

APPLICATION No:	EPF/1585/19
SITE ADDRESS:	Meadowood Epping Road Epping Upland Essex CM16 6PX
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Joshua Harrison
DESCRIPTION OF PROPOSAL:	Replacement of existing double garage with a garage, with pitched roof and loft space used as workshop ancillary to the main dwellinghouse (Amendment to EPF/2824/17).
RECOMMENDED DECISION:	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=625533

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 numbers: Existing Site Location Plan; C_003 Revision CL2; C_001 Rev CL2; Proposed Ground Floor Plan Revision DL14b; Proposed Roof Plan DL14b; Proposed Front Elevation; Proposed Rear Elevation; Site Plan DL14b; Proposed C3 Elevations DL14b; Proposed First Floor Plan Revision DL14b;
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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 garage(s) 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.

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: Scheme of Delegation, Appendix 3).

SITE AND SURROUNDINGS

Meadowood is a 2-storey detached dwellinghouse located on the Epping Road within the settlement of Epping Upland. To the east of the dwelling is a single storey flat roofed 'L' shaped outbuilding linked to the main dwellinghouse by a side access gate and with the rear aspect built up to the north boundary. The adjoining properties comprise of two and single storey dwellings. The site is located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

PROPOSED DEVELOPMENT

Planning permission was approved 12/04/2018, Ref: EPF/2824/17 for the demolition of the existing outbuilding and its replacement by a pitched roof gable roof detached side garage with space in the roof for a first floor measuring a depth of 10m, a height of 5.4m, an eaves height of 2.8m and a width of 6.5m built up to the east boundary.

This application is seeking an amendment from the previous application due to a boundary alteration involving the front side aspect of the garage to be set in 0.5m to follow the newly formed east boundary. As such, the width of the garage to the front/side aspect has been reduced by 0.5m to 6.0m and widens towards the rear to a width of 6.5m as approved with a roof slope.

RELEVANT PLANNING HISTORY

EPF/0895/95 - Construction of new pitched roof addition over existing flat roof at first Floor - Approved 1/04/2018

EPF/0687/87 - Extension – Approved

EPF/1055/04 - Erection of rear conservatory. - Approved

CONSULTATION AND REPRESENTATIONS

3 adjoining properties were consulted and one objection has been received -

KINGSWAY COTTAGE – OBJECTION

The existing material list omits the presence of corrugated asbestos which may be of the hazardous type due to its age. The construction will fall within the Party Wall Act 1996 as excavation will be within 2 metres of Kingsway Cottage which is built on shallow slate footings.

EPPING UPLAND PARISH COUNCIL – OBJECTION

Height of the roof is over dominant
Impact on the street scene in older part of the village
Loft space is shown as workshop on the plan but not mentioned within the application

DEVELOPMENT PLAN CONTEXT

Local Plan (1998) and Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE3	Design in Urban Areas
DBE4	Design in the Green Belt
DBE9	Loss of Amenity
DBE10	Residential Extensions
GB2A	Development in the Green Belt
GB7A	Conspicuous development

National Planning Policy Framework (NPPF) (February 2019)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - I. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph 124 - 131
Paragraph 143 - 145

Epping Forest District Local Plan Submission Version (LPSV) (2017)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant

- the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM4 Green Belt	Significant
DM5 Green and Blue Infrastructure	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

PLANNING CONSIDERATIONS

- The main issues for consideration in this case are:
- The impact on the character and appearance of the locality;
- The impact to the living conditions of neighbours;
- The impact on the green belt;
- The Planning history of the site.

Design, Character and Appearance

The building has a conventional residential appearance with a roof feature which is common in Epping Upland and thus the detailed design of the development would not appear incongruous in the street scene. The development is set back 0.9m from the main front building line of the dwellinghouse with a high ridge level in order to facilitate its use at first floor level. The design of the pitched roof reduces the overall bulk of the garage which is not considered overly prominent in the street scene and is of a form and scale that respects its character and appearance. The proposal is therefore considered compliant with policies DBE1 and CP2, of the Adopted Local Plan and DM9 and DM10 of the Submission Version, 2017.

Impact on the amenity of neighbouring properties

The proposed development is to be built on the shared boundary 10 with Kingsway Cottage which comprises of a 2-storey detached dwellinghouse. The garage is to have an eaves height of 2.8m with a pitched roof which slopes in, away from Kingsway Cottage to a ridge height of 5.4m.

This amended proposal is a result of an east boundary alteration which has involved a reduction in the width of the front/side aspect of the garage by 0.5m built up to the shared boundary with Kingsway Cottage that is set in 1.8m. Kingsway Cottage has a small ground floor non habitable window in their west elevation. With a gap of some 8m between the properties, the separation distance, design and size of the garage

with a roof that slopes in away from Kingsway Cottage, it is not considered that the development would result in any significantly harmful amenity implications in terms of overbearing or loss of outlook.

Concern has been raised with regards to the material of the existing outbuilding which omits the presence of corrugated asbestos which may be of the hazardous type due to its age and the that the construction will fall within the Party Wall Act 1996, falling within 2 metres of Kingsway Cottage which is built on shallow slate footings. Such matters are not material planning considerations and will have to be managed by the applicant.

Overall, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DBE9 of the Local Plan and policy DM9 of the Local Plan Submission Version, 2017.

Green Belt

The site is located within the Green Belt where the fundamental aim of national and local Green Belt policy is to prevent urban sprawl by keeping land permanently open; indeed, the essential characteristics of Green Belts are their openness and their permanence.

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should be refused planning permission unless very special circumstances can be demonstrated which clearly outweigh this harm.

Planning permission has already been approved for the majority of the development which proposes the replacement of the existing outbuilding with a side garage within the space of the roof. The proposed alterations to the approved scheme involves the front /side aspect of the east boundary being reduced in width by 0.5m due to a neighbour land boundary dispute. The amendment involving a reduction in the overall width and size of the garage would not result in any additional harm to the open character and appearance of the Green Belt and is not inappropriate development complying with GB2A and GB7A of the adopted Local Plan, policy GB4 of the Local Plan Submission Version, 2017 and the NPPF.

Other Considerations

Epping Upland Parish Council have raised some concerns regarding the development which has already been approved in April 2018. The alterations proposed in this application involving a reduction in the size of the garage is where the design is much the same and the workshop an ancillary aspect to the main dwelling house.

PLANNING BALANCE & CONCLUSION

The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "clear reason for refusing the development proposed" or where the benefits of the proposed development are "significantly and demonstrably" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

Therefore, it is considered it is considered that the proposed alterations to the approved development resulting in an overall reduction in the size of the garage is not considered inappropriate development and would not result in any additional harmful impact on the openness of the Green Belt.

The design and size of the development is considered appropriate that would sufficiently maintain the character and appearance of development in the surrounding area and would not result in any harmful amenity implications. The application is considered to be in accordance with the adopted Local Plan and Alterations (1998-2006), the emerging Local Plan, Submission Version, 2017 and the relevant parts of the National Planning Policy Framework.

For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission to 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: Caroline Brown
Direct Line Telephone Number: 01992 564182***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk