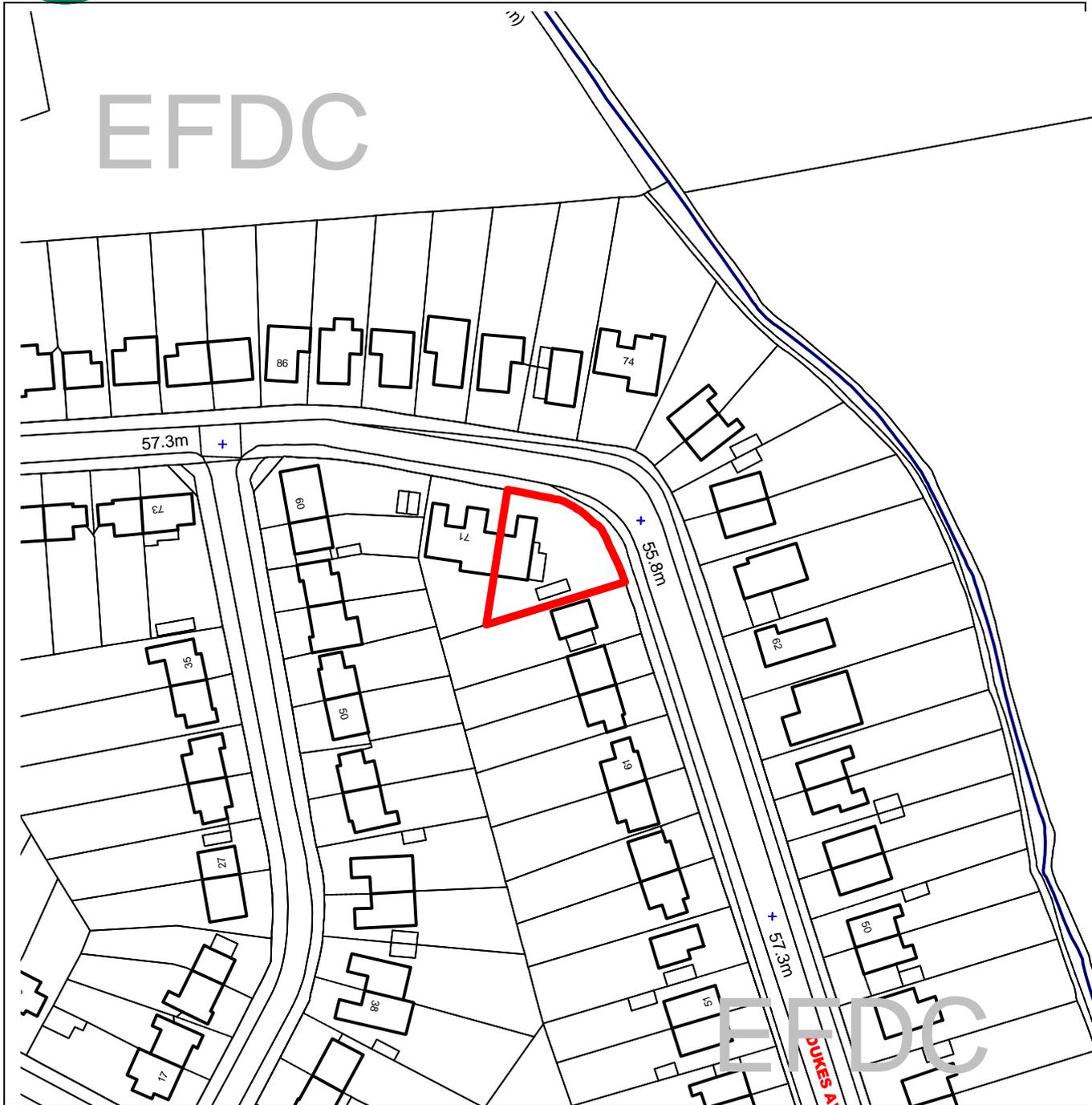




Epping Forest District Council



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Application Number:	EPF/2951/21
Site Name:	69 Dukes Avenue Theydon Bois, CM16 7HQ
Scale of Plot:	1:1250

Report Item No:

APPLICATION No:	EPF/2951/21
SITE ADDRESS:	69 Dukes Avenue Theydon Bois Epping CM16 7HQ
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr C Pearce
DESCRIPTION OF PROPOSAL:	Single storey side 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=659741

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: 001, existing block plan, location plan, proposed block 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 (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The application site is a semi-detached bungalow located on the Southern side of Dukes Avenue 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:

Single storey side extension

Relevant Site History:

EPF/2344/21 - Certificate of lawful development for a proposed side extension – Not Lawful

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: 8, no comments received.

