

EPF/0379/23 - Delegated Report

Bramstons, Roding Lane, Chigwell, IG7 6BE

Description of Site:

The application site is located within a linear ribbon of development on Roding Lane, Chigwell.

The application site contains a large detached house, which has been significantly extended, several large outbuildings, a tennis court with flood lighting and a walled garden of some historic interest.

The application site is located within the Metropolitan Green Belt and it is not in a Conservation Area.

Description of Proposal:

Description of development:

Installation of new boundary fence and entrance gates and other associated works.

The submitted covering letter describes the Application Proposals as follows:

This application seeks planning permission for the installation of a replacement boundary treatment and associated entrance gates to the southern perimeter of the application site. This will replace the existing boundary fencing and gates currently installed along this part of the site, which are no longer considered suitable nor fit for purpose.

This also involves removing one of the existing vehicular entrances and introducing a new entrance gateway along Roding Way to the west in place of an existing timber gateway. The proposals also involve reconfiguring part of the driveway to create a lay-by to allow for a tanker lorry to empty a nearby septic tank.

The following elements are proposed:

- New entrance and gates (rendered brickwork and painted metal gates, maximum height of piers 2.4m, maximum height of gates 2.2m). Blocked paving stones to entrance.
- 2m high metal railings forming front boundary fence along Roding Lane
- Extension of existing internal driveway road beyond the existing residential curtilage onto open Green Belt land.

Relevant Planning History:

EPF/1735/23

Demolition of existing garage block and construction of new garage block
Not yet determined.

EPF/0016/23

Application for a Lawful Development certificate for a proposed new security & games room within the curtilage of the house.
Lawful 01.03.2023

EPF/1813/22

Demolition of existing garage block and construction of new garage block

Refused 18.10.2022

EPF/1941/22

Certificate of lawful development for proposed garden room.
Not Lawful 06.10.2022.

EPF/1901/22

Certificate of lawful development for proposed outbuilding.
Lawful 06.10.2022.

EPF/2573/21

Proposed erection of a single dwelling with associated parking and landscaping following demolition of the existing house.
Refused 13.12.2021.

EPF/0834/18

Demolition of main house and associated outbuildings and construction of 2 no. new houses that have a combined volume of less than the existing.
Approved subject to legal agreement and conditions 28.02.2020

EPF/0567/20

Application for Variation of Condition 2 `Plan numbers` of EPF/0834/18. (Demolition of main house & associated outbuildings & construction of X2 no. new houses of a combined volume less than the existing.
Approved 04.05.2020

Approved Amendments:

The application form states that the variation is to slightly change the design of the two houses so that the combined volume is shared slightly differently between the two proposed houses with structure 2 (single storey building) gain in volume and structure 1 (Main house) reducing by the same amount.

EPF/0954/20

Approval of Details Reserved by Conditions 3 `Construction Method Statement` 4 `Flood Risk Assessment` and 5 `Implementation of Archaeology programme`, condition 6 `Implementation of a programme of historic building recording`, condition 7 `Details of repairs to walls`, condition 8 `Surface Water Disposal` and condition 10 `Hard and Soft landscaping` for EPF/0567/20 - (Application for Variation of Condition 2 `Plan numbers` of EPF/0834/18. (Demolition of main house & associated outbuildings & construction of X2 no. new houses of a combined volume less than the existing)).
Approved 02.10.2020.

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Pre-app issued 09.08.2021

Policies Applied:

Adopted Local Plan (March 2023)

DM3 - Landscape Character, Ancient Landscapes and Geodiversity

DM4 – Green Belt

DM5 - Green and Blue Infrastructure

DM9 – High Quality Design

NPPF 2021.

Consultation Carried Out and Summary of Representations Received:

Chigwell Parish Council: Objection:

“The Council OBJECTS to applications which may result in inappropriate development in Green Belt whether with or without special circumstances. The Council, therefore, OBJECTS to this application. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive its objections”

4 neighbours consulted: No comments received.

Issues and Considerations:

The main issues to consider relate to Impact on Green Belt, Character and Appearance, Residential Amenity, Trees and Landscaping and Highways.

Impact on Green Belt

Whilst the new entrance feature and boundary fencing may themselves be considered acceptable in Green Belt terms if they were serving one of the two existing accesses and fronting only parts of the site that is existing residential curtilage, the fact is that this application also proposes an extension to an existing driveway road outside of the existing residential curtilage and onto open Green Belt land.

The submitted cover letter states that the proposal involves: *reconfiguring part of the driveway to create a lay-by to allow for a tanker lorry to empty a nearby septic tank.*

But fails to mention that in fact the proposal involves the extension of this driveway onto Green Belt land outside of the residential curtilage. Furthermore Drawing 2022/6683/005 Rev P2 appears to show that the proposal is in fact creating a separate access for the outbuilding approved under application EPF/0016/23 which is within the residential curtilage.

Drawing 2022/6683/005 Rev P2 also shows associated hardstanding and car parking spaces alongside the outbuilding which were not approved under EPF/0016/23.

It is unclear why the two existing accesses to the site are insufficient to serve the existing residential dwelling and why a third access is required to be created on Green Belt land falling outside of the residential curtilage.

It does appear that the purpose of the application is to create an access which would open up an undeveloped part of the site and also provide an access and driveway to the outbuilding approved under application EPF/0016/23 in order that it may be used as a separate dwelling.

It is considered that the proposed development in particular the entrance gates extension to the driveway road outside of the residential curtilage is inappropriate development in the Green Belt and would also have a harmful impact on openness and the purposes of including land within the Green Belt.

Unacceptable in terms of Green Belt impact.

Character and Appearance

The proposed development would be an incongruous incursion into undeveloped Green Belt land which would have a harmful impact upon the character and appearance of the site and surrounding area contrary to policies DM4 and DM9 of the Adopted Local Plan (March 2021) and the NPPF 2021.

Residential Amenity

There are no neighbours within close proximity to the site and as a consequence there will not be any material harm to living conditions of any neighbouring residential properties as a result of the proposed development.

Trees and Landscape

Tree Officer comments 12th July 2023:

We have NO OBJECTION to this application subject to the addition of the following conditions:-

Arcus 68 – Retention of trees and shrubs

Arcus 77 – Soft landscaping

AND Tree Protection

Tree protection shall be installed as shown on Tracy Clarke Tree Consultancy 'Tree Protection Plan' drawing number TCTC-18810-PL-03 Rev A' (dated June 2023) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports. Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policies DM3 and DM5 of the Epping Forest District Local Plan 2011-2033, and the NPPF 2021. Justification Given the length of the boundary along Roding Lane, and the fact it is currently bordered by mixed vegetation, in respect of proposed soft landscaping for planting to the rear of the new railings we will be looking for a mixed species of hedging not a monoculture."

Highways

Essex CC Highways comments 27th July 2023:

"From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

1. The access arrangements, as shown on drawing no. 2022/6683/002 Rev P4, including the visibility splays and gate position, shall be fully implemented as indicated on the approved plan and shall be retained as such in perpetuity. Reason: To ensure that safe and appropriate access is provided to the highway.

2. Prior to the first beneficial use of the new access, the existing field access to the east, shall be fully reinstated, including full reinstatement of the highway verge as necessary. Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023), and the NPPF 2021.

Informative All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org"

Conclusion:

Recommended for refusal.