

**Report to Area Planning Sub-Committee
East**



**Epping Forest
District Council**

Report Reference: PE-002-2011/12

Date of meeting: 25 May 2011

Subject: Gunn Lodge, The Street, Sheering.

Responsible Officer: Graham Courtney (01992 564228).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation:

(1) That an enforcement notice not be served with regard to Gunn Lodge, Sheering Lower Road as the property had now been reduced in size and was very close to the design that was approved under EPF/1437/09.

Report:

1. On 21 September 2009 permission was granted on EPF/1437/09 for:

"...alterations to Gunn lodge bungalow to create a two story dwelling and partial demolition to provide a site for a new chalet bungalow(revised application)"

2. On 11 January 2011 a site visit by an Enforcement Officer confirmed that the new chalet bungalow had not been built according to plan, in that it was higher and built to a different plan.

3 A subsequent application to retain the alterations went to Committee on 6th April 2011 and was refused. The reasons for refusal were:

(a) The development, due to its height, design and overall bulk appears overly dominant and cramped within this plot to the detriment of the character and appearance of the street scene. As such the development is contrary to policies CP2 and DBE1 of the Adopted Local Plan and Amendments; and

(b) The members indicated that enforcement action should be taken to ensure that the building is returned to that originally approved.

Proposal

4. Following information from the owner that the height of the chalet bungalow had been reduced, a site visit took place on 10 May 2011 with the Enforcement Officer and a Senior Planning Officer. Measurements were taken on-site and are as follows:

(a) From apex of roof to damp course - 7.6 metres
(the measurement shown on EPF/1437/09 was 7.3 metres); and

(b) From eaves to damp course - 3.7 metres
(the measurement shown on EPF/1437/09 was 3.4 metres).

5. The owner has also inserted two windows to the front and rear elevation of the property instead of one. He has also transposed the ground floor rear window and door.

Assessment of the Proposals

6. As can be seen from the above measurements, the new dwelling is within 300 millimetres of the approved height. A variation of this amount would not, in normal circumstances, prompt the issue of an Enforcement Notice unless specific harm from the variation can be shown.

7. The insertion of an extra window to the front and rear would be classed as a minor amendment as they do not affect the visual amenity of the property nor do they affect any neighbouring properties by reason of overlooking. The transposition of the window and door on ground floor level to the rear would also be classed as a minor amendment which causes no harm to amenity.

8. The appearance of the property is now once again that of a chalet bungalow as originally envisaged and approved. Officers consider that the dwelling as now built does not cause any undue harm to the character of the area, nor cause any harm to the amenities of neighbouring properties.

Conclusion

9. It is considered that, the property is now very close to the design that was approved under EPF/1437/09, and there is no obvious harm from the development. Therefore it is no longer considered expedient to serve an enforcement notice that would be open to appeal.