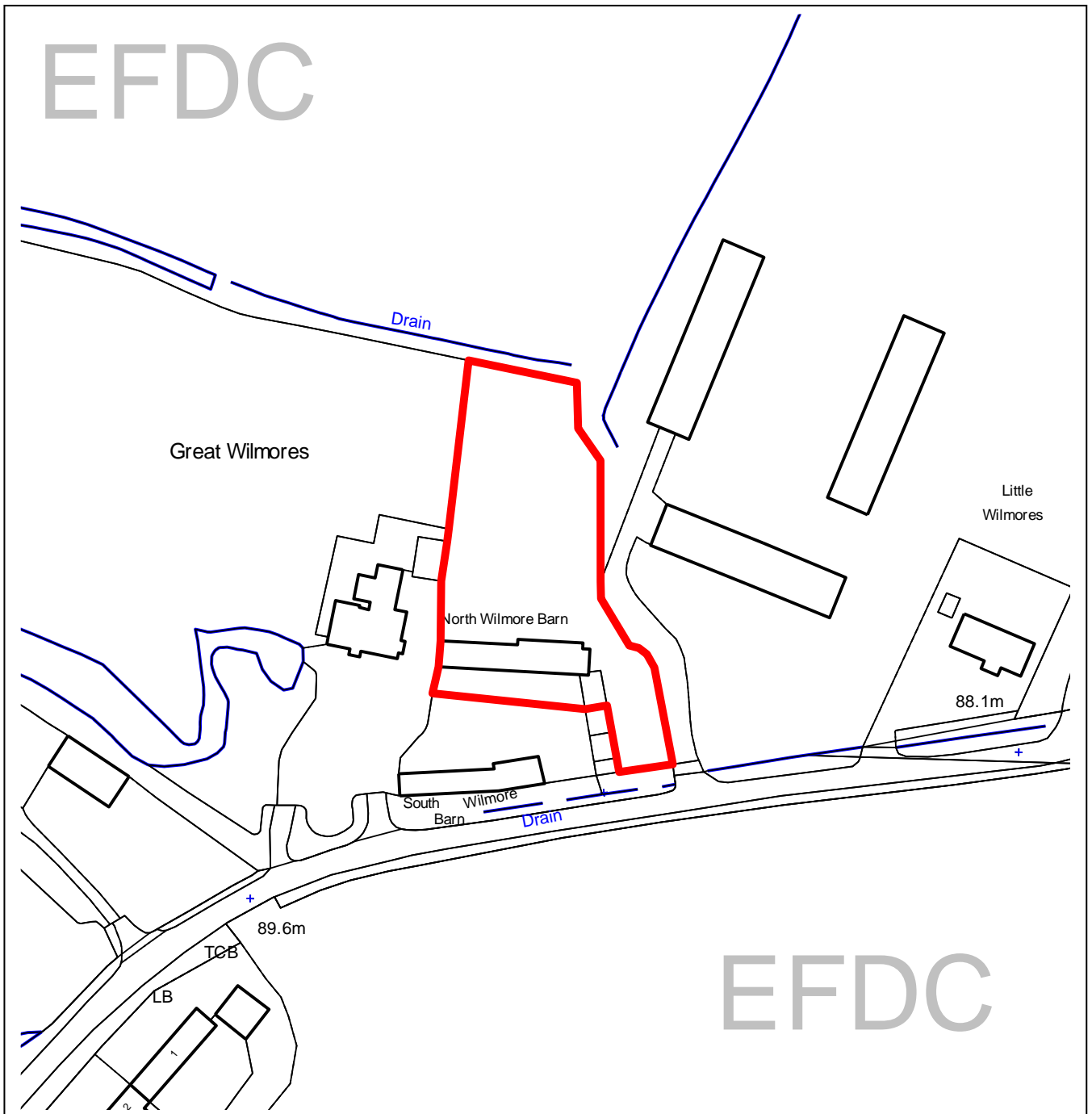




Epping Forest District Council



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Application Number:	EPF/1931/19
Site Name:	North Wilmore Barn Workers Road High Laver Ongar Essex CM5 0DZ
Scale of Plot:	1:1250

APPLICATION No:	EPF/1931/19
SITE ADDRESS:	North Wilmore Barn Workers Road High Laver Ongar Essex CM5 0DZ
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mr Alan Knitter
DESCRIPTION OF PROPOSAL:	Proposed extension of existing building with a new basement, entrance lobby and mid-storey extensions to the South and North elevations, together with a new separate pool house.
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=627073

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 and retained strictly in accordance with the approved drawings numbers:

P.05.01 B, P.05.02 A, P.10.01 A, P.10.02A, P.10.20 A, P.12.01C, P.12.02E, P.12.11, P.12.20 A, C.13.01A, C.13.02A, P.14.03 B, P.14.20 B, P.14.21 B
- 3 The development hereby permitted shall be carried out in accordance with the recommendations made by the Contribution to a Planning Application reference MBP-7940-v1.1 document dated November 2019 submitted as part of this application.
- 4 Prior to preliminary ground works taking place, details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to

throughout the construction period. The Statement shall adhere to the stipulations made by the Michael Barclay Partnership document reference MBP-7940-v1.1 Nov 2019.

- 7 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.
- 8 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

North Wilmore Barn' a linear 'L' shaped design converted barn located to the north of Workers Road within the settlement of High Laver, which originally formed part of Great Wilmores Farm before falling redundant and being converted to a dwelling in the mid 2000s with another barn (now known as South Wilmores Barn, (a Grade II Listed Building) located to the west sited within the boundaries of the Metropolitan Green Belt.

Great Wilmores Farmhouse to the west is a grade II listed building so Great Wilmores Barn is considered to be a curtilage listed building by virtue of its age and historic use and ownership in connection to the listed building.

Other than a small 4.0*1.0m link extension the property has not been previously extended. Planning permission has recently been approved Ref: EPF/3117/17 for a single storey side, 2 storey rear extension and a rear detached outbuilding

Description of Proposal:

Permission is sought for the extension of existing building with a new basement, entrance lobby and mid-storey extensions to the South and North elevations, together with a new separate pool house.

Parallel Listed Building Consent application submitted under reference EPF/2059/19.

Relevant History:

Reference	Description	Decision
EPF/1391/18 and EPF/1404/18	the same as that approved earlier (EPF/3117/17 and EPF/3123/17) other than the addition of two single storey 'wings' on the sides of the previously approved two-storey midstorey and the relocation of the	Refused: Harmful to significance of curtilage listed barn

	swimming pool.	
EPF/3117/17 and EPF/3123/17	erection of extensions and outbuilding to the curtilage Listed Building	Granted subject to conditions
EPF/2521/17	Outdoor swimming pool	Granted subject to condition
EPF/1960/17	Front, rear and side extension to the building, the erection of an outbuilding and a basement	Refused impact on Green Belt
EPF/0528/08	Link extension to north barn	Granted subject to conditions
EPF/2360/07	Erection of walls and gates	Granted subject to conditions
EPF/0873/05	Conversion of existing barn to 2 live/work units	Granted subject to conditions

DEVELOPMENT PLAN

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
CP3	New Development
RP5a	Environment Impacts
HC10	Works to Listed Buildings
HC12	Development affecting the setting of a listed building.
DBE1	Design of New Building
DBE2	Impact on Neighbouring Properties
DBE3	Design in Urban Areas
DBE4	Design in the Green belt
DBE9	Loss of Amenity
DBE10	Residential Extensions
GB2A	Development within the Green Belt
ST4 -	Road Safety
ST6 -	Vehicle Parking
U3B	Sustainable Drainage Systems

NATIONAL PLANNING POLICY FRAMEWORK (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.

EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION (2017) (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 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.

