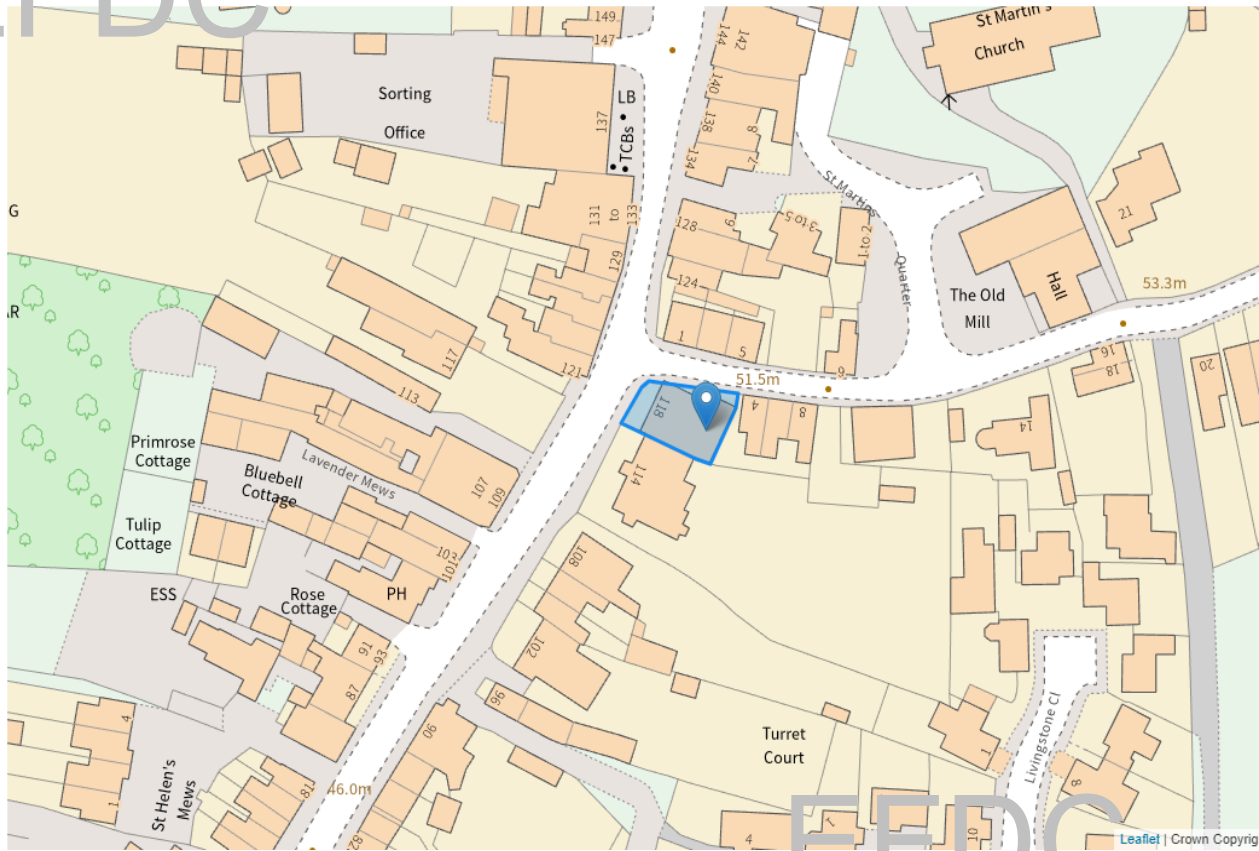




Epping Forest District Council

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Application Number:	EPF/1192/23
Site Name:	Essex House, 118 High Street Ongar CM5 9EB

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OFFICER REPORT

Application Ref: EPF/1192/23
Application Type: Full planning permission
Applicant: Mr Adam Davis
Case Officer: Alastair Prince
Site Address: Essex House, 118, High Street, Ongar, CM5 9EB
Proposal: Installation of 6 no. conservation style roof lights and 2 no. conservation style flat roof lights.
Ward: Chipping Ongar, Greensted and Marden Ash
Parish: Ongar
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WO7y>
Recommendation: Approve with Conditions

The application is before this Committee as at least 5 expressions of objections material to the planning merits of the proposal are received (or where less than five have been consulted, the majority of those have objected).

Description of Site:

The application site is a two storey building in Class E use located on the southern corner of the junction of High Street and Castle Street in the urban location of Ongar. The building is locally listed and is found within the Chipping Ongar Conservation Area. Several Listed buildings are present to the West and immediately South of the application site. The site is not found within the Metropolitan Green Belt.

Description of Proposal:

Installation of 6 no. conservation style roof lights and 2 no. conservation style flat roof lights.

Relevant Site History:

EPF/0415/23 - Installation of 12 no. conservation style roof lights and 2 no. flat roof lights – Withdrawn by Applicant

EPF/0419/81 – Change of use to offices – Approve with Conditions

Policies Applied:

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.

On 9 February 2023, the Council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council. The relevant policies are outlined below:

SP1 – Spatial Development Strategy
DM7 – Heritage Assets

DM9 – High Quality Design

Summary of Representations:

No. of neighbours consulted: 33, 8 objections received.

123 HIGH STREET – OBJECTION: Development out of character with the area and would overlook neighbouring dwellings.

108 HIGH STREET – OBJECTION: Development out of character with the surrounding area, harm caused to living conditions in regard to loss of privacy, Development would facilitate change of use to residential.

114 HIGH STREET – OBJECTION: Development out of character with the surrounding area, harm caused to living conditions in regard to loss of privacy.

