

<b>APPLICATION NO:</b>	<b>P1015.13</b>	
<b>WARD :</b>	Upminster	<b>Date Received:</b> 23rd August 2013 <b>Expiry Date:</b> 18th October 2013
<b>ADDRESS:</b>	6-7-8 Cranham Hall Mews The Chase Upminster	
<b>PROPOSAL:</b>	Post and wire fencing to northern and western boundaries	
<b>DRAWING NO(S):</b>	Drg 2 Fence elevation and cross-section Drg 1 Site Plan	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

## **SITE DESCRIPTION**

The application site comprises open land to the west of Cranham Hall Mews which is a quadrangle of former farm buildings (Cranham Hall Farm) converted and extended to form ten residential properties. Access to Cranham Park Mews and the application site is taken from The Chase. The converted farm buildings and the application site lie within the Green Belt and the Cranham Conservation Area.

The Conservation Area is characterised by mainly open farmland that provides a setting for the 18th and 19th century buildings at its centre a number of which are listed. The site also lies within the area of the Thames Chase Community Forest. Public Footpath 226 runs along the edge of the application site.

There is currently a post and rail fence along much of the boundary where the new fence is proposed. In places this is backed by a wire mesh fence. The boundary also includes a five bar gate to the rear of no.7. Adjacent to part of the fence line is a section of recent laurel hedgerow planting, mainly along the boundary of the extended curtilage to no.8. There is a well established native hedgeline behind nos. 6 and 7. The existing fence in this location lies on the east side of the hedge line.

The area to the rear of nos. 6, 7 and 8 has been extended to form additional residential curtilage and each of the garden areas is separated from that adjoining by a fence. These fences are not part of this planning application. The extended garden areas are unauthorised and enforcement notices are in place.

## **DESCRIPTION OF PROPOSAL**

The erection of a 1m high mesh fence on 1.1m timber posts to replace existing post and rail fencing. The fence would have a square mesh (pig wire) and fixed to the posts at 1.8m centres. The fence would run from the corner of no.8 and follow the line of footpath 226 westwards and then southwards, approximately 47m to the rear of nos. 7 and 6. The total length of fence proposed is 81.4m.

## **RELEVANT HISTORY**

P1707.07 - Conversion of existing barns into 8 new dwellings plus 2 new separate dwellings - Approved

P2029.08 - Change of use of land to the south of Cranham Hall Mews to form paddocks with

associated fencing and access way - Refused  
P0779.10 Retention of replacement post and rail fencing - approved

## **CONSULTATIONS/REPRESENTATIONS**

The application was advertised on site and 20 neighbour notification letters sent out. Two letters of support have been received from the occupiers of nos. 1 and 9 Cranham Court Mews.

## **RELEVANT POLICIES**

### LDF

CP14 - Green Belt  
CP18 - Heritage  
DC22 - Countryside Recreation  
DC45 - Appropriate Development in the Green Belt  
DC60 - Trees and Woodlands  
DC68 - Conservation Areas  
SPD2 - Heritage SPD

### OTHER

NPPF - National Planning Policy Framework

## **STAFF COMMENTS**

The application site lies within an area covered by an Article 4 Direction that restricts permitted development involving the erection of fencing, gates and other means of enclosure. This means that such development requires planning permission. The reason for the Direction was to maintain the character of the area, including the open countryside around the buildings at the centre of the conservation area.

The site lies within the Green Belt and for planning purposes, fences are classified as buildings. Paragraph 89 of the NPPF says the construction of buildings in the Green Belt is inappropriate other than in certain circumstances. The fence is not for any of the purposes listed in the NPPF or in LDF Policy DC45. Therefore, the erection of a fence would, be contrary to the Green Belt policies of the LDF and the guidance in the NPPF unless very special circumstances can be demonstrated.

## **BACKGROUND**

Planning permission for the conversion and extension of the buildings at Cranham Hall Farm was granted in 2007. Prior to the conversion the use of parts of the land adjoining was used for the grazing of horses. During the course of the conversion works to the farm buildings this area was cleared, the ground ploughed and reseeded as grass. This resulted in an improvement to the openness of the Green Belt and the Cranham Conservation Area. As part of the clearance works the existing fencing, which was formed of a mixture of timber fencing and barbed wire, was also removed. New post and rail fencing was then erected to form horse paddocks. Planning permission was subsequently granted to retain this fencing as it was judged to have no greater impact than that which had existed previously

The fencing to be replaced under the current application was erected subsequently and was not covered by the 2010 planning permission. Prior to the conversion of the farm buildings and erection of new dwellings the land to the west of the farm buildings was separated from the adjacent farmland and footpath by a post and wire fence along its northern boundary. There was no hedgerow and the land had a largely open appearance to the adjoining agricultural fields. The fence along the southern section had been largely incorporated with the native

hedgerow. Following conversion of the farm buildings a new post and rail fence was erected on the application site and between the three properties to create extended residential curtilages. A laurel hedge was planted on the southern side of part of the new fence.

