

## AREA PLANS SUB-COMMITTEE 'EAST'

6 April 2016

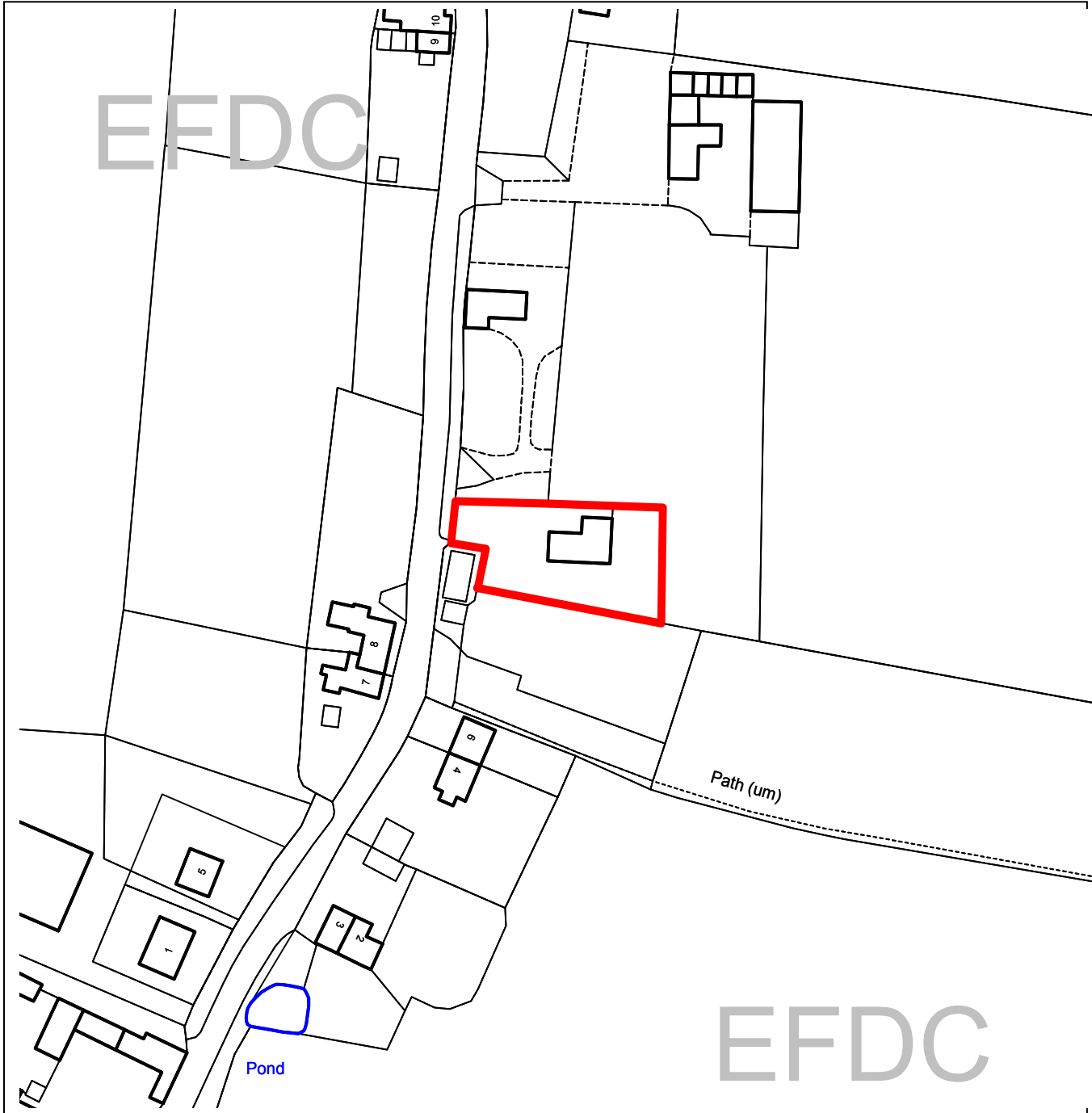
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/2811/15
Site Name:	Barkers Farm, Mount End Road, Theydon Mount, Epping, CM16 7PS
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2811/15
<b>SITE ADDRESS:</b>	Barkers Farm Mount End Road Theydon Mount Epping Essex CM16 7PS
<b>PARISH:</b>	Theydon Mount
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr Leonard Barker
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of existing building to create a two bedroom dwelling; alterations to roof form and external appearance; formation of residential curtilage.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=580355](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580355)

