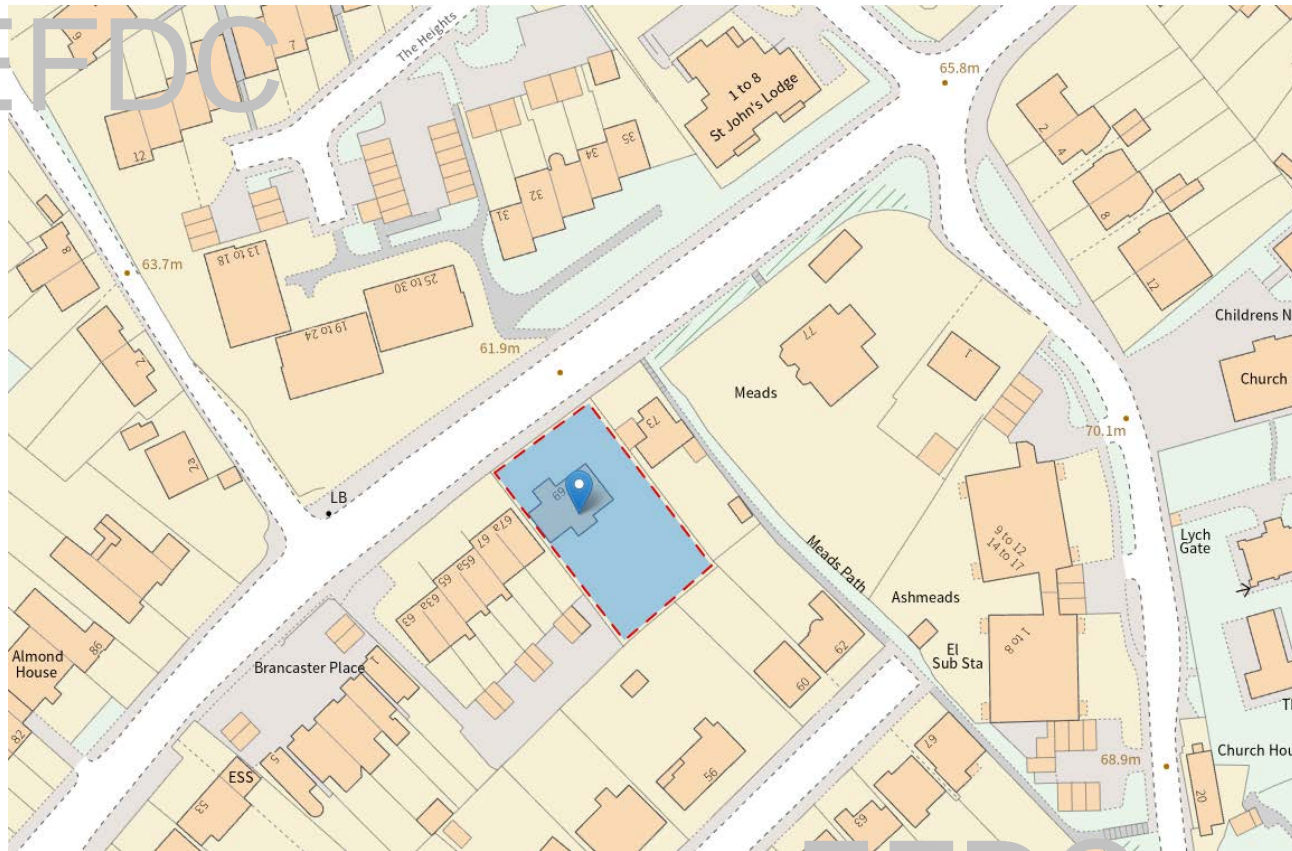




Epping Forest District Council

EFDC



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Application Number:	EPF/1547/23
Site Name:	69 Church Hill Loughton IG10 1QP

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OFFICER REPORT

Application Ref: EPF/1547/23
Application Type: Householder planning permission
Applicant: Mr & Mrs Smith
Case Officer: Sukhvinder Dhadwar
Site Address: 69, Church Hill, Loughton, IG10 1QP
Proposal: Proposed Extension
Ward: Loughton St. Mary's
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WoVi>
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)).

Description of Site:

The application site comprises a rectangular piece of land covering an area of 994 sqm. It contains a detached one and half storey bungalow and curtilage. Land rises sharply on the site in a north easterly direction.

