as the measurements given for the height of the proposed loft (2595mm) less the measurement of the existing loft (1962mm) amounts to a difference of 633mm and not 500mm as per the proposal'*. They state that the dormer would overlook their property, and that it would look into their terrace and dining room, creating loss of privacy and affecting their quality of life. They comment, *'The fact that the windows are now smaller, does not change the issue.'* They also comment that the proposed dormer is top heavy and that the windows are out of character with the rest of the house and with the local character for dormer windows. In their view, *'other neighbours have found ways of building dormers in a much more sensitive way'*.

They state, *'We would like to add that we have in the past not been allowed to build a balcony on the rear of our building as this would have affected the privacy of some of our neighbours.'*

Loughton Town Council objected to the initial and amended plans. In relation to the amended plans, they state:

'Although it was a slight improvement on the previous proposal, it was still out of keeping with the character of the building. The Committee believed that the proposed increase of two further bedrooms in this development was contrary to the SAC and would result in more car pollution and subsequent impact on the air quality to the SAC. This proposal would also result in more pressure for the overstretched recreational services and subsequent damage to the SAC. The current proposed solution to bring in a Clean Air Zone (CAZ) in 2025 is not guaranteed to happen and in any event does not stop additional cars associated with new dwellings from polluting the SAC before the CAZ is brought into operation.'

Planning Considerations

The main issues for consideration in this case are:

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

As no additional units of housing are proposed, the Epping Forest SAC is not a relevant planning consideration in this case.

Character and appearance

35 Upper Park lies towards the apex of a hill. 37 Upper Park lies further up the hill and therefore its roof sits higher than its neighbour. There is an approximate 1.4m drop in level between 37 Upper Park and the application site, and around 900mm between the application site and 33 Upper Park.

The proposal to add 50cm to the height of the ridge of the roof to the detached property 35 Upper Park, would mean that the increased ridge height is still slightly lower than roof ridge height at 37 Upper Park. The higher roof ridge would be significantly lower than the top of the front gable end at number 37. Based on the submitted street scene plan, officers measure the top of the front gable end at number 37 to be circa 1.8 metres higher than the ridge of the roof proposed at number 35. The slightly increased roof ridge at number 35 would not fundamentally change the

local pattern of development, which is already varied. The raised roof ridge would not fundamentally alter the character of the building and it would not be detrimental to the street scene. According to the submitted section drawing, the existing loft has a maximum internal height of 1.96 metres, whereas at least 2.2 metres would usually be required for a loft conversion, taking space for insulation and internal ceilings into account. The proposal to add 50cm to the height of the roof is reasonable in order to create an internal floor-to-ceiling height of 2.2 metres (external height of dormer 2.6 metres). The volume of the proposed dormer would be permitted development, were the increased roof ridge not required.

The applicants have set-in their proposed dormer significantly at the sides, so it does not span the full width of the roof. The windows and materials proposed are very conventional and the previously proposed Juliet balcony has been removed. The proposal is not overbearing in relation to number 33. There are many dormers in the locality, for example at numbers 1, 2, 3 and 10 Southernhay, which is the cul-de-sac just behind and to the north of 35 Upper Park.

Overall, the proposal is of an acceptable character and appearance. It relates sufficiently positively to the existing building and to its locality. As a result, it complies with policy DBE10 of the adopted Local Plan, with policies DM9 and DM10 of the Local Plan Submission Version, and with the NPPF.

Living conditions of neighbours and existing occupiers

There is a significant gap between the houses at 35 and 37 Upper Park. Based on the submitted plans, this measures over two metres. The proposal does not reduce this gap at the side. A 50cm increase in the ridge height of the roof at number 35 will not lead to significantly reduced daylight / sunlight levels to the side windows at number 37 and the remaining daylight / sunlight would be adequate. Officers do not consider that the proposal will result in the loss of any significant view, however the loss of a view is not a material planning consideration.

No balcony is proposed. The submitted block plan shows that there is a substantial distance of circa 24 metres from the back of 35 Upper Park, to the back of the building at 1 High Silver. The dormer windows are set in at the side, they are not particularly large, and they do not particularly face towards 1 High Silver. As a result, the proposal will not result in overlooking that will be detrimental to the privacy and living conditions of neighbours at 1 High Silver. The rear garden at 33 Upper Park may be slightly overlooked from the dormer, in comparison with other neighbours. However, the extent of any overlooking would not be detrimental to the privacy and living conditions of these neighbours.

Overall, the proposal acceptably safeguards the amenity and living conditions of neighbours. As a result, it is in accordance with policy DBE9 of the adopted Local Plan, with policy DM9 of the Local Plan Submission Version, and with the NPPF.

Conclusion

The proposal is of acceptable character and appearance in this locality and it would not be harmful to amenity and living conditions of neighbours. It is recommended that planning permission is granted, subject to a 'matching materials' condition.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day before the meeting at the latest:

***Planning Application Case Officer: David Macguire
Direct Line Telephone Number: 01992 564 166 (ext. 2375)***

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