**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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1, 2 & 3
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, enlargements to the roof or outbuildings with a volume exceeding 10 cubic metres generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the

investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 5 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
  
- 6 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
  
- 7 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 8 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 9 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))*

#### **Description of Site:**

The application site comprises land that is southern part of the farm yard of a former farm that is situated in the approximate centre of the hamlet of Mount End. It is situated off the east side of Mount End Road. Land rises east of the site and somewhat less steeply to the north across the remaining former farm yard. It is within the Green Belt.

The site has an area of 0.08 hectares. It is 45m in length and an average of 20m in width. Its frontage with the highway is 10m. Access to the site is via an existing vehicular access off the highway that also provides access to the remainder of the southern part of Barkers Farm.

The site comprises a former agricultural building with a ground area of 94.5m<sup>2</sup> that was originally erected as a stable under planning permission EPF/0965/02. The building has an L shaped ground plan and gabled roof with a low pitch. It is some 4m high at the ridge with an eaves height of approximately 2.6m. The building has a concrete base that extends beyond the building to provide a hardstanding. It has a timber and steel frame supporting steel roof trusses. The external appearance comprises of timber walls above a brick plinth and profiled metal roof sheeting.

#### **Description of Proposal:**

It is proposed to change the use of stable building to a two bedroom dwellinghouse. Submitted plans show the stable building would be wholly laid out as a dwellinghouse with two bedrooms in the western wing and a kitchen and living room in the eastern wing.

An enlargement to the roof of the building is also proposed. The new roof form would be that of a crown roof: hipped at the sides with a pitch of 50 degrees, but finished with a flat roof in order to limit its height. The increase in height would be 700mm, giving a maximum height of 4.7m. The alterations would allow for that part of the roof visible from ground level to be tiled.

External materials are not finalised and specified as being for subsequent approval by the LPA. The application forms indicate brick cladding to the walls and plain tiles to the roof. Boundary treatment is indicated as post and rail fencing, but that is also for subsequent approval in the event of planning permission being granted.

### **Relevant History:**

Barkers Farm as a whole has a long and complex planning history. Only the following are considered relevant. The last decision, Prior Approval ref. EPF/2786/15, is most relevant since it is capable of being implemented and therefore is a realistic fall-back position for the Applicant.

EPF/0965/02 Stable block consisting of 2 horseboxes, tack room and hay barn. Approved 24/07/2002

ENF/0062/11 Enforcement notices issued 06/07/11 alleging change of use of part of dairy building from B1 Office Use and use of summerhouse to residential purposes as a separate dwellinghouses. Notices found to be invalid and quashed at appeal on 08/02/2012 (PINS ref APP/J1535/C/11/2157758).

Subsequent enforcement notice issued 02/08/2013 alleging change of use of the whole of Barkers Farm to a mixed use comprising agriculture, residential and storage. Subsequent appeal dismissed and Notice upheld on 01/07/2014 with variations (PINS ref APP/J1535/C/13/2204446).

The requirements of the Notice issued 02/08/2013 in relation to the building that is the subject of this application are to cease its use for storage purposes which are not ancillary to agriculture and to remove all items stored in it that are not ancillary to or related to agriculture. The requirements are complied with.

**NOTE:** None of the above enforcement notices were appealed on the ground that planning permission should be granted. The planning merits of the alleged uses were therefore never considered by the Planning Inspectors who heard the appeals.

EPF/3005/14 Change of use of former farm office and dairy building and barn to create one live/work unit. Approved 06/08/2015.

EPF/2003/15 Change of use of stable building to create a two bedroom dwelling. Refused for the following reasons:

1. The proposed change of use would alter the character of the site and have a materially greater impact on the openness of the Green Belt than the lawful agricultural use contrary to policy GB2A of the adopted Local Plan and Alterations.
2. The proposed residential curtilage is excessive and intrudes into a currently undeveloped area of agricultural land. The change of use of this land is inappropriate and harmful to the openness of the Green Belt and will have an adverse impact on the rural character of the area by reason of the introduction of residential paraphernalia (parking, washing lines, play equipment, landscaping etc) that cannot be controlled by conditions. The proposal is therefore contrary to

policies GB2A, GB4, LL2 AND CP2 of the Local Plan and Alterations.

