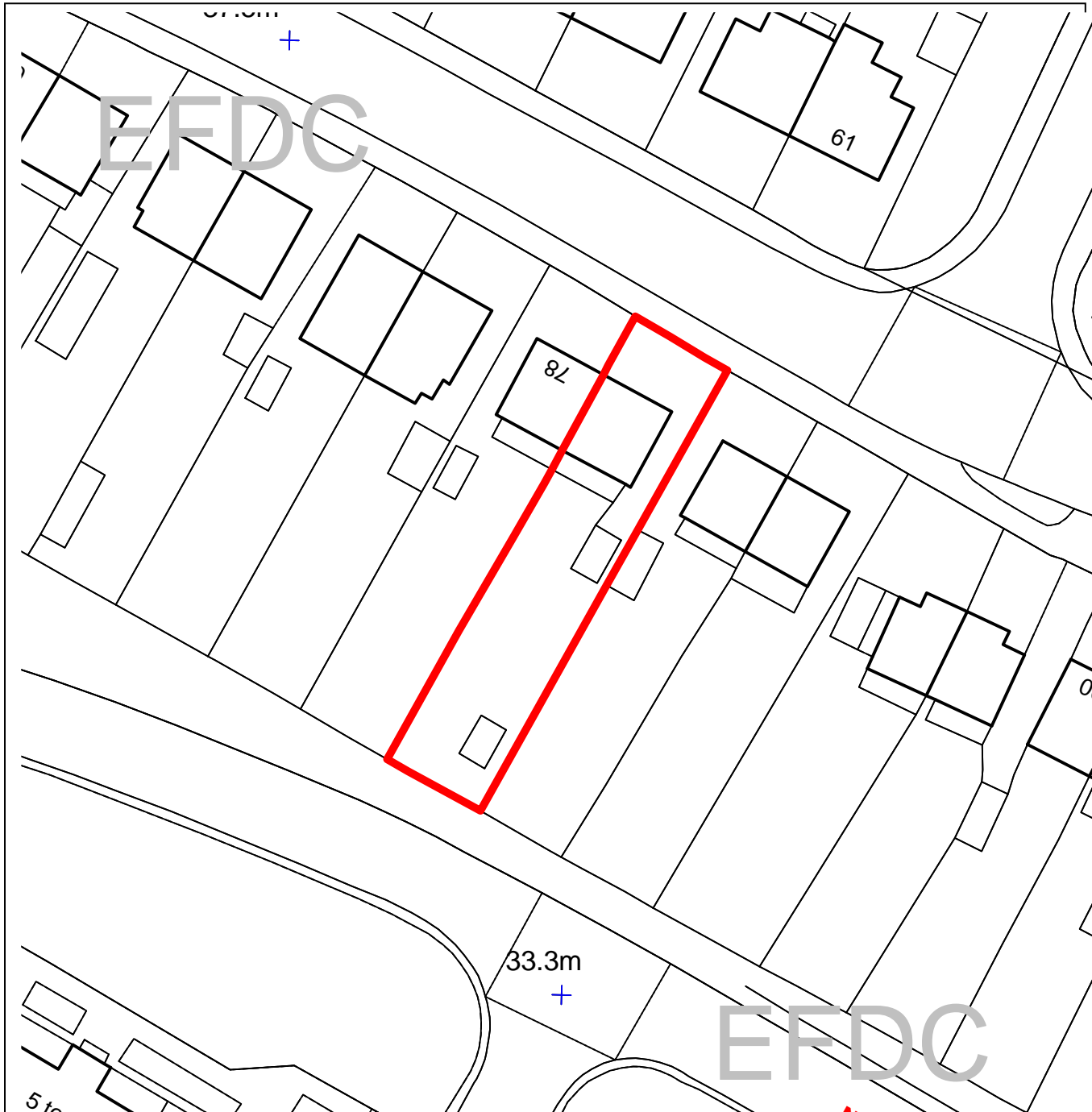




Epping Forest District Council



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Application Number:	EPF/0665/20
Site Name:	80 Upshire Road Waltham Abbey EN9 3PA
Scale of Plot:	1:500

