

## Extract from Plans Subcommittee South Agenda of 29 February 2012-03-30

<b>APPLICATION No:</b>	EPF/2300/11
<b>SITE ADDRESS:</b>	Brookside Garage Gravel Lane Chigwell Essex IG7 6DQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village  Lambourne
<b>APPLICANT:</b>	Brookside Garage
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of replacement workshop and resurfacing existing yard.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

### Click on the link below to view related plans and documents for this case:

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=532683](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532683)

### REASON FOR REFUSAL

- 1 The site is within the Metropolitan Green Belt. The proposed commercial building is excessively large and not required for any of the land use objectives for Green Belts. The proposal therefore, amounts to inappropriate development as defined in Planning Policy Guidance Note 2 and is by definition harmful to the Green Belt. It would cause clear harm to its openness and rural character. There are no very special circumstances in favour of the development that outweigh the harm caused to the Green Belt. The proposal is therefore contrary to Policies GB2A and GB7A of the Council's Adopted Local Plan and Alterations.

*This application is before this Committee since it would otherwise have been refused under delegated powers by the Director of Planning and Economic Development, but there is support from the relevant local Parish/Town Council and no other overriding planning consideration necessitates refusal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(I))*

### **Description of Site:**

The subject site covers an area of approximately 1.2 hectares of land and lies east of Gravel Lane, Chigwell. It operates as commercial premises, trading as Brookside Motor Garage. The premises form part of a small cluster of ribbon development along Gravel Lane and immediate neighbouring site Taylors Cottages, forms a row of residential properties. The site accommodates an existing rectangular workshop building and two detached brick buildings. There is a small trailer and an open timber shed further east into the site accessed across a narrow bridge. East of the site lies a large area of existing hardstanding used as open storage for motor vehicles. The site is within the Metropolitan Green Belt

### **Description of Proposal:**

This application is to demolish an existing brick building and replace this with a larger steel framed building to be used as an additional workshop and MOT station. (Revised application)

The building will be square in plan and will be approximately 13.7 metres by 13.7 metres and its eaves height will be 5.0 metres and 6.2 metres to its ridge.

### **Relevant History:**

CHIG/142/60 – Use for garaging commercial vehicles (Brookside) – Approved

CHIG/292/66 – Continued use for motor vehicle repairs – Approved/ conditions

CHI/463/70 – Continued use for motor vehicle repairs – Approved

CHI/500/72 – Continued use for motor vehicle repairs – Lapsed

EPF/2193/05 – Certificate of lawfulness for existing use for storage and motor vehicle repairs, recovery and police inspection. Lawful

EPF/0792/10 - Erection of a steel framed building to be used as an additional workshop and MOT station. Withdrawn

EPF/2205/10 - Erection of a steel framed building to be used as an additional workshop and MOT station. (Revised application) Refused.

### **Policies Applied:**

CP2 – Protect the quality of the built environment

DBE1 and DBE2 – Design and appearance of new buildings

DBE4 – Design of buildings in the Green Belt

DBE9 – Neighbouring occupiers amenity

GB2A and GB7A – Green belt/ conspicuous development in the green belt

ST4 – Road safety

LL10 – Landscape retention

### **Summary of Representations:**

A site notice was displayed and 4 letters sent to neighbouring occupiers. No letters of representation have been received.

CHIGWELL PARISH COUNCIL – The Council SUPPORTS this application.

### **Issues and Considerations:**

The issues raised by this revised proposal include the impact on highway safety, the design and appearance of the new building and amenity of neighbouring occupiers'. The main issues are whether the development is appropriate in the Metropolitan Green Belt and if it is not, whether the applicant has demonstrated very special circumstances sufficient to allow an inappropriate development. The previously refused proposal was rejected based on there being no demonstrable very special circumstances in favour of an inappropriate development.

### **Green Belt**

The lawful use for this site is for the storage and repair of motor vehicles. A large area of the eastern part of the site is used for additional open storage of vehicles. There is presently an existing detached building sited some 7.0 metres from Gravel Lane that serves as a workshop. In addition, there are two other smaller buildings (one open ended) and one larger building on site. In

support of this proposal, the larger existing building will be demolished in order to erect the replacement building.

The erection of new buildings in the Metropolitan Green Belt (MGB) that are not reasonably required for purposes that do not conflict with the purposes of including the land in the MGB is inappropriate development. In addition, new buildings should not be conspicuous from within or beyond the Green Belt if they would have an excessive adverse impact upon the opens, rural character or visual amenities.

The existing and proposed plans/ elevations are inaccurate which makes it difficult to ascertain the exact net volume increase from the existing building to be demolished and its replacement. Notwithstanding, the Planning Statement makes clear the proposed building will be 169 sqm (reduced from the previous proposal for a 400 sqm building) and the existing workshop building to be demolished is some 80 sqm. This will amount to a significant volume increase that will in effect more than double the size of the existing building. The proposed new building and hardsurfaced areas will be used for general industrial purposes and as such, does not fall within any of the acceptable forms of development in the Green Belt. It is therefore inappropriate development in the Green Belt and is by definition, harmful to the Green Belt. In addition, by reason of its height, size and volume, the proposed building will result in a large and conspicuous development in the Green Belt that would harm the rural character of the area.

The Parish Council's 'Support' for this proposal and the additional supporting planning statement has been given weight. However; Chigwell Parish Council has not given reasons for its position and accordingly only very little weight may be applied to this consideration when deciding whether or not to permit inappropriate development in the Green Belt.

#### Whether there are special circumstances

The Applicants' supporting planning statement argues that very special circumstances exist which would justify allowing the development within the Metropolitan Green Belt. The reason cited is that the site is a 'protected' employment location. Policy E4A seeks to protect sites currently or last in use for employment outside the defined employment area from redevelopment or for a change of use to other land uses. The lawful commercial use of this site is accepted.

The supporting text contained within paragraph 10.53a states that these small employment sites can make an important contribution to the local economy. It goes to clarify that the protection of these sites is needed because they are under threat from increasing pressure for residential development. Therefore, whilst this policy does seek to protect such sites from redevelopment, it does not categorically support the intensification of any lawful use.

The site is presently a small to medium sized operation. A larger building is needed for the intended purposes of an MOT station which will significantly intensify the present commercial use of this site. However, the site is close to residential properties and the proposed new use for an MOT station will generate increased noise levels, which is not appropriate immediately adjacent to residential properties within this rural locality.

Although there are a number of other smaller buildings within the site, the Applicant proposes to demolish only one small building as a trade off. When comparing the size of the building to be demolished with its replacement, it does not amount in a significant reduction of the built form.

The Applicant states the existing external untidy yard would be cleared. However, by the very nature of the commercial enterprise this level of external activity is to be expected. If the new build were to be allowed, it would not limit or reduce the external activity working within the yard areas. It would also not be reasonable to condition the yard areas not to be used should the new building be erected.

The statement also offers that one or possible two job opportunities could be created. However, it would be difficult for potential employees to commute to and from the site without a car because there are no local bus routes that serve this part of Gravel Lane.

Although a large portion of this site is previously developed by the areas of hard standing, it is in a Green Belt location. The size of the building proposed is overly large. The intended use for an MOT station does not fall within the acceptable uses within the Green Belt. The Applicants' case for special circumstances has been taken into consideration. However, whilst the local economy may benefit from possible new job creation, this reason alone does not amount to very special circumstances which justify the intensification of the commercial activity on this site which would outweigh the harm to the Green Belt.

#### Design/ appearance within the street

The proposed building is large. However, it will generally conform to the size required for buildings to be used for general industrial purposes and is therefore acceptable. The proposed building will be sited approximately 46 metres from the road and will be well screened from the road by trees.

It is considered that the building's size, design and appearance is such that it will not result in an adverse or negative impact on the street scene.

#### Neighbours Amenity

The use of this site for commercial purposes is already established. The proposed building will be sited some 25.0 metres from the nearest residential property, which raises some concern due to the potential for increased noise levels from the use of heavy machinery. However, an appropriate condition for opening hours and hours of use could ensure any intensification will not result in material harm to neighbouring occupier's amenity.

#### Land drainage

The site does not lie within a Flood Risk Assessment Zone. However, as the building will measure 324 m<sup>2</sup> it will lead to an increase in surface water. A Flood Risk Assessment is required and this can be secured by a condition.

The land drainage officer does not raise any objection to the application.

#### Landscape

The eastern and southern boundary of the site is well tree'd with dense leylandii. The new building will be at an adequate distance from existing landscaping such that it should not be affected by this proposal. The trees within and around the site are not a risk, therefore there are no tree or landscape issues in connection with this application.

#### Highway safety

According to Essex County Council Highway Authority, accident data for the last 5 years has been investigated and has shown that there are no recorded accidents associated with this site. It is considered there will be little if any increase in vehicle movement into the site as a result and on balance, the Highway Authority does not wish to raise an objection. The proposal will not be detrimental to highway safety or efficiency at this location on the proviso a condition is added to improve current visibility for the site.