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:

Policy	Weight afforded
SP 6 - Green Belt and District Open Land	Significant
T 1 - Sustainable Transport Choices	Significant
DM 1 - Habitat Protection and Improving Biodiversity	Significant
DM 4 - Green Belt	Significant
DM 5 - Green and Blue Infrastructure	Significant
DM 7 - Heritage Assets	Significant
DM 9 - High Quality Design	Significant
DM 12 Subterranean, Basement Development and Lightwells	Some

DM 15 - Managing and Reducing Flood Risk	Significant
DM16 - Sustainable Drainage Systems	Significant
DM17 - Protecting and Enhancing Watercourses and Flood Defences	Significant
DM18 - On Site Management of Waste Water and Water Supply	Significant
DM19 - Sustainable Water Use	Significant
DM21 - Local Environmental Impacts, Pollution and Land Contamination	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 3

Site notice posted: Yes

LITTLE WILMORES– OBJECT: This is an ambitious and over large, disproportionate development, particularly the basement. Our farmland adjoins North Wilmore property on the North and East boundaries and the excavation involved for the basement causes concern with regard drainage.

A pool house is proposed, but there is no mention of the construction of a pool, The North midstorey extension is proposed to have an extensive glass wall, which we feel will cause a loss of our privacy.

PARISH COUNCIL OBJECT: The NPPF states that extensions should not result in a 'disproportionate' addition. There is no definition with the NPPF of disproportionate although there is reference in the case officer report on EPF/1960/17 to 55% being appropriate.

However volume is taken to mean cubic content and is usually measured externally and includes roof space as well as basement areas. The measurements given in the plans submitted are square metres rather than cubic metres and therefore do not include roof space or the void above the living area. If the measurements were in cubic metres it would be in excess the 55% mentioned previously and therefore constitutes overdevelopment within the Green Belt.

The application is in breach of EFDC Policy DM12 (f) as details have not been provided on the impact on drainage, flooding and groundwater conditions

There are no foul drainage plans

There are no surface water drainage plans

Main Issues and Considerations:

Background

Planning permission and Listed Building Consent has been granted under references EPF/3117/17 and EPF/3123/17 for the above ground extensions. These permissions are currently extant and as such no objection are raised in their regard. It is for this reason that this report will only look at the additional impact of the proposed basement.

Principle

Policy DM12 of the LPSV requires that basements will only be permitted where they

A

(i) Will not adversely affect the structural stability of the host buildings and other

- infrastructure including the adjoining highway.
- (ii) Does not increase flood risk to the property and adjacent property from any source
 - (iii) Avoids harm to the appearance or setting of the property or established character of the surrounding area; and
 - (iv) Will not adversely impact the amenity of adjoining properties by reason of noise or increased levels of internal or external activity
- B The siting, location, scale and design of basements must have minimal impact on and be subordinate to, the host building and property. Basement development should:
- (i) Not comprise of more than one storey;
 - (ii) Not exceed 50% of each area of garden within the curtilage of the property.
- C And during construction phase;
- (i) Will not cause harm to pedestrian, cycle vehicular and road safety, adversely affect bus or the transport operations, significantly increase traffic congestion, nor place unreasonable inconvenience on the day to day life of those living, working or visiting nearby;
 - (ii) Will minimise construction impacts such as noise vibration and dust for the duration of the works; and
 - (iii) Ensure compliance with the Construction Management Statement submitted (see DM 21)
- D The Council will not permit subterranean developments or basements which include habitable rooms or other sensitive uses in areas prone to flooding and where there is no satisfactory means of escape from flooding.
- E Discusses lightwells- Since no lightwells are proposed, this criteria is not relevant to this application.
- F In determining proposals for basements and other underground development the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment and where appropriate a basement construction management statement.
- G Within Green Belt basement developments may be considered acceptable provided they do have a greater impact on the openness of the Green Belt, either themselves or cumulatively with other development.

A basement appraisal was carried out by Michael Barclay Partnership a firm of consulting engineers at the request of the Council. They found the existing building was in good condition,

They advised that

- The proposed development of North Wilmore Barn can be achieved using standard construction techniques and materials.
- The site specific site investigation has established the near-surface soil profile and the construction and load paths calculated to ensure that the new building will be adequately supported by the existing geology.
- The subterranean basement will not affect the integrity of the surrounding building stock, will not disturb underlying hydrogeology or overload the near-surface geology.
- The site is on level ground in any case but, notwithstanding this, the construction techniques and sequences proposed minimises the risk of instability, ground slip and movement.
- There are no critical utilities or infrastructure beneath the site that cannot be relocated easily to accommodate the construction and, as there is no change in use or level of occupancy proposed there will be no significant increase in foul

- discharge to the public sewer.
- Although the proposed construction is below perched groundwater, it will not be beneath the prevailing groundwater level. The basement can be constructed using relatively light techniques, in controlled and pre-determined sequences and without the need for a large open excavation before construction can start and consequent extensive temporary works. Where mechanical means are necessary to construct permanent works these can be of a type that generates low vibrations to which the surrounding buildings have a form and construction that is robust and resistant to.
- The excavation for, and construction of the basement will need to be completed without involving or disturbing the existing ground and upper floors and finishes throughout the existing building. In situ construction by staged sequences will commence from the middle of the elevations and will be cast in 1m-sections of reinforced concrete. Some local groundwater management will be required to manage water inflows into excavations.
- The subterranean works have been positioned to avoid any impact to nearby retained trees.
- By adopting an underpinning technique and following a hit-&-miss sequence, it will be possible to construct the basement without extensive temporary works.
- If site circumstances required the alternative, contiguous piled construction, the new walls can be formed before excavation and, with an appropriate design of the piles, propping of the piles may be avoided during excavation though propping of the piles directly alongside the existing foundations is in any case recommended.
- Any temporary works will be designed by the Contractor to current British Standards.
- The surrounding roads are wide enough and without tight bends or corners that will hinder or prevent site traffic and will not cause site traffic to hinder or delay local and residential traffic.

Furthermore, as discussed below the proposal covers less than 50% of the garden and is not considered harmful to the openness of the Green Belt. Having said this the Local Plans Inspector Advice after the hearings contained within a letter to the Council dated 2nd August 2019 raised concerns that part B(ii) may be ineffective and contrary to national policy which avoids defining proportionality. She therefore has recommended that the Council amend Part B(ii) of DM 12 to address these concerns. It is for this reason that this requirement on has limited weight.

Overall however, conclusions made by the Michael Barclay partnership demonstrate that the proposal complies with the requirements of policy DM 12 of LPSV. It is for these reasons considered that subject to condition requiring compliance with the recommendations made in this report, the proposal complies with the requirements of policy DM 12 of the LPSV.

Impact on the Green Belt

The application site falls within land designated as Metropolitan Green Belt. Government guidance dictates that new development within the Green Belt is inappropriate unless it falls within the list of exceptions set out in paragraphs 145 and 146 of the National Planning Policy Framework (NPPF), and provided it does not harm the character and openness of the Green Belt or create urban sprawl.

The National Planning Policy Framework explains that the extension or alteration of a building is not inappropriate in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building. Policy GB2A within the Adopted Local Plan and Alterations is broadly in accordance with this objective in that it sets out forms of development that are appropriate in the Green Belt, including limited extensions. There is no definition of what a 'disproportionate' is. However appeal decisions have indicated that

factors that should be taken into consideration are volume, footprint and impact on the appearance of the application property.

Plans indicate that the basement will provide 100 sqm of additional space and therefore along with existing approved extensions the proposal will increase the size of the original property by 96%. If this amount was of extensions proposed above ground level it would be inappropriate development.

However, the above ground volume remains 55% as previously approved. The proposed basement would be situated entirely underground with no part of it visible at any point externally; there will be no external windows, entrances or exits to the basement as it will be accessed internally from the house; the house will not be artificially raised above natural ground level to accommodate the extension and the basement does not include habitable rooms therefore the proposal will have no impact on the openness of the site. It is for this reason considered to be not inappropriate development in accordance with chapter 13 of the NPPF, GB2A of the Local Plan, DM4 and DM 12(G) of the LPSV.

Impact on the Special Architectural and Historical Significance of the host Listed Building

Paragraph 132 of the NPPF requires that “When considering the impact of a proposal on the significance of the designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater weight should be given to its conservation. Significance can be harmed or lost through (inter alia) development within its setting. As heritage assets are irreplaceable any harm to a Grade II listed building should be exceptional”.