Enforcement notices were issued in March 2012 requiring the removal of these fences. An appeal was dismissed and the notices upheld with correction. The Inspector determined that planning permission should not be granted as it was inappropriate development in the Green Belt and that there were no very special circumstances that outweighed the harm to the Green Belt. The Inspector considered that overall the fencing would erode the openness of the area and increase the intrusion of built development into the countryside. This application seeks to address these objections, but only in respect of the perimeter fencing around the extended garden areas and not the fencing that separates the three plots from each other.

### **GREEN BELT IMPLICATIONS**

The proposed fencing lies entirely within the Green Belt. The erection of a fence is a building operation which is by definition inappropriate development in the Green Belt. Government guidance in the National Planning Policy Framework (NPPF) identifies the essential characteristics of Green Belts are their openness and their permanence. Paragraphs 87 and 88 say inappropriate development is by definition harmful to the Green Belt; that it should not be allowed other than in very special circumstances; and that those will not exist unless the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The Inspector concluded that the fences caused material harm by eroding the openness of the area by "cutting out a small portion from a swathe of land which was formerly open". It also increased the intrusion of built development in the countryside which conflicts with one of the purposes of the Green Belt to protect the countryside from encroachment.

Of particular concern to the Inspector was the subdivision of the land to form individual plots for nos 6,7 and 8 Cranham Hall Mews. However, the Inspector considered the fencing as a whole and did not treat the 'boundary' fencing differently. Whilst only the 'boundary' fence is covered by this application and needs to be considered in isolation, the Inspector's conclusions remain a material consideration.

Since the appeal the laurel hedge planting along the extended boundary to no.8 has further established. The proposed fence along this section would be difficult to detect in wider views of the site and given its mesh construction would have significantly less impact on openness and the rural character of the area compared with the existing more solid fence. The fence would be much less intrusive and very similar to the fence which existed prior to the residential conversion. The style of fencing has been chosen to minimise the impact on the rural setting. Whilst it results in the enclosure of otherwise open land, including land that is currently used for unauthorised residential purposes, it does follow the line of an earlier fence and would have less impact on the open nature of the area than the existing unauthorised fence. Given these factors it is considered that very special circumstances do exist sufficient to outweigh the harm that would be caused to the Green Belt. Accordingly the development would be in accordance with the guidance in the NPPF and LDF Policy DC45.

### **CONSERVATION AREA**

The application site lies within the Cranham Conservation Area. The Cranham Conservation Area Character Appraisal and Management Proposals advise that the character of the area derives from a group of buildings and trees set in open countryside. LDF Policy DC68 seeks to protect

conservation areas and new development should preserve or enhance their character or appearance. The guidance in the NPPF at paragraph 131 is that account should be taken of the desirability of sustaining and enhancing a heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.

The expanses of uninterrupted open land are a distinctive characteristic of the locality and a valued feature of the conservation area. The proposed development would not significantly impact on the open nature of the area by introducing a fence of the type proposed along a former fenceline. Staff consider that, as a matter of judgement the proposed fence would not materially impact on the character and appearance of the conservation area. Accordingly the proposal would protect the heritage asset in accordance with LDF Policy DC68 and the guidance in the NPPF.

### **KEY ISSUES/CONCLUSIONS**

This application seeks planning permission for a replacement fence following the dismissal of an enforcement appeal. The replacement fence would have less impact on the openness of the area compared with that which is subject to the enforcement notice and would effectively reinstate the fence in the form that previously existed. Nevertheless the proposal would still be inappropriate development which would by definition be harmful to the Green Belt. The proposed fencing would follow a former fence line with a similar type of fencing. In these circumstances staff judge that it would not have a materially harmful effect on the open character of the area, the openness of the Green Belt or the character and appearance of the Cranham Conservation Area. These factors are considered to amount to 'very special circumstances' that outweigh the harm to the Green Belt. The development would, therefore, accord with the guidance in LDF Policies DC45 and the guidance in the NPPF in relation to inappropriate development. It would also comply with LDF Policy DC68 and the guidance in the NPPF in respect of the Cranham Conservation Area. Approval is recommended accordingly.

