

Report Item No: 1

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| APPLICATION No: | EPF/2414/08 |
| SITE ADDRESS: | Land fronting Brambles Epping Road Nazeing Essex EN9 2DH |
| PARISH: | Roydon |
| WARD: | Broadley Common, Epping Upland and Nazeing |
| APPLICANT: | Mr Derick Dale |
| DESCRIPTION OF PROPOSAL: | Erection of two detached dwellings with associated garaging. |
| RECOMMENDED DECISION: | Refuse Permission |

REASON FOR REFUSAL

- 1 The site is located within the Metropolitan Green Belt and the proposal does not constitute appropriate development in the Green Belt. Therefore the proposal is at odds with the objectives of the Metropolitan Green Belt. Furthermore, the special circumstances submitted with the application are not considered sufficient to outweigh the harm to the Metropolitan Green Belt. As such the proposed development fails to comply with PPG2 and policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed development is not situated in a location that is readily accessible by existing and committed sustainable means of transport, nor is it well served by local facilities. As such the proposal would be contrary to the provisions of policies CP1, CP3, CP7 and ST1 of the adopted Local Plan and Alterations.
- 3 The proposed development, due to the scale and design of the dwellings and garage buildings, would detrimentally impact on the character and appearance of the conservation area and the locality, contrary to policies CP2, DBE4, HC6 and HC7 of the adopted Local Plan and Alterations.

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

Description of Proposal:

Consent is being sought for the erection of two dwellings within the front garden area of Brambles, Epping Road. The dwellings would have footprints of some 117 sq. m. with plot 1 having a

detached double garage and plot 2 having a linked detached double garage. The two dwellings, along with the existing property known as Brambles, would be served by the existing vehicle access, although it is proposed to enlarge this to a width of 4.8m.

Description of Site:

Large detached chalet bungalow located to the rear of the other properties in this section of Epping Road. The existing dwelling has a very large front and side garden and sits contrary to the building line of the surrounding area. The site is located within the Metropolitan Green Belt and the Nazeing and South Roydon Conservation area.

Relevant History:

EPR/0013/53 - Bungalow – approved/conditions 25/03/53

EPR/0080/53 - Bungalow – approved 20/06/53

EPF/0459/76 - Erection of ground floor extension and alterations and the construction of dormer windows – approved/conditions 21/06/76

EPF/1342/78 - Outline application for dwelling – refused 13/11/78 (appeal dismissed 23/04/79)

EPF/0685/83 - Use of former packing shed as an exercise room, sauna and beauty treatment room – refused 25/07/83

EPF/1060/91 - Occupation of dwelling without compliance with agricultural occupancy condition – refused 01/11/91 (appeal dismissed 25/06/92)

EPF/0845/93 - Erection of timber store shed – approved 09/11/93

CLD/EPF/0635/03 - Certificate of Lawfulness for existing use of occupation of dwelling without compliance with agricultural occupancy condition – approved/conditions 25/04/03

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

CP7 – Urban form and quality

GB2A – Development in the Green Belt

HC6 – Character, appearance and setting of conservation areas

HC7 – Development within conservation areas

H2A – Previously developed land

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

DBE8 – Private amenity space

DBE9 – Loss of amenity

LL1 – Rural landscape

LL2 – Inappropriate rural development

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping schemes

ST1 – Location of development

ST4 – Road safety

ST6 – Vehicle parking

U2A – Development in Flood Risk Areas

U2B – Flood Risk Assessment zones

Issues and Considerations:

The main issues here relate to the impact on the Green Belt, the general location of the development, amenity considerations, the design of the properties, the impact on the conservation area, landscaping considerations, and with regards to highway safety and vehicle parking.

