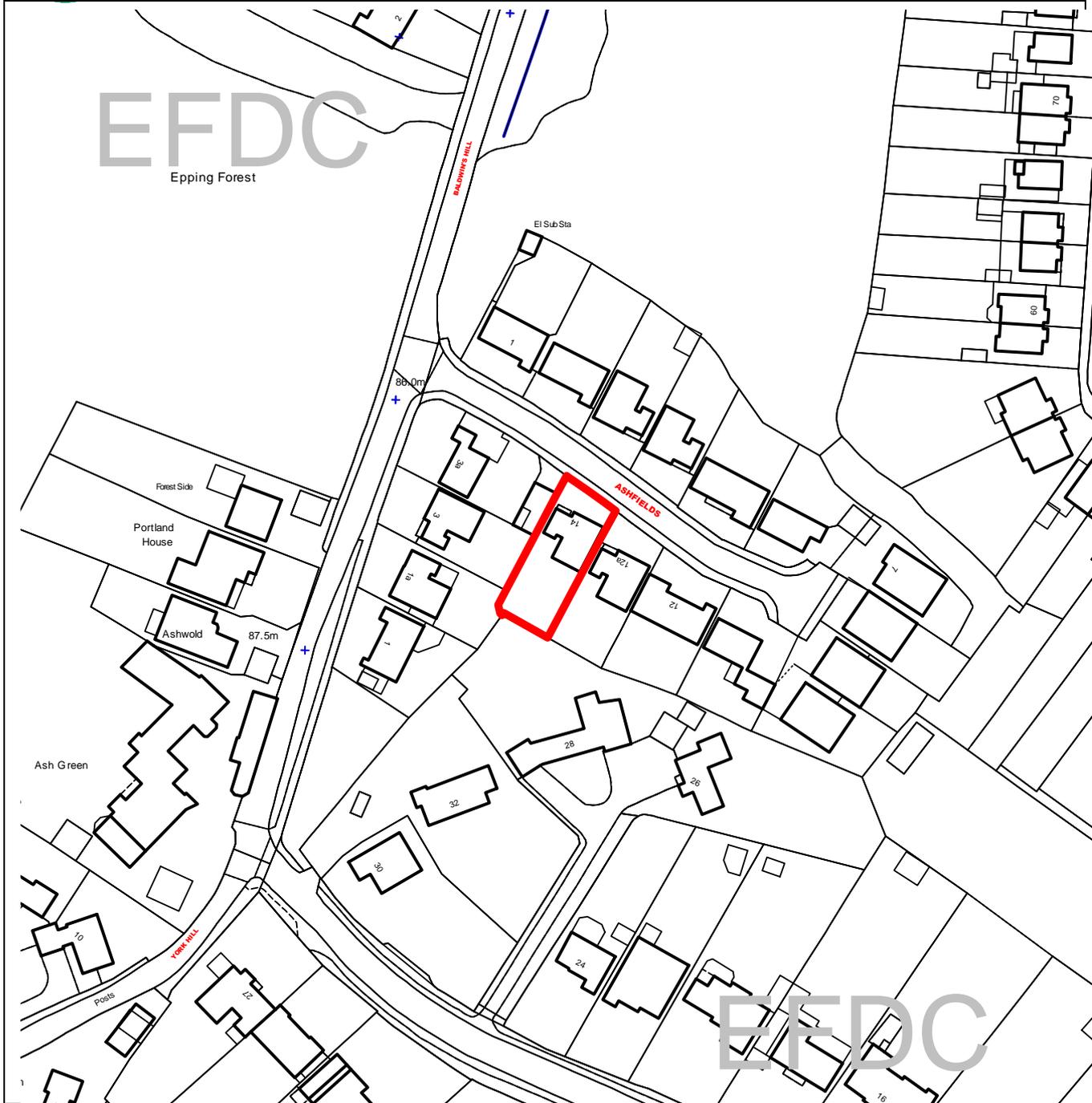




Epping Forest District Council



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Application Number:	EPF/2137/21
Site Name:	14 Ashfields Loughton IG10 1SB
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/2137/21
SITE ADDRESS:	14 Ashfields Loughton IG10 1SB
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr Michael Prince
DESCRIPTION OF PROPOSAL:	Internal alterations with new roof lights; rear single storey and side upper storey extensions plus modifications to existing front yard.
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=655883

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:

210615(PL)01 (Location Plan); 210615(PL)02 A; 210615(PL)03;
210615(PL)04 B; 210615(PL)05 A.
- 3 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.
- 4 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of 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

14 Ashfields is a two storey detached property with an attached garage. It is situated in a built-up part of Loughton. The building is not listed and it does not lie in a conservation area.

Ashfields is a residential cul-de-sac containing a mixture of two storey properties and bungalows. Opposite 14 Ashfields lies 3 Ashfields, which has been previously extended at the side at first floor level, above a former garage. Adjacent to number 14 are 12A Ashfields to the east and to the west, a single storey detached garage which faces the street and lies at the back of the plot of 3A Baldwins Hill.

Proposal

The proposal would build above the existing attached garage at first floor level, creating a side elevation with two shallow-pitched gable-ends. Photovoltaics and roof lights would be added to the roof. At the rear, a single storey full-width, flat-roofed extension of three metres in depth would be added and new fenestration would be installed.

The applicant has amended their plans to remove the originally proposed rear Juliet balconies and, following comments made by Essex County Council Highways division, to remove an earlier proposal to extend the dropped kerb at the front of the property.

Relevant Planning History

None

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:

- CP1 Achieving sustainable development objectives
- CP2 Protecting the quality of the rural and built environment
- DBE2 Effect on neighbouring properties
- DBE3 Design in urban areas
- DBE9 Excessive loss of amenity to neighbouring properties
- ST4 Road safety
- ST6 Vehicle parking

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, 134.

