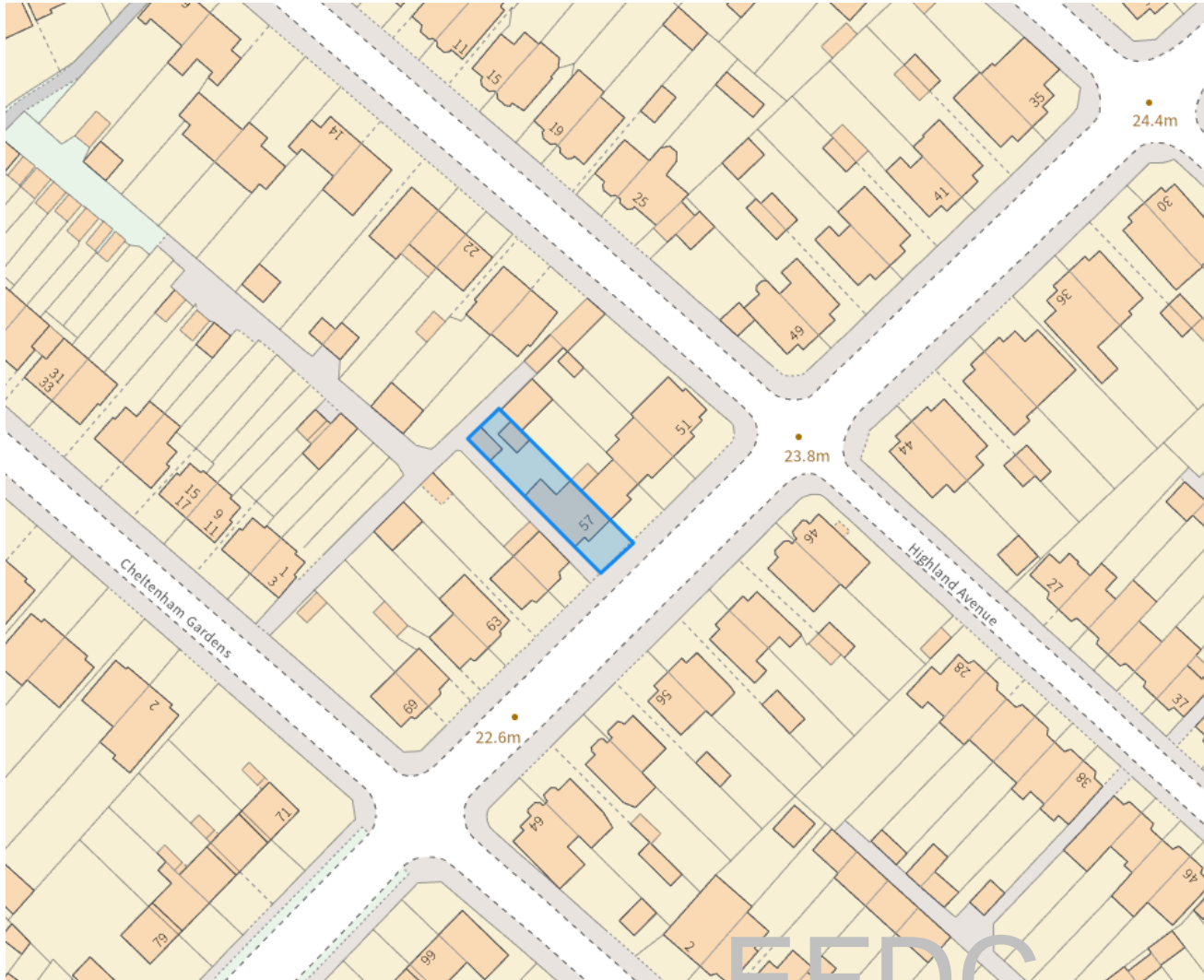




Epping Forest District Council

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Application Number:	EPF/1416/22
Site Name:	57 Valley Hill, Loughton, IG10 3AL

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OFFICER REPORT

Application Ref: EPF/1416/22
Application Type: Householder planning permission
Applicant: Mr & Mrs Woods
Case Officer: Mohinder Bagry
Site Address: 57 Valley Hill, Loughton, IG10 3AL
Proposal: First floor rear extension. Single storey rear extension. Alterations to entrance porch.
Ward: Loughton Roding Ward
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000O4my>
Recommendation: Approve with Conditions

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: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

The site is a double fronted, traditional two storey end on of terrace in a row of four dwelling houses, with private driveway to the front, private amenity space with outbuildings to the rear. It is sited on the northwest side of a main road in an urbanised, built-up area of south Loughton. Adjacent to the west is a right of way serving rear garages. Materials are brick, tile, render, uPVC window/doors. The proposed development will use materials to match the existing. It is not located within the boundaries of a Conservation Area. It is not a Listed Building and it does not fall within the boundaries of the Metropolitan Green Belt.

Proposal

The proposal is for a first-floor rear extension, single storey rear extension and alterations to entrance porch.

Relevant Planning History

EPF/2252/03 Part single, part two storey rear extensions. 26/11/2003 Approve with Conditions
CHI/0459/70 Erection of a Conservatory 30/11/1970 Approve with Conditions

Development Plan Context

The following policies within the current Development Plan are considered to be of relevance to this application:

CP7	Urban Form and Quality
DBE2	Effect on Neighbouring Properties
DBE3	Design in Urban Areas
DBE8	Private Amenity Space
DBE9	Loss of Amenity

National Planning Policy Framework 2021

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	133

The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Summary of Representations

Number of neighbours Consulted: 4. Responses received 1
Site notice posted: Not required
Site visit: 24/10/2022
Photographs: Yes

NEIGHBOURS – Objection.

