

## Extract from Area Planning Subcommittee East held on 22 May 2013

<b>APPLICATION No:</b>	EPF/0382/13
<b>SITE ADDRESS:</b>	24 Bower Vale Epping Essex CM16 7AS
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Paul Robbens
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of 1 no. two bedroom house.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

### Click on the link below to view related plans and documents for this case:

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=546330](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546330)

### 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 development hereby permitted will be completed strictly in accordance with the approved drawings nos: 730-01A.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))*

### **Description of Site:**

The application site comprises an area of land to the west of 24 Bower Vale on the north side of the road. The land to the west of the site contains tracks for the London Underground Central Line network and Epping Station is within a short walk of the application site. The application site is accessed via a shared footpath between No's. 18-24 (inclusive) which faces a shared area to the front of the properties. No's 18-24 are a terrace of properties. The site has been cleared of vegetation and hardstanding laid.

### **Description of Proposal:**

The applicant seeks consent to construct a detached dwelling on the site. The house would be double bay with a frontage of 7.8m and a depth of 7.4m. The proposed house would also however have a two storey rear return which would project 4.0m beyond the main rear wall. The ridge level would be 7.5m high and the eaves level 5.2m from the ground. The dwelling would have a hipped roof. The existing curtilage would be divided to create two separate private garden areas.

### **Relevant History:**

EPF/2304/07 - Outline application for a three bedroom detached house – refused 18/02/08.  
EPF/1300/08 - Outline application for a two bedroom detached house. (Revised application).  
Refuse Permission (committee decision) – 21/08/08. Allowed on appeal – 04/02/09.  
EPF/2200/11 - Construction of two bedroom house. Withdrawn by the applicant – 05/12/11.  
EPF/2508/11 – Extension of time limit application for a two bedroom detached house following outline consent EPF/1300/08. Withdrawn by the applicant: 22/02/12.  
EPF/2589/11 - Reserved matters application for a two bedroom detached house following outline consent EPF/1300/08 allowed on appeal. Grant Permission (With Conditions) – 08/02/12.

### **Policies Applied:**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
CP4 – Energy Conservation  
CP5 – Sustainable Building  
CP6 – Achieving Sustainable Urban Development Patterns  
CP7 – Urban Form and Quality  
DBE1 – Design of New Buildings  
DBE2 – Effect on Neighbouring Properties  
DBE3 - Design in Urban Areas  
DBE6 – Parking in New Developments  
DBE8 – Private Amenity Space  
DBE9 – Excessive Loss of Amenity to Neighbouring Properties  
ST1 – Location of Development  
ST2 – Accessibility of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking  
H2A – Previously Developed Land  
H4A – Dwelling Mix

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

### **Summary of Representations:**

5 neighbours consulted and a site notice displayed – 1 reply received.

EPPING SOCIETY: Objection. The site is too small for a dwelling necessitating it to be built up to both boundaries. There is no road up to the property and therefore no access for emergency vehicles or residents.

TOWN COUNCIL: Objection. Committee considered this an overdevelopment of the site. It should be noted that the previous house granted on appeal was much smaller and more in keeping with two bedroom properties. The inclusion of a “study” renders this a three bedroom dwelling. Committee were also concerned that the lack of parking would exacerbate existing issues of access to the highway.

### **Issues and Considerations:**

The main issues that arise with this application relate to design, layout, amenity and parking. The comments of consultees will also be considered.

The principle of developing this site has already been agreed through the appeal decision on application EPF/1300/08. Therefore although a full analysis of all issues pertinent to this proposal will be undertaken, essentially the main issue is whether the increase in the size of the dwelling amounts to an overdevelopment of the site or whether its increase in size raises new concerns. It is noted that the applicant describes the proposal as being for a two bedroom house when in fact the study could easily be used as another bedroom. Although the description has not been altered decision makers should be mindful of this fact.