### **RECOMMENDATION**

It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

#### **1. SC4 (Time limit) 3yrs**

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

#### **2. SC32 (Accordance with plans)**

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out

**INFORMATIVES**

**1 Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

<b>APPLICATION NO:</b>	<b>A0032.14</b>	
<b>WARD :</b>	Havering Park	<b>Date Received:</b> 6th June 2014 <b>Expiry Date:</b> 1st August 2014
<b>ADDRESS:</b>	7 Chase Cross Road Romford	
<b>PROPOSAL:</b>	Non-Illuminated hoarding Revised Description and Plans received 23/07/2014	
<b>DRAWING NO(S):</b>	CCR/14/04 CCR/14/01	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report given at the end of the report.	

### **CALL-IN**

The application has been called in to committee by Councillor Benham on the grounds that this type of application should be decided by Councillors instead of Planning Officers.

### **SITE DESCRIPTION**

The application site includes a two storey purpose built end unit finished in render with a restaurant/takeaway at ground floor and residential at first floor level. The surrounding area is a mixture of residential and commercial units. The application site is located within the retail core area of the Collier Row Minor District Centre.

### **DESCRIPTION OF PROPOSAL**

The Council is in receipt of a planning application seeking permission for a non illuminated wall mount advertising hoarding measuring 3.548m high x 6.596m wide. The proposed sign would have a perspex face and aluminium surround which would project 0.25m from the wall, would have an overall height of 3.05m from the ground to the base of the advertisement.

### **RELEVANT HISTORY**

- P1129.08 - Variation of condition 3 of planning permission P2300.07 to extend opening hours to enable opening on Sundays, Bank and Public Holidays  
Apprv with cons 29-08-2008
- P1064.08 - Extractor for cooking system  
Apprv with cons 15-08-2008
- P2470.07 - Extension of existing use to include use classes A3 (restuarant and cafes) and A5 (hot food takeaway)  
Awaiting Decision
- P2300.07 - Extension of existing use to include use Classes A3 (restaurants and cafes) and A5 (hot food takeaway)  
Apprv with cons 05-02-2008
- A0011.07 - Illuminated x1 double sided free standing display unit  
Apprv with cons 19-04-2007

P0714.93 - Single storey rear extension/s atellite dish/shopfront alterations  
Apprv with cons 27-07-1993

A0035.93 - Projecting sign. New panel to fascia - illuminated  
Apprv with cons 27-07-1993

### **CONSULTATIONS/REPRESENTATIONS**

Notification letters were sent to adjoining occupiers. One letter of representation was received raising the following comments.

· The application is described as a non-illuminated hoarding, when in fact the submission is for an advertisement hoarding with an luminance of 660cd/m2.

Response: During the planning process concerns were raised regarding the potential light pollution from the sign of occupiers of the first floor residential flats at No.9-11 Chase Cross Road. The agent agreed to amend the scheme to a non-illuminated hoarding. Revised plans were received and the description was amended. It was considered not necessary to re-notify neighbours as the impact would be less intrusive on the neighbouring occupiers.

· The signage would cause light intrusion into the first floor dwelling windows.

· When viewing the Aerial perspective of the site it can be seen that No'7s flank wall is rotated away from the street scene and in fact faces our clients property (First floor residential dwellings)

· The signs size and composition does not compliment the surrounding environment.

· There is no symmetry or relation to other areas of signage in the area.

· There is visual harm to the amenity of the existing building at No 9-11.

· The street view images within the supporting statement are incorrect as they highlight a signage which is rotated from the actually existing elevations. The proposal is to be fixed against the existing building and would face a different direction.

The above comments will need to be assessed in the remaining sections of the report.

The Council's Highways Department has no objections to the proposal.

### **RELEVANT POLICIES**

#### LDF

DC61 - Urban Design

DC65 - Advertisements

#### OTHER

NPPF - National Planning Policy Framework

### **STAFF COMMENTS**

Policy DC65 of the Local Development Framework states express consent for advertisements will only be granted if:

- a) they complement the scale, form and architectural composition of individual buildings
- b) they are by size, design, siting and degree of illumination in character with the surrounding area and the buildings they are on

- c) when displayed on a paved forecourt, or in a pedestrianised area, their dimensions are in scale with other street furniture and should not be overwhelming upon pedestrians in the area
- d) when they are displayed on buildings, or as free-standing units alongside the highway, they should be related to the scale of surrounding buildings and have regard to the symmetry or architectural features of their location
- e) they do not materially harm the visual amenity in the area
- f) they do not unduly compromise public safety or pose a hazard to traffic.

Consent for advertisements will further only be granted if they complement the scale, form and architectural composition of individual buildings and they are by size, design, siting and degree of illumination in character with the surrounding area and the buildings they are on.

The proposed non illuminated advertisement hoarding would be located on the flank wall of No.7 Chase Cross Road which would be viewed as you enter the Collier Row Minor District Centre from Chase Cross Road. Neighbouring units close by are similar commercial uses at ground and residential at first floor level.

The NPPF states that "a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site".

The proposed hoarding would be located within the Collier Row Minor District Centre which does not fit with the description of areas where such hoardings might be acceptable in the NPPF. Furthermore, it is considered the hoarding would detract from the appearance of the locality, impact adversely on visual amenity and would result in a strident and uncharacteristic feature within this part residential, part commercial area which would be harmful to the street scene.

### **IMPACT ON AMENITY**

The impact of the hoarding on the first floor flats on the neighbouring building is considered to be materially harmful to the occupiers amenity.

It is acknowledged that the removal of the illumination from the hoarding is an improvement. However, the position and size of the hoarding in close proximity to neighbouring flats would be an intrusive and unneighbourly development as well as having an adverse effect on the visual amenity of adjacent occupiers contrary to Council guidelines.

### **HIGHWAY/PARKING**

The proposal is set a sufficient distance away from the nearest road and would therefore not have an impact on the highway. The proposal would not be illuminated and would therefore not cause an unacceptable distraction.

### **KEY ISSUES/CONCLUSIONS**

The advertisement hoarding, by reason of its height, size, position and prominent location is considered to be unduly obtrusive and would detract unacceptably from the visual amenity of the area. The proposal would therefore be contrary to the aims and objectives of the NPPF and Policies DC61 and DC65 of the LDF Core Strategy and Development Control Policies Development Plan Document and a refusal of advertisement consent is recommended.

### **RECOMMENDATION**



It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

**1. Reason for refusal - Streetscene**

The proposed advertisement hoarding would, by reason of its height, position and prominent location, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policies DC61 and DC65 of the LDF Core Strategy and Development Control Policies DPD.

**2. Reason for refusal - Residential Extensions**

The proposed advertisement hoarding would, by reason of its height and position close to the boundaries of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

---

**1 Approval following revision**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.

<b>APPLICATION NO:</b>	<b>P0727.14</b>	
<b>WARD :</b>	Upminster	<b>Date Received:</b> 10th June 2014 <b>Expiry Date:</b> 5th August 2014
<b>ADDRESS:</b>	4 Bury Farm Cottages St. Marys Lane Upminster	
<b>PROPOSAL:</b>	Erection of front dormer, single storey side extension and alteration to the existing front porch. Erection of detached building for use as Playroom/Gymnasium in the rear garden rear of the property.	
<b>DRAWING NO(S):</b>		
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

## **SITE DESCRIPTION**

The application site concerns a 2 storey semi-detached house, it benefits from an existing front porch, side and rear extensions. The property forms part of a small group of 6 residential properties, known as Bury Farm Cottages. The site is within the Metropolitan Green Belt.

## **DESCRIPTION OF PROPOSAL**

The proposal is for the erection of front dormer, single storey side extension, alteration to the existing front porch and erection of detached building in the rear garden of the property.

The outbuilding measures 7.5 metres depth, 4.1 metres height to the ridge and 4.8 metres width for use as playroom/gymnasium, the materials walls would be in horizontal timber and the roof in shingle tiles.

The existing front porch would be demolished to be replaced by the new porch measuring at 2.4 metres width, 3.6 metres high and 1.3 metres depth.

The existing side extension will be demolished and replaced with a side extension measuring 2.6 metres width, 3.9 metres high and 7.7 metres depth.

The front dormer would be 1.8 metres height and 1.3 metres wide.

All of the extensions would have tiled roofs and facing brick for the walls to match the existing house.

## **RELEVANT HISTORY**

P1848.01 - Two storey rear extension and single storey side roof/canopy and loft conversion  
Apprv with cons      23-04-2002

P0802.01 - Two storey side and rear extension and loft conversion  
Refuse                      15-08-2001

## **CONSULTATIONS/REPRESENTATIONS**

The proposal has been advertised on site and in the local press and by direct neighbour

notification. No representations received to date.

## **RELEVANT POLICIES**

LDF

CP17 - Design

DC45 - Appropriate Development in the Green Belt

DC61 - Urban Design

SPD4 - Residential Extensions & Alterations SPD

SPD9 - Residential Design SPD

OTHER

LONDON PLAN - 7.16 - Green Belt

LONDON PLAN - 7.4 - Local character

NPPF - National Planning Policy Framework

## **MAYORAL CIL IMPLICATIONS**

The combined floorspace of the proposed extensions and the garage would result in less than 100 square metres of gross additional floorspace. Consequently there are no Mayoral CIL implications as this falls below the minimum floorspace threshold.

## **STAFF COMMENTS**

The main considerations for this application relate to the implications for the Green Belt and neighbouring residential amenity. Therefore the material considerations include the principle of new development within the Green Belt, whether the proposal is proportionate and appropriate to not cause any undue harm to the character and openness of the Green Belt, and the impact on the amenity of the neighbouring properties.

## **PRINCIPLE OF DEVELOPMENT**

The application site falls within the Metropolitan Green Belt however, this does not preclude extensions to residential properties in principle. National and local policies refer to a presumption against inappropriate development in Green Belt areas.

Chapter 9 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is 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. In this instance, the existing front porch and side extension would be demolished and it is considered that the proposed replacement porch and side extension along with the dormer would not result in disproportionate additions over and above the size of the original building and as such this proposal is appropriate in principle. The proposed outbuilding is of a footprint that could normally be constructed under permitted development and, as such, is not judged to be disproportionate to the original property.

## **GREEN BELT IMPLICATIONS**

The NPPF attaches great weight to Green Belts in preventing urban sprawl by keeping land permanently open. In addition the NPPF sets out five purposes of the Green Belt including to check the unrestricted sprawl of large built up areas and to safeguard the countryside from encroachment. As with previous Green Belt policy, the NPPF advises that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The NPPF sets out forms of development that are deemed to be appropriate within the Green

Belt and states that construction of new buildings should be regarded as inappropriate development. A given exception to this is 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. As stated above, the development is not judged to be disproportionate to the original building and is therefore acceptable in principle.

Policy DC45 states that extensions of existing dwellings will be allowed provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original building.

The original dwelling had a volume of approximately 300 cubic metres. Therefore, a 50% increase on the volume of the original house would equate to 150 cubic metres. The existing rear extension to the dwelling (as approved under the previous permission P1848.01) had a volume of approximately 197 cubic metres which equates to a total increase of 66% of the original dwelling.

The proposed extension of the dormer at 1.9 cubic metres, porch at 9.3 cubic metres, side extension at 27 cubic metres and outbuilding at 99.4 cubic metres gives a further increase in volume of 137 cubic metres. Combined with the volume of the previous extension to the dwelling, the overall volumetric increase would be 334 cubic metres, equivalent to 111%.

Whilst the proposal has a resultant volume significantly in excess of that of the original building, consideration must be given to the resultant harm to the character and openness of the Green Belt. The proposed dormer is set well within the existing roof slope and is not judged to materially harm openness. The front porch effectively replaces an existing front porch so is not judged to result in any materially greater harm to Green Belt openness. The proposed side extension replaces, in part, an existing side extension. Whilst it is larger than the extension it replaces it is a single storey structure, located between the flank wall of the subject dwelling and that of the neighbouring house and for these reasons is not judged to materially close down the characteristic openness of the Green Belt.

The proposed outbuilding is a substantial structure. However, it is to be set within a relatively spacious rear garden, where there are other examples of outbuilding, such as at no.3 Bury Farm Cottages. The outbuilding requires planning permission only because of its overall height, as permitted development rights do exist for outbuildings to residential properties in the Green Belt. The proposed outbuilding is not substantially larger than a structure that could be built without the need for planning permission. In view of this, the overall size of the plot and existence of other residential outbuildings, the outbuilding is not judged materially harmful to the character and openness of the Green Belt.

Having carefully considered the merits of this planning application, the proposed outbuilding, front dormer, replacement porch and side extension are considered to be acceptable and not to result in any material harm to the character and openness of the Green Belt.

### **IMPACT ON AMENITY**

Policy DC61 of the LDF requires new development not to harm the amenities of adjoining occupiers by reason of noise and disturbance, loss of light, overlooking or other impacts.

It is considered that the proposed development will not result in an undue impact on the amenity of the neighbouring property.

The front porch and side extensions would be replacing the existing although the side extension

is slightly larger in depth. The side extension is single storey and would not create adverse amenity impacts to No.5 as they have no side facing window towards the proposal.

It is considered that the front dormer, side extension and porch are of a small scale nature, the proposed pitched roof of the side extension and outbuilding, minimises its bulk and its depth adheres to the Residential Extensions and Alterations SPD.

The Residential Extensions and Alterations SPD states that the design of outbuildings should reflect their intended use. Outbuildings should not cause undue loss of light to neighbouring properties or adversely affect the living conditions of neighbouring properties.

The proposed outbuilding, which would be located towards the rear-end of a long garden, is over 25 metres away from the nearest neighbour and set in 0.65 metres from the side boundary of No.5, 1.5 metres from No.3, 15.5 metres from rear boundary. The building has a pitched roof, with an eaves height of 2.3m and a ridge height of 4.1m. The proportions and location of the building are such that no material harm to neighbouring amenity is considered to occur.

The gymnasium and games room are rooms that would function as part of the main house and with an internal floorspace measuring at 37.5 square metres it is considered that the building would be subservient to the main property within a garden measuring over 400 square metres in area.

With the above taken into consideration, staff are therefore satisfied that the proposed development is unlikely to result in any material harm to amenity. The development is considered to be acceptable and accords with the principles of Policy DC61.

### **HIGHWAY/PARKING**

Policy DC33 seeks to ensure all new developments make adequate provision for car parking.

The local highway authority have raised no objection to the proposal.

The proposed outbuilding would be located to the rear of the house and is indicated to provide a gymnasium and games room. The proposed development is not therefore considered to raise any material issues relating highways and parking.

### **KEY ISSUES/CONCLUSIONS**

Having carefully considered the merits of this planning application, the proposed extensions and outbuilding are considered to be acceptable and to not adversely affect the open nature and character of the Green Belt. Overall, it is Staff's view that the proposed development would not be disproportionate to the existing building and therefore, would be in accordance with the national guidance for Green Belts as contained within Chapter 9 of the NPPF.

It is considered that the proposal would not result in a loss of amenity to adjacent occupiers and would not create any highway or parking issues. Accordingly it is recommended that planning permission be approved.

### **RECOMMENDATION**

It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

**1. SC4 (Time limit) 3yrs**

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**2. SC10 (Matching materials)**

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

**3. SC32 (Accordance with plans)**

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

**4. SC46 (Standard flank window condition)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s), including the outbuilding, hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

**5. Non Standard Condition 31**

The detached outbuilding hereby approved shall only be used for purposes incidental to the use of the dwelling at no.4 Bury Farm Cottages and shall not be used for any other purpose, including for use as residential accommodation, unless separate permission has been sought and given in writing by the Local Planning Authority.

**INFORMATIVES**

**1 Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

<b>APPLICATION NO:</b>	<b>P0872.14</b>	
<b>WARD :</b>	Upminster	<b>Date Received:</b> 20th June 2014 <b>Expiry Date:</b> 15th August 2014
<b>ADDRESS:</b>	The Forest Centre Broadfields Farm Pike Lane Upminster	
<b>PROPOSAL:</b>	Change of Use of overflow car park and provision of hard surfacing to part	
<b>DRAWING NO(S):</b>	1475 04 A DP10803 D 1475 03	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

## **SITE DESCRIPTION**

The application site forms a 3000sqm area of open grassland located to the east of part of Cranham Golf course which separates the site from Pike Lane, Upminster some 270m to the west. The site's western boundary adjoins the golf course; the northern and eastern boundaries adjoin open grassland; whilst the southern boundary is located beyond an existing car parking area associated with the Thames Chase Forest Centre at Broadfields Farm. The complex of buildings associated with the Forest Centre, which includes a grade II listed building, is located approximately 60m to the east. The land under consideration is increasingly employed as an informal, overflow parking area associated with the visitor centre.

The site is located in the Green Belt and is designated as a Borough-level Site of Nature Conservation Importance. The site is also located within the Thames Chase Community Forest.

## **DESCRIPTION OF PROPOSAL**

This planning application proposes the material change of use of land to a car park, along with engineering operations to create an area of hard surfacing, and landscaping works. The proposal is intended to create an all-weather, more formal extension to the car parking provision at the Forest Centre, to accommodate more visitors at the facility. The submitted information states that the site already experiences a shortage of vehicle parking spaces, with the open grassland to the west of the visitor centre being used as an informal overflow area during busy periods. A significant increase in visitor numbers has been experienced since 2012, with further increases anticipated.

The proposal would result in the creation of up to 80 new parking spaces, with 60 being permanent and 20 being located on a grassed area at the northern end of the proposed car park. The applicants consider that the proposed number of spaces would address the anticipated increases in visitor numbers. The proposal would involve the laying down of stone material to provide a hardstanding area connected to the existing permanent parking area. The layout of the car park would be informal and would not involve painted lines.

## **RELEVANT HISTORY**

There are no previous planning decisions at the site of relevance to the proposal.



## **CONSULTATIONS/REPRESENTATIONS**

Notification letters were sent to 3 neighbouring properties; a site notice was placed in the vicinity of the site and advertisements have been placed in the local press. No representations have been received.

Comments have been received from the following consultees:

Highways - No objections.

Environmental Health - No objections; condition recommended.

Heritage Officer - No objections.

## **RELEVANT POLICIES**

The following policies of the LDF Core Strategy and Development Control Policies DPD ("the LDF") are of relevance:

DC22 - Thames Chase Community Forest

DC33 - Car Parking

DC45 - Appropriate Development in the Green Belt

DC58 - Biodiversity and Geodiversity

DC61 - Urban Design

The London Plan

Policy 7.16 - Green Belt

National Planning Guidance

National Planning Policy Framework ("the NPPF")

## **STAFF COMMENTS**

This application is brought before Members as the proposal requires a judgement about the nature of the proposed use in the Green Belt.

## **PRINCIPLE OF DEVELOPMENT**

This planning application proposes the change of use of land and engineering operations in the Green Belt. Policy DC45 of the LDF states that planning permission will only be granted for development in the Green Belt that is for given purposes, including outdoor recreation.

National planning guidance is also a material consideration in the determination of planning applications. In terms of the guidance contained in the NPPF, the preliminary assessment when considering proposals for development in the Green Belt is as follows:-

a) It must be determined whether or not the development is inappropriate development in the Green Belt. The NPPF and the LDF set out the categories of development not deemed to be inappropriate.

b) If the development is considered not to be inappropriate, the application should be determined on its own merits.

c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies.

In terms of Green Belt policy, this application proposes the material change of use of land along with engineering operations.

Paragraph 90 of the NPPF states that "certain other forms of development", that are separate from building operations, may also constitute appropriate development in the Green Belt providing they preserve the openness of and do not conflict with the purposes of including land in the Green Belt. These include engineering operations. It is considered that the proposed hard surfacing, which would be located at ground level and would involve the laying of unconsolidated stone material, would not be detrimental to the openness of the Green Belt or the purposes of including land in the Green Belt, given its nature, location, and extent.

The NPPF, in relation to material changes of use in the Green Belt, states that material changes of use constitute inappropriate development. It is considered that the proposed use of land as a car park, even if it would not be in constant, daily use or at full capacity, would be detrimental to the openness of the Green Belt, and conflict with the purposes of including land in the Green Belt, given that it would result in an urbanizing effect.

It is considered that the proposal would constitute inappropriate development in the Green Belt. However, it is considered that very special circumstances exist in this case that outweigh the identified harm, and these are considered further on in this report.

#### **LISTED BUILDING**

Policy DC67 of the LDF states that proposals will only be granted approval where they do not adversely affect a listed building or its setting. The guidance contained in the NPPF is clear that heritage assets, including listed buildings and their settings, should be protected from significant harm unless there are substantial public benefits to allowing a development.

Paragraph 132 of the NPPF states that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be." Paragraph 133 states that "where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm..."

The site is located approximately 90m from a grade II listed building associated with the Forest Centre. The Council's Heritage officer considers that the siting and nature of the proposal, including the light-touch nature of the proposed materials, along with intended landscaping works, would not result in significant harm to the setting of the listed building.

The proposal is considered to be in accordance with Policy DC67 of the LDF and the guidance contained in the NPPF.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

The site is located in the Green Belt. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

The proposal is associated with a visitor centre that is only open during day time hours. The proposal would be located alongside a belt of existing vegetation bordering the golf course almost 300m to the east of Pike Lane, and proposed landscaping works would include the planting of new vegetation. The car park's layout would be informal and would be arranged in stages to reduce its visual impact. Whilst the proposed car park would not be in permanent use, and would not always be at full capacity, it is considered that the presence of up to 80 vehicles on land that is currently open, would have a detrimental effect on the open character of the area. The existing and proposed vegetation would go some way to reducing this impact, particularly with the passage of time, and should planning permission be granted, it is recommended that a landscaping scheme be required indicating details about the proposed hard and soft landscaping works. The visual impact of the proposal needs to be considered alongside the other material considerations and will be discussed later in this report.

### **IMPACT ON AMENITY**

Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

The proposed parking area would be in addition to an existing car park and would be located approximately 50m from a dwelling located in close proximity to the existing visitor centre. The dwelling is owned by Essex County Council, who let it to a tenant. The proposal would be located beyond an existing parking area from the afore mentioned dwelling. No objections have been received from neighbours, or from environmental health officers in relation to noise impacts.

Given the nature of the proposal, including its siting, nature, and extent it is considered unlikely that it would result in any significant adverse impacts on the amenities of neighbouring occupiers, in terms of noise, outlook, loss of privacy or light. In terms of its impact on amenity, the proposal is considered to be in accordance with Policy DC61 of the LDF.

### **HIGHWAY/PARKING**

The proposal is intended to provide a more formal, all-weather solution to the increasing demand for vehicle parking at the Forest Centre. Overspill parking has been occurring on an informal basis on the open grassland around the site, and the submitted information indicates that there is likely to be increasing traffic conflict within the wider visitor centre site owing to a lack of parking capacity. The Council's highways officers have raised no objections to the proposal, and it is considered that it would not result in any significant adverse impacts on highway safety or amenity.

### **OTHER ISSUES**

#### Ground Contamination

The Council's environmental health officers have requested a condition intended to ensure that the proposed surfacing material is of a clean nature. It is recommended that this condition be employed should planning permission be granted.

#### Nature Conservation

In terms of nature conservation considerations, the site is located within a Borough grade Site of Nature Conservation Importance. Policy DC58 of the LDF states that the biodiversity and geodiversity of SNCIs will be protected and enhanced. The application is accompanied by a

protected species survey, which concludes that the proposal would not result in any significant harm to ecological assets. It is considered that the proposal would not be contrary to Policy DC58 of the LDF.

#### Green Belt - Very Special Circumstances

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted and very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF, paragraph 88).

The submitted information explains that the Thames Chase Trust, owing to a decline in grant funding, needs to find ways to enhance the financial viability of the Forest Centre. A significant increase in visitor numbers has been experienced since 2012, with further increases anticipated in future. Visitor surveys indicate that trend is increasingly for family groups, as opposed to older couples, to visit the site. The existing car park at the Forest Centre site provides the only parking spaces for the Forest Centre and the Forestry Commission's Broadfields site. When all of the events associated with the centre are considered, the submitted information states that the existing parking areas are at full capacity 50% of the time. It is stated in the submitted information that the additional car parking spaces would address the identified need for increased capacity, and that they are required to support the financial viability of the facility.

The Forest Centre is a community facility making use of existing buildings, including a listed building, and providing a range of services to the general public. That the proposed car park expansion would help to enhance the viability of this community facility and focus overflow vehicle parking into an approved, more formal and screened arrangement, are considered to be very special circumstances that outweigh the identified harm to the Green Belt.

#### **KEY ISSUES/CONCLUSIONS**

The application proposes inappropriate development in the Green Belt, which it is considered would also be detrimental to the visual amenities of the Green Belt. However, it is considered that very special circumstances exist in this case, which outweigh the identified harm.

The proposed development is considered to be acceptable having had regard to Policies DC22, DC33, DC45, DC58, and DC61 of the LDF, and all other material considerations.

#### **RECOMMENDATION**

It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

##### **1. SC4 (Time limit) 3yrs**

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**2. SC32 (Accordance with plans)**

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

**3. Non Standard Condition 31**

No development shall take place until details of the proposed surfacing materials have been submitted to and approved in writing by the local planning authority. The details shall include evidence that the material to be imported is of a clean and uncontaminated nature. The development shall be undertaken in accordance with the approved details.

Reason:-

To prevent ground contaminated and in accordance with Policy DC61 of the Development Control Policies Development Plan Document.

**4. SC11 (Landscaping) (Pre Commencement Condition)**

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:-

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

**5. Non Standard Condition 32**

Should the approved car park cease to be required in association with the adjoining community facility, it shall be removed within twelve months and the site restored to its former condition.

Reason:-

In the interests of protecting the openness and visual amenities of the Green Belt.

**INFORMATIVES**

**1 Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.