Green Belt

The application site is situated within the Metropolitan Green Belt. Local Plan policy GB2A, which reflects the guidance given in PPG2, states that the construction of new buildings in the Green Belt will not be granted unless it is:

- (i) for the purposes of agriculture, horticulture, or forestry;
- (ii) for the purposes of outdoor participatory sport and recreation or associated essential small-scale buildings;
- (iii) for the purposes of a cemetery;
- (iv) for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in the Green Belt;
- (v) a dwelling for an agricultural, horticultural or forestry worker;
- (vi) a replacement for an existing dwelling;
- (vii) a limited extension to an existing dwelling.

This application is for two residential properties, but does not propose these for agricultural, horticultural or forestry worker dwellings. As such the proposed development would be inappropriate development which, by definition, is harmful to the Green Belt. Due to this, it has to be assessed as to whether there are very special circumstances in this instance that are sufficient to outweigh this harm. The special circumstances put forward by the applicant are that there are potential proposals to develop the area of Green Belt land to the northeast of the site and as planning permission was granted in 2008 for two new dwellings at Silcocks Farm, which is located some 135m from the application site.

The potential development to the northeast of the application site has arisen from the East of England Plan which promotes a small scale level of additional housing to the south and west of Harlow to form part of its urban extension, and also states that the Green Belt boundaries should be redrawn to cater for this. Epping Forest District Council opposed the potential Harlow expansion in this direction and at present there have been no planning applications submitted for such a development. Any application that is received will be dealt with under current policies and would most likely be resisted due to the impact on the Metropolitan Green Belt. Notwithstanding this, it is not considered that a speculative development close to the application site should set a precedent for an inappropriate development such as that proposed in this location.

The recently approved planning application for two new dwellings at Silcocks Farm was considered acceptable on the strength of its special circumstances, which related to the history of the site. The two dwellings at Silcocks Farm were originally approved in the mid 1980s, and were constantly reapplied for. Due to this it was not considered reasonable for the Council to refuse permission in 2008 after 25 years of considering the proposal acceptable. In this instance it was clearly identified that the proposed development was contrary to Green Belt policy, however it had very special circumstances to overcome this. The very special circumstances for the Silcocks Farm site cannot be transferred and argued for this application site, and it is not considered that the Silcocks Farm development sets a precedent for this inappropriate development.

Planning permission was previously refused on this site for a single dwelling in 1978 on Green Belt grounds and as it "would result in the consolidation of the existing sporadic development remote from the centre of population/village centre". Whilst the planning policies have changed several times since this date, the principle of development in the Green Belt has been little altered and it is still considered that new dwellings are inappropriate unless very special circumstances can be shown.

The application site is located within the existing built up area of Broadley Common, within an area of residential curtilage (considered as Previously Developed Land under PPS3). Whilst the development of previously developed land is favoured over 'green field' sites, this does not apply irrespective of the nature or designation of the site. As such the intrinsic harm to the Green Belt would far outweigh the benefit of the use of this previously developed site.

The existing dwelling known as Brambles was originally erected as an agricultural workers dwelling, and in 2003 had a certificate of lawful use given for 10 years continued occupation without complying with the agricultural tie. Although there are two further dwellings to the southeast and residential properties opposite the site, this site is located on the very edge of this ribbon development and is in a very rural location. The immediate neighbouring property to the southeast is a large glasshouse development, which is currently detached from the main residential area of Broadley Common due to the application site. The proposed dwellings would infill this section and, as previously stated, would consolidate the existing sporadic development in this rural edge of the ribbon development. This opinion was previously supported by the Planning Inspectorate and it is not felt that the situation has changed since this time. As such this proposal would not constitute a 'limited infill' to an existing village. In any case for infilling to be acceptable the location would have needed to have been identified in the Local Plan as suitable for infilling, and this is not the case.

Planning permission was refused in 2008 for a new dwelling at Barn Cottage, Epping Road, which is the closest residential property to the southeast of the application site, and for one to the side of Clifton Lodge, Epping Road, which is to the northwest of Broadley Common. Both these schemes were refused on Green Belt grounds and it is not considered that there are very special circumstances relating to this site either. The proposal also constitutes inappropriate development that is not only by definition, harmful to the Green Belt, but is also clearly physically harmful, significantly reducing the openness of the Green Belt. As there are no sufficient very special circumstances to outweigh the harm from this, the development fails to comply with national guidance and Local Planning policies and should therefore be refused.