Report Item No: 12

APPLICATION No:	EPF/0665/20
SITE ADDRESS:	80 Upshire Road Waltham Abbey EN9 3PA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
APPLICANT:	Mr John Smith
DESCRIPTION OF PROPOSAL:	Proposed double storey side extension with part single storey rear extension & skylights. (Revised application to EPF/1897/19)
RECOMMENDED DECISION:	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=635159

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 and retained strictly in accordance with the approved drawings numbers:

AJC-1372 01, 02, 03, 04, 05, 06, 07, 08 Design and Access Statement, Letter dated 7 June 2020 which includes diagram SK 001 and 002.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The window openings in the eastern flank elevation shall be entirely fitted with obscured glass with a minimum Level 3 obscurity 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.
- 5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

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 application site contains a two storey interwar semi detached house which has been converted into two flats. The property has had a single storey rear extension built under permitted development which replaced an original 2m deep projection. The rear garden contains a 7.5m deep outhouse and shed close to the south eastern boundary with 82 Upshire Road The rear boundary adjoins the spine road Ninefields. The surrounding area is made up of similar types of housing.

The site in a residential area which has no heritage designation.

PROPOSED DEVELOPMENT

Permission is sought for the construction of a double storey side extension with part single storey rear extension and skylights.

The two-storey side extension measures 2.31m wide at ground floor level and reducing to 1.41m wide at first floor level. It has a depth of 11.27m at ground floor level (of which 4.13m is beyond the original rear elevation of the property) and 9.97m deep at first floor level (of which 2.83m is beyond the original rear elevation of the property). The first-floor side extension has a height which is 0.2m below the main roof ridge of the application property. The single storey side extension when measured close to the front elevation is 2.3m high to the eaves and 3.3m high to the ridge of the manslope roof.

The two-storey rear extension is 4.1m wide and is 8.2m high to the ridge of its hipped roof.

The remaining single storey rear extension measures deep by 4.65m wide by 5.34m deep and 3.6m high to its crown roof.

Materials are proposed to match those of the application property.

RELEVANT PLANNING HISTORY

Reference	Description	Decision
EPF/1158/88	Extension and addition of dormers.	Granted but not implemented
CLD/EPF/0033/99	Certificate of lawful development application for use of property as two self-contained flats.	Lawful
EPF/2206/03	Demolition of existing garage and replacement with new garage and garden room.	Granted
EPF/1897/19	Proposed double storey side extension with part single storey rear extension and skylights	Withdrawn
EPF/0135/20	Retention of the outbuilding	Pending

CONSULTATION AND REPRESENTATIONS

DEVELOPMENT PLAN

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan currently comprises the saved policies of the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006) ("the Adopted Local Plan"). The following Adopted Local Plan policies are relevant to the determination of this application:

CP7	Urban Form and Quality
DBE10	Design of Extensions
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking

1.1 The relevance of the identified saved Local Plan policies to the determination of this appeal and the weight to be accorded to each policy are addressed in further detail within Section 12 of this report.

2. NATIONAL PLANNING POLICY FRAMEWORK

2.1 The current version of the National Planning Policy Framework ("the Framework" or "NPPF") was published in February 2019. It provides the framework for producing Local Plans for housing and other development, which in turn provide the policies against which applications for planning permission are decided.

Reflecting the proper approach identified in the previous section of this Report, the NPPF explains (at paragraph 2) that:

"2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a

material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.²"

Paragraph 11 of the NPPF concerns the presumption in favour of sustainable development and states (so far as relevant):

"Plans and decisions should apply a presumption in favour of sustainable development.

*For **decision-taking** this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; 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."

Paragraph 11 d) ii. is often referred to as the 'tilted balance'.

For the purposes of sub-paragraph (i) of paragraph 11, footnote 6 lists the policies in Framework (rather than those in development plans) that protect areas or assets of particular importance including: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, or Local Green Space; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63 of the NPPF); and areas at risk of flooding.

