

Delegated Report

50 Forest Lane, Chigwell, IG7 5AE

EPF/1630/20

Description of site

The application site is a rectangular plot located at the corner of Forest Lane and Manor Road. The site is within the built up area of Chigwell and not within the Metropolitan Green Belt or a Conservation Area. There are protected trees to the front and rear. The application site backs onto the side garden of No. 54 Manor Road.

Description of proposal

The application seeks consent for the demolition of the existing dwelling and replacement with a 2 and a half storey property (with a basement below). The proposed design is 'Georgian' in appearance with a colonnade entrance portico and decorative lintels above the windows. The proposal will have a mansard/crown roof (to accommodate the second floor). The proposal will increase the height above the existing building from 8.6m to 10.85m (though it is noted that the quality of the submitted existing plans is very poor to be able to measure the height).

The proposal has been amended since first submission by setting in from the side boundaries by 1m on both sides and with alterations to the roof design including the addition of dormers to the front and sides. These revisions were not at the request of the Planning Officer but followed the objection from the Parish Council.

Relevant History

Applications for extensions and works to the protected trees – none relevant

Policies Applied

Local Plan (1998) and Alterations (2006)

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
DBE1 – Design of new buildings
DBE2 - Effect on neighbouring properties
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention

National Planning Policy Framework (NPPF) (February 2019)

The revised NPPF 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.

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

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th 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 2nd 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.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

| Policy | | Weight |
|--------|--|-------------|
| DM3 | Landscape Character, Ancient Landscapes and Geodiversity | Significant |
| DM5 | Green and Blue Infrastructure | Significant |
| DM9 | High Quality Design | Significant |
| DM10 | Housing Design and Quality | Significant |
| DM12 | Basements | Significant |
| H1 | Housing Mix and Accommodation Types | Significant |

Representations Received

CHIGWELL PARISH COUNCIL: The Council strongly objects to this application, because the proposed structure is poorly designed, of an excessive height and positioned too close to the site boundary.

8 neighbours consulted: No responses received

Issues and Considerations

The main issues with this application are: design, acceptability of the basement, amenity and landscaping issues.

Design

The design of the proposal appears quite muddled with elements of Georgian window design, with Corinthian columns/colonnade portico with large areas of glazing. The rear particularly, is a clash of both classic and contemporary features that do not result in an effective design. The proposal is considered unacceptable in its current form. In addition to the various design elements, the overall height and roof design with a large number of dormers to all elevations is considered to result in a top heavy appearance to the detriment of the streetscene and this application site. It is noted that a proposed streetscene has been provided, although with limited detail, but not existing streetscene, however it is still considered unacceptable in the streetscene given that the height is raised by 2.2m and the amount and bulk of dormers at roof level.

Furthermore, although the revised plans show a set in of 1m from the boundary, given the excessive height (not softened by hips/gables or a lower eaves height) results in the proposal appearing very wide and cramped within the extent of the plot. The roof design without a central ridge, but rather a large expanse of flat roof is an indication of a poor design where a non-traditional roof is required to contain an excessive width and depth.

Basement

The proposal includes a large basement below the proposed dwelling. The application was accompanied by a Basement Impact Assessment, but it is unclear who authored the assessment and contains very little information. Therefore the proposal fails to confirm that there will be no adverse impacts caused by the construction of the basement (in terms of structural stability, drainage, groundwater conditions, increase flood risk etc) and therefore the proposal is contrary to policy SVLP DM12.

Amenity

The proposal greatly enlarges the size of the property, however the main rear building line appears to be broadly in line with the existing neighbouring building lines which is considered to prevent any excessive loss of light or outlook to the neighbouring property.

In terms of overlooking from windows, there are a large number of side facing windows, however as these all appear to be either secondary windows or serving non habitable spaces it is considered that these can be conditioned to be obscure glazed to prevent any excessive loss of privacy to neighbouring properties.

There is a first floor balcony and second floor terrace proposed to the rear of the dwelling. It is considered that given the height, projection to the rear and (with regards to the second floor terrace) multiple views the proposal will result in a actual and/or perception of overlooking to neighbouring properties which would be harmful to the amenity currently enjoyed.

Landscaping and the Protected Tree

The Tree and Landscape Officer has objected to the proposal. Although a basic tree report was submitted this was not undertaken by an arboriculturalist (and contains errors referring to a maple tree where there is none) and is unacceptable. Therefore due to the inadequate information the submitted it is not possible to assess the impact of the proposal on the existing trees on the site.

It is noted that an updated tree report was requested, but despite repeated requests was not submitted.

Conclusion

The proposal is not an acceptable design, results in an unacceptable loss of privacy to neighbours and insufficient information has been submitted with regards to the protected trees and the proposed basement. Therefore the application is recommended for refusal.