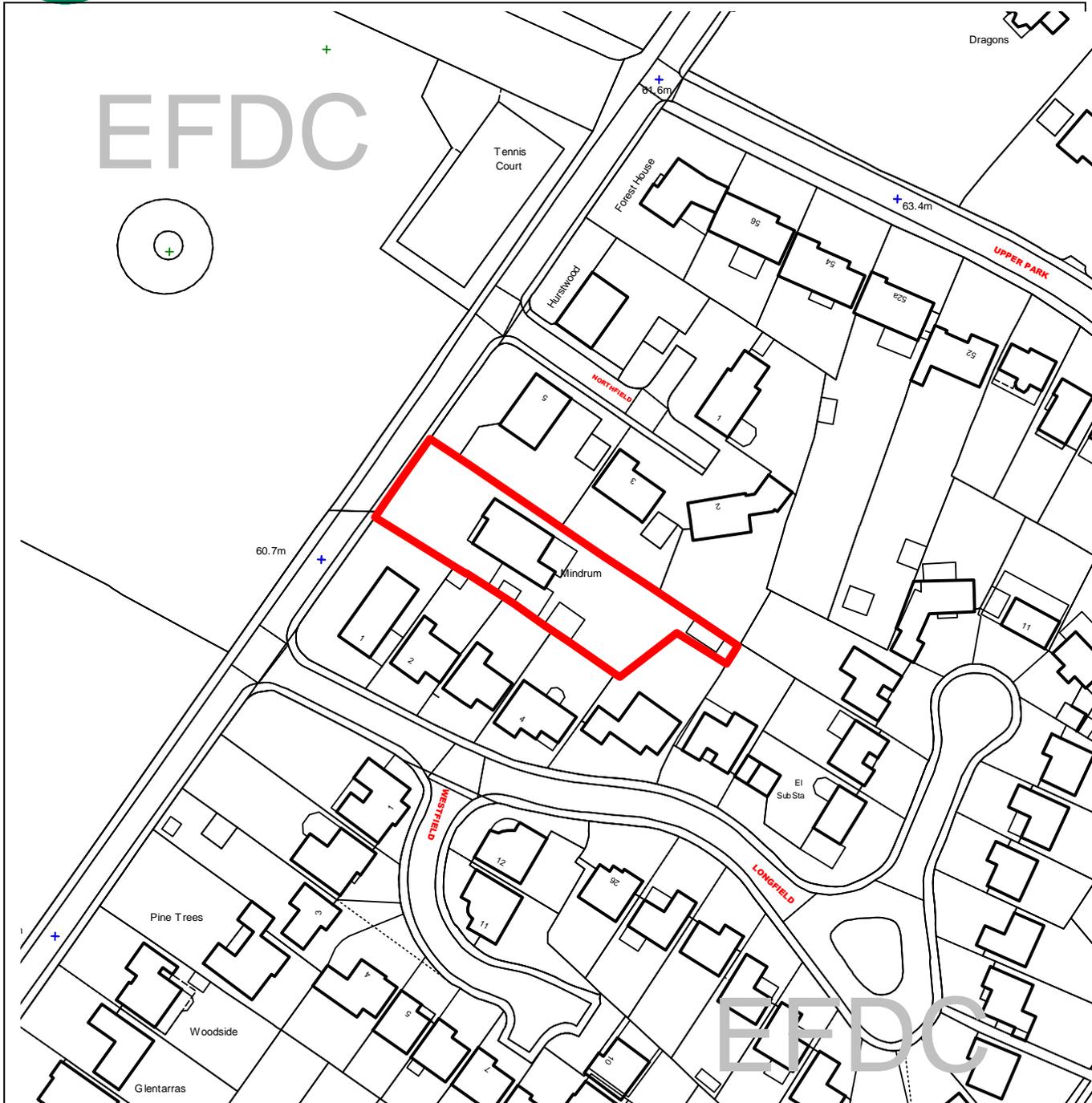




Epping Forest District Council



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/3283/21
Site Name:	Mindrum, Nursery Road Loughton, IG10 4EA
Scale of Plot:	1:1250

Report Item No: 13

APPLICATION No:	EPF/3283/21
SITE ADDRESS:	Mindrum Nursery Road Loughton IG10 4EA
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Dane Sparke
DESCRIPTION OF PROPOSAL:	Demolition of the existing conservatory, replace with single storey rear extension with minor actions to dormer windows.
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=661277

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 389-EX-01; 389-EX-02; 389-EX-03; 389-PL-01; 389-PL-02; 389-PL-03; 389- PL-04; 389-PL-05;
- 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 [or those specified on the approved plans.
- 4 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.
- 5 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.
- 6 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

7 Tree protection shall be installed as shown on Moore Partners Ltd 'Tree Constraints and Protection Plan' drawing number 'MP/MIN/01 Rev A' (dated 3rd December 2021) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.

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:

Description of Site:

Mindrum is a 2-storey double fronted detached dwellinghouse sited within a large, deep and wide plot which backs on to the rear gardens of several houses fronting onto Northfield and Longfield. The property is located to the east of Nursery Road which is residential in character with properties of varying design and sizes. Mindrum has an existing integral side garage and rear conservatory.

