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| Application Number: | EPF/0916/22 |
| Site Name: | Sumners Farm Epping Road, Epping Upland CM16 6PX |

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OFFICER REPORT

| | |
|--------------------------|---|
| Application Ref: | EPF/0916/22 |
| Application Type: | Householder planning permission |
| Applicant: | Mr Tim Matthews |
| Case Officer: | Muhammad Rahman |
| Site Address: | Sumners Farm Epping Road Epping Upland Epping Essex CM16 6PX |
| Proposal: | Two (Double) storey side and rear extension |
| Ward: | Broadley Common, Epping Upland and Nazeing |
| Parish: | Epping Upland |
| View Plans: | https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NzBF |
| Recommendation: | Approve with Conditions |

This application is before this Committee because it a planning application submitted by a Councillor of the Authority (Pursuant to Article 10 of the Constitution).

Site and Surroundings

The site comprises of a detached dwelling within a wider farm complex, located in a built-up enclave of the Green Belt. It is not listed nor within a conservation area. No protected trees lie within the site.

Proposal

The proposal is for a two-storey side and rear extension.

Relevant Planning History

EPF/2372/08 - Change of use of agricultural building to pelleting of polyethelene piping use with associated parking space - Approve with Conditions

Development Plan Context

Local Plan & Alterations 1998 & 2006 (LP)

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 |
| DBE9 | Loss of Amenity |
| DBE10 | Residential Extensions |
| GB2A | Green Belt |

National Planning Policy Framework 2021 (Framework)

The Framework 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:

Paragraphs 126 & 130
Paragraphs 137, 147 - 149

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.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as Main Modifications, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan.

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 Main Modifications, the **highest weight** should be afforded to LPSV policies in accordance with paragraph 48 of Framework. The following policies below are relevant to the determination of this application;

| | |
|-----|---------------------|
| DM4 | Green Belt |
| DM9 | High Quality Design |

Summary of Representations

Number of neighbours
Consulted: 2. No response(s) received
Site notice posted: Yes

EPPING UPLAND PARISH COUNCIL – No objection

Planning Considerations

The main issues for consideration in this case are:

- a) The impact on the Green Belt;
- b) The impact on the character and appearance of the locality; and
- c) The impact to the living conditions of neighbours.

Green Belt

The relevant exception to development in the Green Belt is Paragraph 149 (c) of the Framework which states; the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. To establish whether the proposal would result in a disproportionate addition or not depends on the impact on the openness of the Green Belt, which has a spatial aspect as well as a visual aspect.

The original building has a volume of some 829 cubic metres, and the proposal will add an additional 184 cubic metres, which is an increase of some 22% in volume. It should be clarified that an assessment on the openness of the Green Belt is not a purely mathematical exercise, so, it is considered that on balance the proposed development in spatial terms (22% increase in total volume) would be acceptable. Visually the proposal would have a negligible impact on the openness of the Green Belt, due to the limited scale, bulk, massing and siting of the proposed works. Therefore, the proposal would not amount to a disproportionate addition over and above the size of the original building. So, it is not inappropriate development within the Green Belt.

Character and Appearance

The proposed works are considered to be of a size, scale and design that is acceptable and complements the appearance of the existing building, and the wider rural locality.

Accordingly, the proposal is considered to comply with policies CP2 and DBE10 of the LP, policy DM9 of the LPSV, and Paragraphs 126 and 130 of the Framework.

Living Conditions

There are no nearby neighbours to be affected by the proposed works.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with policies CP7 & DBE9 of the LP, policy DM9 (H) of the LPSV, and Paragraph 130 (f) of the Framework.

Conclusion

For the reasons set out above having regard to the matters raised, it is recommended that conditional planning permission be granted.

Should you wish to discuss the contents of this report item please contact the case officer by 2pm on the day of the meeting at the latest. If no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Case Officer | Muhammad Rahman | mrahman@eppingforestdc.gov.uk

Conditions: (5)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 20014-E-2401 Rev 01, 21008-E-2402 Rev 01, 21008-P-1001 Rev 01, 21008-P-1002 Rev 01, 21008-P-2201, 21008-P-2202, 21008-P-2214 Rev 01, 21008-P-2224 Rev 01, 21008-P-2234, 21008-P-2213 Rev 01, 21008-R-7000, and 21008-R-7001.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DBE10 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 5 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

Refusal Reason(s): (0)

Informatives: (1)

- 6 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.