Location

Further to the proposal constituting inappropriate development in the Green Belt, the Planning Inspector also concluded in the 1978 appeal that "a new house on this site would, by adding to the established ribbon of dwellings, create pressure for building up of other vacant land hereabouts, the effect of which, cumulatively, would be significantly adverse to the existing character of the area and which would prejudice the desirable planning objective of directing new housing to places with adequate community facilities". Whilst at this time sustainable development was not at the fore in planning terms, the principle of this statement is that the site is poorly located for additional development.

Under the Local Plan core policies and policy ST1, new development in rural areas should be in "locations with access to regular public transport services and containing basic shops and other facilities" and should 'avoid further commuting, especially where it is dependent upon private car use'. The application site is located within a small rural settlement that is not well served by public transport and does not have sufficient shops or other facilities to meet day to day requirements. As such any future occupiers of the proposed dwellings would make the majority of trips by car and would likely result in increased commuting to large urban settlements for employment purposes, which is contrary to Local Plan policies.

Amenity

The proposed dwellings would have private amenity spaces to the rear, of 416 sq. m. and 568 sq. m. Both these gardens would meet the requirements of DBE8 and the Essex Design Guide, and would not be significantly overlooked by neighbouring properties.

The proposed dwellings would be sufficient distance from the surrounding residential properties and would not result in a detrimental loss of light, privacy or visual amenity. The pair of houses have been designed so as not to impact on the future occupiers of the properties, nor would they impact on the existing property known as Brambles.

Design and impact on conservation area

The application site is located within the Nazeing and South Roydon Conservation Area. Currently the site consists of the large open front garden to Brambles and contains a front hedge, several trees and other vegetation bordering the site. It is considered that this visual gap and area of open landscape contributes to the important landscape features that are a fundamental part of the character and appearance of this conservation area. As such the infilling of this area, between the ribbon development of Broadley Common and the somewhat unsightly glasshouses to the east of the site, would materially impact on the character of the conservation area and would therefore be unacceptable.

It is also considered that the scale, massing and height of the proposed dwellings would further erode the open landscape character of this area. The design of the dwellings in general, and the detached garages in particular with the bell towers on top, are inappropriate to the built character of this area. As such the proposed development would exacerbate the erosion of the small scale rural qualities of this conservation area.

Landscaping

There are some trees located on site, a hedge forming the boundary fronting Epping Road, and a large vegetated belt along the eastern boundary. It is proposed to remove the existing vegetation and plant new shrubs along the northern and eastern boundaries in front of a 1.8m close boarded fence. None of the trees on site are covered by TPO's, and the existing vegetation is of no particular merit. Whilst its replacement would be required, it would be preferable that as much of the existing vegetation as possible is retained, however the failure to do this would not constitute a reason for refusal. As such, subject to the submission of a landscaping condition, the proposed development would not be detrimental to Local Plan policies LL10 and LL11.

Highway safety/parking

The proposed dwellings, and the existing property known as Brambles, would be served by the existing vehicle crossover, which would be extended in width to 4.8m. The sight lines and usage of the access are acceptable and the enlargement of the vehicle access would not be unduly detrimental to highway safety.

As previously stated, the application site is located in an unsustainable location not well served by public transport. As such three parking spaces are required for each property. Given that the proposed dwellings would each be served by a double garage, and have sufficient space within the front gardens for overspill parking and turning space, the proposal would comply with policies ST4 and ST6 of the Local Plan.

Other consideration

The application site is located within an EFDC Flood Risk Assessment zone and, given the size of the proposed works, this development would result in an increase in rainfall runoff. As such a Flood Risk Assessment would be required, which in this instance could be secured via condition.

