

Supplementary Committee Agenda



**Epping Forest
District Council**

Area Planning Subcommittee South Wednesday, 5th February, 2014

Place: Roding Valley High School, Brook Road, Loughton, Essex
IG10 3JA

Time: 7.30 pm

Democratic Services: Mark Jenkins (The Office of the Chief Executive)
Tel: 01992 564607 Email:
democraticservices@eppingforestdc.gov.uk

6. ANY OTHER BUSINESS (Pages 3 - 12)

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

To consider the attached item.

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Report Item No:

APPLICATION No:	EPF/2188/13
SITE ADDRESS:	The Paddock Grove Lane Chigwell Essex IG7 6JF
PARISH:	Chigwell
WARD:	
APPLICANT:	Mr Elliot Pomerance
DESCRIPTION OF PROPOSAL:	Demolition of existing stables and warehouse and erection of 6 detached residential dwellings and new access.
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The site lies within the Metropolitan Green Belt . The proposed development is inappropriate in the Green Belt and, by definition, harmful. It fails to protect the openness of the Green Belt and encroaches into the countryside to a significantly greater degree than existing structures on site. The details accompanying the application do not amount to very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the development. The proposal is therefore contrary to policy GB2A and GB7A of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
- 2 The proposed development would be detrimental to the visual amenities of the surrounding area and harmful to the character and appearance of this semi-rural location, contrary to policies DBE1, DBE2 and DBE4 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
- 3 The proposed sub-urban development proposed is at a scale at odds with the surrounding context and would harm the rural setting of Millers Farmhouse a Grade II Listed Building by diminishing its significance. Furthermore the materials palette proposed is wholly inappropriate and would detract from the appearance of Miller Farmhouse. Accordingly, the proposal is contrary to policy HC12 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

This application is before this Committee since 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: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)) and since it has been ‘called in’ by Councillor Wagland (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Site:

The application site is situated at the top of Grove Lane, in a rural location on the north eastern side of the lane. Grove Lane is broadly characterised by linear residential development along the street, with a Grade II Listed building, ‘Millers’ at the head of the road. The site is an equestrian stables, with low intensity use. A number of low height equestrian related buildings are currently on site.

Beyond the site is the waterworks site and open countryside. The site is within the Metropolitan Green Belt.

Grove Lane narrows towards the top of the lane to little wider than single width with parking on both sides.

Description of Proposal:

The applicant seeks full planning permission for the demolition of structures and the erection of 6 dwellings with detached garages, an access road and parking area.

The development proposes three differing house types, all five bedroom properties, with reduced height side projections. The proposed properties provide generous modern size family accommodation. The properties would all benefit from double garages with parking space for two additional vehicles to the front. Good sized private garden areas would also be provided.

The application was revised to incorporate visitors parking along the frontage of the site during the application process. There were minor alterations made to the red line of the site at this time also.

Relevant History:

Extensive history, most relevant being:

EPF/1547/04 – Outline application for the demolition of existing stable blocks and the erection of four detached dwellings – Refused and Appeal Dismissed.

Policies Applied:

All of the policies listed below are compliant with the aims, objectives and policies contained within the NPPF.

CP2 – Protecting the Quality of the Rural and Built Environment
GB2A – Development in the Green Belt
GB7A – Conspicuous Development
HC12 – Development affecting the setting of Listed Buildings
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt
DBE8 – Private Amenity Space
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
LL10 – Provision for Landscape Retention

Summary of Representations:

CHIGWELL PARISH COUNCIL: The Council Supports this application as the development would replace partially unused stables and thereby be beneficial for the area. However, the inadequacy of the existing road should be taken into consideration by exploring the possibility of an alternative access and exit road being constructed to Gravel Lane.

Following revisions to the scheme to provide additional parking the Parish Council considered the application again and responded to confirm that there were 5 no objection votes cast and two objections cast.

20 neighbouring properties were notified and a site notice was erected. Properties responded as follows: 21 Objections many submitting more than two letters per property. 4 No objection/support.

The Grove, Grove Lane: **Objection.** Traffic the development will introduce will detract from living standards and detract from the character of the area.