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
DM5 Green and Blue Infrastructure	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received

Site visit: 18/10/21

Eight neighbours were consulted on the initial plans and were also re-consulted on revised plans.

LOUGHTON TOWN COUNCIL objected to the application, *'on the grounds that it was an overdevelopment by reason of its height, bulk and length of the rear extension and subsequent loss of garden, which would be detrimental to the townscape and character to this part of Ashfields. Members were concerned that the flat roof of the ground floor could be used as a terrace, which together with the large glazing and balconies would be intrusive on the amenity of the neighbours at 12a Ashfields and Baldwins Hill'*.

Following re-consultation, LOUGHTON TOWN COUNCIL again objected stating that they considered the amended plans which removed the previously proposed Juliet balconies to be *'only minor cosmetic alterations, which did not address its previous main objection'*. They added, *'Members remained concerned that the flat roof of the ground floor extension could be used as a terrace, causing loss of amenity to the neighbours at 12a Ashfields and in Baldwins Hill. The Committee expressed further concern for the substantial increase in surface rainwater run-off and the building over the drain caused by this proposal'*.

ESSEX COUNTY COUNCIL HIGHWAYS division commented that the initially proposed extension of the dropped kerb would not be acceptable as it would extend in excess of the maximum width of 4.5 metres for a dropped kerb for single property. Essex County Council Highways recommended that the extended dropped kerb be removed from the plans and the applicant has now made the required amendment.

EFDC LAND DRAINAGE Officers have commented, *'The site is not at risk of flooding nor will the proposal impact on the current surface water drainage arrangements / increase flood risk elsewhere.'*

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP object to the application following similar grounds to the Town Council. They add, *'We consider the side extension at 3 Ashfields to be an error. If all the properties carried out similar extensions these decently spaced homes would read as terrace housing to the detriment of the townscape of Ashfields. Overall, the proposals represent a gross overdevelopment of the site, would dwarf the other houses on Ashfields and therefore planning permission should be refused.'*

12A ASHFIELDS have objected to the initial plans and the revised plans. They cite overdevelopment stating that *'there is no local precedent for extension of this size'*. They state that, *'The Juliet balconies will be very intrusive for privacy, contrary to the Local Plan... Juliet balconies enable a person to stand at the outer face of the building to look out, making them invasive. It would directly overlook the main patio seating area at 12a and make observation of the flank windows and doors at 12a more likely and easier.'* They also state concern regarding building over a drain, to the rear.

12a Ashfields also objected to the revised plans, despite the removal of the Juliet balconies, particularly reiterating concerns over surface and foul water drainage.

11 ASHFIELDS have also objected to the proposal citing concerns regarding drainage and construction impacts on drainage at the back of the site, which they also consider will impact their property.

Issues and 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.

Character and appearance

Officers consider that the comment made by the neighbour at 12A Ashfields stating '*there is no local precedent for extension of this size*' is unsubstantiated by measurement and evidence. Several extensions of a similar character and appearance to that which is proposed here, have been granted planning permission in the immediate vicinity.

1A Baldwins Hill, which abuts the rear garden at 14 Ashfields has been extended at first floor level above a garage. It also has a side elevation featuring two shallow-pitched gable ends. At 1A Baldwins Hill a ground floor, single storey, rear conservatory extension of 3.1 meters in depth was also consented through application EPF/1718/14. However, it appears that this conservatory was not constructed or no longer stands. It is noted that 1A Baldwins Hill also applied for planning permission for a first floor Juliet balcony in 2015. This application was refused by EFDC, however this decision was overturned by the Planning Inspectorate and planning permission for the Juliet balcony was granted. In 2014, 3A Baldwins Hill was also granted planning permission for a substantial two-storey side extension with a rear first floor Juliet style balcony (EPF/2151/14).

3 Ashfields, which lies opposite 14 Ashfields, has been extended at the side at first floor level, above a former garage.

Having visited the site, officers disagree with Loughton Residents Association Plans Group comment that the extension at 3 Ashfields was granted planning permission in error. Rather, this is a good quality extension which makes a positive contribution to the street scene. The proposal at 14 Ashfields is similar in character and appearance to consented extensions at 3 Ashfields and 1A Baldwins Hill. The proposed three-metre rear extension would build back in line with, but not beyond, the rear building line at 12A Ashfields. As 14 Ashfields is a detached property it would be possible to build a single storey rear extension of 4 metres in depth, extending back from the original rear wall at the point closest to the boundary with number 12A, without planning permission or prior approval under permitted development. In terms of the massing, by extending back 3 metres the application is respectful of the rear building line in the row. There is also a sufficient gap at the side to the boundary with the neighbouring garage at 3A Baldwins Hill. It is also noted that the previously proposed Juliet balconies have been replaced with more conventional windows, to the benefit of the appearance of the scheme.

Officers consider that the proposed extension is of a sufficiently high standard of design, in keeping with the character and appearance of the existing property and in keeping with a street scene, which includes similarly extended neighbouring houses.

Living conditions of neighbours and existing occupiers

In the interests of safeguarding the privacy of neighbours, it is recommended that access to the flat roof of the proposed extension shall be for maintenance purposes only. The initially proposed Juliet balconies have been removed by the applicant and the case officer is satisfied that the development will not cause overlooking or loss of light that would be harmful to the amenity of neighbours. EFDC Land Drainage officers have been consulted on the application and they have stated that the proposal will not impact on surface water drainage; they have raised no drainage related concerns regarding the proposal.

Conclusion

The proposal is of a good standard of design and it will not be harmful to the amenity of neighbours. As a result, it is recommended that planning permission is granted, subject to conditions.

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 Maguire

Direct Line Telephone Number: 01992 564 166 (ext. 2375)

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