The presumption in favour of sustainable development does not, however, change the statutory status of the development plan as the starting point for decision making. In accordance with paragraph 213 of the NPPF and subject to paragraph 11 d) and footnote 7 referred to above, policies in the development plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Rather, due weight should be given to such policies according to their degree of consistency with the NPPF; in other words the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given to them).

In addition to paragraph 11, the following policies in the NPPF are relevant to this application:

- Paragraph 108 – 110 (Transport)
- Paragraph 124 (Design)
- Paragraph 127 (Design)

EMERGING LOCAL PLAN

On 14 December 2017, the Council resolved to approve the Epping Forest District Local Plan (2011-2033) – Submission Version ("LPSV") for submission to the Secretary of State and the Council also resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

The Council submitted the LPSV for independent examination on 21 September 2018. The Inspector appointed to examine the LPSV ("the Local Plan Inspector") held examination hearings between 12 February and 11 June 2019. As part of the examination process, the Council has asked the Local Plan inspector to recommend modifications of the LPSV to enable its adoption.

During the examination hearings, a number of proposed Main Modifications of the LPSV were 'agreed' with the Inspector on the basis that they would be subject to public consultation in due course. Following completion of the hearings, in a letter dated 2 August 2019, the Inspector provided the Council with advice on the soundness and legal compliance of the LPSV ("the Inspector's Advice"). In that letter, the Inspector concluded that, at this stage, further Main Modifications (MMs) of the emerging Local Plan are required to enable its adoption and that, in some cases, additional work will need to be done by the Council to establish the precise form of the MMs.

Although the LPSV does not yet form part of the statutory development plan, when determining planning applications, the Council must have regard to the LPSV as material to the application under consideration. In accordance with paragraph 48 of the Framework, the LPAs *"may give weight to relevant policies in emerging plans according to:*

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- b) 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*
- c) 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).²²"*

Footnote 22 to paragraph 48 of the NPPF explains that where an emerging Local Plan is being examined under the transitional arrangements (set out in paragraph 214), as is the case for the LPSV, consistency should be tested against the previous version of the Framework published in March 2012.

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.

Policy	Weight afforded
T1 Sustainable Transport Choices	Significant
DM9 High Quality Design	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours Consulted: 12.

Site notice posted: Not required.

Neighbours

82 UPSHIRE ROAD: OBJECTION: This proposed development will lead to increased on-street parking and unsafe manoeuvres across the footpath, raising issues of pedestrian safety, particularly school children, and road user's safety.

Overshadowing, leading to the loss of suitable daylight and sunlight in the kitchen and dining room of 82 Upshire Road. The window is directly opposite the proposed extension and is the main light-source into the kitchen and dining room.

We have instructed a surveyor to carry out an assessment of the loss of light who opined: -

I have identified the extent of sky viewed at table top level as exists in the kitchen of no. 82 and compared this with the anticipated extent of visible sky which will be left if you carry out the works as proposed and shown on drawing number AJC-1372/03, /04 and /05.

The kitchen at no. 82 is served by relatively small window only 450 mm wide. On the south side the kitchen is separated from the rear living room by folding timber screen and this is a permanent fixture. Although the screen can be opened to allow additional light into the kitchen, this has not been taken into consideration in assessing the loss since the kitchen must be assessed on the basis that all permanent access to doors remain closed.

Following construction of the proposed work at No. 80 the reduced area of sky factor is assessed at 3.37 square metres being 21.4% of the floor area. This constitutes a loss of 53.88% of the existing light and provides the basis of a claim from your neighbour.

Overdevelopment of the site,

The scale, mass, proximity and general dominating effect will be overbearing to neighbours.

If the application requests to build a door allowing access into an outbuilding, this should be considered as a joined-up development with EPF/0135/20 and therefore should be considered overdevelopment of the site.

Overlooking and loss of privacy. Due to the windows added to the first floor of 80a Upshire Road, there is a sensitivity to a loss of privacy. The proposed windows will be overlooking the habitable room of 82 Upshire Road, which is opposite the proposed build. The height

and proximity to the plot boundary increase the extent to which 82 Upshire Road will be overlooked.

