



# Epping Forest District Council



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Application Number:	EPF/1648/21
Site Name:	2 Lucton Mews Loughton IG10 3PE
Scale of Plot:	1:500

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/1648/21
<b>SITE ADDRESS:</b>	2 Lucton Mews Loughton IG10 3PE
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>APPLICANT:</b>	Mr Alex David
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed demolition of rear conservatory with a replacement rear & side ground floor single storey extension with rooflights and decking/patio area. Loft conversion with rear dormer and x2 no. front rooflights. (Amended application to EPF/0345/20).
<b>RECOMMENDED DECISION:</b>	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=653741](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=653741)

**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: E100, E101, E102, E103, E201, E202, E301, A101, A102, A103, A201, A202, and A301.
- 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**

The site comprises of an end of terrace, located within a built-up area of Loughton. It is not listed nor in a conservation area.

**Proposal**

The proposal is for the demolition of rear conservatory with a replacement rear & side ground floor single storey extension with rooflights and decking/patio area. Loft conversion with rear dormer and x2 no. front rooflights. This is an Amended application to EPF/0345/20. The main amendments are:

1. Rear extension to extend by a further 1m (Total 4m depth) with a dual pitched roof; &
2. Overall height of side/rear extension reduced from 3.7m to 3.1m.

### **Relevant Planning History**

EPF/0345/20 – Proposed demolition of rear conservatory with a replacement rear & side ground floor single storey extension with rooflights and decking/patio area. Loft conversion with rear dormer and x2 no. front rooflights – Approved by Area Plans South (01/07/2020).

EPF/1277/21 - Application for a non-material amendment to EPF/0345/20 - Amendment to rear extension depth and roof changes - Refused

### **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 2021 (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 126, 130

## *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 14<sup>th</sup> 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 2<sup>nd</sup> 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.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as Main Modifications (MM), to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan, and the consultation will run for 10 weeks from noon on Thursday 15 July 2021 to 5pm on Thursday 23 September 2021.

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.

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

### **Summary of Representations**

Number of neighbours consulted: 8. 1 response(s) received

1 LUCTON MEWS – Objection – Summarised as;

- Light pollution; and
- Loss of privacy.

LOUGHTON TOWN COUNCIL – The Committee OBJECTED to this application on the grounds that it was an overdevelopment of the site. The proposal was out of proportion and would provide no amenity space. The application would be overbearing on the neighbours.

## **Planning Considerations**

The main issues for consideration in this case are:

- a) The previous approved consent EPF/0345/20;
- b) The impact on the character and appearance of the locality; and
- c) The impact on the living conditions of neighbouring properties.

### **Character and Appearance**

The proposed works are considered to be of a size, scale and design that is acceptable and complements the appearance of the existing building and that of the street scene. Whilst the proposal would be visible from the street, it would not appear incongruous to it. There is sufficient space to the rear and front of the garden, so the proposed wraparound extension would not amount to harmful overdevelopment of the site.

Accordingly, the proposal is considered to comply with Policies CP2 and DBE10 of the LP, Policies DM9 (D) and DM10 of the LPSV, and Paragraphs 126 and 130 of the Framework.

### **Living conditions of neighbours and existing occupiers**

The host house is set forward of the attached neighbours, and the proposed development does not extend beyond their rear building line, so there would be no impact to their living conditions in terms of overbearing and visual impact.

In terms of the impact to the adjacent neighbours, namely 1 Lucton Mews and 17 Schoolhouse Gardens, they are sited approx. 9 metres away from the host site, and the proposed wraparound extension is of a limited size and scale to have any material impact to their living conditions in terms of loss of privacy, overlooking, overbearing and visual impact that warrants a reason for refusal. The concerns regarding the light pollution are noted, however such levels of light are common within urban areas.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with policies CP7 and DBE9 of the LP, Policy DM9 (H) of the LPSV and Paragraph 130 (f) of the Framework.

With regards to the loss of amenity space as raised by the Town Council. In the interest of clarity, the existing site has approx. 67m<sup>2</sup> of rear amenity space; the previous approved scheme some 46m<sup>2</sup> and the proposed scheme some 41m<sup>2</sup>. As such, the remaining rear amenity space for the existing occupiers is small but adequate and functional as it can be used for recreational purposes, drying and hanging the clothes etc, so this would not amount to a reason for refusal, and one that would be upheld at appeal.

## **Conclusion**

For the reasons set out above having regard to all matters raised, it is recommended that conditional 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: Muhammad Rahman**  
**Direct Line Telephone Number: 01992 564415**

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**