Grove Cottage, Grove Lane: **Objection.** Lack of parking at present would be exacerbated. Traffic would be dangerous in the lane where it is not full width. Applicants are relations of Farm owners at top of lane. Impact to Listed Building, inappropriate in Green Belt. 5 year land supply already exists. Proposals would adversely impact the Northern Basin Landscape Character Area. The parking area indicated on the revised plans is already in use, so would not truly result in any gain. Provision of additional parking spaces does little to offset previous concerns.

1 Grove Cottages, Grove Lane: **Objection.** Not a brownfield site, it is Green Belt, should not be developed, no reason provided to demonstrate otherwise. The lane comprises quaint cottages on a quiet lane. Proposals are too large, inappropriate and out of character. The size of properties would not contribute to the type of housing need in the District. Increased traffic during construction and occupation would be unacceptable. Proposals will impact on privacy of closer neighbours. Loss of community.

2 Grove Cottages, Grove Lane: **Strong Objection.** Grove Lane is one of the last remaining genuine country lanes with a sense of peace and tranquillity and with rural aspect which would be disturbed by the development proposed. Development should not be permitted in the Green Belt and the existing lane is too narrow for increased traffic or indeed for construction traffic. Overlooking from large dwellings, loss of vegetation and impact to the rural setting. Also object to impact on the Listed Building Millers Cottage.

3 Grove Cottages, Grove Lane: **Strong Objection.** Disputes the content and accuracy of the supporting information accompanying the application. Some content is allegedly misleading or omitted, particularly in the Design and Access Statement. Grove Lane is characterised by cottages or homes with smaller footprints. Existing parking issues would be exacerbated by the proposals. There are concerns that the description of existing industrial buildings overplays what are in fact typical low rise agricultural structures. The description of transport is over generous, with the nearest bus stop at the Maypole Pub some distance away. Thus sustainability issues are a concern. Road safety, traffic and parking issues are raised both

after occupation and during construction. There are also omissions or inaccuracies in relation to design, employment, biodiversity, local character (generally weather boarded cottages), landscaping and open space. The consultation that was carried out was unsuitable due to inadequate notice the day before the meeting, and the proposed scale of properties is beyond what is needed in housing terms in the local area, in particular in relation to the Council's 5 year land supply. Finally comments are provided in respect of adverse impact to the rural quality of the area, the sense of community and the safety of children playing in the lane and significant emphasis is placed upon existing parking and access issues in the lane which would only be worsened by the proposed development.

4 Grove Cottages, Grove Lane: **Objection.** Site is in the Green Belt, proposals are inappropriate and will impact on openness and encroach into the countryside contrary to policy. The site is contaminated land and has not been accompanied by any assessment. The proposals will alter the landscape character and a similar but smaller scheme has already been considered and refused then dismissed at appeal.

5 Grove Cottages, Grove Lane: **Strong Objection.** Development out of keeping with the area, contrary to Green Belt aims, out of scale with existing homes, will result in additional traffic and disrupt the setting of the Listed Building. Contrary to previous appeal decision. Loss of hedging that currently screens existing buildings onsite. Wish to preserve current community.

6 Grove Cottages, Grove Lane: **Strong Objection.** The site is in the Green Belt and the North Thames Basin Landscape Character Area. Development is inappropriate, overbearing and out of scale, will overlook and cause loss of privacy and increase pressure on existing services. Submission information is inaccurate and misleading, in particular the Design and Access Statement. Grove Lane is a narrow highway flanked by mature vegetation by the application site. The lane is one of few examples in Chigwell of original character. The proposals will overlook and over dominate the neighbouring properties. The dwellings proposed are nearly as wide as the row of cottages altogether. Existing structures on the paddock are out of sight and well screened, the proposals would not be. The traffic, access and parking issues would be unacceptable. The previous application dismissed at appeal in 2005 has already found residential development to be unacceptable, for just four houses. There is no housing need, the buildings are inappropriate, bulky and out of character, will result in loss of privacy and increase traffic, noise and pollution and add pressure to existing services.

7 Grove Cottages, Grove Lane: **Objection** Object to the proposed access, this should be further down the lane to reduce traffic and congestion. Parking should be better planned to resolve existing issues or minimise further issues.

