

# **Report to District Development Control Committee**



**Epping Forest  
District Council**

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**Date of meeting: 6 April 2010**

**Subject: Planning application EPF/2366/09. 45 Rayfield, Epping. Single storey side and rear extension and loft conversion with rear dormer window.**

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Committee Secretary: S Hill Ext 4249**

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## **Recommendation:**

That the Committee consider a planning application at 45 Rayfield, Epping for extensions to this residential property, which has been referred by Area Plans Sub-Committee East without a recommendation.

## **Report:**

1. This application was reported to Area Plans Sub Committee East on 3<sup>rd</sup> March 2010 with a recommendation for approval, however at that meeting four members of the Committee exercised their right under Part 4 of the constitution to require that no further action be taken on the matter until it has been considered by the District Development Committee.
2. The application is therefore brought before this Committee with no recommendation from the Sub Committee. The Members who required this action suggested that there was a need for a wider debate of current Permitted Development rules.

## **Planning Issues**

3. Consent is being sought for the erection of single storey side and rear extensions and a loft conversion including a large rear dormer window. The original report to the Area Committee is attached below. This is a straightforward householder application for extensions and the proposals are in accordance with the current development Plan Policies and the application is recommended for approval subject to conditions. The original report to the Area Sub Committee is reproduced in full below and sets out the planning Issues.
4. The concern of some Members of the Sub Committee appeared to be the issue that the proposed rear dormer window could be constructed as Permitted Development, and that the extensions, if reduced in height, by use of flat roof rather than pitched roofs would also be permitted development under the General Permitted Development Order. Members indicated that that there was a need for wider discussion, at the District Development Committee, of the weight that should be given to this fallback position, in determination of applications of this kind.

## ORIGINAL PLANS SUB COMMITTEE EAST REPORT

### Officers Recommendation(s):

**That Planning Application EPF/2366/09 be granted subject to the following conditions:**

- (1 ) The development hereby permitted must be begun not later than the expiration of 3 years beginning with the date of this notice.**
- (2) Materials to be used for the external finishes of the proposed extensions shall match those of the existing building.**
- (3) The development including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.**

**The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in relation to Construction-Recommendations: BS.58837:2005). It must also specify any other means deemed to ensure that all trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.**

**The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.**

**The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given prior written consent to any variation.**

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

The applicant seeks planning permission for the construction of a single storey rear and side extension and a loft conversion that is to comprise of a rear dormer window.

The single storey extension is to wrap around the south western rear corner of the existing house. It will project 3 metres from the original rear façade and have an overall width of 5.1 metres which includes the width of the side extension. The extension will comprise of a hipped roof form and will have a wall height of 2.5 metres. Materials are to match those of the existing house.

The single storey extension will be setback a minimum of 1.4 metres from the western side boundary 2.2 metres from the eastern side boundary and approximately 17 metres from the rear southern boundary.

The proposed rear dormer window is to project 2.6 metres from the roof slope, have a height of 2.1 metres and a width of 4.1 metres. The dormer window will provide additional room in the loft for 2 bedrooms.

### **Description of Site:**

The subject site is located on the southern side of Rayfield within the town of Epping. The site itself is mainly regular in shape although it does widen in width towards the rear.

Located towards the front of the site is a double-storey semi-detached dwelling constructed from facing brickwork and a concrete tile roof. Off street parking is located on the hard surface towards the front of the house. A private open space area is located to the rear of the site. Located on the side and rear boundaries is a medium size timber paling fence and a medium size hedge. A large willow and a medium size conifer tree are located to the rear of the site.

The subject site is located within a well established built up area mainly comprising of semi-detached and terrace style houses. Building form, scale and sizes are very similar within the street scene. Front setback from the highway is consistent and spaces/gaps between building blocks form an important component to the character of the surrounding area.