Conclusion:

In summary, the proposed dwellings would constitute inappropriate development within the Green Belt and have demonstrated insufficient very special circumstances to overcome the harm from this. Furthermore the design of the proposed dwellings would detrimentally impact on the character and appearance of the conservation area and would exacerbate the erosion of the rural qualities of the locality, and the proposal would be situated in an unsustainable location resulting in a reliance on commuting and car usage. As such this proposal is contrary to PPG2 and Local Plan policies CP1, CP2, CP3, CP7, GB2A, HC6, HC7, DBE4 and ST1 and is therefore recommended for refusal.

SUMMARY OF REPRESENTATIONS:

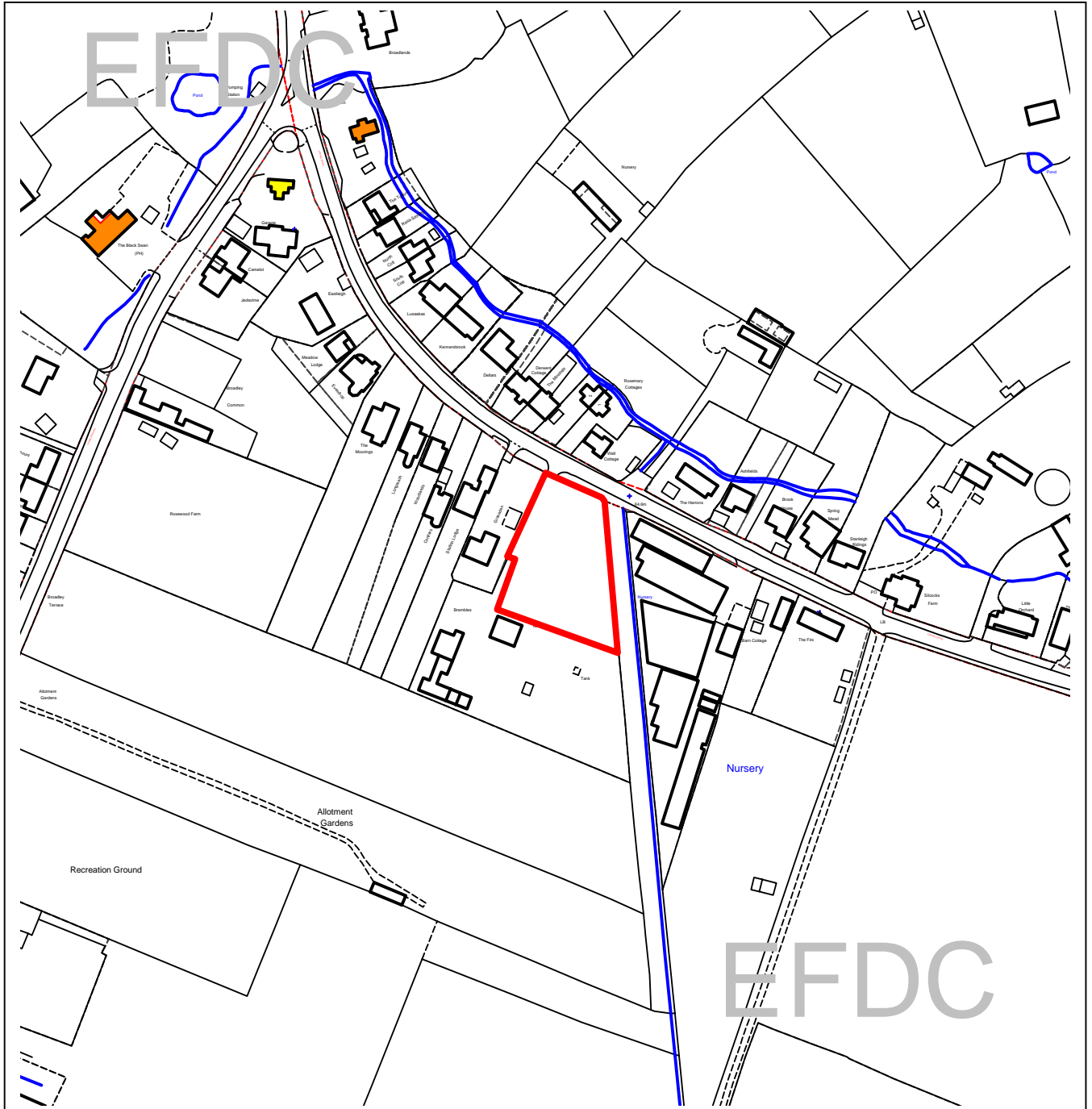
PARISH COUNCIL – No objection but require confirmation that the site is not within the Metropolitan Green Belt, that three houses using the same access is acceptable, and whether ECC Highways have any objections relating to sight lines onto Epping Road.

