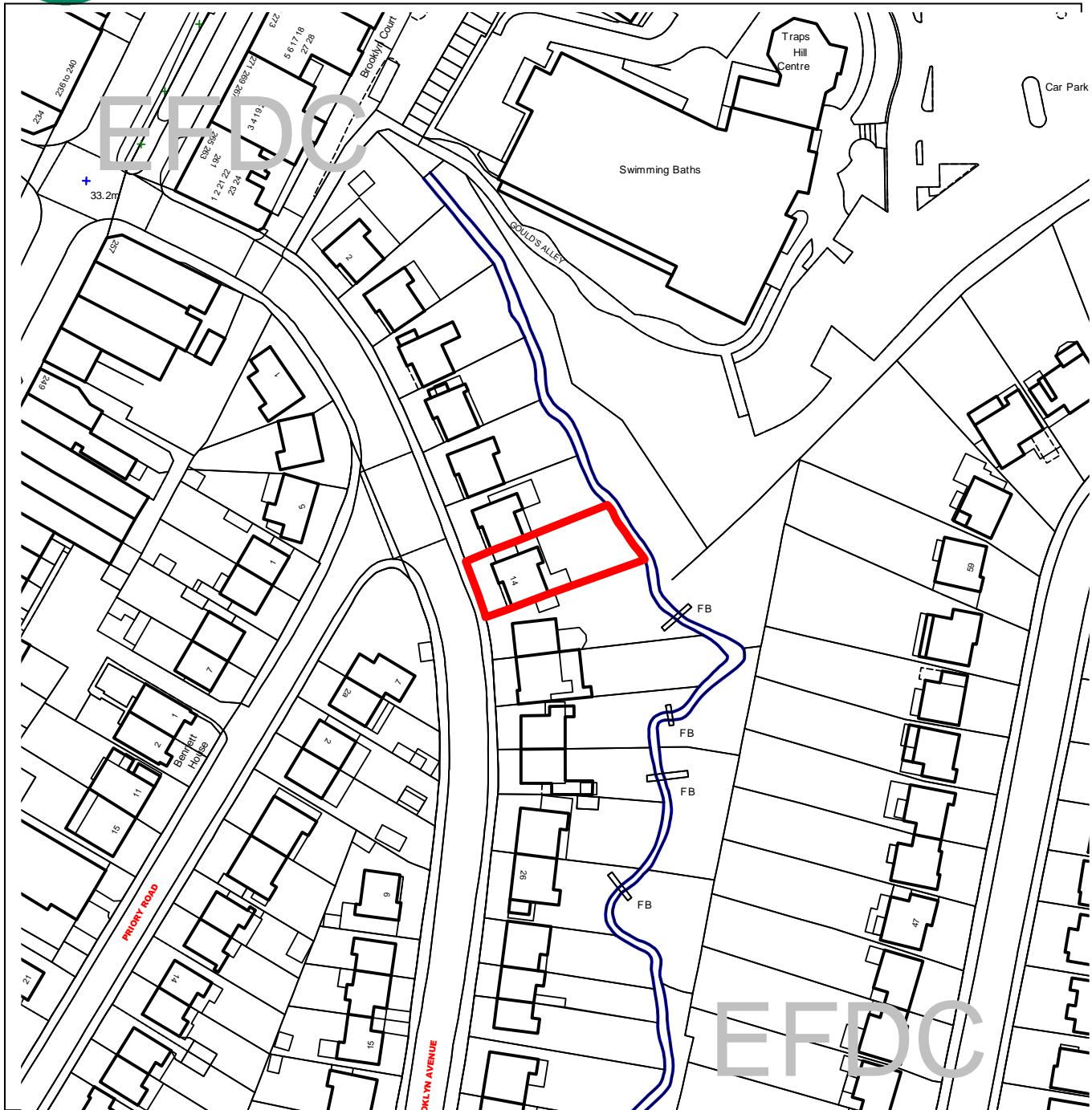




# Epping Forest District Council



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Application Number:	EPF/2083/21
Site Name:	14 Brooklyn Avenue Loughton, IG10 1BL
Scale of Plot:	1:1250

**Report Item No: 12**

<b>APPLICATION No:</b>	EPF/2083/21
<b>SITE ADDRESS:</b>	14 Brooklyn Avenue Loughton Essex IG10 1BL
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Ms Atwal
<b>DESCRIPTION OF PROPOSAL:</b>	Application for a proposed dormer windows & loft conversion.
<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=655653](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=655653)

**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: 1BGL/219, location 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.

*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 detached bungalow located on the Eastern side of Brooklyn Avenue in a residential built-up area of Loughton. The dwelling is the last of several bungalows on this side of the street (nos. 2 to 14 (evens) being bungalows) running from North to South, with the dwellings immediately south of 14 Brooklyn Avenue being 2 storey dwellings. 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 dormer windows and loft conversion. The proposal has been submitted subsequent to receiving pre-application advice.