8 Grove Cottages, Grove Lane: **Strong Objection.** Grove Lane is a quiet narrow land flanked by mature vegetation. The site is in the Green Belt. The proposals would be out of character and would significantly impact on our privacy. The proposed dwellings are nearly as wide as the entire terrace and higher. Traffic would increase to the detriment of highway safety. The stabling would likely merely relocate and further increase traffic. The scheme intensifies a proposal already refused in 2005. There would be pressure on existing services in the area.

9 Grove Cottages, Grove Lane: **Objection.** Previous appeal dismissed idea of residential development and there has been no change since. Site is in the Green Belt. Site is partially open, a fundamental aim of Green Belt is to retain this. Current structures are functional rural buildings, the site has been previously considered by an Inspector and found no brownfield accreditation. There are no special circumstances to justify development. The proposals would have a sub-urbanising affect and would impact on the Landscape Character Area. There has been no material change since the decision in 2005, therefore there would appear no need to consider the proposals.

10 Grove Cottages, Grove Lane: **Objection.** Realise the need for homes but this should not be at the expense of existing character. The boundary screening should remain and another entrance be used. Any construction traffic should not park in Grove Lane and any loading/unloading should be within the site. The erection of one dwelling off Grove Lane caused chaos. The lane is unique and should be preserved.

Montford Cottage: **Strong Objection.** Grove Lane is not big enough for more cars and houses. Many other sites in Chigwell more suitable for development. Dangerous with big development vehicles using lane.

Hollycroft, Grove Lane: **Strong Objection** The site is in the Green Belt. The houses so large and out of proportion. There is a clear visual link between the original farmhouse and the original workers cottages and the proposals would detract from this. This would impact residents and visitors but also users of the footpath which forms part of the London Loop. Houses will be overshadowed and overlooked by the proposed properties. The amended plans offer 6 spaces as oppose to 12 currently used and are on land beyond the control of the applicant. Grove Lane is narrow and additional homes will result in further traffic, particularly as equestrian use is likely to continue elsewhere on the site. Construction traffic also causes concerns. The proposals would sub urbanise the existing character. The proposals are similar but larger than a scheme refused in 2005.

Abbots Court, Grove Lane: **Strong Objection.** Grove Lane is a rural country lane, it is narrow and congested. More dwellings would add to existing issues and impact on everyone living in the lane.

Westside, Grove Lane: **Strong Objection.** The proposals are similar to that refused in 2005, there has been no change in circumstances since this time. Grove Lane is narrow and unsuitable for further traffic. The lane is one of few rural lanes remaining. The Council should look at all aspects of the plan including detrimental impact to existing residents in Grove Lane.

1 Montford Cottages, Grove Lane: **Objection.** Grove Lane is not appropriate for development, current housing quotas are not dire and the application is premature. The lane is a single track and traffic issues would result from the proposals and HGV's. Larger properties in the area are old and historic, the proposals would not enhance or replicate what is already there. Barns and stables add to the semi-rural feel of the lane. The large buildings proposed would not. Site is Green Belt. If any housing is provided it should be regular housing not the mansions proposed. Out of character with area.

Woodbine, Grove Lane: **Strong Objection.** The site is in the Green Belt, it has been confirmed by David Cameron where a 5 year land supply is available there have been no changes to Green Belt policy. The proposals are out of character, would impact on the Listed Building, result in loss of privacy and be bulky and over bearing. The development would be noisy and disruptive in a lane not suitable for commercial vehicles during construction. Insufficient infrastructure and lack of transport. The Design and Access Statement is inaccurate.

Millers Farmhouse, Grove Lane: **Objection.** Previous scheme for the site was refused, there have been no changes to circumstances since then. The site is in a sensitive settlement edge area. The development will be out of character and result in increased traffic. The red line now includes highway land and existing parking areas. Concerns regarding sewerage capacity. Council has sufficient 5 year land supply, there are numerous inconsistencies and inaccuracies within the submission and there is no regard given to the previous refusal.

Fairways, Grove Lane: **Strong Objection.** Development is in the Green Belt and should be safeguarded. Grange Hill development has already been permitted and is enough.

Firstplan, 25 Floral Street, London: **Objection** On behalf of Holly Croft, Millers Farmhouse, 1 Montford Cottages, Number 1,3-6, 8-10 Grove Lane. All properties also provided personal responses in addition. Inappropriate development in the Green Belt, harm

to the setting of the Listed Building and the rural character of the street. No exceptional circumstances have been provided to suggest a departure from usual policy should be considered. The site is understood to cover a sewer and consent to build over would be required. The Councils Issues and Options demonstrated no need to build on this Green Belt site.

Kenswal, Grove Lane: **No objection.** Provided there are adequate parking facilities. There will be limited disruption during construction but the end result will enhance Grove Lane and add value to our property.

Tutein Farm, Grove Lane: **No Objection.** If stables and warehousing were used to its full potential, there would be numerous vehicles (including horse boxes, trailers and cars) up and down the lane at all hours. This is a good opportunity to replace buildings with houses without blighting open green spaces.

The Paddocks, Grove Lane: **Support.** The property most affected by the development and support the application. It will enhance our property and remove existing utilitarian buildings. There are issues with flies and horses in the summer. The legal alternative is for light industrial and this would be far worse. We would be delighted with the development and the site could otherwise be more intensively developed which would be devastating for the lane.

40 Ely Place: **Support:** A regular visitor to Grove Lane where the Paddocks is constantly causing a disruption and blocking the road with its related traffic. These kinds of sites are ideal for development and will prevent open green spaces from being built. This is what I understand the Government wanted to achieve from the NPPF I believe it is paragraph 89.

Issues and Considerations:

The main issues that arise with this application relate to Green Belt, impact to street scene and local character including the Listed Building, Millers Farmhouse, neighbouring amenities, highways and landscaping issues.

Green Belt

The erection of new buildings within the Green Belt is inappropriate development that is by definition harmful. Furthermore, they inevitably impacts on openness and the purposes of including land in the Green Belt. The proposals do not result in a reuse of existing structures and do not result in a gain in respect of openness given they are of a significantly greater scale and floor space than currently exists and would cover the entirety of the site including the existing paddock area. This would result into encroachment into the open Green Belt. The site is in equestrian use, this is not considered brownfield or previously developed land as this is a rural enterprise akin to agriculture. Mindful of the above there is no reason to consider this application as an exception to usual Green Belt policies and the applicant has supplied no very special circumstances to be considered.

In 2004 the site was subject to an application for four dwellings, located around the head of Grove Lane, with gardens extending to the rear of the site. The application was refused for the following reasons:

1. The site lies within the Metropolitan Green Belt. The proposed development is inappropriate in the Green Belt and, by definition, harmful. It fails to protect the openness of the Green Belt or safeguard the countryside from encroachment. The factors put forward by the applicant do not amount to very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the development. The proposal would therefore be contrary to Structure Plan Policy C2 and Local Plan Policy GB2.

2. The proposed development would be detrimental to the visual amenities of the surrounding area and harmful to the character and appearance of this semi-rural countryside location, contrary to policies DBE1, 2 and 4 of the Adopted Local Plan.

This decision was appealed and the Inspector upheld the Councils decision. The Inspector stated clearly *'I do not accept that the presence of the existing stables and barns accords some kind of brown-field accreditation to the appeal site that validates the scheme'*. The previous scheme was for less properties and encroached to a lesser degree than the present proposals. Since 2004 the main change in circumstance to be considered is the alteration in national policy to the NPPF. This policy change did not alter the thrust of the approach to development in the Green Belt. The only meaningful change took place in PPS3 prior to the publication of the NPPF in respect of the definition of previously developed land. This has been carried through to the NPPF. Previously developed land is clearly defined and excludes agricultural and forestry buildings, recreation grounds and allotments. It is impossible to include every potential use, and equestrian use is not expressly excluded, however the approach is unchanged from when the previous Planning Inspector reached his decision and equestrian facilities are considered a rural enterprise akin to agriculture.

Mindful of all these matters it is clear to Officers that the proposals are contrary to Green Belt policy and the site is not within the definition of previously developed or brown-field land.

Street scene and local character

Grove Lane narrows to near a single carriageway adjacent the site and the character is largely defined by Millers Farmhouse at the top of the Lane, a grade II listed building and a terrace of what appear to be former workers cottages and smaller properties opposite. The properties and mature landscaping provide a semi-rural character to the end of Grove Lane. Parking problems locally are derived from the lack of on street provision and the nature of the building line of many of the properties being so close to the street. As such there isn't sufficient depth to park a car on many of the property frontages.