61 UPSHIRE ROAD: OBJECTION: The site is currently made up of two 1-bedroom residential flats and has issues with insufficient parking. Increasing the size of each dwelling increases the parking necessities of each flat. There is already a highways issue with the way the current residents park their cars at an angle on the driveway and in the road so when exiting the drive, you cannot see oncoming traffic. This application is only going to worsen the situation. The current driveway will be part of the extension meaning more cars will be parked on the road. I also have concerns that the applicant would put in a forthcoming application for a HMO and also using external outbuilding space as residential which is likely they would do retrospectively as they did on the initial application for developing the property into flats, this would all increase the parking needs and the impact on the highways concerns.

APPLICANT: prior to their extension being built at 82 Upshire Road, this property had a primary window and part glazed rear door in the kitchen and the dining area had a pair of glazed French doors with a sky light window above the doors. These rooms were originally two separate rooms. The plans that were passed, show the original kitchen and dining area and new rear extension were to be completely open plan, benefitting from three roof Velux windows and two pairs of glazed French doors, giving the whole area ample natural light.

A right for light report of a room must be completed with all doors closed. This right for light report does not distinguish between wall or doors for clarity, but does mention a folding timber screen, not shown on the passed plans. This separates the space and therefore it is not open plan as the drawings show where the whole extension benefits from natural light and instead relies on the small secondary side window.

This originally secondary, small side window was only meant to light the original kitchen area along with the original part glazed door and window NOT the dining area which had its own light source from the pair of glazed French doors and sky light window that the owners of 82 Upshire Road have removed themselves.

I feel that the right for light problem is their own creation, but we have amended our plans in the spirit of being reasonable neighbours.

Previously objections were raised with regard to the parking facilities by the same neighbours who requested a return visit from the Highways Department. I have spoken with Mr Matthew Lane from the Highways Department on two occasions. An assessment was carried out and Mr. Lane declined a return visit and stood by the reports assertion that there were no grounds for objections, stating that there was safe and ample parking.

the entire width of the property is benefitted from a dropped kerb, which has been present since before Mr Smith purchased the property. Recent Highway's Agency improvements also replaced and reinstalled the dropped kerb in its entirety.

The existing side garage access is not wide enough to comfortably fit a standard modern family car and be able to open doors to remove and attach child car seats. Parking here also restricts access to the entrance door of 80 Upshire Road which is in the rear elevation.

Photos have been submitted which demonstrate that 3 cars can safely fit within the front forecourt of the property. Photos have been submitted which demonstrate other properties within the street which also have 3 cars parked on the front driveway.

The initial plans (EPF/1897/19) were entered in September 2019. Following the committee meeting held on 6th November 2019, the Planning Report stated that the distance between properties was sufficient and that 'the 45-degree guidelines for light will also not be infringed.

This neighbour [82 Upshire Road] is also orientated east of the application site and therefore it will not be significantly affected by loss of sunlight' When 82 Upshire Road expressed concerns regarding the right for light, we were advised to have a right for light survey completed. The results of that survey showed that the initial plans would result in a loss of 53.88% of existing light to the kitchen/dining area.

In order to bring this loss below 50% (the widely accepted 50:50 rule) and with advice from the surveyor and our architect, amended plans (EPF/0135/20) were entered with the intention of improving the light received by 82 Upshire Road. This was achieved by amending the height of the ground floor flank wall and first floor roof line of 80 Upshire Road. However, at the request of the Planning Officer the plans were withdrawn before they could be considered, as part of the redesign of the first floor was felt to be less in keeping with the style of the original dwelling. The plans were redrawn to correct this, resubmitted, and this final proposed design

(EPF/0665/20) still aims to improve the light received by 82 Upshire Road by lowering the ground floor flank wall whilst now maintaining the integrity of the original building.