PARISH COUNCIL – OBJECTION:

The Parish Council objects to this application on the grounds that its unsympathetic design does not relate positively to the original architectural proportions and character of the existing bungalow, which is positioned in a highly visible setting.

The property occupies a prominent corner plot in Dukes Avenue, and is one of a matching pair of bungalows, being of the same distinctive design as those bungalows seen in Purlieu Way and Baldocks Road. However, the side flank wall of this property is particularly visible to public view. A Certificate of Lawful Development for an identical proposal was not found to be lawful and would, therefore, not provide a fall-back position in this location.

The design of these bungalows is largely characterised by a distinctive front projection and rounded front bay window which forms a key part of the principal elevation, as mirrored by that of its neighbour. The proposal under consideration would add a rectangular-shaped extension directly abutting the side flank wall of the property and the front bay, thereby completely changing the form and design of both front and side elevations. This would detract from the architectural form of the front projection, whilst unbalancing the symmetry with the adjoining bungalow.

In the Planning Committee’s view, this proposal would be architecturally unbalanced, highly conspicuous in this prominent setting, and would fail to complement the form of the existing

building. Whilst the Committee recognises that this property has already been extended, but still has sufficient land to support a sympathetic side extension, it believes this current proposal to be unacceptable and contrary to Policies CP2 (iv) and DBE10 of the Epping Forest District Current 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).

N.B. The Parish Council have stated they are willing to attend and speak at Committee.

Theydon Bois Preservation Society – OBJECTION

We have examined the documents accompanying this application and know the site well. We wish to strongly object to the application in its present form.

An extension of this size in the proposed position would extend beyond the principle elevation of the house and form a side elevation to the house in regard to the highway that would be highly visible in this corner position and from along Dukes Avenue. The design of the extension would result in an unusual and unacceptable roof shape to the eastern side of the present bay and the symmetry of the adjoining property with its mirrored bay would be totally lost. This would be detrimental to the present street scene. We are unaware of any other dwelling of this type in Theydon Bois that has been separately altered in this way.

We are of the opinion that this design would be contrary to Policy DBE10 of the extant Combined 1998 Local Plan and Alterations (2006) and we would therefore respectfully request that you refuse this application in its present form.

Main Issues and Considerations:

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

Design
Impact on Living Conditions of Neighbours

Design

The proposed extension would have a partial flat roof with a lean-to pitched roof surrounding it, to ensure that the flat roof elements are not overtly visible from public views. The development would utilise external materials that would match the existing dwelling.

The Parish Council have objected to the proposal stating, amongst other things, that the scheme would be out of keeping with the existing dwelling. It is acknowledged that the existing property is in a prominent location on a bend in Dukes Avenue and is therefore particularly visible from public view points, however the extension will remove an existing flat-roofed side extension which has very little architectural merit and replace it with a pitched roof which is of a scale and design which will actually enhance the existing building and the wider street scene.

The Parish Council are also concerned about the architectural flow of the front projection as a result of the proposal. Dukes Avenue is characterised by a mix of different types of dwellings, with a range of sizes, types, architectural styles and use of materials. This mix gives it a varied and interesting character to which the building of this relatively small scale extension, with conventional pitched roof would not detract from. As a consequence it is concluded that the design of the extension is entirely in keeping with the prevailing street scene and would not cause any harm to its appearance. The proposal is therefore compliant with the high design standards of the emerging Local Plan and the NPPF.

Impact on Living Conditions

It is considered that, due to the distance between the development and neighbouring dwellings, the proposal would not cause excessive harm to the living conditions of neighbours in regard to loss of light, overlooking or loss of outlook.

Conclusion

It is recommended that planning permission is granted subject to conditions for the reasons stated 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