EPF/2786/15 Prior approval for proposed change of use of agricultural building to residential. Prior Approval Required and Granted. The Prior Approval permits the use of the building as a two-bedroom house with associated alterations to external materials but does not permit any enlargement to the roof. The curtilage is limited to an area around the building no greater than the ground area of the building, giving a total site area of 0.03 hectares.

### **Policies Applied:**

The National Planning Policy Framework (NPPF) sets the policy context for assessing the development proposals. The policies of the District Councils Local Plan and Alterations are given weight in accordance with their conformity with the NPPF. The following saved Local Plan and Alteration Policies are compliant with the NPPF and are therefore given significant weight.

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
GB2A	Development in the Green Belt
GB8A	Change of Use or Adaptation of Buildings
ST1	Location of Development
ST2	Accessibility of Development
ST4	Road Safety
ST6	Vehicle Parking
RP4	Contaminated Land
RP5A	Adverse Environmental Impacts
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL11	Landscaping Schemes

In addition to the above policies, the Essex County Council Parking Standards 2009 are a material consideration of significant weight.

NOTE: - Local Plan and Alteration policy GB9A – Residential Conversions, is not compliant with the NPPF and therefore is not a material consideration

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted. 11

Site notice posted.

Responses received:

5 MOUNT END: - Objection

"1 Appeal Reference APP/J1535/A/14/2227268 [*Land adjacent to 1 Gun Cottage, Abridge Road, Theydon Bois, council ref EPF/0255/14*] made earlier in 2015 relates to the conversion of a redundant stable block into residential building within a comparable site in the Epping Forest District. The Planning Inspector was very clear in that the appellant did not have special circumstances to justify development, and the appeal was dismissed accordingly. We believe the Appeal reasoning is directly applicable to this application.

2 We believe the existing building is 'intentional unauthorised development', in accordance with the Government Chief Planner's planning policy statement issued on 31 August 2015. The plans submitted with application EPF/0965/02 are significantly different from the existing elevations plan submitted with this application, in that there are a number of large windows and

full-length doors in the existing plans that were not on the approved 2002 plans and are not consistent with use as a stable block but are instead typically found on residential buildings. The applicant has made numerous planning applications for residential buildings on this site over many years, and we believe this is merely another example.”

11 MOUNT END: - Objection

Alteration to roof form increasing its height and mass would have a greater impact on the green belt than the existing building, spoiling its openness, and making it more obvious and intrusive in the street scene. The increased height could allow the applicant to create a second floor within the roof void. It is noted a larger residential curtilage was previously refused by the Council and it is considered anything larger than permitted under the prior approval process will detract from openness of the green belt by way of domestic paraphernalia allowed within it.

THEYDON MOUNT PARISH COUNCIL: - Objection

“Theydon Mount Parish Council objects to this proposal on the grounds of adverse impact and obtrusiveness on the existing village lane.”

### **Main Issues and Considerations:**

The application site is not within any flood risk zone and is not known to have any interest for biodiversity. In relation to the matter of biodiversity, the site does not contain any traditional timber framed building or traditional farm building. The site is not in a conservation area, does not contain any listed buildings and is not adjacent to any such building. There are no preserved trees on the application site. Due to the former agricultural use there is potential for contaminants on the site therefore the Council’s land contamination advisor recommends standard conditions be imposed on any consent given. They would be identical to those imposed on the prior approval granted for conversion of the existing building without enlargement

The proposal would not have any adverse impact on the safe and free flow of traffic on the adjacent highway. It would also result in a good standard of accommodation with no significant change to the layout of the site. While the existing building may lawfully be used as a dwelling house, the prior approval for that does not allow for any enlargement and limits the curtilage. Accordingly, the main matters to assess when considering the merits of this proposal are whether the new use including the roof enlargement and larger curtilage amount to inappropriate development in the Green Belt and whether the roof enlargement is of acceptable design.

The primary policy against which the matter of appropriateness in the Green Belt must be assessed is that set out in paragraphs 79 to 92 of the National Planning Policy Framework. That has been the policy position since March 2012. Paragraph 90 of the NPPF makes clear the re-use of buildings is not inappropriate in the Green Belt provided that the buildings are of permanent and substantial construction, and that the new use preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt.