On submitting the current proposed plans, we also included the floor plan of 82 Upshire Road's single storey rear extension. The floor plan of 82 Upshire Road that we included were the plans approved by Epping Forest and publicly available on the Epping Forest Council planning website. The objection states that this is an inaccurate drawing. The plan shown in the objection by 82 Upshire Road is not among the floor plans which were approved by Epping Forest nor is it available for public inspection. The original layout of 82 Upshire Road shows that the small kitchen received light from a partly glazed door and two small windows. The dining room received light through glazed French doors with two additional windows above them approved plans of 82 Upshire Road's extension (application EPF/2144/15) which we consulted when preparing our designs. As shown the extension is open plan, removing the wall between the kitchen and dining room, and had these plans been executed the kitchen/dining space would have received light from 3 skylights and 2 glazed doors as well as the small secondary window.

The plans which were provided by 82 Upshire Road within the objection. These plans were not evident as part of the approval process for application EPF/2144/15 and are not available to view on the Epping Forest planning website.

The right for light survey stated that 'the kitchen [82 Upshire Road] is separated from the extension by a folding timber screen and this is a permanent fixture.'

By creating this divide, 82 Upshire Road has removed the ability for natural light to enter the kitchen/dining space other than via the existing small secondary window, measuring 450mm wide, on the side flank wall. This cannot be considered an adequate sole light source for a room of this size and depth. By installing a partition and removing the open plan nature of the approved plans, 82 Upshire Road are responsible for the overall lack of natural light in the space.

The objection has included an image of 80 Upshire Road showing the 25° angle from the side window of 82 Upshire Road claiming them to be from the current application EPF/0665/20.

This is incorrect, the image shown was submitted with the withdrawn application EPF/1894/19 and the angle line has been drawn at the incorrect height.

Please see the email (figure 2.4) from our architect explaining the 25° angle and the effect on the sky loss factor with the current proposed plans (EPF/0665/20). I also include the two drawings which our architect provided to support his email, one showing the angle line drawn correctly on previous plans (EPF/1894/19) (SK001) and the angle line drawn on the current plans (EPF/0665/20) (SK002).

We have amended plans on two occasions to address the concerns of 82 Upshire Road's right for light. We have then shown that the light issue is with 82 Upshire Road's expectation that the sole light source to both the kitchen and dining space is provided via the small, secondary side window.

The planning report and objection both mention that there is an existing extension to the rear of 80 Upshire Road. Whilst we confirm that planning permission for an extension with dormers was sought and granted (EPF/1158/88) in 1988 (prior to myself or Mr Smith owning the property), these plans were never executed.

At the rear of the property is a modernisation of an existing conservatory. Along this row of semi-detached properties, many of them also had this as a part of the footprint

The original conservatory with plastic roof and original french doors to the dining room.

We have retained the plastic roof and over 50% glass which we would not class this as an extension. Our application has been designed to be sympathetic to the wider street scene by protecting the integrity of the original building by paying close attention to the scale, form, detail, elevations, materials and roof treatments and placement of windows. This has been achieved by including the same pitch roof as the original dwelling and the surrounding semi-detached properties, setting in the first storey extension to remove the terraced effect and stepping the side extension back to add to the sense of relief between the buildings.

94 Upshire Road, 96 Upshire Road, 104 Upshire Road, 23 Paternoster Close, 14 Harries Court all have had approval for similar types of extensions.

Residents of 61 and 82 Upshire Road have expressed concern that the property will be turned into an HMO which we agree is a valid concern.

The property is legally split into two properties, 80 Upshire Road is owned by myself and Mr Smith and 80A Upshire Road is owned by Mr Lyburn who has allowed us to act on his behalf throughout the planning and building process. To be clear, it has never been nor shall it be our or Mr Lyburn's intention to turn either property into HMOs. The proposed extension for 80 Upshire Road is for the sole purpose of improving my family home as my family grows, with the inclusion of an additional bedroom and sorely needed family bathroom, which we currently do not have.

Planning approval was given under reference EPF/0212/19 for a two-storey side extension and single storey rear extension at 23 Paternoster Close. The existing property has only a narrow side access to the neighbouring property along the boundary and there are three windows on that neighbour's flank wall.

