

<b>APPLICATION No:</b>	EPF/1478/08
<b>SITE ADDRESS:</b>	The Meadow Pedlars End Moreton Ongar Essex CM5 0LW
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>APPLICANT:</b>	Mr Glenn Bengtson
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing bungalow and erection of replacement two storey four bedroom dwelling.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

## REASON FOR REFUSAL

- 1 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The Local Plan and Government Guidance as set out in Planning Guidance Note 2 (Green Belt) is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area. The proposed replacement house is materially greater in volume, size and scale than the existing dwelling and therefore is an inappropriate development harmful to the purposes of including land in the Green Belt and would be harmful to the visual amenities of the Green Belt. Accordingly, the proposed replacement house is contrary to the Government advice contained in PPG2, and contrary to Policies GB2A, GB7A and GB15A of the Adopted Local Plan and Alterations. There are no very special circumstances that outweigh the harm of the proposal to the Metropolitan Green Belt.
- 2 The proposed development would, by reason of its poor design and appearance, primarily caused by the mixture of roof form and eave heights, appear as an unacceptable visually intrusive feature in the streetscene harmful to the appearance and character of the surrounding area contrary to Policies DBE1, DBE2, and DBE4 of the Adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor Tony Boyce (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).*

### **Description of Proposal:**

The applicant seeks planning permission for the demolition of an existing two bedroom bungalow and replacing it with a two storey four bedroom detached dwelling.

The proposed dwelling will be located in the same position as the existing bungalow although the building footprint will be larger. The floor area of the existing bungalow is approximately 103 square metres whereas the proposed dwelling will have approximately 256 square metres (130sqm on the ground floor and 126sqm on the first floor). The existing height of the bungalow is 5.8 metres to the pitch of the roof. The proposed dwelling would have a maximum height of 8.4 metres to the ridge of the roof. Materials for the dwelling are to comprise of a brick plinth and weatherboarding above. The roof form will comprise a mix of gable ends and half hip, half gable ends.

The size and shape of the residential curtilage will remain the same with the majority of the private open space being located towards the rear of the proposed dwelling. Vehicle access and parking will remain the same as existing with vehicles parking in the detached garage towards the rear of the site. There are to be no changes or alterations to the existing garage.

### **Description of Site:**

The subject site is known as 'The Meadow' which is a relatively level plot, mainly regular in shape and has a residential curtilage comprising of approximately 550 square metres. Currently located on the site is a medium size bungalow and a detached garage. A high solid brick wall runs along the eastern side and northern rear boundaries. Mature vegetation is located on the front boundary and scattered throughout the rear of the site.

The subject site is located within a small enclave of residential dwellings as Council recently granted permission for 4 double storey dwellings to be constructed on the adjacent site previously used as Showmans winter quarters. A total of 7 dwellings form the enclave. A shared access way provides vehicle access to the subject site and the 4 dwellings that have been recently constructed.

The subject site and the surrounding area are located within the Metropolitan Green Belt with the predominant land use in the locality being agriculture.

### **Relevant History:**

There is no relevant recorded planning history for the subject site.

### **Policies Applied:**

DBE1 Design of New Buildings  
DBE2 Effects on neighbouring properties  
DBE4 Design in the Green Belt  
DBE9 Loss of Amenity  
LL2 Development and Rural Landscape  
LL10 Impact on existing landscaping  
LL11 Landscaping provisions  
CP2 Protection of the rural environment  
CP3 New Development  
CP4 Sustainable Development  
GB2A Development in Green Belt  
GB7A Conspicuous development  
GB15A Replacement Dwellings

### **Issues and Considerations:**

The main issues raised are appropriateness in the Green Belt, design and appearance and impact on the amenities enjoyed by the occupants of neighbouring dwellings.

#### **Green Belt:**

Policy GB15A of the Local Plan states that the replacement of existing permanent dwellings in the Green Belt, on a one for one basis, may be permitted where the new dwelling would not have a greater volume than that to be replaced, will not cause harm to the openness of the Green Belt and will not result in the curtilage being extended.

The building footprint of the new dwelling is only slightly larger than the existing building footprint of the bungalow so if the dwelling was single storey there could be some justification to grant permission on a one for one basis. However, due to the construction of a second floor, the new dwelling would be a lot larger in terms of its volume. Since the policy test relates to volume rather than any other measurement of size the proposal fails to meet the policy requirement that the replacement house does not have a materially greater volume than the building to be replaced.

