

Report to the District Development Management Committee

***Report Reference: EPF/0456/17
Date of meeting: 10 July 2017***



**Epping Forest
District Council**

Address: 19 Shaftesbury, Loughton.

Subject: Removal of existing double width garage and erection of a two storey side extension.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

(1) That planning application EPF/0456/17 at 19 Shaftesbury in Loughton be refused permission for the following reason:

- 1. By reason of its bulk and height the proposed extension would not appear sufficiently subservient to the existing house. As a consequence, the proposal fails to complement the appearance of the existing house and the street scene, causing harm to the character and appearance of the locality. The proposal is therefore contrary to Local Plan and Alterations policies CP2(iv) and DBE10, which are consistent with the National Planning Policy Framework.**

Report Detail:

1. This application was considered by the Area Plans South Sub-Committee on 28 June 2017. The Sub-committee voted to refuse planning permission for the above reason. Following the vote the application was referred to the District Development Management Committee (DDMC) by way of a minority reference.

2. The reason for referring the application is that the proposed development is very similar to numerous others given planning permission by the Council throughout the District over many years. Members were therefore concerned that the specific circumstances of the proposal be considered in detail by DDMC to ensure a final decision to refuse planning permission has a sound basis on planning grounds. In parallel, Members were concerned to ensure such a decision would not expose the Council to an unduly high risk of an award of costs at appeal.

3. When considering the proposal, members found the street scene in Shaftesbury has a largely homogenous appearance. With the exception of one house, no. 36, all others form part of a development given planning permission in the early 1970's. They largely comprise short terraces with a regular repetition of window and door openings, balconies and eaves details together with other fenestration. The application site comprises one of a pair of semi-detached houses with attached double garages that match the architectural rhythm of the terraces.

4. Members concluded that the erection of the proposed side extension would add excessive bulk to the house that would, notwithstanding similar proposed fenestration, disrupt the rhythm of the street scene, appearing as an over-large and discordant feature. Members noted compliance with the supporting text of Policy DBE10, which, in the interest of ensuring two-storey side extensions compliment the street scene, requires their upper floors to be set at least 1m from the site boundary with the detached neighbour. However, they concluded that the uniformity of design in the street is so strong that the character of the locality is not sufficiently robust to accommodate an extension of the bulk and height proposed at the application site.

5. Planning Officers had concluded the proposal was acceptable and recommended planning permission be granted. Should Members decide not to agree the recommendation of the Sub-Committee and grant planning permission, it is suggested that any consent be 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.) Materials to be used for the external finishes of the proposed development shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- (3.) Prior to first occupation of the development hereby approved, the proposed window openings above ground floor level in the flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- (4.) 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 07.30 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.

6. The Planning Officer's report is set out below for reference.

PLANNING OFFICER'S REPORT TO AREA PLANS SUB-COMMITTEE SOUTH

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and 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: Scheme of Delegation, Appendix 3)

Description of Site:

Semi-detached house with garage attached to side. The application site is set by the inside of a bend in the road such that no. 17, an end of terrace house, is positioned with its front elevation at an obtuse angle to the front elevation of no. 19. The width of the application site tapers in to the rear.

The site is on the western side of a cul-de-sac of houses which is a development dated circa 1970. It is understood that the then vision for Shaftesbury as a small development of mock Georgian houses with the focus on uniformity. This character has been essentially retained.

The cul-de-sac is not subject to any parking restriction and would seem to be a locality with a high demand for on-street parking.

Description of Proposal:

Removal of existing double width garage and erection of a two storey side extension

The proposed extension would adjoin the flank of the existing house at no. 19. The extension would create two new bedrooms on the first floor.

The extension would have a width of 3.5m and a depth of 9.3m. The front wall of the extension would be set back 0.5m from the front elevation. The extension would have a side gable roof with a height to the ridge of 7.9m, being set down 0.3m from the height of the ridge of the existing side gable roof.

Relevant History:

CHI/0367/70 – Residential development – Granted 21/10/1970

EPF/2423/16 - Removal of existing double width garage and erection of a new dwelling. – Refused 08/11/2016

EPF/3376/16 - Certificate of lawful development for a proposed loft conversion with box dormer assembly to rear pitch/elevation, roof windows to front pitch/elevations, obscure glazed window to flank wall (staircase) – Lawful 15/02/2017

Policies Applied:

Adopted Local Plan:

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

National Planning Policy Framework:

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 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.

Draft Local Plan:

At the current time, only limited weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

DM9 High Quality Design

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 11

Site notice posted: No, not required

Responses received:

5 SHAFTESBURY – object – would destroy visual harmony of estate, loss of symmetry, loss of general spaciousness, cramped development, undesirable precedent, matching bricks no longer available, construction process would damage road surface, will add to a problematic parking and traffic situation, building process would cause noise.

9 SHAFTESBURY – object – undesirable precedent, out of character, cramped appearance, more damage to road surface, loss of light.

10 SHAFTESBURY – object – cramped development, undesirable precedent, would destroy character of Shaftesbury, bulky and leading to loss of spaciousness, out of keeping, noise and disturbance during construction process, would further degrade highway surface.

11 SHAFTESBURY – object – loss of privacy, would set an undesirable precedent, matching bricks no longer available, would make sewerage problem worse, would increase problems with traffic and congestion, destruction of symmetry, construction process would be disruptive.

13 SHAFTESBURY – object – would add to parking problem, drainage system would have more blockages.

14 SHAFTESBURY – object – would add to an existing problems with parking, precedent, development would cause disruption, not in keeping, loss of light, would add to flood risk, loss of privacy, road surface would be further degraded, detrimental to street scene, loss of spaciousness to area, cramped development, noise and disturbance during building work.

