

REFERRED ITEM R2

**TITLE: 11/00318/FUL
SUB-DIVIDE PLOT AND CARRY OUT WORKS AND
ALTERATIONS TO CONVERT EXISTING STORE OUT
BUILDING TO FORM THREE-BEDROOMED DWELLING
INCORPORATING FRONT AND REAR EXTENSIONS.
DEMOLISH OUT BUILDING AND CONSTRUCT DETACHED
GARAGE
LAND ADJACENT 144 GREENSWARD LANE HOCKLEY**

APPLICANT: MR MICHAEL LITTLE

ZONING: METROPOLITAN GREEN BELT

PARISH: ASHINGDON PARISH COUNCIL

WARD: HOCKLEY CENTRAL

In accordance with the agreed procedure this item is reported to this meeting for consideration.

This application was included in Weekly List no. 1092 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on 20 July 2011, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs H L A Glynn.

The item that was referred is appended as it appeared in the Weekly List, together with a plan.

NOTES

- 2.1 Planning permission is sought to sub-divide the plot and carry out works and alterations to convert existing store to a three bedroom dwelling incorporating front and rear extension. The application follows on from an approved application (09/00195/FUL), which gave consent to sub-divide the plot and carry out works and alterations to convert the existing store to a three bedroomed dwelling Incorporating rooms in the roof space.
- 2.2 The store is currently a detached out building within the site of 144 Greensward Lane. No. 144 is a Listed Building. The out building is currently unused and is in good condition. The site is located on Greensward Lane, a main vehicular traffic route into and out of Hockley from Ashingdon and beyond. The site is almost directly opposite the junction with Harrogate Road. The site is located within land designated as Metropolitan Green Belt, but is, however, within immediate proximity to the residential curtilage of Hockley.

REFERRED ITEM R2

- 2.3 The site is located at neighbouring Pulpits Farm, however, as far as can be determined, there is no relationship between the site and the farm. The site is therefore only used residentially. No. 144 is, however, sited within a large plot with sizeable land to the rear. The out building is already separated from No. 144 with boundary fencing.
- 2.4 The site currently has two vehicular accesses, one that is directly opposite the out building and as such, with the sub-division of the plot, is proposed to service the new dwelling. Although this is an access there is no drop kerb present. The access to the north eastern corner of the site will service only No. 144.
- 2.5 The 2009 planning permission, which will expire on 1 June 2012, allows for the conversion of the existing out building into a three-bedroomed dwelling. The conversion will be formed within the fabric of the existing building and the footprint will remain the same. No extensions or the raising of the ridge height of the building were proposed. This 2009 planning approval has set a precedent for the principle of the conversion of the host building to a residential property. The application now under consideration makes some changes to that previously approved. These changes are as follows:-
- The incorporation of a single storey rear extension
 - No insertion of first floor accommodation
 - The reconfiguration of the western single storey front projection such that its western side elevation wall is flush
 - Increase in height of roofs to both single storey front projecting parts
 - Incorporation of a chimney
- 2.6 As the application proposes the conversion of a rural building within the Green Belt, the application must be assessed against PPG 2 and Local Plan policy R9.
- 2.7 PPG 2 specifies that within the Green Belt the re-use of buildings should not prejudice the openness of the Green Belt, since the buildings are already there. The re-use of buildings is not inappropriate development providing:-
- a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
 - b) strict control is exercised over the extension of re-used buildings and over any associated uses of land surrounding the building that might conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hard standing, car parking, boundary walling or fencing);
 - c) the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and

