

Report to the District Development Management Committee



**Epping Forest
District Council**

Date of Meeting: 18 September 2019

Report Reference: EPF/0869/19

Address: Clasper House, Hemnall Street, Epping CM16 4LR

Subject: Planning Application EPF/0869/19: Erection of 2 no. dormer roof windows to front elevation and 3 no. dormer roof windows to rear elevation.

Responsible Officer: Alastair Prince (01992 564462)

Democratic Services: Gary Woodhall (01992 564470)

Recommendations(s):

That planning application EPF/0869/19 be refused planning permission for the following reasons:

(1) The proposed dormer roof additions by reason of their size and design would be out of keeping in this locality and out of character to the detriment of this conservation area, contrary to policies DBE10, HC6 and HC7 of the Adopted Local Plan 2008 and policies DM 7 and DM 9 of the Local Plan Submission Version 2017.

(2) The proposed front dormers facing south-east directly towards Hemnall Street residential properties would cause an unacceptable level of overlooking resulting in a loss of privacy to the occupants of these properties, contrary to policy DBE9 of the Adopted Local Plan 2008 and policy DM 9 of the Local Plan Submission Version 2017.

Report:

1. This application carried an officer recommendation to grant planning permission when reported to Area Plans Sub-Committee East at their meeting on 7 August 2019. The officer's report to that committee is reproduced below.

2. However, Area Plans Sub-Committee East decided that the proposed dormers would look out of keeping and harmful to the surrounding area and conservation area as well as result in loss of privacy caused by overlooking to residential properties in Hemnall Street. The application though has been referred to District Development Management Committee for a decision. A Member site visit also took place on 7 September 2019.

3. The officer's original report that carried a recommendation to grant planning permission is reproduced below.

Description of Site:

The site is a two-storey commercial building located East off of Hemnall Street within the built-up town of Epping. There are no Listed Buildings attributed to the site, however the site is wholly within the Epping Conservation Area. The site is not within the Metropolitan Green Belt.

Description of Proposal:

Planning Permission is sought for the installation of 2 front and 3 rear dormers to the existing roof slope.

Relevant Site History:

EPF/3111/18 - Prior Approval Notification for a change of use of offices (Class B1a) to form x 2 no. houses. (16/01/2019) – Prior Approval Required and Granted (with Conditions)

EPF/3112/18 – Prior Approval Notification for change of use of offices (Class B1a) to form x 7 no. apartments. (16/01/2019) – Prior Approval Required and Granted (With Conditions)

EPF/3113/18 - Prior Approval Notification for change of use of offices (Class B1a) to form x 5 no. apartments. (16/01/2019) – Prior approval required and granted (with Conditions)

EPF/3125/18 - Prior Approval Notification for change of use of offices (Class B1a) to form x 4 no. apartments. (17/01/2019) – Prior Approval Required and Granted (with Conditions)

EPF/3403/18 - Notification for prior approval for a proposed change of a building from office use (Class B1(a)) to form 5 apartments (alternate layout to EPF/3113/18). (28/02/2019) – Prior Approval required and granted (With Conditions)

EPF/0209/93 - Change of use of office (Class B1) to Funeral Directors (Class A1). (20/05/1993) – Refuse Permission

EPU/0008/74 - DEM OF EXIST STORE & REBLDG (12/03/1974) – Grant Permission

Policies Applied:

Adopted Local Plan and Alterations 2008

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
DBE9 – Impact on Amenity
HC6 – Character, Appearance and setting of Conservation Areas
HC7 – Development within Conservation Areas

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest Local Plan Submission Version 2017 was submitted for independent examination in September 2018. Accordingly, it can be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 provides that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

DM7 – Heritage Assets
 DM8 – Heritage at Risk
 DM9 – Quality of Design

Summary of Representation:

No. of neighbours consulted: 17, 2 objections received:

16 Hemnall Street: OBJECTION – concern regarding overlooking and loss of light

The Epping Society: OBJECTION – Concern regarding overlooking, lack of amenity space and parking.

TOWN COUNCIL: STRONG OBJECTION – This proposal is a vast overdevelopment of the site in terms of its size and storeys, cramming seven flats into a previous office development and now adding prominent dormers to this building. The site is landlocked and there is insufficient space for such an intensification of use.

This increased density would adversely affect the street scene and the character of the area and would result in a loss of amenity for neighbouring properties in terms of visual impact and overlooking.

National Policy states that sustainable development means better lives for ourselves does not mean worse lives for future generations. This development would be detrimental to both current and future generations, at this location.

The Committee request Epping Forest District Council to note that Epping Town Council have objected to one of the Notification of Prior Approvals which refers to this property and feel that all four of these types of application which were approved recently should have been treated with more importance and wider consultation as full planning applications.

The Committee have also asked that Epping Forest District Council carries out a site visit to review this proposed development.

Main Issues and considerations:

The main issues to consider for the assessment of this application are as follows:

Design in the Conservation Area

Impact on Living Conditions

Design

The proposal involves the installation of 2 dormers to the front elevation and 3 dormers to the rear elevation. The dormers would be designed in a “box” style and would be relatively small in scale.

The site is located in the Epping Conservation Area. National and Local Policy states that any new development within such a designated area must conserve and enhance the existing character of the area. There are several examples of similar dormer windows within the Epping Conservation Area and it is considered that the proposal would not adversely harm the area’s character.

Impact on Living Conditions

The neighbour at 16 Hemnall Street, located to the rear of the application site, objected to the proposal, stating the scheme would overlook their property. The scheme has been revised so that the rear dormers would be obscure-glazed, thereby limiting the level of overlooking caused as a result of this proposal. It is considered that while there may be some harm to neighbours in respect of impacting living conditions, the harm is not considered excessive as steps have been taken to ensure this harm is minimised.

Other Considerations:

The Town Council wrote to the Council strongly objecting the scheme for a variety of reasons. While some of those reasons have been addressed in the issues identified previously, there are other issues of the objection that must be addressed.

The site history shows there have been 5 recent prior approval applications that were all granted subject to conditions. Whilst a site’s history is a material planning consideration, most of the Town Council’s objection is not relevant to this specific proposal and as such cannot be taken into consideration in this instance.

Conclusion:

As the design of the proposal would be acceptable and would not cause significant harm to the living conditions of neighbours, it is recommended that planning permission is Granted Subject to 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: Alastair Prince
Direct Line Telephone Number: 01992 564462***

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