The proposal site is towards the crest of the hill of Church Hill. Adjoining the site on its eastern boundary is the property 73 Church Hill which is a larger detached house, to the east (higher end of the sloped site), adjoining the western boundary are the properties at 63-67a Church Hill, which are a group of mid twentieth century stepped terraced houses. To the north is a block residential flats and to the south are the rear gardens of two storey residential properties at 56 and 60 Uplands Road.

The wider area consists of a variety semi-detached, detached, terraced housing, and small apartment blocks.

The site is located within the urban area of Loughton. The site has no heritage designation.

Description of Proposal:

Relevant History:

Reference	Description	Decision
EPF/1068/23	Proposed extension	Approved
EPF/0521/23	Proposed extension	Approved
EPF/0014/23	Proposed extension	Approved
EPF/2053/22	the demolition of the existing bungalow and construction of 2no semidetached houses and 1no detached house.	Refused
Reason: the number, bulk, height and position of the proposed houses results in the overdevelopment of the site. The proposal is incongruous to the established pattern		

of development within this part of Church Hill and as a result fails to make a positive contribution to the distinctive character and amenity of this local area.		
EPF/0041/18	Demolition of the bungalow and replacement with 10 flats	Withdrawn
EPF/2040/18	The demolition of existing chalet bungalow and replacement with a new building consisting of 10 flats	Refused
<p>1 By reason of its bulk and height and detailed design including balconies and significant glazing to the front elevation, the proposed development would fail to respect its setting appearing incongruous within the established pattern of development on the eastern side of Church Hill, which predominantly comprises of houses with gardens. As a consequence, the proposal would cause significant harm to the character and appearance of the locality, contrary to Local Plan and Alterations policy DBE1 and to Local Plan (Submission Version 2017) policy DM 9 (paragraphs A and D), which are consistent with the National Planning Policy Framework.</p> <p>2 By reason of its failure to provide sufficient private amenity space, the proposal would not provide adequate living conditions for its occupants, contrary to Local Plan and Alterations policy DBE8 and to Local Plan (Submission Version 2017) policy DM 10 (paragraph B), which are consistent with the National Planning Policy Framework.</p> <p>3 By reason of its bulk, height and siting in relation to 73 Church Hill, the proposed development would cause a loss of light to windows in the flank elevation such that it's living conditions would be adversely affected, contrary to Local Plan and Alterations policy DBE9 and to Local Plan (Submission Version 2017) policy DM 9 (paragraph H(i)), which are consistent with the National Planning Policy Framework.</p> <p>4 By reason of the size and location of the proposed parking area in relation to the rear gardens and rear elevations of neighbouring properties, activity arising from its ordinary use by motor vehicles is likely to give rise to a degree of noise and pollution that would detract to the enjoyment of adjacent rear gardens, 67a and 73 Church Hill and 56, 60 and 62 The Uplands, causing harm to the living conditions of those neighbouring dwellings. The proposal is therefore contrary to Local Plan and Alterations policy DBE9 and to Local Plan (Submission Version 2017) policy DM 9 (paragraph H(iv)), which are consistent with the National Planning Policy Framework.</p> <p>A subsequent appeal was dismissed in support of reasons 1 and 2.</p>		

DEVELOPMENT PLAN

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.

Epping Forest Local Plan 2011-2033 (2023):

On the 06 March 2023 at an Extraordinary Council meeting the Submission Version Local Plan was adopted by Epping Forest District Council. The now adopted Local Plan will be referred to as the Epping Forest District Local Plan 2011-2033.

The relevant policies are listed below:

Policy

DM9 - High Quality Design

DM10 - Housing Design and Quality

DM11 - Waste Recycling Facilities on New
Development

DM16 - Sustainable Drainage Systems

NATIONAL PLANNING POLICY FRAMEWORK (JULY 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.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 14

Site notice posted: No, not required.

Responses received:

67a Church Hill COMMENT: This property has been the subject of four planning permission requests this year alone. I have raised concerns previously but now I am really concerned that this is a piecemeal approach to a much wider project envisaged by the owners. Perhaps these questions could be asked of the owners whoever they may be.

I am concerned, what next, a loft extension, gable ends removed and extended and other applications that may impact on my property.

I am also concerned on who Mr and Mrs Smith are. Is this a pseudonym for Cranbrook basement design who had a number of applications refused both by yourselves and on appeal ?, as I have seen no other activity at the property apart from Cranbrook design vans and workers using the property as a building yard.