#### Design/Layout

There has been some recent history of proposals to develop this site and as the history records an extant permission exists to provide a smaller dwelling. This would have a frontage of 5.6m. This house would therefore be approximately 2.2m wider. Notwithstanding this fact both houses would be similar in appearance. An application for a similar dwelling to this proposal was made in outline form in 2007 (EPF/2304/07) and this was refused consent for the following reason;

*“The design and size of the proposed dwelling are such that it would represent a poor, cramped form of development which fails to respect its setting and harms the character and quality of the street scene and townscape more widely, contrary to policies CP2, CP3 and DBE1 of the Adopted Local Plan and Alterations”.*

This proposed a frontage of 6.0m – 6.6m and the footprint of the building was shown 3.0m forward of the adjacent dwelling. It is readily apparent that the proposed dwelling is bulkier than the adjacent terrace properties, being some 3.5m wider. However this application differs from the refused scheme in that the front elevation would be flush with that of the host dwelling. Given there is no roadway to the front, or neighbouring properties opposite, this would significantly reduce its impact in the streetscene. From the roadway, some 20.0m from the site, the new dwelling would appear as an extension to the existing terrace. The eaves and ridge level would be the same as the existing terrace and this would aid this perception. It is therefore assessed that the proposal would not appear over dominant in the streetscene nor appear out of place.

Concern has also been expressed previously, and in representations received for this proposal, that this would be an overdevelopment of the site. The frontage of the property does retain a gap of over 1.0m to both boundaries which would not suggest a cramped development. The one concern is that for a dwelling of this size local policy would require private amenity space of 120 sq m (20sq m per habitable room) and the provision of 65 sq m useable, rear amenity space falls some way under this. This can point towards an overdevelopment in terms of built form relative to useable amenity space. However, local policy recognises a reduction as being potentially suitable in urban areas and the garden size is comparable to that of other properties in the area. National guidance has long been that the amount of garden should largely be a matter for the developer. In this dense urban location it is considered that the small garden is not out of keeping and is sufficient, subject to the removal of permitted development rights.

The proposed design is similar to the row of terrace houses, albeit double fronted. Subject to the use of suitable materials it is deemed acceptable. Generally this dwelling from a design and layout viewpoint is acceptable. The proposal also conforms to a number of core planning principles with regards to the more efficient use of land and sustainable development.

### Amenity

The proposed house would have a side facing window on the western flank at first floor but this would not overlook residential properties. The adjacent dwelling has a lean to conservatory but this would not suffer any serious loss of light or outlook. There would be some loss of outlook to a side facing window at ground floor level but as this is not the only window serving a lounge/living room this would not be excessive. Rear facing windows would be generally unaffected by the development.

### Parking

The site has no vehicular access and no parking provision, this was a concern with previous applications. The Planning Inspector in the appeal dismissed this as a detrimental characteristic by citing the highly sustainable location of the plot and the national desire to reduce dependency on the car. Since 2008 however, we have moved from maximum parking standards to minimum parking standards and usually we would be seeking at least 1 space for a new detached house, even in an urban location. However, in this instance there is already consent for a 2 bed dwelling on the site that could be implemented. The parking standard for 3 bed is the same as for a 2 bed dwelling and whilst it is recognised that a larger dwelling could increase the demand for parking on what is a heavily parked road, given the history it is not considered sufficient to warrant refusal of the application.

### London Underground Comments

The site is bordered on its western flank by the track leading to Epping Tube Station located a short distance away. London Underground has been consulted and has raised some concerns with the development. The majority of the points made relate to concerns about security at the station or engineering issues during the construction phase. It is not considered that the position of a first floor bathroom window represents a serious security risk and in any case this is not a reasonable reason to withhold consent. Concerns regarding the development phase and potential impact on London Underground infrastructure are essentially a matter for the applicant to be aware of in order to avoid potential civil litigation.

