

# OFFICER REPORT

**Application Ref:** EPF/0080/22  
**Application Type:** Full planning permission  
**Case Officer:** Mohinder Bagry  
**Site Address:** 2 Green Lane  
Chigwell  
IG7 6LY  
**Proposal:** Convert garage into living space.  
**Ward:** Chigwell Row  
**Parish:** Chigwell  
**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Nxz3>  
**Recommendation:** Approve with Conditions

*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 is a semi-detached, two-storey dwelling house with garage situated on the north-east end of a lane edging farmland in the Parish of Chigwell. There are a total of three dwellings on Green Lane. The site is on Metropolitan Green Belt. It is not a Listed Building and is not in a Conservation Area. The site lies in an isolated position outside the main village of Chigwell.

## Proposal

The proposal is to convert an existing garage into living space.

## Relevant Planning History

EPF/1714/21 - Application for Variation of condition 2 for EPF/0635/91 (Rebuilding of dwelling) - Reinstatement of permitted development rights. Refuse Permission.

EPF\2020\ENQ\01140 Pre-application advice dated 20/01/2021 – response stated that subject to public consultation, the conversion of the garage into living space was likely to be supported under a full planning application.

EPF/0766/14 – Full Planning Application for an orangery to side elevation. Grant Permission with Conditions.

EPF/0031/14 – Certificate of lawful development for a proposed orangery to side elevation. Not Lawful

EPF/2147/10 – Rear conservatory. Refuse Permission.

EPF/0960/08 – Creation of office over detached garage involving raising of roof and erection of ground floor rear extension. Grant Permission with Conditions.

EPF/0093/07 – Reconstruction of garage roof, infill extension and rear conservatory. Refuse Permission.

EPF/1871/99 – Proposed ground floor rear extensions. Refuse Permission.

EPF/0635/91 – Rebuilding of dwelling – Granted Permission with Conditions\*

\*The allowance for development of extensions and outbuildings on Green Belt under the General Development Permitted Order 2015 have been fully utilised. As such, permitted development rights have been removed on this dwelling.

## **Development Plan Context**

Policies applied:

Combined Policies of the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006)

DBE1, DBE2, DBE4, DBE5, DBE6, DBE9, DBE10, and GBA2.

Epping Forest District Council Local Plan Submission Version (2017)

DM4, DM9 and DM10.

National Planning Policy Framework (2021)

Chapter 13, Paragraphs 147-149

## **Summary of Representations**

Number of neighbours Consulted: 2. 1 response received

Site notice posted: Not required

## **NEIGHBOURS – OBJECTION**

*'We object to the conversion of the existing garage into a living space and building an outbuilding on agricultural land which is not residential curtilage*

*In 1991 the previous owner rebuilt the house and added 57% to the original footprint, more extensions were added in 2008 and 2014 and as a result the majority of the original garden plot has been used, well above the permitted 50%. In 1990's previous owner bought two parcels of agricultural land at the side and at the back of the original garden (see forwarded plan) The proposed outbuilding, which incidentally has no dimensions on this plan, sits within this agricultural land outside of the original garden and therefore is 'not residential curtilage and does not benefit from residential permitted development rights' Therefore we object unreservedly to the building of the outbuilding. In addition, this proposed outbuilding would be visible from the open aspect of the Green belt and would have a detrimental impact. In August 2021 Mr Meade of EFDC stated that any outbuilding on this plot would 'harm the openness of this part of the Green belt and add to the already considerably additional built form'*

*Furthermore in 1991 following the rebuild of no 2 EFDC placed conditions on the property - the garage can only be used for storage and carparking and no further outside building allowed to be erected (EPF/635/91).*

*At present the applicant parks 4 cars on both sides of Green lane, one of these cars for 10 years with no tax, MOT or insurance. Furthermore, the applicant makes it difficult for other road users to access, turn around or park - postman, delivery drivers, recycling lorry by placing logs, bricks, paving stones and written graffiti on septic tank to restrict the free movement of other lane users, horse riders/cyclists/ pedestrians. Allowing the garage to be converted into a living space will support this anti social behaviour of abandoned car, graffiti and various obstacles all detrimental to the green belt'*

## **TOWN/PARISH COUNCIL – Objection**

*‘The council OBJECTS to this proposal, because the proposal has the potential to be inappropriate development/to impact on the openness of the Green Belt. However, if Planning and Landscape Officers are minded to approving this proposal, the committee is willing to withdraw its objection. Again, if the Highways authorities deem that this development would not cause on-street parking, the committee is willing to withdraw its objection’.*

### **Planning Considerations**

The main issues for consideration in this case are:

- a) The principle of residential development
- b) Highway safety and parking provision
- c) The impact on the character and appearance of the locality
- d) The impact to the living conditions of neighbours
- e) The impact on the green belt.