15 SHAFTESBURY – object – loss of light, would add to flood risk, overlooking, would degrade road surface, would increase parking congestion, not in keeping, undesirable precedent, bulk would detract from openness, cramped development, disturbance during construction works.

17 SHAFTESBURY – object –entirely contrary to the design of the original builder, detrimental loss of spaciousness, detrimental to appearance, loss of symmetry, loss of aspect to our side windows, we would feel overlooked in our rear garden, original brick to houses no longer available, roof would not be in keeping, increased pressure on on-street parking which is already a problem, construction process would create problems, flooding likely to be a problem, would set a precedent threatening the ambience of Shaftesbury.

20 SHAFTESBURY – object – detrimental to outlook, construction process would cause congestion and other problems.

21 SHAFTESBURY – object – detrimental to visual amenity, application inaccurate, loss of symmetry, bricks to make proposal match are no longer available.

26 SHAFTESBURY – object – loss of view, loss of afternoon light, loss of privacy, surrounding development was a bespoke project with an individual character that would be eroded by the proposal, undesirable precedent, matching bricks not available, inadequate size to rear garden, concern at flood risk, could adversely affect wildlife and flight corridors of birds, application inaccurate, building process would be extremely disruptive.

28 SHAFTESBURY – object – construction process would cause problems, loss of privacy.

30 SHAFTESBURY – object – loss of front garden will have a detrimental effect, road already becomes congested and the proposal would worsen this, construction process would cause problems, would set an undesirable precedent.

127 FOREST ROAD – object – loss of privacy, would make plot look very crowded.

129 FOREST ROAD – object – loss of privacy to my rear garden, trees should be reinstated as part of this planning process, loss of outlook, detrimental to character.

133 FOREST ROAD – object – adverse visual impact, overlooking, loss of light, loss of outlook, would create sense of enclosure.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application on the following grounds:

1. An overdevelopment of the plot.
2. The works would set a precedent in a street where the original concept of Shaftesbury has been retained since its conception some 40 years ago.
3. Neighbouring properties in Shaftesbury would be overlooked and also those at the rear in Forest Road, as it was reported previously that trees on this site boundary had been removed.
4. The symmetry of the semi-detached houses would be lost.

Furthermore, the Committee requested that the two glass panels resembling 'doors' would need to be changed to proper Georgian-style windows to match the rest of the street.

However, if the District Council was minded to approve this development then the Committee asked if all permitted development rights could be removed, and requested a condition for wheel washing to be imposed during the construction period, so highway safety on this busy, congested road was not impaired.

Main Issues and Considerations:

The main issues are considered to be appearance in the street scene and impact to neighbours.

Design and appearance

It is considered that in overall appearance and in terms of the street scene the proposal would safeguard the setting, character and townscape of the urban environment in which it would be set. The wider setting is that of being on one end of a symmetrical pair of semi-detached houses. This pair of houses is not part of the pattern of built form in the cul-de-sac; neighbouring houses form terraces and there is a one-and-a-half storey house at the end of the cul-de-sac, at the end of a vista and therefore having a strong affect to the appearance of the street scene as a whole. The street scene has variety due to different masses of built form and due to the bend in the road. Nevertheless there is coherence to the street scene to both sides of the street (if not to the end of the street where the chalet style house is).

The step back of the extension from the existing front elevation and the step down of the ridge from the main ridge would both be somewhat nominal but sufficient to visually define the extension as a subservient form to the original house.

The two-storey side extension would be set at the position of a proposed house to have been attached to the side of the application property (EPF/2423/16). That application was refused on the grounds of adverse effect in the street scene; in terms of forming a cramped development and in terms front garden being replaced by parking. The current proposal, for an extension, is for a narrower built form and would retain the existing front garden.

It is considered that the proposal would safeguard the setting, character or townscape.

Impact to neighbours

The nearest neighbour to the position of the proposed extension is no. 17 which is orientated to the northwest. It is considered that the proposal would have a minimal impact in terms of loss of light to no. 17 as the shadow cast would not be materially greater than that already cast by the existing built form. An average isolation distance of some 6m exists between side windows of no. 17 and the common side boundary.

Overlooking from windows on the rear elevation would be no greater than could occur from the house as existing at no. 19. Just prior to the previous planning application being submitted conifers along the rear boundary were cut down creating a dramatic change to overlooking for residents of Forest Road. However, the proposal itself would have no material adverse impact to any neighbour sufficient to reasonably justify refusal of the proposal.

Other matters

Concern by local residents concerning possible flooding is recognised and the Council's Land Drainage was consulted. The Team raises no objection to the proposal on the basis of its consequence for flood risk, although it recommends any consent includes an informative that the applicant refer to standing advice issued by the Environment Agency. That

Disturbance and disruption during any construction, whilst appropriate matters to mitigate by any condition, are not directly relevant to the evaluation of the proposal in policy terms.

The proposal would intensify but not essentially change the use of the land and any ecological impact is considered to not be to an extent that could justify refusal.

The application documentation is considered sufficiently accurate to enable a recommendation to be made. Since the original submission of the application a block plan has been supplied. This has clarified the presentation of the design.

Conclusion:

Whilst this proposal has some similarity with a previous application for built form at this part of the street, the design, as now shown on plans which have been amended, is considered acceptable with regard to loss of openness at this part of the street scene. Unlike the previous design of built form, to accommodate a new house, the amended plans now show development which is acceptable with regard to visual amenity and character.

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: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

***or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk***