



# Epping Forest District Council



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Application Number:	EPF/0677/20
Site Name:	86 Manor Road Chigwell IG7 5PQ
Scale of Plot:	1:1250

## Report Item No: 12

<b>APPLICATION No:</b>	EPF/0677/20
<b>SITE ADDRESS:</b>	86 Manor Road Chigwell IG7 5PQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Sumal
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of CCTV Security Mast. (Revised application to EPF/2720/18)
<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/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=635233](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=635233)

### CONDITIONS

- 1 Within one month of the decision hereby approved the security pole shall be reduced down to that shown on the approved plans.
- 2 The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers: 2018/09/01/86MR Rev A, 2018/09/02/86MR Rev A, 2018/09/03/86MR Rev A and 2018/09/04/86MR Rev A.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

### Site and Surroundings

The site comprises of a large two storey detached house built on a generous plot. The rear garden area of the site is generous in its overall width and depth. Levels fall steadily towards the bottom end of the site. Neighbouring dwellings are also detached, of a two-storey nature, have similar building lines to the application site and also experience level changes akin to the application site. To the rear of the site is Chigwell Golf Club which is within the Green Belt. The site itself is outside the confines of the Green Belt. It is not within a Conservation Area nor is it Listed. It is within a semi-urban area of the District.

### Proposal

The proposal is for the Installation of a CCTV Security Mast. The proposed development is an amendment to the previous refused scheme (6-metre pole), and proposes a 4-metre high pole, with one attached CCTV camera located at a height of some 1.8 metres just under the eaves of the summer house, and a floodlight at the top of the pole.

This application is retrospective in nature.

## **Relevant Planning History**

EPF/2720/18 - Installation of CCTV Security Mast – Dismissed on Appeal – Enforcement Notice Served

## **Development Plan Context**

### *Local Plan and Alterations 1998 & 2006 (LP)*

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the Quality of The Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

### *National Planning Policy Framework 2019 (Framework)*

The Framework is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraphs 124, 127

### *Epping Forest District Local Plan Submission Version 2017 (LPSV)*

Although the LPSV does not currently form part of the statutory development plan for the district, on 14<sup>th</sup> December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF 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).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2<sup>nd</sup> August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

<b>Policy</b>	<b>Weight afforded</b>
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

### **Summary of Representations**

Number of neighbours consulted: 3. 2 response(s) received

84 MANOR ROAD - Support

88 MANOR ROAD – Objection – Summarised as;

- Overlooking;
- Loss of privacy;
- Incongruous addition; and
- Out of character.

CHIGWELL PARISH COUNCIL – The Committee OBJECTED to this application because the proposed construction would be inappropriate and overtly intrusive towards neighbouring residents.

### **Planning Considerations**

The main issues for consideration in this case are:

- a) The recent dismissed appeal (APP/J1535/D/19/3220510); and
- b) Whether the previous reason for refusal has been overcome.

The Inspector dismissed the appeal for the following reason below;

‘The degree of overlooking facilitated by the camera on the CCTV mast is significant and, due to the nature of the uses of the areas surveyed by the camera, this is intrusive and has a detrimental effect on privacy, to the extent that it is substantially harmful to the living conditions of the occupiers of No 88’.

It is accepted that the previous proposal is harmful, however, the current proposal before members is of a different design, in that there is only one security camera located below the eaves height of the outbuilding, whereas the previous proposal had three separate cameras located at various heights, above the outbuilding. This would restrict any views to neighbouring amenities and limit it to views within the garden area of the host house.

Therefore, it is considered that the proposed development has overcome the previous reason for refusal and no harm is caused to the living conditions of neighbouring properties.

#### *Other Considerations*

Concerns have been raised regarding the impact of the proposal on the character and appearance of the area. Moreover, the Inspector raised no concerns regarding this matter, and given the urban setting, its overall height, design and siting the proposal is acceptable and would not have an adverse impact to the setting of the host house and that of the wider area.

Furthermore, an inspector has recently allowed 5 security poles, some with cameras within Hainault Hall, 173 Lambourne Road (EPF/1192/18) as amongst other issues it was found to be acceptable in design terms.

#### **Conclusion**

The proposal is considered to have overcome the previous reason for refusal.

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

**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: Muhammad Rahman  
Direct Line Telephone Number: 01992 564415**

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