Therefore the proposal is contrary to Policy GB15A and amounts to inappropriate development in the Green Belt. Such development can only be permitted where very special circumstances exist. The onus is on the applicant to demonstrate that. The applicant relies on the small difference in footprint compared to the existing house. However, this is to ignore the strict policy criteria for assessing such proposals. This cannot amount to a very special circumstance since such an approach could be applied to any other proposal for a replacement dwelling in the Green Belt. Acceptance of this approach would seriously undermine adopted Council policy. Since the proposal is inappropriate development in the Green Belt for which no very special circumstances exist, it is also contrary to the requirements of Policy GB2A and provisions of PPG2. Having regard to the excessive size of the proposed house, it is harmful to the visual amenities of the Green Belt. Consequently the proposal is also contrary to policy GB7A.

In arriving at this conclusion consideration has been given to whether the previously approved 4 x two-storey houses on an adjacent site serves as a precedent or has the consequence of so greatly changing the character of the locality that it amounts to a very special circumstance. In that case planning permission was only granted for the 4 houses because it secured the removal of a showmans winter quarters that was assessed as having a far more harmful impact on the openness of the Green Belt than the proposed houses. Consequently there was a great improvement in openness that arose from very site specific circumstances not readily capable of being repeated on any other land in the Green Belt. As such, the houses cannot be said to create a precedent.

The houses have certainly resulted in a change in the character of the immediate locality, but that is one from a showmans winter quarters to 4 houses that amount to an enhancement of the open and rural character of the locality. Such a change certainly cannot amount to a very special circumstance sufficient to overcome the harm that would be caused to the Green Belt by reason of inappropriateness.

#### **Design and Appearance:**

Policies DBE1, DBE2, and DBE4 of the Epping Forest District Local Plan seek to ensure that a new development is satisfactorily located and is of a high standard of design and layout. The appearance of new developments should be compatible with the character of the surrounding area.

Although the nearby properties known as Brookside and Highlands are single storey, it is considered that the two storey nature of the proposed dwelling would not appear dominant in relation to the form of the street scene as the 4 recently constructed dwellings on the former showman's site are all double storey.

Although the form of the development is acceptable, the overall design and appearance of the building does not respect the character of the surrounding area or a traditional building found in a rural area because the roof form comprising a mixture of half hip, half gable and gable roofs create different eaves heights for different components of the dwelling. This leads to a confused design in which it is not clear whether the dwelling is meant to be one storey or two stories in height.

It could be argued that this is a form of articulation to provide visual interest however it is considered that the proposed design of the building achieves the opposite. It could also be argued that the 4 recently constructed dwellings are a bit bland and don't provide much visual interest, however it is considered that any new development should reflect the character and design of the existing dwellings in the surrounding area.

It is considered that the proposed development is contrary to policies DBE2 and DBE4.

#### Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to privacy and overshadowing.

Given the orientation of the site and the siting of dwellings, overshadowing of the adjoining properties private open space is minor, with any shadow generally cast over the subject site itself. Although there would be some overshadowing of adjoining properties adequate sunlight will still be received to garden areas and windows of habitable room windows at the adjoining properties throughout the day.

There would not be any significant loss of privacy to adjoining properties as the only flank window proposed will service bathrooms and landing areas and these windows can be conditioned to be obscured glazed.

It is noted that there are first floor windows proposed on 3 of the 4 elevations. The only elevation without first floor windows is the western side elevation. It is considered that there is a significant distance between the adjoining property and the rear façade of the proposed dwelling so as not to cause serious harm by reason of overlooking. Other first floor windows would only overlook the front garden and the paddock to the east which is owned by the applicant.

Overall it is considered that there would be no harm caused to the amenities enjoyed by adjoining occupiers.

#### Conclusion:

By reason of its excessive size in comparison with the existing house the proposed replacement house amounts to inappropriate development in the Green Belt. No very special circumstances of sufficient weight to override the harm caused to the Green Belt exist. Moreover, the proposed house is also not acceptable due to its poor design and appearance. Accordingly, the proposal is contrary to adopted planning policy in respect of the Green Belt and design of new buildings. It is therefore recommended that the planning application be refused for the reasons outlined above.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: The committee has no objections regarding the application.

1 MORETON GATE: Object - Their main concerns are as follows:

- Loss of view lines
- Inaccuracy of plans and points detailed in design & access statement
- Loss of privacy
- Out of character.
- Loss of sunlight and daylight.