Paragraph 134 requires “where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use”.

The Conservation Officer reviewed the application and made the following comments:-

North Wilmore Barn once formed part of Great Wilmores Farm before falling redundant and being converted to a dwelling in the mid 2000s along with another barn (now known as South Wilmore Barn). Great Wilmores Farmhouse to the west is a grade II listed building so Great Wilmores Barn is considered to be a curtilage listed building by virtue of its age and historic use and ownership in connection to the listed building.

In 2018 consent was granted, ref. EPF/3117/17 & EPF/3123/17(LB) for the erection of three extensions to the barn (rear single storey lean-to, side single storey lean-to, two storey midstrey), an outdoor swimming pool, and a single storey outbuilding.

In 2019, a pre-application sought advice, ref. EF\2019\ENQ\00456, on the addition of a new basement to the granted scheme, which was deemed to be acceptable.

The current application follows the pre-application advice given and as the above ground extensions remain unchanged from the granted scheme, comments from Maria Kitts (Conservation Officer at the time) on the previous application (EPF/3123/17) remain valid. They are reproduced below:

“The extensions are substantial, however, they are all traditional in form and in keeping with the character of the barn. Lean-to extensions and midstreys are both common features on traditional barns. Furthermore, there will be no loss of historic fabric as existing openings are used to access the new extensions. None of the extensions are considered to detract from the overall character of the building. The modern treatment of the fenestration (including a fully glazed mistrey end, long slim windows to the midstrey flank, and large rooflights to the rear lean-to) and the use of contemporary

seamed metal cladding to the side lean to is considered to be acceptable as it denotes the extensions as modern interventions. The same is true of the metal-clad outbuilding.

The outbuilding sits back to back with an existing neighbouring outbuilding and so forms part of a cluster of buildings on what was once a single farm complex. The scale and design are considered to be acceptable as its form is traditional and the contemporary cladding and fenestration ties it in with the extensions to the barn.

The proposed swimming pool and paved area are somewhat incongruous with the character of the barn as a former agricultural building. However, if well detailed and sympathetic materials used then its visual impact will be lessened and it will not detract from the appearance of the building.”

It is therefore recommended that listed building consent and planning permission are GRANTED subject to the following conditions:

- *Details of the types and colours of all external materials shall be submitted to and approved by the Local Planning Authority in writing prior to their first installation on site. Additional drawings that show details of proposed new windows, doors, and rooflights, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to their first installation on site.*
- *No meter boxes, vent pipes, flues, ducts, or grills shall be fixed to the fabric of the building without the prior written approval of the Local Planning Authority.*
- *Further photographic details and drawings of the types and colours of the hard surfacing surrounding the pool, the external pool lining, and the pool furniture shall be submitted to and approved by the LPA in writing prior to their first installation on site.*

This is supported by policies HC10 and HC12 of our Local Plan and Alterations (1998 and 2006), policy DM7 of our Submission Version Local Plan (2017), and paragraphs 190, 192, 193 and 194 of the NPPF (2019).

Impact on the living conditions of neighbouring residential properties

The current proposal will not cause excessive additional harm to the living conditions of neighbouring properties over and above that already approved under extant permission under reference EPF/3117/17 and EPF/3123/17. The proposal therefore complies with the requirements of policy DBE9 of the Local Plan and DM 9(H) of the Submission Version Local Plan.

Land Drainage

The Land Drainage team consider that the proposal subject conditions requiring details of foul and surface water drainage is acceptable. The proposal therefore accords with the requirements of policy U3B of the Local Plan and DM 16 of the LPSV.

Conclusion

The above ground extensions have extant permission as a result of approvals made under references EPF/3117/17 and EPF/3123/17. The only matter for consideration therefore is the basement. Since it is wholly below ground, it would not have an impact on the openness of the application site located within land designated as Green Belt. Subject to further conditions officers are satisfied that the proposal will not harm the amenity of neighbours, compromise the structural stability of adjoining properties, increase flood risk or damage the character of the area or natural environment. It is for these reasons that 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: Sukhi Dhadwar

Direct Line Telephone Number: 01992 564597 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk