

**Report to the District Development
Management Committee**



**Epping Forest
District Council**

Report Reference: EPF/1216/17
Date of meeting: 4 October 2017

Address: 15, Curtis Mill Lane, Stapleford Abbots, Essex RM4 1HS

Subject: Retrospective application for retention of existing 3 bed bungalow dwelling.

Responsible Officer: David Baker (01992 564514).

Democratic Services: Gary Woodhall (01992 564470).

Recommendations:

(1) That planning application EPF/1216/17 at 15 Curtis Mill Lane in Stapleford Abbots be granted permission, subject to the following conditions:

- 1. Details of a) the types and colours of the external finishes to be used on the new bungalow and b) a new front boundary enclosure, shall be submitted to the Local Planning Authority, in writing, within 4 months of the date of this decision. One approved these details shall be fully implemented on site within a 6 months period.**
- 2. 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 development generally permitted by virtue of Classes A, B, or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.**
- 3. The development hereby permitted will be completed strictly in accordance with 4 approved drawings numbered 2087.1 to 2087.4.**

Report

1. This application was submitted to the Area Plans Sub Committee East on 6 September 2017 with a recommendation for approval. The Committee decided that conditional planning permission should be granted. However 4 Committee members then 'stood up' and requested the application be referred to the District Development Management Committee for a decision.

2. The report submitted to Area Planning Sub Committee East on 6 September 2017 is re produced below.

Description of Site:

One of some 30 plots on which stand mainly single storey buildings used as dwellings. The plots lie close to the eastern boundary of the district in a fairly isolated and discreet rural location to the east of Stapleford Abbots. These buildings lie in the Green Belt but they are not listed nor do they lie in a conservation area.

Relevant History:

EPF/1744/13 – Certificate of Lawful Development issued for use of existing building as a dwelling.

Policies Applied:

Adopted Local Plan:

GB2A – Development in the Green Belt

GB15A – Replacement dwellings

DBE1 - Design of new buildings

DBE9 – Loss of amenity.

CP2 – Protecting the quality of the rural and built environment

NPPF:

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Draft Local Plan

At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

- SP5 – Green Belt and District Open Land
- DM9 - High Quality Design

Summary of Representations:

STAPLEFORD ABBOTTS PARISH COUNCIL – object on the following grounds – this is a brick building not in keeping with the other wood chalets in the vicinity. It is higher than and not in keeping with the other buildings in the vicinity which are bungalows. We are concerned that this is a holiday home only meant to be occupied for 6 months of the year. The lane is very narrow and should occasion arise, the emergency services would not be able to access the end houses. This is a new build and not the retention of a 3-bed bungalow

NEIGHBOURS – 3 properties consulted and 1 reply received:-.

14 CURTIS MILL LANE – Regarding the new building at no 15 I would like to advise that we have no objections to this property. We were riddled with rats which were living under and within the original dilapidated property and since the site has been cleared of all old buildings, and a new building built, the rats have disappeared. The property has been in our opinion built sympathetically to the area surrounding and

looks very nice much better than the original portable buildings that were put together.

Issues and Considerations:

This application follows on from enforcement investigations. The replacement dwelling has been 80% built but works have ceased pending the determination of this application.

There are some 30 other bungalow dwellings in this section of Curtis Mill Lane. Originally in the 1950's timber leisure chalets were built on these plots to be used for recreational and holiday purposes between April and October of any year. However, over several decades these chalets have gradually been used as permanent dwellings, and at the same time they have also been extended or rebuilt for all year round residential occupation. In order to regularise the planning position many householders were invited to apply for certificates of lawful development for permanent homes in the 2013-2015 period, or indeed to apply for retention of dwellings on their plots. Consequently this section of Curtis Mill Lane is now not characterised by timber leisure holiday chalets but by bungalow dwellings occupied on a permanent basis.

A lawful dwelling existed on this plot before being demolished to make way for this new bungalow. It is estimated that this new bungalow is some 60 to 70% larger in volume than the dwelling it replaced, and hence it is materially greater which is of concern to the Parish Council. However, it lies within this built up enclave of 30 other permanent dwellings, and hence its impact on openness is reduced. In addition, while there is a bedroom in the loft space, this is lit by windows in the roof slope and not by dormer windows which would have created a more prominent and 'out of keeping' chalet bungalow profile. While the proposed bungalow is sizeable there are others in the locality of a commensurate size, and many bungalows on the site have been rebuilt using blockwork or brickwork. While the concerns of the Parish Council are acknowledged the planning nature of this 'estate' has markedly changed with timber leisure chalets being replaced by bungalows, and in this context the principle and size of the replacement dwelling on the site is considered to be acceptable.

A new front boundary wall built at the front of the property was considered to be obtrusive and out of character in the locality, and has in the last two months been removed by the applicant.

Conclusions:

This and other bungalows in the locality do provide a more affordable form of home than can be generally found elsewhere in the District. While the building of this replacement dwelling without planning permission can in no way be condoned it is considered that the proposal is acceptable for the reasons outlined above. It is therefore recommended that conditional planning permission be granted subject to conditions, including submission of details of materials to be used on external surfaces, details of a new front boundary enclosure, and removal of permitted development rights.