The double storey side extension with an up and over roof was approved for 23 Paternoster Close, and when it was reviewed by Waltham Abbey Town Council, they had no objections to the plans and made no mention of it having an overbearing nature or impacting the view between the properties for neighbours.

The first storey of the proposed extension of 80 Upshire Road is set in by one meter which, in addition to the driveway of 82 Upshire Road leaves a gap of 3.6 meters between the two properties on the first floor. This is well in excess of the approved plans for 23 Paternoster Close. This example alongside those properties on Upshire Road and Harries Court also support our claim that the proposed extension should not be considered overbearing.

We appreciate the design suggestions from 82 Upshire Road; however, we considered many alternative designs with our architect at the initial design stage.

As the property is actually two flats the suggested single storey rear extension for 80 Upshire Road would not create an adequate amount of floor space to include an essential additional bedroom and needed family bathroom, which the property doesn't not currently have. It would also still require an entrance to the rear of the property.

The proposed plans (EPF/0665/20) provide the best solution for suitable living standards at 80 Upshire Road allowing for an additional bedroom and bathroom. With a second child due in November these are both vital.

In order for this floor plan to be achieved 80 Upshire Road would need to use the existing entrance at the front of the property. This requires the staircase to be relocated into the new side extension with a new entrance to be created for 80A Upshire Road. This is the most efficient use of the land and would be impossible to achieve if we only had a single storey rear extension for 80 Upshire Road.

WALTHAM ABBEY TOWN COUNCIL OBJECTION: Although the applicant has made some revisions to this application, the proposal is still too cramped on the site and there are issues relating to parking and road safety.

Statutory consultees

Essex County Council: Highways Authority: From a highway and transportation perspective the Highway Authority has no objections to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

PLANNING CONSIDERATIONS

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) The impact to the living conditions of neighbours;
- c) Highway safety and parking provision;

Character and Appearance

Paragraph 127 of the NPPF requires that decisions should ensure that development will add to the overall quality of the area as well as respond to the local character, history and reflect the identity of local surroundings.

Policy DBE10 (Residential Extensions) of the adopted Local Plan requires that "a residential extension will be required to complement and, where appropriate, enhance the appearance of:

1. the street scene
2. the existing building

This will be achieved by close attention to:

- (a) the scale, form, detail, elevations, materials, roof treatment and fenestration of the existing building; and
- (b) separation from any neighbouring buildings; and
- (c) the existing landscaping in the locality

This application is amendment to the withdrawn scheme under reference EPF/1897/19. The change proposed from the original scheme is the removal of the front porch.

The extensions have a pitched roof design which is keeping with the character of the locality. The size of the ground extensions are consistent with permitted development legislation.

The side extension at first floor level is set in 1m from the side boundary to prevent a terracing effect. It also includes a 0.2m set back to the front elevation which allows the first floor roof to remain subordinate to the appearance of the main building.

This part of Upshire Road has a built up urban character. There are many examples within the locality of similar types of extensions. Examples of which listed by the applicant in her response to objectors above. There is also sufficient space between the application property's-built form and the location of neighbouring properties to maintain the spatial standards of the street. The proposed materials are also in keeping with the application property and wider character of the area. I therefore consider that the proposal will preserve the character and appearance of the application property and wider streetscene in accordance with the requirements of chapter 12 of the NPPF, policy DBE10 of the adopted Local and DM 9 of the Submission Version Plan.

Objectors raise concerns that the proposal together with the existing outhouse (gym) and shed will result in the overdevelopment of the site, however this view is not supported by officers given that these existing outbuildings are single storey, do not cause loss of amenity and are domestic in character.

Living Conditions of Neighbours

The application proposes two windows in the first-floor side flank wall which serve a bathroom and hallway. It is therefore recommended that a condition be attached to any permission requiring that these windows be obscure glazed.

The proposed glazing within the ground floor side extension are two rooflights. They are not considered to cause loss of privacy to the neighbouring occupiers due to their high position and their position on a roof slope.

The rear elevation first floor window will provide similar views to that already provided by the existing rear elevation first floor windows and will therefore not excessively increase overlooking.

There is a gap of 3.6m between the side flank of the first-floor extensions and the side flank wall of number 82 Upshire Road. This neighbouring property also has its own garage along the shared boundary and a single storey rear extension. Plans also indicate that the 45-degree guidelines on light to the neighbouring rear elevation windows will not be infringed. This neighbour is orientated east of the application site and therefore it will not be significantly affected by loss of sunlight.

The side flank of the property at 82 Upshire Road facing the application site contains one window at ground floor level serving the kitchen/ dining area. The house at 82 Upshire Road was originally designed so that this original large kitchen window was secondary as there was also a window and door facing the garden which served this room. The occupiers of this neighbouring property built a single storey rear extension and raised patio approved under planning permission reference EPF/2144/15. This permission encompassed the kitchen into an open plan room. Given that the main source of light for this room was originally from the rear elevation and the implemented permission includes double doors into the extension which is now served by four glazed patio doors and three rooflights which would have still allowed sufficient light into the dining area. However, the residents of 82 Upshire Road decided to change the internal layout of the approved extension so that it formed two rooms instead of one. This change in layout has resulted in there being only one window to serve the kitchen/ dining area. There are, however, double doors that connect this room to the wider living room extension. If these doors are opened there will be sufficient light within the room. The side elevation kitchen/dining was originally secondary and the lack of light to this room has been created as a result of the homeowner's choice to light the room from a side elevation window.

Notwithstanding this, plans were amended in light of the objections made within the previously withdrawn application under reference EPF/1897/19 to include a 30cm reduction in height of the ground floor side and rear wall in comparison with that original proposal. The 25-degree angle daylight test was then carried out which found that the ground floor rear and side extension would not breach BRE guidelines. The advice given in the applicant's statement is that due to the position of the neighbour's window being incorrectly shown within the original submission. It resulted in incorrect results. The analyst corrected this mistake and found that this resulted in a 50% reduction in loss of light in comparison the original calculation. Given that the level of light lost from this window will now be less than 50% in comparison with the existing situation, the proposal now meets BRE guidelines. It is therefore considered that any loss of light to this kitchen/dining room window will not be excessively above the existing situation.

The other windows on the side flank of this neighbouring property serve non habitable rooms. Furthermore, given the urban location of the site where the proposed extensions are commonplace and that the proposal follows the building line of the front and rear elevations within the street and is consistent with the plot rhythms within the street, it is for this reason considered that the proposal will not have an excessively overbearing impact on this neighbour over and above that which already exists within the existing pattern of development along this street. It is therefore considered that this property will not be excessively affected in terms of loss of amenity.

Number 78 has its own single storey rear extension and pergola which is a similar depth to that proposed by this application and the first floor rear extension is separated from the boundary with this property by a distance of 3.6m and no windows are proposed in the western side flank facing this property. This is considered sufficient to ensure that the living conditions of this property are adversely affected in terms of loss of light, outlook or privacy. It is for these reasons that the proposal complies with the requirements of policy DBE9 of the Local Plan and DM9 (H) of the SVLP.

Loss of a private view is not a material planning matter.

Highway Safety and Parking Provision

The proposal will not result in new households being created. Photographs have been submitted which demonstrate that there is sufficient space to adequately park 3 vehicles. The proposal therefore meets the parking standards set out in ST6 of the Local Plan and T1 of the SVLP. A bus routes also runs along this road. The Highway Authority is also satisfied that the proposal does not pose a highway safety risk and therefore has also not raised any objections to this proposal. The proposal therefore in accords with the requirements of policies ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

Other Matters

If the applicant wanted to convert the property into a House in Multiple Occupation, further planning permission would be required.

It is noted that the outbuilding (domestic gym) is very close to the proposed extension and therefore could be encompassed into the extension. However, to do this, further planning consent would be required. Since this structure is existing there would be no additional harm to neighbouring amenity.

CONCLUSION

The design will preserve the character and appearance of the application property and locality. It also would not be excessively harmful to the living conditions of neighbours; it is therefore 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: Sukhi Dhadwar

Direct Line Telephone Number: 01992 564597 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk