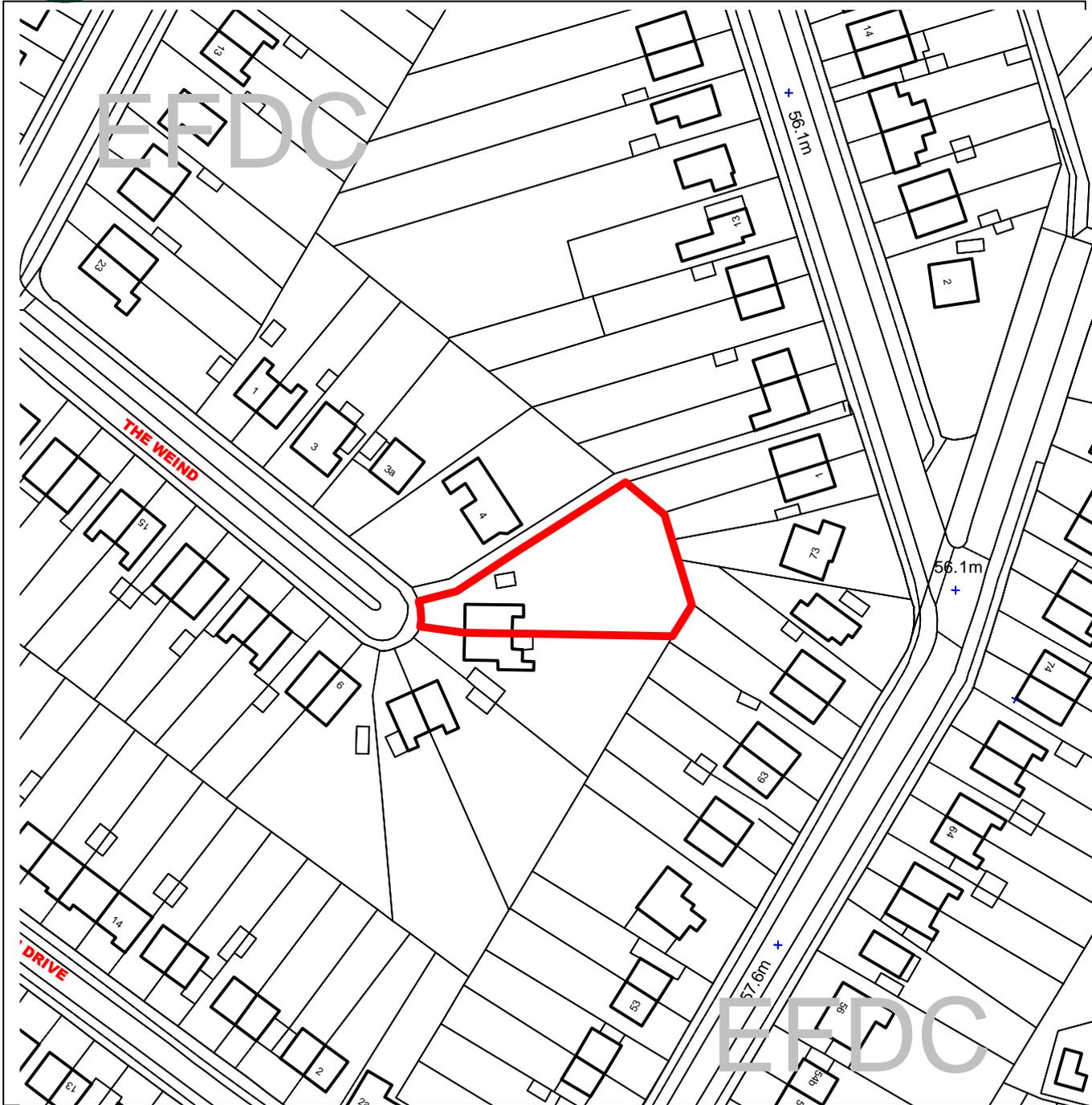




Epping Forest District Council



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Application Number:	EPF/2406/21
Site Name:	5 The Weind Theydon Bois CM16 7HP
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/2406/21
SITE ADDRESS:	5 The Weind Theydon Bois Epping CM16 7HP
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr and Mrs Bullman
DESCRIPTION OF PROPOSAL:	Application for a proposed rear & side, part ground and part 2 storey 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=657137

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: 3232; EX00, EX01, EX02, EX03, EX04, EX06, EX07, PR01/A, PR02, PR03, PR04, PR05, PR06
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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.
- 5 Access to the flat roof over the single storey extension hereby approved as part of this permission 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 which is material to the planning merits of the proposal, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The application site is a two storey semi-detached dwelling located in the residential area of Theydon Bois. There are no Listed Buildings attributed to the site and it is not within a Conservation Area. The site is not within the Metropolitan Green Belt.