REFERRED ITEM R2

- d) the form, bulk and general design of the buildings are in keeping with their surroundings.
- 2.8 Policy R9 of the Local Plan specifies that the re-use of farm and other existing buildings in rural diversification schemes will be permitted, provided that the proposed use would complement the operations on site. In this particular case, although the existing out building is a rural building within the Green Belt, the site is not an operating farm or business. However, Policy R9 is still applicable. The previously approved application has already set a precedent for allowing the residential conversion of the building. Policy R9 prefers any proposals for a change of use of rural buildings to be secured as a business use, to help the farming industry become more competitive and diverse in accordance with advice contained within PPG7. These preferred business uses also provide employment opportunities for local people. The Government is less positive towards residential conversions since these do not bring economic benefits associated with business re-use, which can result in a dispersed pattern of settlement, which increases both the need to travel and car dependency. Moreover, the domestic paraphernalia associated with a dwelling can affect the character and openness of the surrounding countryside.
- 2.9 In this particular case the application site is wholly in residential use (no current business use on site) and presents a domestic setting situated between dwellings on either side with the out building positioned behind those neighbouring dwellings. The surrounding area is also predominantly residential. As such it is considered that the proposed residential use of the out building would be more appropriate than a business use and associated activities. Part (vii) of Policy R9 states that, in the case of a change to residential use, the applicant must have made every reasonable attempt to secure a suitable business re-use during the two years prior to the application. No information has been provided within the application particulars to determine whether a business use has been sought, however as the site is not currently run as a business, it would seem unreasonable to demand a business use for this out building, or deem the proposal an inappropriate use for this out building in these particular circumstances.
- 2.10 The residential use of this out building would change the character of this site and, as such, the Green Belt. It is not considered, based on just the proposed use of the building, that a residential use would be to a detrimental or harmful degree as to materially or adversely affect the established character of the Green Belt. The site is used currently domestically and is within immediate proximity to the residential development of Hockley, albeit this area is designated as residential and not a Green Belt location. A residential use for this out building would not be out of character with the surrounding area. It is considered that the proposed residential use of the out building, although not directly in accordance with Policy R9 as the site is not used as a business, is in accordance with the broader principles of R9 with regard to the re-use of rural buildings.

REFERRED ITEM R2

As such the proposed residential use is considered to be an appropriate use for this particular rural out building within this particular site within the Green Belt.

- 2.11 The change of use of the out building to a residential dwelling would inevitably result in the site being used more intensely than currently. The sub-division of the plot would result in two sites being used residentially within the Green Belt as opposed to the one site. The new site/dwelling would be large enough to accommodate a small family and as such it is expected traffic movements and activities on site will reflect this. Notwithstanding this it is felt that the introduction of a business use and associated activities to the site, i.e. traffic movements, visitors to the site, deliveries, is likely to impact more greatly upon the setting of the listed building and the character of the Green Belt than would be experienced from a residential use.
- 2.12 It is considered that it would be reasonable to place a condition on any grant of consent that requires any hard surfacing and boundary treatments to be agreed by the Local Authority, to satisfy part (b) of paragraph 3.8 of PPG2 and to ensure the protection of the character of the Green Belt.
- 2.13 The out building currently located in front of the out building is proposed to be demolished and a detached garage (to a smaller size than the out building to be demolished) is to be constructed. The proposed garage is to a pitched roofed design and constructed of cladding to correspond with the out building. It is thought that the proposed garage is an acceptable addition to the site given that it will replace a much larger and dilapidated building. The application proposes adequate space for off street parking and plentiful private amenity space to the rear of the site is also provided.
- 2.14 In accordance with part (c) of paragraph 3.8 of PPG 2 and (ii) of R9 the host out building is a building of permanent and substantial construction and is capable of conversion to the proposed residential use without any major or complete reconstruction. In contrast to the previous application a single storey rear extension is proposed with an external footprint of some 6.3m x 4m = 25.2m². The incorporation of an extension to the building is contrary to part (iv) of Policy R9, which specifies that the re-use of the farm building will be permitted provided that the proposal involves no extension to the building.
- 2.15 Although this proposed extension may not be described as 'major' as part (iii) refers, it does give rise to the increase in built development to the site, resulting in the reduction in the openness to this part of the Green Belt. If allowed, this would set a precedent for allowing the piecemeal erosion of the openness and character of the Green Belt. The applicant puts forward within the design and access statement that, as no first floor accommodation is proposed, even with the rear extension, overall the dwelling will have a reduced habitable floor area than that previously approved. Although this may be the case, the first floor accommodation was contained within the existing shell of the building and thus no extension of the building was required.

REFERRED ITEM R2

Therefore there was no increase in built development on the site which would lead to a loss of openness to the Green Belt.

