



Epping Forest District Council

EFDC



EFDC

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/1592/22
Site Name:	55, Hemnall Street, Epping, CM16 4LZ

OFFICER REPORT

Application Ref: EPF/1592/22
Application Type: Householder planning permission
Applicant: Mrs S Buckley
Case Officer: Caroline Brown
Site Address: 55, Hemnall Street, Epping, CM16 4LZ
Proposal: Removal of existing conservatory.
Two storey side extension.
Single storey rear extension.
Ward: Epping Hemnall
Parish: Epping
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OFaS>
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:

Site and Surroundings

No. 55 is a 2-storey pitched roof detached dwellinghouse located to the south of Hemnall Street which is residential in character. The property has a flat roof side garage linked to the main house by a pedestrian side access, a rear extension and additional rear conservatory. The property has a large frontage with parking for 3 plus cars.

The properties in Hemnall Street are predominantly detached dwellinghouses that vary in scale and form with blocks of flats sited to the southeast.

The property lies outside of a conservation area and is not listed.

Proposed Development

The proposal seeks planning consent for the conversion of the garage into living accommodation, the removal of the existing conservatory, construction of a 2-storey side and rear extensions. Materials are to match the existing property.

Relevant Planning History

EPF/2096/21- Installation of 1.8m high metal railings and pedestrian gates together with electric vehicular access gates to courtyard, painted black to match existing fencing to south-eastern boundary and the installation of 2No. CCTV cameras - Approved

EPF/0896/89 - Erection of rear conservatory- Approved – 28/07/89

Policies Applied:

DEVELOPMENT PLAN CONTEXT

Local Plan (1998) & 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
DBE2 Impact on Neighbouring Properties
DBE3 Design in Urban Areas
DBE9 Loss of Amenity
DBE10- Residential Extensions
LL10- Adequacy of provision for landscape retention

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 126-7 - Achieving well designed Places

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.

CONSULTATIONS CARRIED OUT & SUMMARY OF REPRESENTATIONS RECEIVED:

Epping Town Council – OBJECTION and confirm that they will attend and speak at Plans East to object to the proposal.

- Object to the felling and removal of the T6 Lawson Cypress tree along with the T0 Wild Cherry tree which is listed in the description of works on the application form. No information or tree report provided which would be expected for felling of trees. no explanation why these trees are to be felled and what type of tree would be the replacement(s), if any.
- No objection with the work to the T5 Beech tree crown reduction work only provided it is carried out under the supervision of the arboricultural officer at EFDC.

16 adjoining neighbours were notified, and no objections have been received

Main Issues & Considerations:

- Design and siting of the development in relation to the character and appearance of the property and surrounding area.
- Impact on neighbour's amenity
- Trees and Landscaping
- Parking and highway

Impact on the character and appearance of the property and the surrounding area

Epping Forest adopted Local Plan Policies seeks to ensure a high quality of design and that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These objectives are broadly consistent with the core principles of the NPPF that planning should seek to secure high quality design.

The proposed 2-storey side extension is to be recessed from the front main building line of the property and has been reduced in width so that it is set in over 1m from the west boundary with a hip roof. The proposed single storey rear extension varies in depth from 3.3m and 6.3m from the east flank, set in over 3m from the side boundary.

The scale and design of the side extension is considered subservient and proportionate to the dwellinghouse and not detrimental to the visual character and appearance of the property and street scene.

The recessed siting of the 2 -storey side extension from the front main building line of the property, with a low hip roof sited well set back from the public highway eliminates any overall bulk and massing. In terms of its design and form the development is considered sympathetic and comparable in context with the spatial design of development in Hemnall Street and complies satisfactorily with policies CP2, and DBE10 of the adopted Local Plan and policies of the Local Plan (1998) and Alterations (2006) and policy, DM9 and DM10 of the Local Plan Submission Version, 2017 and does not conflict with the design objectives of the National Planning Policy Framework., 2021.

Impact on Neighbours' Amenities

The proposed side and rear extensions are to replace existing structures of a similar footprint, set in between 1-3m from the side boundaries that comprises of high dense conifer trees and shrubbery to the extent that conceals views of the adjoining properties. As both adjoining buildings are set in over 3m from the shared boundary and It is considered that the siting and separation distance of the adjoining properties is such that the proposed extension would not result in any significantly harmful impact on their amenity in terms of loss of light or outlook in accordance 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 proposal shows the removal of one tree to facilitate the development. Trees and Landscaping have no objection subject to conditions for the protection of existing trees and details for a replacement tree in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.

The Parish Councils comments are noted. The tree officer raises no objection to the removal of a tree and its replacement, which would be conditioned.

Parking & Highway Considerations

Two car parking spaces are required for a 2 bed + dwellings in line with the Councils adopted parking standards (Essex County Parking Standards 2009). There is no objection to the conversion of the garage to a habitable space, the property is not increasing the number of bedrooms and retains 3+ car spaces to the frontage of the property which meets the minimum standards required by the Essex Parking Standards and policies ST4 and ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

Conclusion:

The proposed extensions are considered of an appropriate design and scale that is in keeping with the character and appearance of the dwellinghouse and street scape 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 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

Conditions: (6)

- 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: 22001_P_000; 22001_P_001; 22001_P002; 22001_P_003; 22001_P_004; Rev B; 22001_P_005 Rev B; 22001_P_006 Rev B; Existing Streetscene

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 [or those specified on the approved plans, or those specified in the submitted application form].

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 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.

- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 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.