## **Relevant Site History:**

EPF/0155/06 – Detached house to replace existing (Revised application) – Grant Permission (With Conditions)

EPF/1863/05 – New detached house to replace existing – Refuse Permission

EPF/1899/04 – Conservatory and rear loft dormer – Grant Permission (With Conditions)

EPF/1688/87 – Single storey side extension – Grant Permission

## **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 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.

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 Representations:**

No. of neighbours consulted: 3, 2 objections received

12 BROOKLYN AVENUE: OBJECTION- concerns regarding loss of light, loss of outlook and loss of privacy, as well as the proposal being detrimental to the character and appearance of the dwelling and wider area.

16 BROOKLYN AVENUE: OBJECTION – concerns regarding loss of light, loss of outlook and loss of privacy, as well as the proposal being detrimental to the character and appearance of the dwelling and wider area.

LRA Plans Group: OBJECTION – The loss of the bungalow would reduce housing choice, the design of the proposal would be detrimental to the visual amenity of the street scene by reason of its mass and bulk, no ground floor plan provided, concerns that the property is being used as an HMO.

## TOWN COUNCIL: OBJECTION:

The Committee OBJECTED to this application on the grounds that by reason of its height and bulk, the first floor addition would be detrimental to the visual amenity of this part of the street scene which is characterised by bungalows. The further loss of bungalows would be harmful to the character of the area and is contrary to the council's policy on mixed and balanced communities, reducing the housing choice, particularly for people with disabilities.

The increased size of the new first floor, an overdevelopment of the site, bulky in appearance and overbearing on neighbouring properties, would result in a loss of privacy and sunlight causing overshadowing of 12 and 16 Brooklyn Avenue, blocking sunlight from both neighbouring property's patios and kitchens.

Members expressed concern that there was no proposed ground floor plan; and therefore could not ascertain whether any alterations at this levels were proposed.

Suspicious that this property was being used as an HMO were raised and the Committee asked that the council officers inspect the property to take appropriate enforcement action, if required.

### **Main Issues and Considerations**

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

Design

Impact on Living Conditions of Neighbours

#### Design

The Town Council, LRA Plans Group and Neighbours have objected to the proposal stating the design would be out of character with the surrounding area.

The loft conversion seeks to extend the roof over the existing single storey flat roof side extension with one front dormer and two rear dormers. This proposal retains a hipped roof form and a crown roof is proposed to help facilitate the loft conversion. The dormers are well proportioned within the roofscape, adequately set down from the ridge, up from the eaves and in from the sides, the rear dormers are considered an improvement on the existing rear dormer which is quite an unattractive feature. Similar dormers can be found within the streetscene. The roof sets in sharply away from the boundary which does go some way to retaining a visual gap between the properties and as there is no increase in height this scheme may be considered acceptable. It is considered the proposal would not be detrimental to the character of the existing building or wider street scene.

#### Impact on Living Conditions

Neighbours and the Town Council have objected to the proposal stating that it would cause harm to the living conditions in respect of loss of light, loss of outlook and loss of privacy.

While the proposal would be adjacent to the boundary of 12 Brooklyn Avenue, it is considered that the extensions to the roof would be minor in terms of scale and would not cause excessive harm to the living conditions of neighbours in regard to loss of outlook. The scale of the proposal would also ensure there would not be excessive harm caused to the living conditions of neighbours in relation to loss of light. As the dormer windows face down the rear garden and not directly into neighbouring properties, the proposal would not cause excessive harm in regard to loss of privacy.

## Other Considerations

Neighbours, The LRA Plans Group and Town Council also have mentioned the following points:

- The proposal would result in the loss of a bungalow.
- Plans are misleading/omitted
- Concerns regarding the property being used as an HMO
- Concerns regarding maintenance
- Overdevelopment

It is considered that the proposal would not result in the loss of a bungalow and the fact that there is already rooms within the roof space confirms this. The proposal would not increase the height of the dwelling to such a degree that would make it unrecognisable as a bungalow and therefore any contradictions to Policy H1A have not been triggered.

Whilst there is no proposed ground floor plan, the description of development clearly states that the works proposed are to the roof and loft space and are not so inaccurate that a decision cannot be made.

Maintenance of property and party wall agreements are not material planning considerations and any concerns regarding HMOs should be formally submitted via the website to planning enforcement for investigation.

## Conclusion

The proposal would not be out of character with the surrounding area, would not cause harm to the living conditions of neighbours and would not result in the loss of a bungalow. 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 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](mailto:contactplanning@eppingforestdc.gov.uk)***