Description of Proposal:

The proposal seeks consent for the removal of the existing conservatory sited to the rear of the existing living room measuring a depth of 5.8m and replace it with a flat roof rear extension in a similar location with a rear canopy and bi-folding doors, the north flank projects to a depth of 4.1m with the central rear aspect extending an additional 1m to 5.1m to the rear of the existing kitchen at a height of 3.1m. Materials are white cladding and a green roof.

In addition, the existing front and rear gable dormer windows over the utility room and garage are to be slightly enlarged and altered to flat roof dormers with recessed balconies

Relevant History:

EPF/1466/21 - Conversion of a garage & erection of a single storey front porch. approved - 16/07/2021 - Not Implemented

EPF/1469/08 - Demolition of two dwellings and erection of three detached dwellings-Approved 02/10/08

Policies Applied:

DEVELOPMENT PLAN CONTEXT

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).

CP1- Achieving sustainable development objectives

CP2 - Protecting the quality of the rural and built environment

CP3 - New Development

DBE2 - Impact on Neighbouring Properties

DBE9 - Loss of Amenity

DBE10 - Residential Extensions

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.

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.

The appointed Inspector issued her initial advice on 2 August 2019 and since then, the Council has undertaken further work to address the actions identified by the Inspector. This has led to the production of a number of proposed changes to the Local Plan Submission Version 2017 (known as the Schedule of Main Modifications) and additional supporting documents associated with the Main Modifications. These are to address issues of soundness and/or legal compliance identified by the Inspector.

The Main Modifications include changes to some of the supporting text and Policies within the Plan, deletion and amendment to some site allocations, updated Housing Supply data to March 2020, along with associated changes to the mapping contained within the Plan.

The Main Modifications are put forward without prejudice to the Inspector's final conclusions on the Plan. Following the close of the consultation (ends 23rd September 2021), the representations will be passed to the Inspector for her consideration before the publication of the Inspector's final report.

The following policies in the LPSV are considered to be of relevance to the determination of this application:

SP1 Presumption in Favour of Sustainable Development
DM9 High Quality Design
DM10 Housing Design and Quality.

Consultation Carried Out and Summary of Representations Received

LOUGHTON TOWN COUNCIL- OBJECTION

- The extension is not sympathetic in design and not subservient to the main dwellinghouse
- Overbearing and dominant

11 neighbour consultations were undertaken, and 1 objection has been received:

- Out of scale, visually intrusive and detract from the small scale of the existing development of the immediate area.
- loss of light.
- When viewed from Longfield (i.e. from the south-west side), the proposed dormer balconies will draw the eye and excessively dominate the view. This is partly due to the increased size, but mainly due to the strong contrast in appearance against the existing red roof tiles.
- Assuming that the inset nature of the balconies do not allow a view into neighbouring houses/gardens then, other than the choice/colour of materials used, I have no objection in principle to the existing dormer windows becoming balconies.

Main issues and Consideration:

The main issues to consider relate to: Character and Appearance and Impact on Residential Amenity.

Design and Character

The proposed extension is to replace an existing rear conservatory with a more modern, flat roof rear extension with a rear canopy and bi-folding doors. The new extension would project to a depth of 4.1m, with the central rear aspect extending an additional 1m to 5.1m. The proposal would be to a maximum height of 3.1m. Materials are white cladding and a green roof. The proposal is considered to be an acceptable proportional addition, appropriate in design, scale and siting.

The increase in size of the front and rear dormer windows over the utility room and garage are again of a more modern appearance, however would not be harmful to the overall appearance of the dwelling or character of the street scene. These would include recessed balconies, which again would be appropriate in their design

It is considered that the extension would not result in any harmful impact on the character or appearance of the property or surrounding area and is therefore acceptable complying with policy DBE9 and DBE10 of the Local Plan and Alterations, (1998-2006) and policy DM9 and DM10 of the Submission Version, 2017 and the National Planning Policy Framework, 2019 that seeks to ensure that development is of a high standard of design and layout.

Impact on Neighbouring Amenity:

Mindrum is sited within a large plot, set in 2.8m from the north boundary and 5m from the south boundary obscured by the existing side garage. The siting and separation distance of the proposed extension in relation to the adjoining properties and the additional dense boundary treatment would prevent any significant harmful impact on their amenity in terms of loss of light, outlook or overbearing impact. The proposed recessed nature of the front and rear dormer windows would prevent overlooking or a loss of privacy which is greater than what presently exists.

The objection from the Parish Council and neighbour are noted, however the proposed extension is not as high or deep as the existing rear conservatory which is to be removed, and its siting would prevent any demonstrable harm to the living conditions of neighbouring properties and accords with the requirements of policy DBE9 of the adopted Local Plan and policy DM9 of the Local Plan submission Version, 2017.

Trees and Landscaping

The Tree & Landscape Officer raises no objection subject to conditions to enable full consideration to the impact of the proposed development on existing trees/ hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.

Conclusion

The proposed extension is considered of an appropriate design and scale that is in keeping with the character and appearance of the dwellinghouse and maintains an acceptable level of amenity to adjoining properties and is supported by the relevant policies of the adopted Local Plan and Alterations (1998 - 2006), and of the Local Plan (Submission Version), 2017 and, the guidance as set out in the National Planning Policy Framework, 2021. In the light of the above considerations it is recommended that planning permission is approve 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: Caroline Brown

Direct Line Telephone Number: 01992 564182 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk