



Epping Forest District Council



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Application Number:	EPF/0364/21
Site Name:	Crystal Brook Little Gregories Lane Theydon Bois CM16 7JP
Scale of Plot:	1:2500

Report Item No: 11

APPLICATION No:	EPF/0364/21
SITE ADDRESS:	Crystal Brook Little Gregories Lane Theydon Bois Epping CM16 7JP
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Garry Castle
DESCRIPTION OF PROPOSAL:	Construction of a single storey garage building and extension of existing stables, following demolition of existing garages and other buildings on site.
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=648213

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 shall be carried out and retained strictly in accordance with the following approved plans: CAS/SK/01E, 30, 40A, 41A& 50-55 and, at no time, shall further apertures, doors, windows or fenestration of any type be incorporated into any façade of the buildings hereby approved without the prior written consent of the Local Authority.
- 3 No construction works above ground level shall take place until (documentary and photographic) details of the type and colours of the external finishes of the development, with particular reference to the rear wall of the proposed stables, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 The garage hereby approved shall only be used for the accommodation of motor vehicles and storage incidental to the use of a dwellinghouse as a residence and shall not be used as living accommodation or for the carrying on of any industrial or commercial activity.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council who have confirmed in writing their intention to attend and speak at the meeting where the proposal will be considered (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site consists of a two storey dwelling house with attached annexe, stables and detached garage situated at the end of Little Gregories Lane within the rural area of Theydon Bois. The site is irregularly shaped with the garage to the front of the site. The site is within the Metropolitan Green Belt but not a Conservation Area. The site is situated on elevated ground with the land to the south falling away towards the settlement of Theydon Bois.

Description of Proposal:

The application seeks consent for the construction of a single storey garage building and extension of existing stables. The plans have been revised since first submission at Officer request so that the garage has been reduced in size and decorative elements have been removed. The garage will replace two existing garage buildings and measure 8m by 13m with a maximum height of 4.9m. The proposed stables will extend an existing line of stables and measure 12m by 5.5m with a maximum height of 3.7m continuing the existing ridge line. This element will also see the demolition of an existing tack room and feed store which will be incorporated into the stable building.

Relevant History:

Various applications the most relevant of which:

EPF/0718/19 - Conversion and alteration of existing attached vacant building to form annexe accommodation for extended family. To include new dormer windows, elevational changes and infill extension at roof level – Approved

Policies Applied:

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:

CP2	Protecting the quality of the rural and built environment
GB2A	Green Belt
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

Local Plan Submission Version (2017)

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.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

DM4 Green Belt
DM9 High Quality Design

Consultation Carried Out and Summary of Representations Received

THEYDON BOIS PARISH COUNCIL: Objection

The Planning Committee viewed the recently amended plans with respect to the proposal to replace two existing outbuildings with one larger garage building, along with extension of the existing stables. However, the Committee felt that the proposed garage building would still be materially larger than the two existing outbuildings it would replace.

The application site is a sensitive one. It sits within the Metropolitan Green Belt, in a prominent semi-rural location on the edge of Epping Forest. As such, properties here do not lie directly within the village, but are set on a high ridge to the north of the main settlement of Theydon Bois. A building of this design and size in this spot would be conspicuous amidst its rural setting and the surrounding natural landscape. In the Committee's view, this proposal would encroach upon the Green Belt.

The Planning Committee considered the application to be, in effect, two proposals: (a) for the demolition of buildings associated with the construction of a new stable block, and (b) the construction of a larger garage, following the demolition of a smaller garage and outbuilding. The new structures would be located in separate parts of the application site.

In so far as the first part of the development would propose to replace an existing tack room/store, feed store and garden building, with a new stable block, the Planning Committee raised no significant objection, given that the new stables would be sited toward the rear of site and behind an existing barn/stable block. However, whilst the removal of the tack room/store would facilitate the building of the new stables, it remained to be seen where a replacement facility would be located, and a feed store would also be required, especially if the number of horses to be accommodated on the premises were to be increased.

However, the second part of the proposal would relate to the application which was withdrawn under EPF/0539/20. Viewing this on its own merits, the Planning Committee made the same observations as previously, in that the resultant building would be far larger than the two which it would replace - even after taking into account the amended plans showing a slightly reduced length, removal of the formerly proposed dormer, and replacement of gable ends with a fully hipped roof shape.

The plans and photographs previously submitted showed the existence of two structures already in situ; one of which was ostensibly being used as garaging and the other as a wood store. The proposal would be to demolish these buildings and replace them with a new, significantly larger, building, which would occupy a greater footprint.

The Planning Committee took into consideration the provisions of the NPPF, which allows certain exceptions to 'inappropriate development' within Green Belt policy, provided that such development falls within the 'closed list' of exceptions detailed under Paragraphs 145 and 146. In particular, Paragraph 145 (d) permits the replacement of a building, *provided the new building is in the same use and not materially larger than the one it replaces.*

However, the Committee raised concern over the significant size and scale of the newly proposed building. At a width of 13 metres and a depth of 8 metres, it would accommodate some 4 vehicles, if utilised for this purpose. The dimensions of the new building would also be significantly larger than the combined mass and footprint of the two garages to be replaced and the implementation of this proposal would therefore impact negatively on the openness of the Green Belt, contrary to

Policy GB2A of the Current Local Plan. By being sited in a prominent position in front of the main dwelling house, the new building would also be conspicuous when viewed from within the wider site, contrary to Policy GB7A.

No very special circumstances were deemed to exist to outweigh the harm that would result. Therefore, the proposal was also considered to be contrary to both the policies mentioned above and to policy DM4 of the New Epping Forest District Local Plan (2011-2033), together with the provisions of the NPPF, 2019.

Finally, given the awareness that 'openness' has both a spatial and a visual aspect, it was felt that, even if the volumes of buildings removed across the site were amalgamated, the proposed new garage would still be more visible from a number of adjacent public viewpoints, and when entering the site. There was also concern that the first part of the proposal (a) new stables, would need to be completed before any work on (b) new garage, if the argument were to be sustained that there would be an improvement in openness on a spatial level. This would seem likely to require more than just a Condition to this effect, possibly by way of a legal undertaking.

Notwithstanding the above objections, however, should a revised application be recommended for approval, the Planning Committee would recommend the inclusion of the following Conditions in any Grant of Planning Permission:

"The garage building 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 dwellinghouse, and shall at no time be converted into a room or used for any other purpose."

The reason given for such a condition is: to prevent future need for additional buildings, which is likely to be harmful to the purposes of including the land in the Metropolitan Green Belt, in accordance with the guidance contained within the National Planning Policy Framework and policies ST6 and GB2A of the adopted Local Plan and Alterations, and

"The development hereby permitted shall be completed and retained strictly in accordance with the approved drawings and, at no time, shall further apertures, doors, windows or fenestration of any type be incorporated into any façade of the building without the prior written consent of the Local Authority."

The reason given for such a condition is: to ensure that the proposal will not deviate from the approved plans and will be permanently retained for the intended use, as a garage building.

Number of neighbours consulted: 2

Neighbour responses:

THEYDON BOIS ACTION GROUP AND THEYDON BOIS RURAL PRESERVATION SOCIETY – Objection – no objection to stable extension but garage is within the Green Belt in a prominent position, volume trade off is not acceptable, concerns over future use of the garage, large footprint
COACH HOUSE STABLES, LITTLE GREGORIES LANE – No objection to Garage, and no objection to stables on the provision that the sleepers etc are re-instated.

LITTLE GREGORIES, LITTLE GREGORIES LANE – No objection but raising the issue of a covenant on the land that restricts the use for a livery yard/riding school.

Main Issues and Considerations:

Design

Garage

Although a fairly large outbuilding the garage is of a typical design and considered an acceptable outbuilding within the grounds of a dwellinghouse.

Stable Extension

This part of the proposal follows the same design of the existing table building and is a typical design for a stable. Given the height difference between the proposal and the neighbour behind, it is considered reasonable that a condition is included to ensure that this potential large expanse of wall on the boundary is finished to an acceptable appearance to avoid it appearing overbearing.

Green Belt

Garage

The positioning and size of the proposed garage has been objected to by both the Parish Council and by the two local groups/society. The proposal is for a fairly large building and it is within a prominent position on the site. However, it has been reduced in size and the roof hipped with the decorative element removed within the scope of the application. Although it is larger than the two buildings it replaces it will be in the same location (albeit a larger footprint) and therefore it is not considered so harmful to the Green Belt to justify a refusal on these grounds. It is a typical domestic building within a domestic curtilage, viewed within the context of the domestic setting and therefore it is not considered to result in excessive harm.

Stable Extension

The proposal is within a small built up corner of the site and sees the removal of two existing buildings to facilitate its positioning. The stable extension will be viewed within the context of the group of buildings in this 'yard' area and not considered to have a detrimental impact on this part of the Green Belt.

Addressing the comments from the Parish Council regarding the concern that the stables should be built first then the garage so that the impact on the Green Belt is minimal. Although legal agreements are occasionally used to agree phasing, in this case this is considered unnecessary as the assessment of both elements have found no excessive harm.

Impact on Neighbouring Amenity

The garage element is some distance from neighbours and no amenity concerns are raised. With regards to the stable extension, this will be located on the boundary with Coach House Stables, but provided the appearance is acceptable (as above) it is not considered to result in any excessive amenity concerns.

Response to Comments Received

A condition restricting the use of the garage is acceptable given this is a Green Belt location, as is the request for the proposal being carried out in accordance with the approved plans to avoid any additional windows/openings.

The covenant is noted but this is separate to planning legislation, in any event this application is not for any change of use.

Conclusion:

The proposal is considered on to comply with relevant planning policy and it is recommended that planning permission with conditions 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: Marie-Claire Tovey

Direct Line Telephone Number: 01992 564414

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