- 2.16 The development description does not mention an increase in the height of the main part of the building. However, as comparing the existing plans, with those proposed for the parts of the building that are supposedly remaining unchanged, it would seem to suggest that the main roof of the building is being slightly increased in height. Although only a slight increase, in order to achieve this it is likely that the entire roof would have to be removed. This would result in major works to the building, which part (iii) of R9 restricts.
- 2.17 The existing and proposed front elevation drawing shows the building unchanged in height at 5.65m. The existing rear elevation drawing seems to correspond to the front elevation, however the proposed rear elevation shows the building at 6.1m. Comparing both proposed side elevation plans to the existing suggest an increase in height of the main roof. Neither the existing plans nor the sectional drawing indicate that there is a slope to the site. However, the proposed plans show a slope from down slightly from the front of the building to the rear (NW to SE). It is thought that it is the indicated slope to the land on the proposed plans that has meant that the existing and proposed drawings do not correspond. However, without an accurate existing plan and information as to the topography of the land, it is impossible for officers to determine exactly whether an increase in height is proposed and thus major alterations to the building would result.
- 2.18 The submitted plans indicated that to become suitable for a residential use the out building is to incorporate new windows and doors. Although the windows and doors may differ in shape, size or design to the existing, they are to be reinstated within the same locations as they are currently. The only new addition will be the incorporation of three roof lights to the rear roof slope. There is also an increase in the height of the sloping roofs to both the front single storey projecting parts, such that they correspond in height and appearance. In addition, a new chimney stack is proposed to the eastern side of the building that extends externally the height of the out building and beyond by 0.9m.
- 2.19 The Historic Buildings Adviser considers the application to be generally acceptable, however stresses that it is important that the agricultural character of the building is retained and it does not become too domestic looking, in the interest of the setting of the Listed Building. With regard to this it is felt by the Historic Buildings Adviser that the chimney is inappropriate and not typical to a farm out building. The out building should retain its rural/agricultural character and appearance and as such the incorporation of a domestic looking chimney would not be appropriate, especially a brick chimney stack located onto a weather boarded building. If a chimney is to be proposed it should be a cast iron flu pipe or black metal. The chimney, as proposed, would be detrimental to the setting of the Listed Building.

REFERRED ITEM R2

- 2.20 It is felt that the alterations to the front elevation such that the two single storey projecting parts are symmetrical and the incorporation of the chimney stack to the external face of the building results in the domestication of the appearance of the out building, detracting somewhat from its original rural character and appearance and detrimental to the setting of the adjacent Listed Building. Although converted, the out building will be a dwelling in its own right and as such its appearance and the character/appearance of the wider plot will appear more domestic. With regard to the impact upon the setting of the Listed Building, the out building should retain an appearance such that it appears subordinate to the main dwelling and does not compete with it.
- 2.21 It is considered that it would be reasonable to place a condition on any grant of consent that requires the chimney to be omitted and not constructed, in the interests of the appearance of the out building, the setting of the adjacent Listed Building and historic integrity of the relationship between the dwelling and the out building. A cast iron flu pipe or black metal chimney may be appropriate. A condition could be added that specifies that, should an amended chimney be sought, details of this are submitted to and agreed by the Local Planning Authority prior to any development taking place. Although the alteration to make the front elevation symmetrical somewhat interferes with the rural and original character of the out building, it is not felt that this alone, given that the chimney could be removed/alerted by condition, would be reason to refuse the application. Furthermore, the Historic Buildings Adviser raises no objections to this part of the proposal.
- 2.22 The out building is sited somewhat further back from the road than both No. 144 and 142. No. 142 is sited fairly close to the boundary with the out building. As such, any change to the use of this out building is likely to be noticeable for the residents of No. 142. It is not, however, that the proposal would give rise to any unreasonable impact upon the amenity of this neighbouring dwelling. The shared boundary is also well screened by tall, substantial trees and mature vegetation.
- 2.23 Although the vehicular access is already present and leads into the site, the change of use to a separate residential unit will undoubtedly increase the use of this access drive and as such the vehicular movements within close proximity to No.142. It is considered that although activity on the site may increase, traffic movements associated with this residential use would not result in unreasonable levels of traffic such that the amenities of the residents of No. 142 would be materially or adversely harmed. Nor is it considered that the activity of the site will alter substantially such as to adversely impact upon the character and amenity of the Green Belt.
- 2.24 The application is contrary to Policy R9 and as such it is to be recommended that this application be refused.

REFERRED ITEM R2

If permission were granted conditions should be imposed to remove permitted development rights to alter or extend the building and to include out buildings within the site, to protect the openness and character of the Green Belt, as well as the established character of the out building and the setting of the adjacent Listed Building.

- 2.25 The Arboriculturalist has commented that a tree survey is required that should identify trees as per BS5837:2008 and an impact assessment detailing what trees are to be removed and which ones will remain on site. It is also noted that the sycamore tree in the front garden of 142 Greensward Lane, Hockley is protected under TPO 22/84. The Council's previous arboriculturalist who commented on the 2009 application at this site, expressed a contrary view and advised that the proposed development was a good distance from the TPO such that it is unlikely to be harmed and furthermore the other trees at this site were not worthy of tree protection and therefore no further tree information was required. No condition requiring a tree survey was placed on the previous consent and as such this development could take place without any further tree information. Given the above it is considered unreasonable to now request a tree survey.