### **Relevant History:**

EPF/2018/09 Single storey side and rear extension and loft conversion with rear dormer window. (withdrawn)

### **Policies Applied:**

CP2 Protecting the Quality of the Rural and Built Environment

DBE9 Loss of amenity

DBE10 Design of residential extensions

### **Summary of Representations**

EPPING TOWN COUNCIL – Objects for the following reason:

Committee objects to this application which is inappropriate over-development of family accommodation. It is likely, by nature of the development, to give rise to significant interference with neighbouring properties, overlooking from the dormers proposed and a very significant intensification of the use of the site. Committee were concerned that the accommodation comprises five bedrooms but has insufficient room to seat or dine as a family. This accommodation arrangement suggests strongly

that a house in 'multiple occupation' is being planned at this location which is inappropriate in a family residential area.

4 properties were notified and responses were received from:

- 43 Rayfield, Epping
- 47 Rayfield, Epping

Also a petition comprising of 17 signatures and a letter from the Epping Society objected to the application.

The main concerns within these letters are as follows:

- The proposed development is out of keeping with the character of the surrounding area and the character and appearance of the post war houses.
- The proposal is an overdevelopment of the subject site.
- The proposed dormer window would result in a loss of privacy due to overlooking.
- Mature vegetation within and surrounding the site would be affected by the extension.
- The proposed development would be overbearing and result in a loss of light though overshadowing.
- The building work would cause noise and disturbance during construction.
- The rear extension is completely incongruous with the rear aspect of all neighbouring properties.
- The development would be visually intrusive and a dominant feature when viewed from adjoining houses.
- A five bedroom house in this location is inappropriate.

### **Issues and Considerations:**

Firstly it should be noted that the only reason that planning permission is required in this case is the hipped roof form of the side/rear extension gives it a height over 3 metres within 2 metres of a side boundary. It should also be noted that the loft conversion and rear dormer window does not require planning permission as it meets the permitted development requirements within Class B of Part 1, Schedule 2, of the General Permitted Development Order.

Consequently, if the extension was to comprise of a flat roof then planning permission would not be required for any part of the proposed development as all the works could be done under permitted development.

The main issues raised by this development are its design and impact to the amenities of adjoining occupiers. Although the proposed dormer window can be constructed under permitted development, since the applicant has applied for planning permission to erect it, it will also be assessed.

In terms of reflecting the street scene, only the side component of the extension would be visible from public areas. It would be set back a significant distance from the front façade, appear low in scale and would not be bulky in appearance. It would appear subservient and an integral part of the original building and therefore would not cause harm to the character and appearance of the locality.

The rear extension is appropriate in terms of its design and appearance.

The design and appearance of the dormer would be appropriate. It is well proportioned, set below the ridgeline and off the eaves and is subservient to the original roof.

#### Neighbouring amenities:

Given the orientation of the site and the existing buildings, the proposed side/rear extension would not result in a harmful impact in terms of a loss of light to adjoining private open space areas and habitable room windows of adjoining properties.

In terms of overlooking it is noted that there are two flank windows on the western elevation of the extension. One of these windows is to service a bathroom and the other is a secondary window serving a bedroom. It could be conditioned that these windows be obscured glazed to prevent any direct overlooking, however there is existing screening on the boundary in the form of a hedge and fence that will prevent any overlooking.

The dormer would not result in a materially greater degree of overlooking of neighbouring properties than that which is available from existing first floor windows in the rear elevation. The proposed rear dormer window is therefore acceptable in terms of its impact on amenity.

#### Other issues:

The application was referred to Council's trees and landscape officer who recommended planning permission be granted subject to a condition that tree protection measures are put in place during any constructions works.

The Town Council's concerns about internal arrangements and that the proposal is indicative of an intention to use the house as a House in Multiple Occupation are recognised. However, this application is submitted on the basis that it is a householder application for permission to extend a dwelling and not on the basis of a proposed material change of use from a dwellinghouse to a House in Multiple Occupation. The District Council have no option but to deal with the application as submitted. It is nevertheless appropriate to include an informative on any consent given to make it clear that the granting of planning permission should not be

construed as a grant of consent to use the dwelling as a House in Multiple Occupation and that such use would require a separate planning permission.

**Conclusion:**

In conclusion it is considered that the proposed development is acceptable in terms of its design and appearance in that it will reflect the character of the surrounding area and the existing building and that it would not cause harm to the amenities of adjoining property occupiers. It is therefore recommended that the application be approved subject to conditions.