

# **Report to District Development Control Committee**

**Date of meeting: 3 June 2008**

**Subject: Planning Application EPF/2358/07 – 92 Crooked Mile, Waltham Abbey**



**Epping Forest  
District Council**

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## **Recommendation**

**That Planning Application EPF/2358/07 for the erection of a two storey side extension to create annexe accommodation for two family members, at 92 Crooked Mile, Waltham Abbey, be granted subject to the following conditions:**

- 1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.**
- 2. The proposed extension shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 92 Crooked Mile.**
- 3. Materials to be used for the external finishes of the proposed extension shall match those of the existing building.**
- 4. A flood risk assessment shall be submitted to and approved by the LPA prior to commencement of development. The assessment shall include calculations of increased run off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the extension hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.**

## **Report Detail**

*(Director of Planning and Economic development) This application is before the Committee since it is an application that is submitted on behalf of a Councillor (pursuant to Section P4, Schedule A(j) of the Council's Delegated Functions).*

## **Description of Proposal:**

This application is for the erection of a two storey side extension to create annexe accommodation for use by two family members. The development essentially creates two self contained flats each with a living room, bedroom, en suite bathroom and kitchen accessed via a separate front door to the main dwelling, .Although an

interlinking internal door is indicated at ground floor between the proposed living room and the lounge of the main house, the layout of the development allows for independent living.

The proposal involves the removal of an existing single storey extension and its replacement with a 7m wide two storey addition and second front porch. The extension is designed to match the existing dwelling.

### **Description of Site:**

Number 92 Crooked Mile is a 4 bed detached two-storey house located at the corner of Crooked Mile and Hereward Close within the residential area of Waltham Abbey. The site has a large side garden and only a small rear yard area. There is a detached garage at the rear with garaging for two cars with access off the turning area within Hereward Close. To the front of the site is a watercourse and there is a large Willow tree within the front garden area.

An electricity sub station abuts the rear garden to the southeast. The adjacent house to the north, 96 Crooked Mile, faces towards the site.

### **Relevant History:**

EPF/740/06 Proposed dwelling house. Refused.

EPF/1225/06 Proposed dwelling house. Refused.

EPF/1621/06 Proposed dwelling house. Refused

EPF/2481/06 Extension and change of use to residential and learning disability home. Withdrawn for additional information.

EPF/448/07 Two storey side extension and change of use from residential to mixed use of residential and learning disability home. Refused.

### **Policies Applied:**

Local Plan and Local Plan Alterations

CP1 – CP7 sustainable development objectives

DBE9 Amenity provision

DBE10 Residential extensions

ST1 Location of development

ST4 Road safety

ST6 vehicle parking

U2A, U2B, U3A, U3B Flooding and sustainable drainage.

NC4 protection of established habitat.

### **Issues and Considerations:**

The site is within the urban area of Waltham Abbey and the main considerations in the determination of this application are the size and design of the development and its impact on the visual amenity of the area, the amenities of neighbours and parking and highway safety.

Concern has been raised that the proposed use is really either a care home, as previously refused or as two flats, rather than an annexe. Whilst it is understood why

there are concerns of this nature, the application is for a residential extension for use as an Annexe for two family members and must be assessed on this basis. Conditions can be attached to prevent the annexe being utilised by non-family members or sold or let separately from the main dwelling if this is considered appropriate. The applicant has stated that the intended occupants are his two daughters with learning disabilities, one of whom is presently living in an elderly care home that is inappropriate for her age. The supporting statement makes it clear that it is not envisaged that permanent outside care staff will be required in the near future.

#### *Design and impact on visual amenity.*

The proposed extension has been designed to match the existing dwelling; the eaves, roofline, materials and window style match the existing dwelling. The resulting house is some 20m in width, which is larger than most other dwellings in the vicinity, but it sits within a plot that is about 32 metres wide. The site is not comparable to any of the surrounding dwellings; it has a large side garden and very little rear garden. The proposed addition, because of the inclusion of a second front porch, will give the house the appearance of a pair of semi detached houses; this is considered appropriate to this location. The development will not be overly prominent in the street scene and is considered acceptable in terms of design and visual amenity.

#### *Impact on adjacent residents.*

The scheme has been designed to ensure that there is no direct overlooking of the private amenity areas of the surrounding properties and to minimise loss of light and overshadowing. Whilst it is accepted that the surrounding residents may be concerned about the increase in volume it is unlikely that the building itself will result in a significant loss of amenity to neighbours. As has already been stated the proposed use is as a residential annexe and the use will be as a single family home. As such the use should not result in any undue noise or disturbance, or harm to residential amenity. Whilst more people may occupy the dwelling, because of the increase in size, this is no different to any other residential extension, which may allow a larger family to occupy a site.

#### *Parking and Highway safety*

The site is within the urban area of Waltham Abbey in a relatively sustainable location with good access to shops and facilities. There is an existing double garage at the site that is to be retained. As the use is as a single family dwelling, there is no requirement for the provision of any additional parking within the site. Whilst the scheme may result in some additional traffic movements, as there may be more visitors to the premises, the level is unlikely to be different to any large family house and it is not considered that the proposal will result in harm to highway safety. The application drawing indicates a parking space within the cul-de-sac turning area in Hereward Close, but this is not within the applicants' ownership or control and has not been included in the officers' assessment of the scheme.

#### *Flooding*

The site is within flood risk zone 1, (that is an area identified by the Environment Agency to have a low flood risk and as the development proposed is a household extension there is no requirement to consult with the Environment Agency). The Council is aware however that the site has flooded in the past. Advice from Land

Drainage is that on site surface water storage may be required and a condition can be added requiring details of sustainable drainage to be agreed to prevent increased risk of flooding elsewhere.

