

Report to District Development Control Committee

Date of meeting: 7 March 2006

Subject: Wyldwoods, Woodgreen Road, Waltham Abbey - Demolition of Existing 'Coach House' and Erection of New Dwelling on Same Footprint (EPF/2208/05)



**Officer contact for further information: B land
Committee Secretary: S Hill Ext 4249**

Recommendation

That the committee considers the recommendation of Area Plans Subcommittee D that permission be granted for the erection of a new dwelling.

Report Detail

Background

1. This application has been referred to this committee by Area Plans Subcommittee D with the recommendation that permission be granted, since to grant permission would be contrary to the Council's adopted policy. The application was reported to that committee at its meeting on 22 February 2006 with an officer recommendation for refusal and a copy of that report is appended.

Planning Issues

2. The main issue in determining this application concerns Green Belt policy and whether very special circumstances exist to allow an exception to be made to the normal presumption against the erection of new dwellings.
3. Planning permission was granted in 2003 for the conversion of this dilapidated outbuilding to form a two bedroomed dwelling. The application was accompanied by a structural engineer's report confirming that the existing structure was capable of conversion and permission was granted in the light of the assurances given. To convert an existing building to an alternative use is appropriate development within the Green Belt since the impact upon the openness of the Green Belt is unaltered.
4. This application proposes the demolition of the outbuilding and its replacement with a brand new dwelling. Such development is inappropriate in the Green Belt and, by definition, harmful. The application is, this time, accompanied by a further report from another structural engineer stating that the costs of conversion would be disproportionately large and that "rebuild would be more sensible both economically and practically".
5. The proposal is to build the new dwelling to the same dimensions and to the same appearance as the 2003 conversion scheme. The Area Plans Subcommittee were of the view that in practical terms the impact on the

openness of the Green Belt would be unaltered by this alternative proposal and that a rebuild is likely to be more energy-efficient than the conversion. Consequently the committee considered that permission could be granted, though wished the proposal to receive wider debate at this forum.

6. Whilst the end result may, on the face of it, appear similar, the process of achieving the new dwelling is widely different. This application is for the erection of a new dwelling in the Green Belt that is contrary to long-established local and national policies. If the conversion is not preferred only because of cost, that is no reason to justify building a new dwelling. Converting old buildings for new uses has never been a cheap option. However, if the conversion is not possible because it is practically impossible then the permission for the conversion was obtained by providing misleading information to the Council and a separate dwelling should not be seen to be inevitable.
7. It is the officer's view that the structural engineer's comments do not comprise very special circumstances (that could not be argued in relation to many outbuildings in similar circumstances) and are not sufficient to set aside Green Belt policy.
8. A secondary issue is the reopening of the northern access to the site to provide an exclusive access to the coach house. The conversion permission included a condition requiring this access to be closed and two subsequent applications to remove this condition have been refused. The use of this access is most hazardous because of its geometry, levels, proximity to the motorway bridge and since the verge is controlled by the Corporation of London. Its use cannot be permitted.

Conclusions

9. Should the committee be mindful to grant permission, it should be subject to conditions relating to:
 - a) time limit for commencement
 - b) use of reclaimed materials from the demolition of the coach house and matching, second-hand materials
 - c) development carried out strictly in accordance with drawing nos. 301c and 302c
 - d) notwithstanding the previous condition, the northern access shall be closed, and
 - e) no removal of trees or shrubs without prior consent.
10. In addition, there is a suggestion from the applicant that the dwelling is only required for as long as she continues to occupy the building, but that once her occupation ceases the dwelling could revert to part of the curtilage of Wyldwoods and be used only as an annex to that house. If the committee were minded to have regard to this offer, that would have to be controlled by a section 106 agreement. Its value is limited however, since one would hope the applicant's occupation would exceed 5 years and after that time, application can be made to release the dwelling from such an agreement.
11. The officer's recommendation continues to be one for refusal.