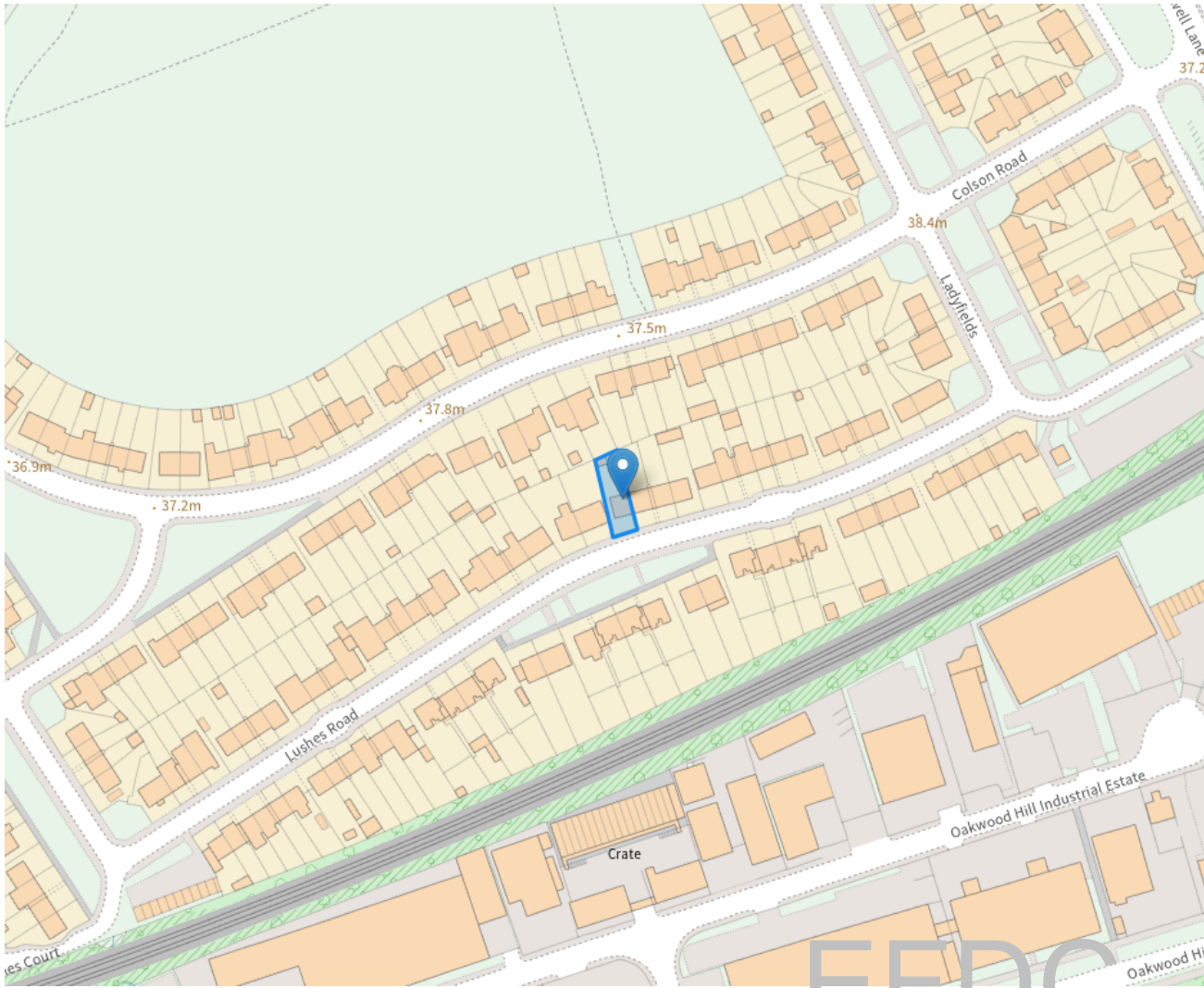




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Application Number:	EPF/0878/22
Site Name:	32 Lushes Road Loughton Essex IG10 3QB

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OFFICER REPORT

Application Ref: EPF/0878/22
Application Type: Full planning permission
Applicant: Berry Ghazal Natalegawa
Case Officer: Alastair Prince
Site Address: 32 Lushes Road Loughton Essex IG10 3QB
Proposal: Proposed 4 metres single storey rear extension & an outbuilding.
Ward: Loughton Alderton
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NzAd>
Recommendation: Approve with Conditions

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 house located on the Northern side of Lushes Road in a residential urban area of Loughton. 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:

Planning permission is sought for a single storey rear extension 4 metres in depth, approximately 6.5 metres in width and 3 metres in overall height, as well as a detached single storey outbuilding 3 metres in depth, 8 metres in width and 3 metres in overall height (2.5 metres from ground level to the eaves).

Relevant Site History:

No relevant history

Policies Applied:

Epping Forest Local Plan and Alterations (1998/2006)

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

DBE2- Effect on neighbouring properties.
DBE9- Loss of Amenity
DBE10- Design of Residential Extensions

Epping Forest District Local Plan (Submission Version) 2017

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

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).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

DM9 - High Quality Design

Summary of Representation:

No. of neighbours consulted: 5 - 1 Objection Received

34 LUSHES ROAD: OBJECTION – Development would be overbearing and cause loss of light to the garden of no. 34 Lushes Road. House is being used as an HMO and there is concern that the outbuilding would not be used as a gym, but rather as another room to add to this use or even separate living accommodation. Outbuilding and extension combined would leave minimal garden space.

TOWN COUNCIL: OBJECTION

The committee objected to this application on the following grounds:

- the bifold doors to the side of the proposed rear extension would create a loss of amenity to the neighbours at number 34 caused by overlooking
- the height of the proposed gym was excessive
- members deplored the proposed removal of the chimney, which would have a negative impact on the street scene.

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 proposed single storey rear extension would benefit from a flat roof with a parapet wall and bi-fold doors. The design of this extension is commonly found within urbanised residential areas and raises no concerns in regard to design and appearance.

The proposed outbuilding would have a dual-pitched roof and would house a gym to be used incidental to the enjoyment of the dwelling house. The external appearance of the outbuilding would include

brickwork to the walls and clay roof tiles. As with the single storey rear extension, the design of the proposal is commonplace among an urban environment and there are several examples of outbuildings sited within rear gardens of varying designs and sizes, thereby signifying that such developments are part of the urban fabric and character of the area. It is considered that the proposed outbuilding would not be so out of character so as to refuse planning permission.

The Town Council have objected to the proposal stating that the loss of the chimney would be detrimental to the character of the area. There is no concern from officers regarding this element of the scheme and it is considered that this would not be detrimental to the character of the building or wider character of the area.

Impact on Living Conditions

The Town Council have objected to the proposal stating that the development would cause harm to the living conditions of neighbours in relation to overlooking and loss of visual outlook. The neighbours at 34 Lushes Road have objected to the scheme stating that the outbuilding would be overbearing and result in loss of light to the garden of 34 Lushes Road.

As stated above, the proposed single storey rear extension would extend 4 metres in depth, approximately 6.5 metres in width and 3 metres in overall height. The detached single storey outbuilding would measure 3 metres in depth, 8 metres in width and 3 metres in overall height (2.5 metres from ground level to the eaves).

The proposal would not cause excessive harm to the living conditions of neighbours in relation to loss of privacy as all development is situated at ground floor level and the side bi-fold doors, an access point, would certainly not cause any harm to neighbours in relation to loss of privacy.

The north facing nature of the application site (including neighbouring dwellings) means that this section of the area would not benefit from much natural light to habitable rooms or amenity spaces. Whilst there may be some harm caused by loss of outlook and loss of light from the outbuilding and extension, this would not be considered excessive due to the site's orientation and positioning.

Whilst there may be some overshadowing to the rear amenity space of 34 Lushes Road, this would only affect a small section of garden area and would leave an ample amount of amenity space unaffected by the neighbouring scheme. Although level changes are present on the site sloping upward from the rear elevation of the dwelling house to the rear boundary at a maximum of 0.45 metres, this would not be considered a sufficient height to cause harm to living conditions in respect of loss of visual outlook or be excessively overbearing.

Overall, it is considered no excessive harm to the living conditions of neighbours would be caused in relation to loss of light, loss of outlook or loss of privacy.

Other Considerations

The neighbours at 34 Lushes Road have objected to the proposal stating concern that the outbuilding will be utilised as extra accommodation in connection with an HMO. The nature of the proposal is not in relation to an HMO and the application is not being assessed as such. Furthermore, it is possible to add conditions restricting the use of the outbuilding to a purely incidental capacity to the host dwelling and it's use as a separate accommodation would, in any event, would require planning permission in its own right.

Conclusion

For the reasons outlined above, 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

Conditions: (5)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 32LUSHRD; Block Plan, ExistElevs, ExistElevs/A, ExistPlans, Location Plan, PropElevs, PropElevs/A, PropPlans, Roof Plans

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DBE10 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 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.

Reason: To safeguard the privacy of adjacent properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 5 The building hereby permitted shall not be occupied for any residential overnight accommodation and shall not be used at any time other than for purposes incidental to the residential use of the dwelling known as 32 Lushes Road, Loughton, IG10 3QB.

Reason: The development does not satisfy the standards considered acceptable by the Local Planning Authority for a separate unit of accommodation, in accordance with policy DBE1 of the adopted Local Plan 1998 & 2006, Policies DM9 and DM10 of the Local Plan Submission Version 2017, and the NPPF.

Informatives: (1)

- 6 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.