#### *Principle of residential development*

The conversion of an existing garage space attached to a dwelling house is not considered ‘development’ and would not typically require planning consent. However, there is an exception to this where there is a condition attached to a previous consent that required it to be retained for the purposes of garaging vehicles or when permitted development rights have been removed both of which apply in this case.

A previous conditional approval for planning consent under reference EPF/0635/91 stipulated the following:

\*1. ...the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and for no other purpose whatsoever.

Reasons:

1. To ensure the satisfactory off-street provision is made and retained in accordance with the Local Planning Authority’s standards and in the interests of highway safety and to restrict the extension of the living accommodation of the dwelling in view of its location within the Metropolitan Green Belt.

The conversion of the garage into living accommodation responds to meeting modern living space requirements without undertaking further development. In 2007, the planning authority approved an application for the conversion of a garage into a habitable space at No.1 Green Lane. As an immediate neighbour to the applicant, No.1 Green Lane is subject to similar planning constraints in relation to proposals affecting the Green Belt. As there is no ‘development’ as such, and no additional floorspace is created, the proposal safeguards harm to the Green Belt against ‘inappropriate’ development and does not cause significant harm to the character, openness, or permanence of this rural setting. For this reason, it is recommended that the restrictions at No.2 Green Lane to only use the garage for garaging vehicles be reviewed.

Importantly, the recommendation to lift the condition affecting the garage does not impact the condition of removed permitted development rights and this restriction will remain in place to safeguard against harm to the openness of the Green Belt.

#### *Highway safety and parking provision*

The site currently has a hardstanding in front of the garage to comfortably park a vehicle. There is also sufficient on-street parking at the end of the lane for parking for additional occupant vehicles and

visitors. There is no direct link to additional highway safety concerns as a consequence of the proposed development.

### *Character and appearance*

The application site is on Metropolitan Green Belt and is a semi-detached two-storey dwellings situated at the end of Green Lane edging farmland in the Parish of Chigwell. The adjoining neighbouring property is of an identical design and style. The proposed development seeks to use the same materials as existing and remains in similar style with the character and appearance of the site.

The replacement of garage door with windows are acceptable in terms of balance and symmetry with the existing form and meets the design requirements of Essex Design Guide 2018. 'Window subdivisions should be arranged symmetrically about the horizontal and vertical axes of the openings.'

### *Neighbour amenities*

The proposed development is similar to that of the adjoining dwelling who have also converted their garage into living accommodation. The proposal will create symmetry to the adjoining property thereby enhancing the visual impact of the street scene. The proposal does not cause loss of privacy or overlooking to the neighbours. The proposal will not cause significant harm to the living conditions of the neighbours.

### *Green Belt*

The site lies directly within Metropolitan Green Belt, and as such, local and national Green Belt policy constraints apply. The issue is whether the proposed development is 'inappropriate' in the Green Belt. As the conversion of the existing garage does not result in additional floorspace the proposal will not affect the openness and character of the Green Belt.

### *Representations considered*

The first part of the neighbours' objection relates to the erection of an outbuilding on agricultural land. The application is for the conversion of an existing garage on residential land therefore this part of the objection is invalid.

The neighbours' concerns regarding the conversion of the garage into a habitable room will result in more on street parking and further anti-social behaviour. Points regarding the parking of untaxed/uninsured vehicles are not planning matters. The loss of garage space to further burden on street parking is limited as there is sufficient space on the lane to accommodate on street parking as there are a total of 3 dwellings on the lane (one of which has its own ample off-street parking provision). Furthermore, due to the site being at the furthest end of a dead end, there is less issue of traffic congestion and causing obstacles for the free movement of traffic/people than in the opening area of the lane.

Moreover, a precedent has been set with neighbouring dwellings converting the garage into living space and with all matters considered, the same can be afforded to the applicant.

### **Conclusion**

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: Mohinder Bagry on 01992 564135 or***

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

**Conditions: (3)**

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 20713; 20713 (01); 20713 (02); Proposed Front Elevations and 20713 (4).

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DBE10 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

**Informatives: (1)**

- 4 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.