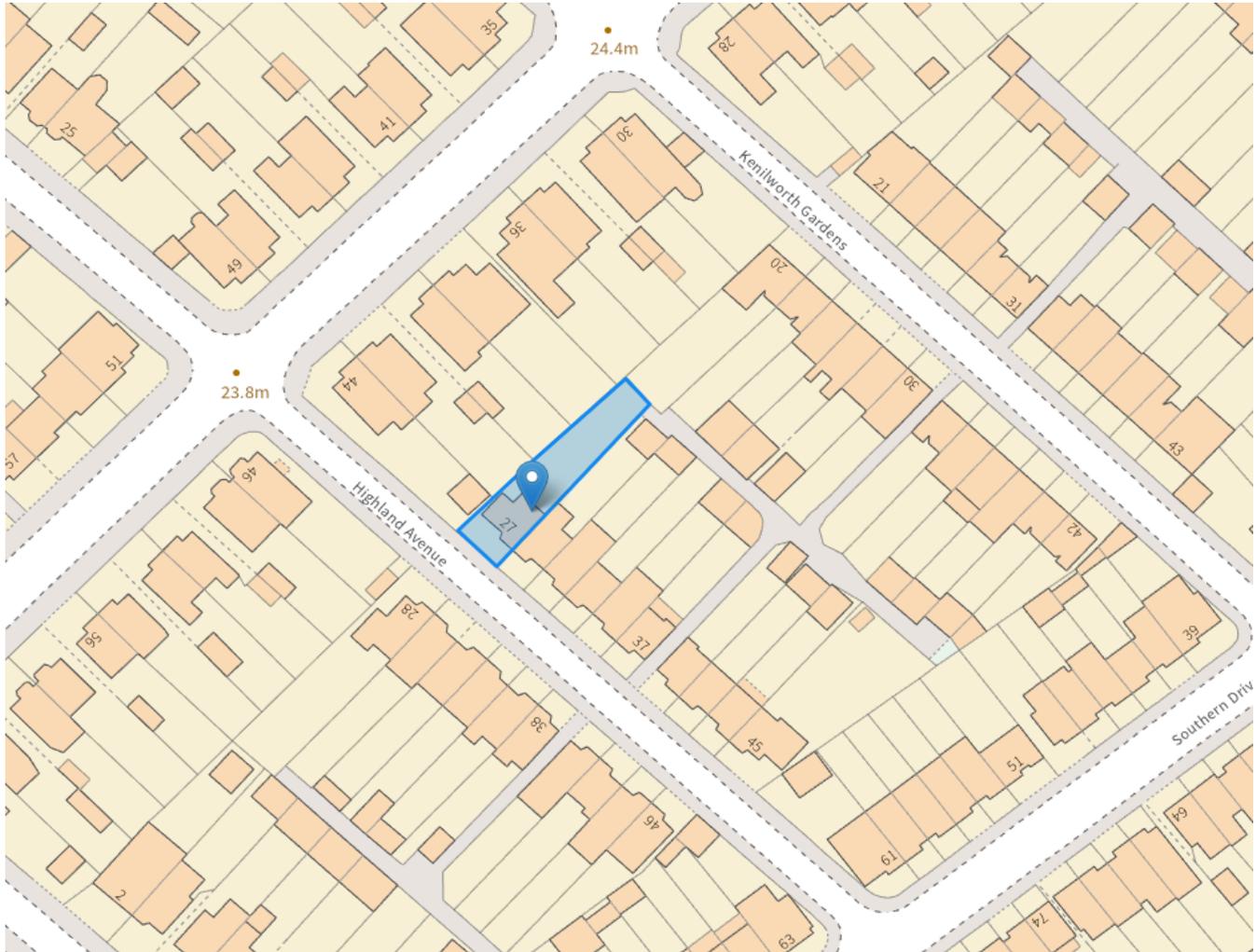




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Application Number:	EPF/2849/22
Site Name:	27, Highland Avenue, Loughton, IG10 3AH

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OFFICER REPORT

Application Ref: EPF/2849/22
Application Type: Householder planning permission
Applicant: Mrs Melissa Lewis
Case Officer: Alastair Prince
Site Address: 27, Highland Avenue, Loughton, IG10 3AH
Proposal: Single storey entrance porch plus two storey rear and side extensions
Ward: Loughton Roding
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001UwcS>
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 end of terrace dwelling located on the North Eastern side of Highland Avenue in a residential 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:

Single storey entrance porch plus two storey rear and side extensions.