10 CASTLE STREET – OBJECTION: Development out of character with the surrounding area, development would facilitate change of use to residential.

5 CASTLE STREET – OBJECTION: Development would facilitate change of use to residential.

117 HIGH STREET – OBJECTION: Development out of character with the surrounding area, harm caused to living conditions in regard to loss of privacy, Development would facilitate change of use to residential.

9 CASTLE STREET – OBJECTION: Development out of character with the surrounding area, harm caused to living conditions in regard to loss of privacy.

1 other objection was received, however the specific address was not disclosed and can therefore not be taken into account.

TOWN COUNCIL: No comment at the time of writing

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 have objected to the proposal stating the development would be detrimental to the character and appearance of the area.

The proposal involves the installation of 5 conservation style rooflights to the roof of the South elevation and 1 conservation style rooflight to the East elevation. 2 rooflights would be installed to the flat roof of the building. The proposal has been revised from the original scheme in regard to the positioning of the rooflights and materials used.

The Council's Heritage and Conservation team were consulted on the application and have made the following comments:

Relevant Planning History

The following report should be read in conjunction with previous Conservation comments issued 12 June 2023 on an earlier iteration of this scheme, as well as with Conservation comments issued 11 April 2023 on a related application (ref. EPF/0415/23).

Initial Remarks

To reiterate from previous comments, Essex House—a non-designated heritage asset (LLB) within a designated heritage asset (conservation area)—was noted at the time of its inclusion to the Local List (2006) as well as during the Heritage Asset Review 2012 to retain its unique fenestration comprising ‘original windows with leaded upper lights’. However, the windows within the prominent masonry canted bay on its primary elevation (High Street) at ground floor level appear to have been replaced with thick-framed uPVC by 2016. The remaining timber-framed windows on this and its Castle Street elevation had all been replaced by 2019. These unauthorised alterations were confirmed by a site visit undertaken on 15 March 2023.

According to the Town and Country Planning (General Permitted Development) (England) Order 2015, which outlines works that can be carried out by householders without the need for planning permission, the materials used in any exterior work (in this case replacement of existing windows) should be of a similar appearance to those used in the construction of the building. The accompanying technical guidance also states that replacement windows should give a similar visual appearance to those in the existing building in terms of their overall shape, and the colour and size of the frames.

As such, these works are considered to fall outside of permitted development rights. This is especially relevant within the context of a conservation area where the works unsympathetically erode the character and appearance of the LLB and its wider setting.

This unsympathetic alteration is especially notable on the building’s largest window at first floor level facing Castle Street (within an attractive, gothic revival pointed trefoil arch) where the replacement of fenestration with uPVC resulted in the loss of decorative brickwork panels within the frame’s cusp (removed and replaced with ill-fitting, flat uPVC panels). No consent for these unauthorised works appears to have been sought, which renders them unlawful.

Current Proposal

This revised application seeks consent for the proposed installation of six conservation-style rooflights and two conservation-style flat rooflights.

Comments

This application follows a previous iteration of the same scheme which raised concerns due to the proposed material and positioning of the new rooflights, contrary to conservation policies and guidance, as well as inaccurate information in the submitted drawings.

The scheme has been revised and now proposes the six conservation rooflights to the principal roof in a consistent alignment and set within the middle third of the roof slope. Further to this, the information submitted for The Rooflight Company’s ‘Conservation Rooflights’ (provided in steel) are considered to be of a suitably high-quality, traditional material. As such, these amendments suitably overcome the objections previously raised and the proposal is now considered to be ACCEPTABLE.

We note that the related rooflight flashing kits offer either ‘On the Rafter’ or ‘Between the Rafter’ installation. The Rooflight Company’s webpage notes:

- 'On the Rafter' installation typically leads to a 'proud' installation where the rooflight casement sits above the level of the roof material.

- 'Between the Rafter' installation allows for the rooflight baseplate to be sunken into the roof surface to create the extra depth required to allow a flush finish, i.e., where the rooflight casement sits level with the surrounding roof surface.

Given the context and expected appearance of the affected heritage asset(s), we expect the appropriate installation to allow the new rooflights to appear flush with the surrounding roof tiles, i.e., depending on the depth of the current roof, a 'Between the Rafter' installation is likely required.

Recommendations

We can give our *SUPPORT* to the revised scheme as it is considered to preserve to the significance of the non-designated heritage asset (Essex House) as well as the significance (including setting) of the multiple affected designated and non-designated heritage assets (Chipping Ongar Conservation Area; Listed Buildings; Locally Listed Building; Scheduled Monument).

Based on the comments from Heritage and Conservation above, Officers are of the opinion that the proposal would be acceptable in regard to design and would not be out of character with the existing building and surrounding area.

Impact on Living Conditions

Several neighbours have objected to the proposal stating that the proposal would cause harm to the living conditions of neighbours in regard to overlooking.

The rooflights would be angled skyward and not look directly into neighbouring properties/amenity spaces. The proposal would be a sufficient distance away from neighbouring dwellings so as to not cause harm to the living conditions of neighbours.

Other Considerations

Neighbours have objected to the proposal stating the scheme would enable future residential development. As residential development is not proposed as part of this scheme, this cannot be taken into account and would need to be assessed separately in its own right.

Conclusion

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 email: aprince@eppingforestdc.gov.uk

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

Conditions: (3)

- 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: PL; 01, 02/A, 03, 04/B

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

- 3 The proposed new roof lights shall be of the conservation type and shall be installed so that it is not any higher than the surrounding roof tiles.

Reason: To ensure the proposed works preserve the special architectural and historic interest of the building, in accordance with Policy DM7 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (1)

- 4 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.