Description of Proposal:

Application for a proposed rear & side, part ground and part 2 storey extension.

Relevant Site History:

EPF/0089/96 - Single storey rear extension, side porch extension and detached garage – Grant Permission (With Conditions)

EPF/0315/92 - First floor side dormer window – Grant Permission (With Conditions)

Policies Applied:

Local Plan (1998) and Alterations (2006)

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
DBE9	Loss of Amenity
DBE10	Design of Residential extensions

National Planning Policy Framework (NPPF) (2021)

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.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph 124
Paragraph 127
Paragraph 130
Paragraph 131

Epping Forest District Local Plan Submission Version (LPSV) (2017)

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.

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
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant

Summary of Representation:

No. of neighbours consulted: 10, no comments received
PARISH COUNCIL: OBJECTION

The Planning Committee objects to this proposal, which it feels lacks architectural merit and to be out of character with, and disproportionate to, the original building – to the detriment of the streetscene and the adjoining semi-detached property.

The proposed extension would be substantial, and the proposed two-storey side flank wall, set at an angle to the original dwelling, would project awkwardly into view, being highly visible in this location given the open aspect of the northern boundary, thereby severely disrupting the current streetscene. The proposal would also loom into the view of users of the frequently-used pedestrian pathway that runs in parallel along the side boundary of this property. The Committee is of the

opinion, therefore, that this proposal would be visually obtrusive, its scale and form not contributing to the distinctive character of the property, nor to the character of the area or to its amenity.

The proposal is believed by the Committee to constitute an overbuild – in terms of it being a relatively large construction added to the rear and side of the house. The Parish Council consequently does not feel this proposal relates positively to its context, nor achieves a high quality of design, contrary to Policy DBE10 of the Epping Forest District Adopted Local Plan 1998 (with alterations of 2006), Policies DM9 and DM10 E of the Epping Forest District New Local Plan (Submission Version, 2017), and Chapter 12 of the NPPF (2021).

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY: OBJECTION – concerns regarding the design of the proposal in relation to its bulk, scale and orientation, which would have a detrimental impact on the character of the building and wider area.

Main Issues and Considerations:

The main issues to consider for the assessment of this application are as follows:

Design
Impact on the Living Conditions of Neighbours

Design

The Parish Council and Theydon Bois District Rural Preservation Society have objected to the proposal stating that the design would be detrimental to the existing building and wider character of the area.

The proposal involves a part single, part two storey rear/side extension, part of which cantilevers out from the main dwelling following the existing North boundary, the materials would match the existing dwelling. It is considered that the proposal would enhance the appearance of existing elements of the dwelling – for example replacing the first floor flat roof found on the side elevation with a hipped roof.

There have been several planning permissions granted for two storey side and rear extensions on The Weind in the past that follow no particular design pattern, which can be considered a material consideration in assessing this application. It is considered that in this context, the proposal would not be so detrimental to the character of the building and wider character of the area to warrant the refusal of planning permission. It is considered the bulk, massing and scale of the proposal would be acceptable in regard to design.

Impact on the Living Conditions of Neighbours

The two storey extension would be approximately 8.5 metres in depth, 5.4 metres in width and 7 metres in height. The larger single storey rear extension would be approximately 3 metres in height, 4.2 metres in width and 5.5 metres in depth. It would be 3 metres from the boundary with 6 The Weind. The smaller single storey rear extension would be 1.95 metres in depth, 2.8 metres in width and 2.9 metres in height. It would be adjacent to the boundary with 6 The Weind. The two storey extension would be 5.2 metres away from a public right of way and approximately 8.1 metres from the boundary of 4 The Weind. It would be 3.6 metres from the boundary with 6 The Weind.

It is considered that the proposal would be a sufficient distance away from neighbouring properties so as to not cause excessive harm in regard to loss of light or loss of outlook, in particular the two storey side extension due to its orientation. There would be no excessive harm in relation to loss of

privacy as any new window openings would not directly overlook neighbouring properties. It is considered that the proposal would be acceptable in this respect.

Conclusion:

It is recommended that planning permission is granted for the reasons outlined above.

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: Alastair Prince
Direct Line Telephone Number: 01992 564462***

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