**Conclusion:**

The proposed development of this site is deemed reasonable in planning terms. Subject to appropriate conditions this is a suitable use of this site, seeking to make best use of urban land within a sustainable location. It is well designed and fits well within the character of the area. It is therefore recommended that the application is approved with 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:***

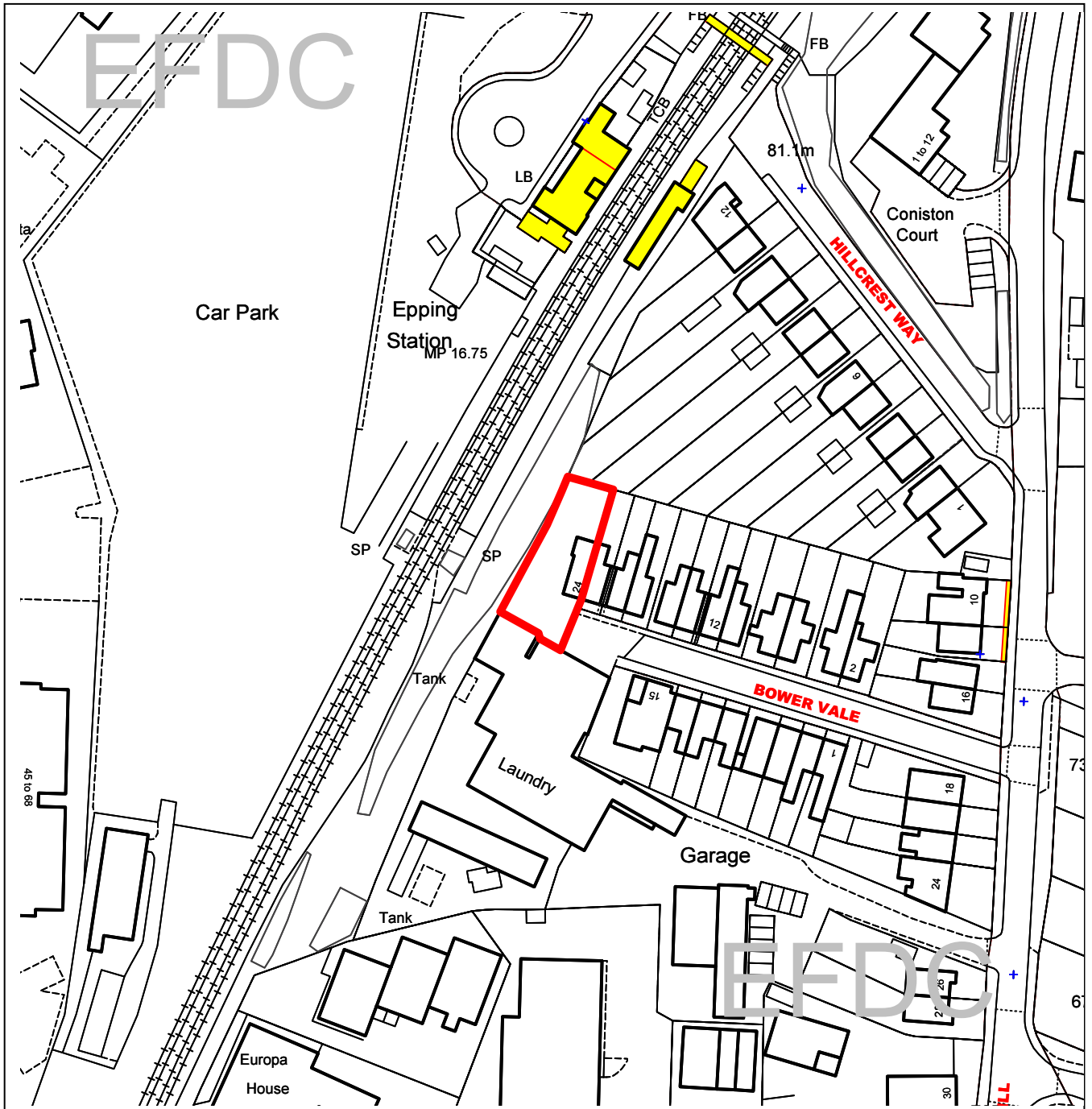
***Planning Application Case Officer: Mr Dominic Duffin  
Direct Line Telephone Number: (01992) 564336***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	
Application Number:	EPF/0382/13
Site Name:	24 Bower Vale, Epping CM16 7AS
Scale of Plot:	1/1250