## **Conclusion**

The supporting planning statement claims very special circumstances on the basis that it allows additional employment opportunities for this site; however, the site is not in a sustainable location. The proposal is considered inappropriate and the very special circumstances do not outweigh the harm caused in this Green Belt location and as such 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:***

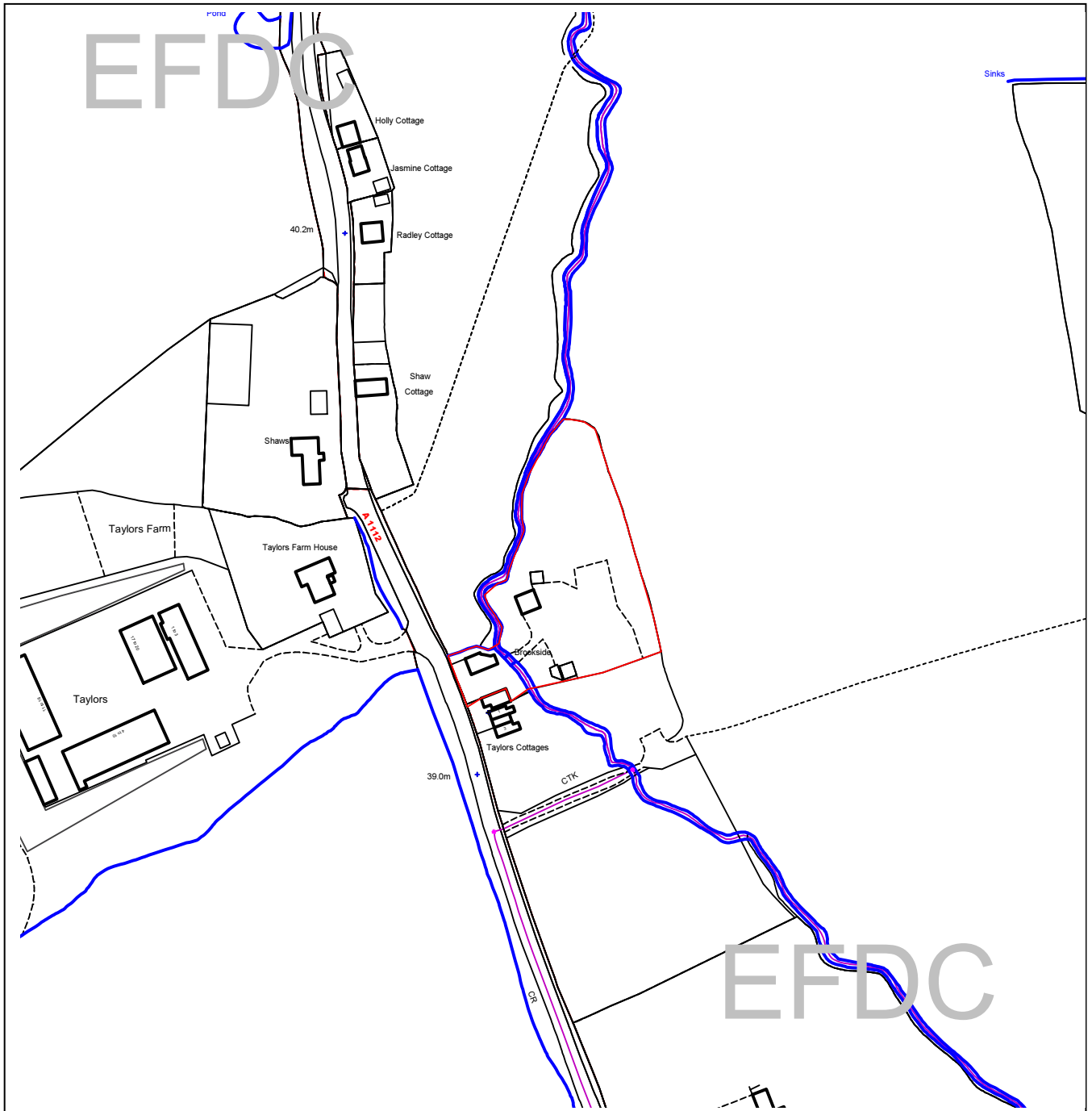
***Planning Application Case Officer: Paula Onyia  
Direct Line Telephone Number: 01992 564103***

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



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/2300/11
Site Name:	Brookside Garage, Gravel Lane Chigwell, IG7 6DQ
Scale of Plot:	1/2500