The proposed new dwellings would be five bedroom properties of significant size. The properties fronting Grove Lane would be of a similar length to the opposite terrace and of a greater height albeit set back from the road. This would dominate the existing buildings in the street and detract from views of Millers Farmhouse. The proposed buildings are of a high standard of design, however this does not mitigate the impact of the scale and prominence of the proposed structures. The proposed design and scale of development would in addition detract from the semi-rural character in this location. This issue is only amplified by the loss of mature landscaping.

The listed Millers Farmhouse draws its identity in part from the surrounding landscape. As a former agricultural property, the open space surrounding the building lends to its character. This would be significantly eroded by the large scale properties proposed and the loss of the entirety of the site to built structures. Consequently, the setting of Millers Farmhouse would be disturbed not just when viewed from Grove Lane, but also when viewed from the open countryside to the rear. The proposals would also mean that the eye would be drawn to the large dominant new buildings as opposed to the listed property, diminishing the importance of the listed building within its setting. It has also been made clear by the Conservation Officer that the materials palette is wholly inappropriate and would detract from the appearance of Millers Farmhouse.

Neighbouring amenity

The proposed new dwellings would appear as prominent and overbearing when viewed from neighbouring properties, however this impact would predominantly be to the outlook to the

front of the neighbouring properties. Whilst clearly having an impact, this would not result in overshadowing due to the separation provided by the street and frontages to the properties. The proposals would also not detract significantly from outlook to the rear or in the garden areas of neighbouring properties. Therefore whilst clearly having an impact on neighbouring amenities, the impact would not be to a degree sufficient to justify refusal. Everyday living conditions would be maintained albeit views from neighbouring properties would be interrupted. Planning policy provides no protection to a view. Views from the Paddock and Millers Farmhouse adjacent to the site would in the most part be retained.

Amenity of future occupiers

The properties provide sufficient parking, garden area and have little by way of mutual overlooking, therefore no concerns are raised.

Highways and parking

Grove Lane currently has parking and access issues due to pressures from existing residents and the width of the lane. Access is clearly an issue around parked vehicles, and while that matter has been considered by the Highway Authority it raises no objections to the proposal subject to conditions dealing with a number of matters. They include the width of the access drive, provision of travel packs, submission of details of surface water drainage and requirement that there are no unbound materials within 5m of the highway.

The development proposed onsite meets all of the relevant highway standards or can be made to do so via condition. The access issues that are off site would be no different for traffic visiting new homes than for traffic visiting the equestrian facilities.

A number of objections have been raised regarding construction traffic. Although that does not amount to an objection to proposal, such traffic can be disruptive. The movement of vehicles off site during construction and access challenges would arise irrespective of the type or scale of the proposed development. They are difficult to deal with but temporary in nature and consequently appropriate to deal with by condition. A condition dealing with the method of construction would address this matter and other potential harm arising from the construction process.

Landscaping

The proposed development would result in the loss of landscaping. Issues regarding the impact this would have on street scene and character are considered above. In respect of landscaping preservation, the Council's Tree Officer has assessed the scheme and considers any concerns can be addressed with appropriate conditions for tree protection and submission of details for hard and soft landscaping.

Refuse

The refuse team were consulted and have no objections subject to conditions requiring details of bin stores, permission be issued for weighty refuse trucks to use the new surface, the entrance being engineered to support the weight of the fully loaded refuse truck, key fobs and access codes being provided, detailing of a turning circle being provided and should any of the above fail to be provided, an obligation on homeowners to move refuse to the boundary of the site for collection.

Existing access and collection issues have been noted, however, subject to the above being provided access issues would not impede refuse collection.

Drainage

Thames water has been consulted and confirms they have capacity to supply water and sewage services.

Land drainage has also been consulted and raises no objections subject to provision of a land drainage flood risk assessment due to the size of the development.

Conclusion:

The proposed development is within the Green Belt. It is inappropriate development and harmful to openness. The scale of the buildings proposed, irrespective of standard of design, is such that the proposals would dominate the street scene, appear visually overbearing and detract from the semi-rural character of the lane. The development in terms of amount, scale and location would detract from the setting of the neighbouring listed building and the materials proposed would be out of character and harmful. Mindful of the above, the application is recommended for refusal.

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: Jenny Cordell
Direct Line Telephone Number: 01992 574481***

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