#### Water Voles.

A neighbour has raised concern that there may be water voles at the site as there are burrows within the bank of the adjacent watercourse. Water Voles are a protected species. An Officer from Essex Wildlife has confirmed that the burrows may be those of water voles. Following discussions with Natural England, they confirmed that there is no requirement to formally consult them unless the proposed works would actually affect the burrows. As the actual works are about 6m from the watercourse it is not considered that there will be any significant impact on the burrows and therefore no planning conditions are required. Other legislation exists to protect the voles. The applicant's agent has been made aware of the possible presence of water voles adjacent to the development and the need to be aware of the legal requirements.

#### Other issues

Neighbours have raised concern over loss of view, damage to electricity cables and harm from tree planting, and ambiguity between the plans and statement.

Loss of view is not a concern that is significant in planning terms and would not amount to a reason for refusal.

There may be cables under the site, this is not a planning issue but would need to be addressed by the developer before starting work.

The supporting statement suggests that additional planting can be provided at the site, this is not however shown on the plans and, as there is no direct overlooking as a result of the development, planting will not need to be required by condition. As mentioned by neighbours there is some ambiguity between the plans and statement, this has been raised with the applicant's agent and is a result of the many amendments that have taken place with this application prior to resubmission, in particular the reference to a turning head was an earlier amendment that was later deleted. There is no intention to provide a new access to the site.

#### **Conclusion.**

In conclusion the development now proposed is considered to be in accordance with the adopted policies of the Local Plan which seek to make the best use of urban land, without causing harm to the environment. The use of the annexe can be controlled by condition to prevent use as separate dwellings, which would cause an unacceptable loss of privacy to the existing dwelling and potential highway and parking problems. The design is appropriate to the dwelling and the street scene and the scheme will not cause significant harm to the residential amenity of adjacent residents. The proposals are therefore in accordance with the adopted policies of the Local Plan and Local Plan Alterations and are recommended for approval.

#### **SUMMARY OF REPRESENTATIONS**

TOWN COUNCIL – No Observations as all Members have a personal interest.

1 HEReward CLOSE – Strongly object. This is for two self contained annexes which could be used as separate dwellings. Even if conditioned to family members it will lead to all additional activity associated with having three dwellings instead of 1, which will lead to inconvenience to us and other residents. Inadequate parking, loss of space within turning area, inadequate on street parking at present. Condition would be difficult to monitor and enforce, the annexes could be used as separate flats. Why can't existing rooms within house be used for the daughters? Site area appears to include land in ownership of the Council or the Environment Agency.

2 HEReward CLOSE – Object. Appears to be house with two self contained flats at the side with their own front door. The application and the plans suggest a "care unit", both a care unit and additional residential use of the site has been previously refused. The land is designated residential and therefore a care unit would be inappropriate to this area. No allocated parking spaces on the site, at least three are needed. The only space shown is in the turning head that should be kept clear; there is no direct access to the site. There is inadequate on street parking in Hereward Close. Our back gardens constantly get waterlogged. New buildings should be at least 7m from the sub station due to problems of background hum. Statement refers to day room which is not shown on plans. Loss of privacy to 96 Crooked Mile. Tree planting would affect light.

3 HEReward CLOSE – Object. If full care is needed as stated then there will be more vehicles in a small residential area with inadequate parking spaces. Plans state extension reduced and turning area head provided, where is the access to this turning area? Flooding still high risk. The development will cause noise pollution. Lack of privacy. Inadequate parking, unsightly, overbearing, out of character with neighbouring properties. Amazed the Council accepted the very sparse details submitted.

4 HEReward CLOSE – Object too large, overbearing, out of scale and inappropriate for this area. The plans show two self contained flats, but also says they are care units. The large flats are self contained and have no allocated parking. Care unit implies staff are needed again therefore own access and parking are required to prevent problems in the close. There are two large power cables running through the garden which could cause major power problems to the area if damaged.

6 HEReward CLOSE – The building would block our view... the flats require parking spaces; there are no allocated parking spaces for residents. The building is already the size of no's 2/3/4 Hereward Close added together for 3 families. The building has been agreed before as being over extended.

7 HEReward CLOSE – Inadequate parking will cause additional problems in the close. Development will enable property to be sold for profit leaving behind the makings of a Hotel/Hostel type business which would devastate parking around the area.

90 CROOKED MILE – House has already been extensively enlarged. The proposed property is too overbearing, creating its own terrace, out of character and scale with the area. Proposal shows 2 self contained flats but plans refer to care home and statement says full time care is needed. There is no provision for carers, are they needed 24/7, there is no parking on site. The scheme will cause parking and access problems in Hereward Close.

96 CROOKED MILE – The application contradicts itself and previous planning application. House is big enough for his daughters as it stands. Do daughters need full time care or not? Plans indicate two self contained flats with separate front door. If no impact on neighbours why is dense tree screening needed? Tree planting proposed would damage our driveway and possibly our foundations and cause further loss of light. There is no designated parking space in Hereward Close. Plan suggests a care home; such a business use would be unsuitable as in last application. If turning point will be added as suggested this will indicate that the brook would have to be breached, as currently no driveway in garden... Proposal will cause disruption in Hereward Close during construction. How will plant access the site without creating temporary bridge over the brook and risk damaging it? There are large power cables in the garden which could cause major power loss to surrounding area if damaged or rerouted. Proposal will house more than 5 people and lead to parking problems in the future. Too large will block light to number 96. Believe existing property is 5 bed not 3 bed. There are two large mains cables running adjacent to the house along the rear patio, which need to be investigated before development. Need to see accurate dimensions on the plans to comment further.