Summarised as: loss of light to no.55 Valley Hill, does not respect the 45-degree angle rule to no.55 as it does with no.59, excessive depth and height due to ground level, materials used for finish do not match no.55 side.

LOUGHTON TOWN COUNCIL 08/08/2022 – Objection.

'The Committee OBJECTED to this application stating it was an overdevelopment. There had already been too much development on the site as a whole with far too many garden buildings resulting in a lack of garden space.

Members believed the applicant would need to remove the garden buildings in order to allow the proposed rear extension; and considered the porch alterations were acceptable as they retained the existing symmetry.'

Re-consultation of Amended Plans

LOUGHTON TOWN PARISH COUNCIL 22/09/2022 – Objection.

The Committee reiterated its previous comments which were:

"The Committee OBJECTED to this application stating it was an overdevelopment. There had already been too much development on the site as a whole with far too many garden buildings resulting in a lack of garden space.

Members believed the applicant would need to remove the garden buildings in order to allow the proposed rear extension; and considered the porch alterations were acceptable as they retained the existing symmetry."

Planning Considerations

The main issues for consideration in this case are:

- a) Design and the impact on the character and appearance of the locality
- b) The impact to the living conditions of neighbours

Design/Character and Appearance

Front Porch

The applicant seeks to reduce the glazing and replace the porch entrance door. The design improves the existing structure and is in keeping with the character and appearance of the streetscene.

First floor infill

The dwelling has previously been developed with a rear ground floor and part first floor extension. The proposal seeks to develop the remaining space above the existing ground floor extension squaring off the rear elevation. The right of way separates the sites providing additional distance from the neighbour at no.59. The first-floor element lies flush with the existing rear elevation in respect of the existing building line. Roof form matches the existing pattern with continuity of hipped roof to northwest side.

The proposal adds two single windows to the flank wall on the ground floor and one on the first floor that will require obscure glazing.

Single storey rear extension

A 3m extension spanning the width of the dwelling to the common boundaries is proposed. With flat roof form and two roof lights. Ground levels to the rear are lower than that of the dwelling by 0.72m resulting in the extension siting above rear garden ground height. Eaves height of 2.7m (overall roof height 3.06m). This is followed by a 2.45m depth patio terrace also spanning the width of the dwelling to the common boundaries.

The design, size and scale of the proposed development is acceptable within this setting.

Demolition of outbuildings

There are currently two outbuildings to the rear of the site. Amended plans have been received showing that these will be demolished to improve the garden space. This is to address the concerns raised by the Town Council, who nonetheless continue to object.

Whilst the removal of the outbuildings has been offered by the applicant, it is the opinion of Officers that their removal is not necessary to make the application acceptable. As such, no conditions have been suggested requiring their removal or restricting permitted development under Class E of Part 1 Schedule 2 of the GPDO.

Neighbour amenity

The focus of this assessment is the impact on living conditions to the occupants at no.55 as, considering the distance in between, there is negligible impact to no.59 resulting from the proposal.

The ground levels of the rear garden are 0.72m lower than that of the adjoining neighbour at no.55. As such, the current fencing to the common boundary with no.55 is over 7ft in height. Proposed eaves height of 2.71m is proportionate as the floor will be at the same level as the neighbouring dwelling. Further to visiting the site, it was clear that a person of average height standing on the existing garden terrace at the host site (currently mirrors the floor level of no.55) does not result in overlooking.

The issue then is whether there is any other loss of visual amenity for the neighbour at no.55. The proposed development is of an acceptable depth and scale and not dissimilar to other developments in the vicinity. With the rear garden in the northwest will not result in excessive shade from the development over and above what is currently experienced from the boundary fencing. The proposal is therefore considered acceptable and does not result in detrimental impact to the living conditions of the neighbours. DBE2 of the Adopted Local Plan 1998 and 2006.

Representations Considered

Loughton Town Council objected on the grounds of the proposal being an overdevelopment given its previous planning history; was supportive of the alterations to the porch and suggested outbuildings be removed to reduce impact on private amenity space. The application was amended with removal of the outbuildings in response to these suggestions with a second public consultation. However, despite the removal of the outbuildings in the amended application, the Town Council Planning Committee only reiterated their previous comments.

Neighbour objection: the plans indicate a 6m extension from the original dwelling. The rear elevation currently lies flush with adjoining property at no.55 demonstrating that both dwellings have had rear alterations. This proposal will project 3m to the rear compared with no.55. Notwithstanding site constraints, this size of extension is a common feature in the immediate vicinity and is not considered especially excessive.

The 45-degree rule was applied to the first-floor extension and its impact on no.59. The first-floor infill extension does not impact no.55.

Materials are expected to match the existing dwelling and will be conditioned as such.

Conclusion

For the reasons set out above, having regard to all matters raised, it is recommended that conditional planning permission be granted.

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: Mohinder Bagry on 01992 564135 or

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

Conditions: (6)

- 1 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 01 and 02 Rev E.

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

- 2 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).

- 3 Prior to first occupation of the extension hereby permitted the window in the south west flank elevation at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that window that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

- 4 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.

- 5 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.

- 6 Prior to the first use of the patio, details of a privacy screens at both edges of the patio no lower than 1.7 metres high shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented before occupation in accordance with the approved details and so retained.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

Informatives: (1)

- 7 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.