Relevant Site History:

EPF/2794/22 - Application to determine if Prior Approval is required for a Larger Home Extension measuring 4.00 metres, height to eaves of 3.00 metres & a maximum height of 3.20 metres – Prior Approval Not Required

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 Representations:

No. of neighbours consulted: 11, 3 objections received

40 VALLEY HILL – OBJECTION: Concerns regarding parking and construction noise.

42 VALLEY HILL – OBJECTION: Development would be out of keeping with the surrounding area, development would be overbearing and cause excessive harm to the living conditions of neighbours in relation to loss of outlook and loss of light.

44 VALLEY HILL – OBJECTION: Concern regarding development causing loss of light to the garden. Disruption in relation to building works and potential blocking of garage access from construction vehicles if approved. Request that any windows to the second storey side extension are fitted with obscure glazing.

TOWN COUNCIL: OBJECTION:

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application stating the height and bulk of the two-storey rear extension was excessive and would impact on this part of Highland Avenue. It would be preferable to be one floor lower to read subservient to the main dwelling.

Members also considered the proposed large expanse of windows, and out of keeping balcony, would create light pollution resulting in a detrimental impact on the habitats of native nocturnal animals.

LRA PLANS GROUP: OBJECTION – development out of character with the surrounding area. The proposal should be single storey so as to remain subservient.

Main Issues and Considerations:

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

Design
Impact on the Living Conditions of Neighbours

Design

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

The scheme involves the demolition of an existing attached garage and the erection of a two storey side/rear extension. The rooves of these extensions would be gabled and the ridge of the side extension would be set down from the main ridge line by approximately 0.18m. The existing walls shall be rendered white and the roof tiles shall match the existing dwelling.

The side extension shall be set down from the main roof, therefore making the extension subservient to the host dwelling. The gabled appearance of the rear extension and side extension is one commonly found within residential areas and would not appear out of place within the area and would not detract from the character.

The layout of the site is perpendicular to residential dwellings found on Valley Hill and residential rear gardens are located to the immediate North West of the application site. Whilst the two storey side extension would partially be within 1 metre of the side boundary, there would be no detrimental terracing

effect as the nearest two storey dwelling house to this boundary is located approximately 19 metres away. This would clearly maintain space between buildings and would allow views through the site – ensuring that the character of the area is not adversely altered.

On this basis, the development would be considered acceptable within this location in regard to design.

Impact on the Living Conditions of Neighbours

Neighbours have objected to the proposal stating that it would cause harm to the living conditions of neighbours in regard to overbearing development causing harm to loss of outlook and loss of light.

The two storey side extension would measure 2.22 metres in width, 6.28 metres in depth and 7.88 metres in height. It would be approximately 0.83 metres from the side boundary with 42 Valley Hill at the nearest point (and 19 metres away from that dwelling) and 1.5 metres away from the side boundary with 44 Valley Hill (20.5 metres approximately away from that dwelling). The two storey rear extension would measure 4 metres in depth, 4.7 metres in width and 6.9 metres in height. It would be approximately 0.8 metres from the boundary with 42 Valley Hill (approximately 19 metres from that dwelling) and 2.85 metres from the boundary with 29 Highland Avenue.

The applicants have added a 45 degree line to the proposed floor plans and clearly shows there would not be excessive harm to neighbours in regard to loss of light as this line would not be encroached by the proposal. The Juliet balcony would be facing directly down the rear garden and would not look directly into neighbouring dwellings. Due to the proximity from neighbouring dwellings and orientation of the site, it is considered the development would be a sufficient distance away from neighbouring dwellings so as to not cause excessive harm to living conditions in regard to loss of visual outlook, loss of light or loss of privacy. The proposal would not cause excessive harm to the living conditions on this basis.

Other considerations

Neighbours have shown concern regarding parking at the site, however the building would remain a single dwelling and would not increase parking stress on the site.

The following mentioned issues within neighbour comments are not material planning considerations to be taken into account as part of this assessment:

- Disruption in relation to building works and potential blocking of garage access from construction vehicles if approved.

It is considered the proposal would not result in excessive light pollution to cause harm to local wildlife. A condition can be added to manage construction hours of the proposal if approved.

Conclusion:

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

If you wish to discuss the contents of this report item please contact the case officer by 2pm on the day of the meeting at the latest, or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Case Officer: Alastair Prince | aprince@eppingforestdc.gov.uk.

Conditions: (4)

- 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: 19836-13; B – GA/1A, E-GA/2, MDL/SK; 01/A, 03, 04

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 specified on the approved plans.

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 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 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

Informatives: (1)

- 5 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.