73 Church Hill: OBJECTION: Between 2018 and 2022 there were four full Planning Application requests lodged as far as I can ascertain by Reformer Ltd, all of which were rejected, two having gone to Appeal with the Planning Inspectorate.

Since January this year there have already been four Householder Planning Permission requests lodged by a Mr Smith, these variously referenced as EPF/0014/23, 0521/23, 1068/23 and the

current 1547/23. I am presuming that Mr Smith is now the registered owner of 69 Church hill enabling him to act as the resident householder.

With regard to the first three of these applications requesting various extensions and modifications to the existing premises I raised no objections and the Applications have been approved.

However, the lodging of this fourth request involving the provision of an extraneous block extension tenuously abutting a corner of the existing property on the north flank raises some concerns relating to intent.

The piecemeal approach to proposed modifications to date would seem either uncertainty by Mr Smith as to the desired outcome of his overall plan or a desire to obfuscate the scope of a plan already in mind.

With these options in mind I think it would be desirable for EFDC Planning Department to liaise with the applicant in order to review any longer-term intention he may have to complete his required scheme. Such a course would subject any resultant plan to the strictures and requirements necessary for proper and transparent oversight of any subsequent applications and any commensurate building works.

62 The Uplands COMMENT: This is the 4th application by an alleged owner occupier /householder 1a) The property is not /does not appear to be owner occupied.

Each application seems to extend a little bit more. Hopefully "the owner " will now be content with the size and reach of his plans. I would reiterate comments I have made previously in that I hope that i) plans will be adhered to as presented; ii)EFDC will monitor this as the development progresses; iii) works and especially underground excavation will be carried out with due consideration to neighbours; iv) Any bats (or other wildlife) found will be treated properly (there have been previous sightings)

PARISH COUNCIL: The Committee OBJECTED to this application on the grounds that it was incongruous and would be an overdevelopment of the site.

Members noted that there had been several separate applications submitted for this site and considered this an unacceptable proposal of "creep" to fill the site, resulting in a negative impact on the amenity of neighbours.

Agent COMMENT: To assist the processing of our planning application we attach an amplified site layout plan which demonstrates the following.

1. The proposed Garden Room is very significantly lower than 73 Church Hill
2. The proposed Garden Room cannot be viewed from any flank window at 73 Church Hill
3. The proposed Garden Room does not intersect with any 45-degree sight line from adjacent houses
4. The proposed Garden Room is located more than 15m from the boundary with 67a Church Hill

The client asked us to submit the current application for sun lounge/garden room.

We have not discussed their intentions for any other refurbishment works but it is an old house that is certainly in need of upgrading/refurbishment.

Main Issues and Considerations:

Main Issues and Considerations:

The key considerations for the determination of this application are the impact of the proposal will have on the character and appearance of the area and neighbouring residential amenity.

Character and appearance

Land on the site inclines sharply in a west to east direction.

The applicant has got permission to create:-

- a two-storey front infill extension to line with the front extension approved under reference EPF/0014/23;
- an extension to the existing hall and reception room under reference EPF/0521/23; and
- An increase in the height of the crown roof over this extension so that it lines up with the ridge of the main roof.

This application now seeks permission to create a 'garden room' This room measures 5.4m deep by 5.7m wide and 4.8m high to the top of its crown roof. It is attached to the northeastern side elevation and is located 9.29m from the front elevation and therefore appears as a dog legged extension.

The proposal is in keeping with the design of the existing house and space remains around it. The proposal will therefore have neutral impact on the character and appearance of the surrounding area in accordance with policy DM9 (A) and (D).

Neighbouring residential amenity

There is a gap of 3m between the mutual boundary with no 73 Church Hill and the proposal, this neighbour is also on higher land. It is therefore considered that this neighbour will not be excessively affected in terms of loss of light, outlook dominance or privacy.

All other neighbours are sufficiently distant to ensure that they will not be materially affected. The proposal therefore complies with the requirements of policy DM9 (H) of the Local Plan.

Conclusion:

The proposal will have a neutral impact on the character and appearance of the application property and wider street and there will not be any excessive harmful impact on the living conditions of neighbouring occupiers. Officers note neighbouring occupiers' concerns regarding what the final development will be on the site; however; we can only determine what is currently in front of us, which we find acceptable for the reasons listed above therefore refusal cannot be justified. The proposal therefore complies with both national and local policy and as such approval is recommended.

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: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

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:

Sustainability checklist, 2297-100.9, 297-200.9 and 2297-500.9.

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 DM9 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.