THE MINSTRELS, EPPING ROAD – Concerned that the plot would be overcrowded, especially as it is in the conservation area. Also would prefer for the front lawn to remain as is and the existing trees to be retained.



Epping Forest District Council

Area Planning Sub-Committee West



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| Agenda Item Number: | 1 |
| Application Number: | EPF/2414/08 |
| Site Name: | Land fronting Brambles, Epping Road, Nazeing, EN9 2DH |
| Scale of Plot: | 1/2500 |

Report Item No: 2

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| APPLICATION No: | EPF/0067/09 |
| SITE ADDRESS: | Orchard Cottage Epping Road Roydon Harlow Essex CM19 5DA |
| PARISH: | Roydon |
| WARD: | Roydon |
| APPLICANT: | Mr Henry Simmons |
| DESCRIPTION OF PROPOSAL: | Conversion of garage to ancillary accommodation and new single storey link to join house to ancillary building. |
| RECOMMENDED DECISION: | Grant Permission (With Conditions) |

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 Materials to be used for the external finishes of the proposed extension/conversion shall match those of the existing building or as indicated on the submitted application forms and plans.
- 3 The proposed ancillary accommodation shall only be used in connection with the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Orchard Cottage, Epping Road, Roydon.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Consent is being sought for the conversion of the existing garage and ancillary detached outbuilding to ancillary accommodation and to erect a single storey link building to join the detached building to the main dwelling. The proposal link would be 3.5m wide and 3.3m deep and would be predominantly glazed with a ridged tile roof to a maximum height of 3m. The garage conversion would involve the replacement of the existing garage door with a flush window but would involve no further external alterations.

Description of Site:

Two storey detached dwelling located on the eastern side of Epping Road, Roydon. The application site is located on the edge of the built-up area of Roydon, within the Metropolitan Green Belt. To the north south and west are residential properties, with open fields to the east.

Relevant History:

EPR/0112/50 - Alterations to extensions – approved 10/05/50
EPF/0164/92 - Erection of two storey extension, change of use of existing garage and erection of replacement garage – approved/conditions 21/05/92
EPF/0594/99 - Erection of replacement dwelling – refused 04/10/99 (appeal dismissed 21/02/00)
EPF/1750/99 - Two storey side extension, use of garage as domestic games room and erection of new double garage (previously approved - EPF/164/92) – approved/conditions 24/12/99
EPF/0439/00 - Proposed replacement dwelling – refused 17/05/00
EPF/0904/00 - Demolition of existing residential dwelling and erection of replacement house – approved/conditions 12/07/00
EPF/1292/00 - Erection of detached triple garage – approved/conditions 15/05/01
EPF/0325/03 - Demolition and replacement of existing two storey garage/games room – refused 31/03/03
EPF/1430/03 - Demolition and replacement single storey garage/games room (revised application) – approved/conditions 26/08/03
EPF/0048/04 - Single storey side extension for boiler/utility room – approved/conditions 27/02/04

Policies Applied:

GB2A – Development in the Green Belt
GB14A – Residential extensions
DBE4 – Design in the Green Belt
DBE9 – Loss of amenity
DBE10 – Residential extensions
ST6 – Vehicle parking

Issues and Considerations:

The main issues here relate to the potential impact on the Green Belt, neighbouring properties, parking and highway considerations, and with regards to the design.

Green Belt

There is a fairly long history to the application site with both the main house and the detached garage (proposed to be converted) previously being replaced. The original property on the site had been extended a great amount and, due to this, the replacement property was only approved as it was of the same volume as that which it replaced. Due to this, permitted development rights Class A and B were removed from the dwelling. Planning permission was also granted for a replacement detached garage, which was slightly larger than the original but considered acceptable. It is this replacement detached garage that is proposed to be used for ancillary accommodation.

The previous property was considered to have met its limits in terms of 'limited extensions' and as such extensions to the like-for-like (size wise) replacement house will generally be resisted. Notwithstanding this, chapter 5.62a of the Local Plan, which deals with residential extensions in the Green Belt, states that "when the maximum amount of floor space increase has been reached, further applications for extension will not be permitted **except for minor extensions**". Due to this, a single storey side addition was added to the replacement property in 2004 to provide a boiler/utility room, which was considered a minor extension. Similarly, given that the proposed link

would be single storey, predominantly glazed, and would have a floor area of just 11.5 sq. m., it is considered that the proposed link building would also constitute a minor extension and as such would not be contrary to Local Plan policies GB2A and GB14A.

The proposed conversion would change the use of the detached outbuilding from a garage, games room and store room to ancillary accommodation. The only physical alteration to the building, excluding the link addressed above, would be the removal of the garage door, insertion of a flush window and internal alterations, of which we have received no details. However, internal alterations would not require planning permission so details of these would not be required. Given the location/position of the outbuilding in relation to the main house, and the window placement, it is unlikely that this outbuilding would be used as a separate dwelling. Notwithstanding this, any planning approval should be conditioned to ensure that the ancillary accommodation is only used in connection with the main dwelling and is not sold off separately.

The parish council have objected to the proposal in terms of overdevelopment, although they give no justification for this. As the scheme is primarily for the conversion of an existing building and the linked extension is of a very small scale, it is not felt that this proposal would result in an overdevelopment of this substantial site.

Amenity consideration

The only alterations that would occur from this development are the construction of a single storey link building, which would be wholly located between the existing house and outbuilding, and the insertion of a flush window replacing the garage doors. None of these aspects would detrimentally impact on the amenities of the neighbouring properties, and as such this proposal complies with Local Plan policy DBE9.

Parking

The existing garage building under consideration here was approved in 2003 and had a condition stating that it had to 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 shall at no time be converted into a room or used for any other purpose'. The reason for this condition was to protect against the outbuilding being used separately from the house, which would have been contrary to Green Belt policies. As previously stated, a condition would be required on this application to ensure that the building is not used separately from the house.

In terms of the provision of covered parking, there is a detached triple garage block to the southwest of the dwelling that meets the Essex County Council parking standards for off-street parking provision on a house of this size in a rural location. Also, if required, there is adequate space within the front garden for overflow/visitor parking. As such, the loss of this detached garage for vehicle parking would not be detrimental to policy ST6.

Design

The proposed link building would be predominantly glazed with a low ridged roof to match the existing house. It would be set back some 34m from the edge of the highway, and as such would not be particularly visible from the street scene. The link and alteration to the façade of the garage would not be detrimental to the overall character or appearance of the dwelling and would not detrimentally impact on the appearance of the Green Belt. As such this proposal would comply with policies DBE4 and DBE10 of the Local Plan.

Conclusion:

The conversion of the garage and proposed link extension are considered minor extensions to this Green Belt property and would not detrimentally impact on the character or appearance of the existing dwelling, the street scene, or the Green Belt. The loss of the garage would not be detrimental to the overall level of off-street parking provision for the site and therefore, subject to conditions controlling the use of the proposed ancillary accommodation, this proposal complies with all relevant Local Plan policies and is recommended for approval.

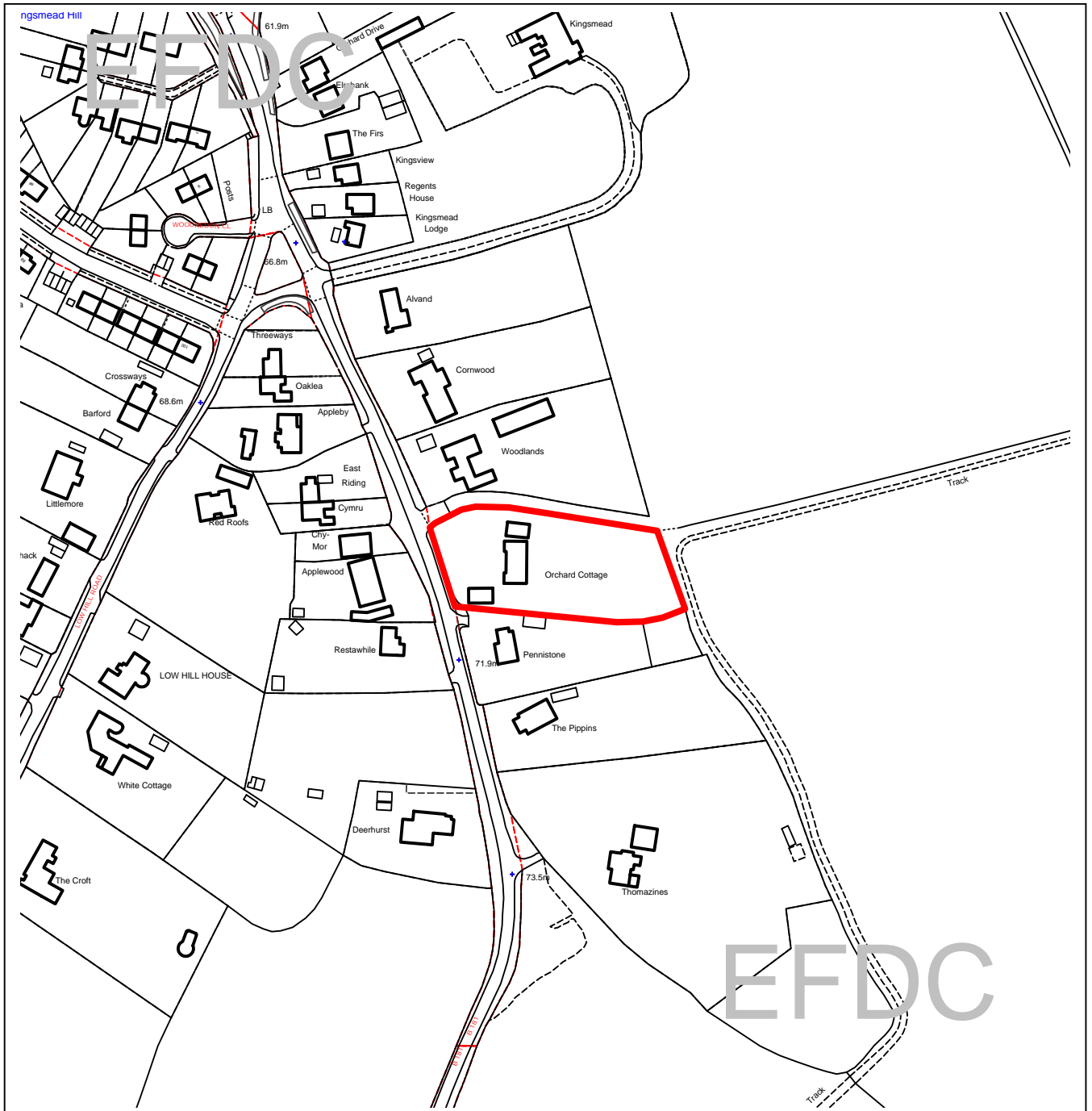
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object:: overdevelopment.



Epping Forest District Council

Area Planning Sub-Committee West



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| Agenda Item Number: | 2 |
| Application Number: | EPF/0067/09 |
| Site Name: | Orchard Cottage, Epping Road, Roydon CM19 5DA |