There is no doubt the building is a permanent and substantial buildings. They have been inspected by planning officers and planning enforcement officers in connection with the most recent appeals. Furthermore, a surveyors report submitted with the application describes in detail the form of construction and concludes it is of substantial construction and capable of improvement and conversion to an alternative use without substantial rebuilding. The proposed conversion works and roof enlargement do not amount to reconstruction of the building as a whole.

The increase in the roof would have a visual impact by way of an increase in height of 700mm and additional bulk at the edges associated with the crown roof form. The additional bulk would not



appear discordant since the enlarged roof form would be proportionate to the wall height of the building and would achieve a tiled finish. Since the proposal would achieve a very limited increase in bulk and height the consequence for the openness of the Green Belt would not be harmful. The reduction in openness would be slight and since the maximum height of the building would remain low at 4.7m, the very limited impact on openness would not be appreciated other than in short views of the building from within Barkers Farm or at the vehicular access to the site. Furthermore, the proposal would significantly enhance the appearance of the building, which presently has a corrugated metal roof that is less harmonious within the context of the settlement.

The proposed curtilage for the building is 46% less than that of the proposal refused by Members in October 2015, EPF/2003/15. When making that decision Members agreed a way forward that is recorded in Council minutes as follows:

“Members considered whether there was a way forward and advised that a revised proposal with a significantly smaller curtilage area and with boundary treatment appropriate to the rural location would be more likely to be considered favourably.”

This proposal certainly complies with that suggestion. It is reasonably related in size and location to the building and would not appear disproportionately large.

On the basis of the above analysis, therefore, it is concluded the proposal is acceptable in design terms and would not be inappropriate development in the Green Belt.

In order to ensure no subsequent harmful enlargement of the building takes place as permitted development it is reasonable and necessary for any planning permission given to remove permitted development rights for enlargements to the building or the erection of significant outbuildings within its curtilage. The use as a dwelling permitted under the prior approval process would not benefit from Permitted Development rights for any enlargement.

In relation to the concern that the roof void may be used to provide additional living accommodation, the additional 700mm achieved would result in a building with a maximum height of 4.7m, which is too restricted to provide anything more than limited storage for the house.

### **Conclusion:**

The proposal complies with relevant planning policy and it is recommended that 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:***

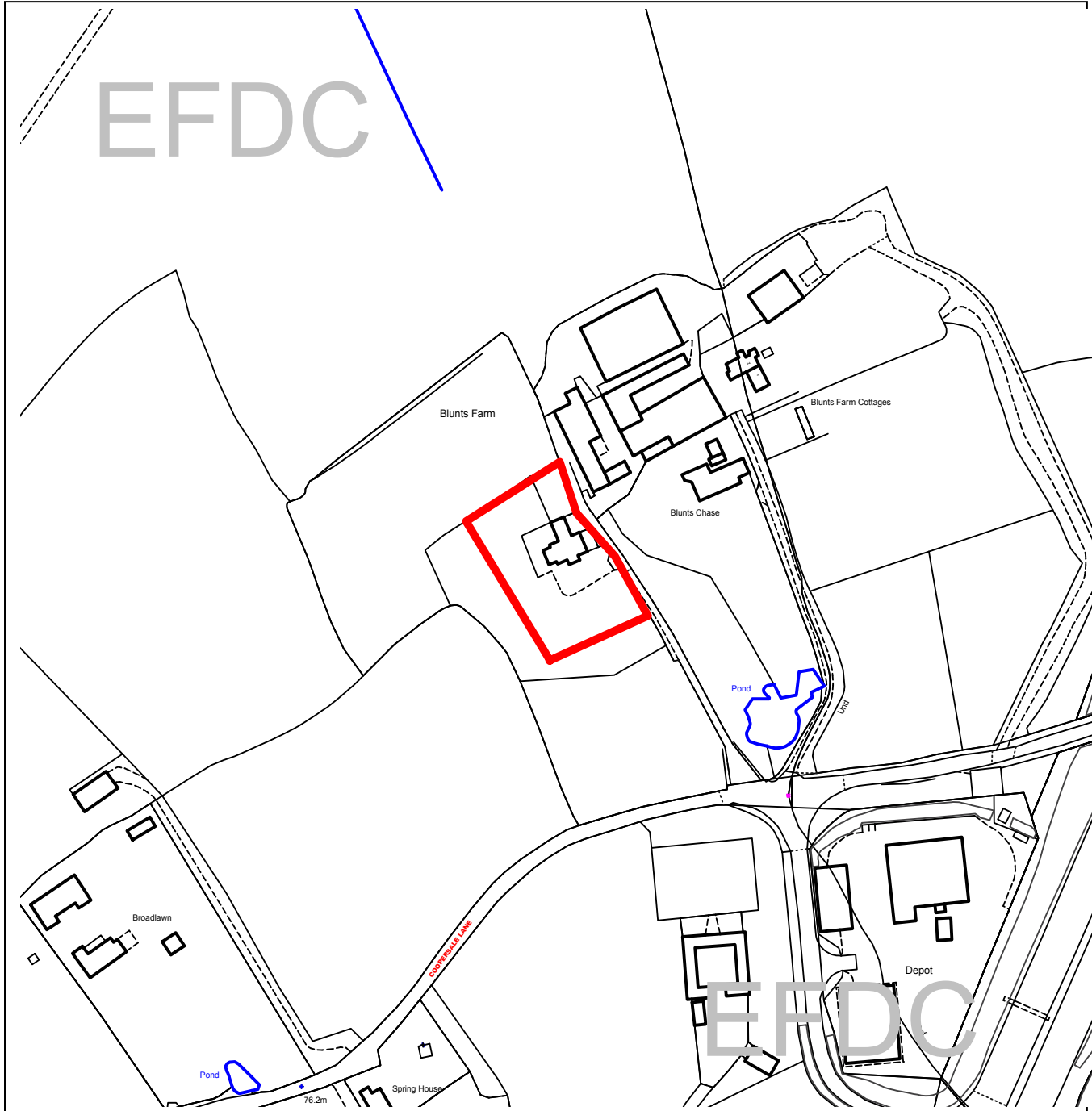
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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



# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/3148/15
Site Name:	Blunts Farm, Coopersale Lane, Theydon Bois, Essex, CM16 7NT
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/3148/15
<b>SITE ADDRESS:</b>	Blunts Farm Coopersale Lane Theydon Bois Epping Essex CM16 7NT
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Marc Moy
<b>DESCRIPTION OF PROPOSAL:</b>	Application for variation of condition 2 'plan numbers' on planning application EPF/2898/14 (Replacement dwelling house).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=581302](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581302)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than 15 July 2018.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawing nos: FIM P3A\_03 Rev A
- 3 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 4 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 5 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 6 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 7 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 10 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargement or outbuildings generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 13 Other than that previously approved in writing by the Local Planning Authority, no external lighting shall be provided at the application site.

- 14 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the integral garage that forms part of the dwellinghouse 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 shall at no time be converted into a room or used for any other purpose.
- 15 A post and rail fence (up to 1m in height) shall be erected around the boundary of the red lined application site, prior to the first occupation of the dwelling hereby approved, and thereafter retained.
- 16 Works to construct the house hereby approved shall not be commenced until the existing house at the application site has been demolished in its entirety and all resulting waste material removed from the site and adjacent land identified as being in the Applicant's ownership.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))*

#### **Description of Site:**

The application site comprises land at the western edge of Blunts Farm and is accessed directly off Coopersale Lane by a private drive that also provides access to lower lying land and redundant agricultural buildings to the north of the site. The application shows the drive is within the applicant's ownership but is excluded from the application site.

The site comprises a house and its curtilage, the house being situated towards the centre of the curtilage. A grassed field last used as paddock together with additional land separates the application site from Coopersale lane. The house itself is predominantly two-storey with a single-storey northern projection and prior to its partial demolition had a volume of approximately 1200 cubic metres. It has a gabled roof, with a ridge height previously noted to be 8m. Its principal elevation faces to the south with a parking area in front of it.

The house is partially demolished in connection with the implementation of a previous consent, ref EPF/0386/08, to erect a replacement house. Work stopped before the house was substantially demolished and the approved house was not built.

The site is within the green Belt and Coopersale Lane is identified as a protected lane on the proposals map of the Local Plan. There are three preserved trees on the western site boundary and one in the approximate centre of the site.

#### **Description of Proposal:**

It is proposed to erect a two-storey replacement house. The proposal is a minor material amendment to a more recently approved house under planning permission EPF/2898/14.

As with the recently approved house, the proposal would be sited on the footprint of the existing house. However, it would be reoriented such that the principal elevation would face south with a parking area beyond it. Above ground the proposal would be of identical bulk, height and detailed design to that approved.

In addition to reorienting it, the proposal includes adding a basement to the approved house. The basement would be fully underground and have a footprint identical to that of the house.

As before, the house would have an above ground volume of 1036 cubic metres. Its ridge height would be 7.85m. The basement would add some 390 cubic metres to the volume of the building.

### **Relevant History:**

Blunts farm as a whole has considerable planning history, however, the only planning decisions relevant to the current application are as follows:

EPO/0152/64	Outline application for farmhouse	Approved
EPO//0152A/64	Details of farmhouse	Approved
EPF/1240/04	Removal of Agricultural tie	Approved
EPF/1594/05	Demolition of existing house and erection of replacement	Refused
EPF/1123/06	Demolition of existing house and erection of replacement	Withdrawn
EPF/1763/06	Demolition of existing house and erection of replacement	Refused, and subsequent appeal dismissed
EPF/0386/08	Replacement dwelling.	Approved
EPF/2898/14	Replacement dwellinghouse	Approved

### **Policies Applied:**

CP2	Quality of Rural and Built Environment
CP3	New Development
GB2A	Development in the Green Belt
GB15A	Replacement Dwellings
HC4	Protected Lanes, Commons and Village Greens
RP4	Contaminated Land
H2A	Previously Developed Land
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
LL10	Adequacy of Provision for Landscape Retention
ST4	Road Safety
ST6	Vehicle Parking

NPPF

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted. 5

Site notice posted: Yes.

Responses received:

(Note, the responses reported are those to a re-consultation on the latest revised plans)

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY: Objection

Harm to the Green Belt since the additional underground built volume would result in a house materially greater than that to be replaced. Should consent be given, previous conditions are requested.

Attention drawn to an invalid application for approval of details pursuant to conditions and to other works carried out on adjacent land outside of the application site.

THEYDON BOIS ACTION GROUP:           Objection

Harm to the Green Belt since the additional underground built volume would result in a house materially greater than that to be replaced. Should consent be given, previous conditions are requested.

THEYDON BOIS PARISH COUNCIL:       Objection

Whilst the Council was pleased to see the removal of the extensive paved terrace area and swimming pool on the amended plans together with the retention of the integral garage, there remains concern over the proposed basement.

We have been made aware of recent Planning Inspectorate decisions which show that the size and volume of basement areas should be taken into account when considering whether replacement buildings in the Green Belt are materially larger than the one it replaces. Although no volume information has been submitted with this application, it is estimated that the new basement would add approximately a further 35% to the size of the proposed new structure. Clearly, this would make the building materially larger than the one it replaces and therefore represents inappropriate development in the Green Belt.

### **Main Issues and Considerations:**

The main issue raised by the proposal is its consequences for the Green Belt.

Planning policy relating to the Green Belt makes clear that the erection of replacement buildings are not inappropriate development provided the new building is in the same use and is not materially larger than the one it replaces.

In this case the new building would be used as a dwellinghouse and it would replace a dwellinghouse. The original house had an approximate volume of 1200 cubic metres. The additional volume of the basement would result in the new house having a total volume of just over 1400 cubic metres. The additional 200 cubic metres amounts to a 17% increase in volume. Being underground, none of the additional volume proposed in this application would impact on openness. On that basis the proposal would demonstrably not be materially larger than the house to be replaced and that its additional volume would not result in a reduction in openness. It is therefore concluded the proposal is not inappropriate development in the Green Belt.

The percentage increase in volume estimated by the Parish Council is recognised as being in relation to the approved house. To gauge whether a new building would have a materially greater impact on openness than the building it would replace the correct approach is to compare the proposed volume with that of the existing building. The volume of the existing building in this case is reduced by way of partial demolition, but it can be lawfully replaced as a repair. Officer calculations of the existing building are therefore based on plans of it held by the Council.

### **Conclusion:**

The proposal is not inappropriate development in the Green Belt. It would not have a materially greater impact on openness than the house it would replace. As with the approved development,



in all other respects the proposal is acceptable. It is therefore concluded that the proposal complies with relevant planning policy and it is recommended that planning permission be granted subject to necessary conditions.

***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: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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