Representations

- 2.26 ASHINGDON PARISH COUNCIL: Comments received

Object to the application as the design is not in keeping with the street scene. Members were unsure if the location is within the Green Belt and if so would query if the application is in compliance with Green Belt legislation.

- 2.27 ESSEX COUNTY HIGHWAYS: Comments received

No objections, subject to the following conditions being attached to any grant of consent:-

Although the dimensions of the proposed garage do not meet the recommended dimensions as contained in the Parking Standards Design and Good Practice SPD dated September 2009, there is still space for two vehicles or to park within the site, therefore:-

1. Area within the site for the reception and storage of materials clear of the highway.
2. No unbound material in surface treatment within 6m of the highway.
3. Means to prevent discharge of surface water.
4. Developer responsible for provision and implementation of the Travel Information and Marketing Scheme.

- 2.28 RDC WOODLANDS: Comments received:-

REFERRED ITEM R2

Require a tree survey identifying trees as per BS5837:2008 and an impact assessment detailing what trees are to be removed and which ones will remain on site.

Please note: Sycamore tree in front garden of 142 Greensward Lane, Hockley is protected under TPO 22/84.

2.29 CONSERVATION AND HISTORIC BUILDINGS OFFICER: Comments received:-

The out building is not listed nor in the curtilage of the nearby listed farmhouse. However, the effect of the conversion on the setting of the Listed Building must be taken into account.

The proposed design follows considerable discussion with the applicant. The basic shape of the building would be retained and most of the extension work would be to the rear, where it would not be visible. I think the proposal is broadly acceptable, but it is important that the agricultural character of the building is retained and it does not become too domestic looking, in the interest of the setting of the Listed Building.

The applicant's revision to the plans to remove the brick plinth detail is acceptable.

I would recommend that planning permission, with condition that external materials and finishes and large scale detailed drawings of new windows and doors are to be agreed. All joinery should be painted black.

Further comments raised in discussion:-

The chimney is inappropriate and not typical to a farm out building. The chimney would be a hybrid, neither for one use or the other. It is not appropriate to the agricultural out building. If a chimney is to be proposed it should be cast iron flu pipe or black metal. The chimney would be detrimental to the setting of the Listed Building. It must retain its agricultural out building appearance, so no domestic chimney should be included.

2.30 ENGLISH HERITAGE: Comments received:-

The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

2.31 NEIGHBOURS: 1 Comments received.

Summary of responses received and location of respondents:-

REFERRED ITEM R2

133 Greensward Lane

- The position of where the proposed development would be sited would cause a traffic safety hazard, as you are aware that the site is situated directly on the junction with Harrogate Road/Greensward Lane.
- This junction is constantly very heavily used 24/7. We already have problems with No. 143 and their driveway access causing at times quite major traffic holdups, plus the entrance to the surgery next to that property, all of which causes traffic chaos on a daily basis.
- It is a constant battle with illegal parking on the double yellow junction lines. Parking on the grass verge outside the front of my premises desecrating its condition at times, inconsiderate parking and blocking of driveways in Harrogate Road/Greensward Lane. There is pavement parking and verbal abuse of which I have reported on quite a few occasions.
- As regards to the actual building works, to accommodate a 3-bed property in an area of approximately 20 ft wide width of frontage, plus a garage seems a lot to ask.
- A very limited amount of parking space could be obtained.

REFUSE

- 1 The Replacement Rochford Local Plan (2006) shows the site to be within the Metropolitan Green belt. Within the Green Belt planning permission will not be given for the re-use of existing rural buildings unless the development complies with the advice contained within PPG 2 (paragraphs 3.7 – 3.10) and Policy R9 of the Replacement Local Plan (2006).
- 2 The proposal, by way of the single storey rear extension, contravenes part (iv) of Policy R9, which specifies that the re-use of farm buildings will only be permitted provided that the proposal involves no extension to the building. The extension gives rise to the increase in built development to the site, resulting in the reduction in the openness to this part of the Green Belt. If allowed, this would set a precedent for allowing the piecemeal erosion of the openness and character of the Green Belt by way of the re-use and extension of rural buildings. Furthermore, the inconsistencies in the submitted plans make it difficult for the Council to assess whether major extensions are taking place by way of the increase in the height of the main roof, which would contravene part (iii) of R9 and further impact upon the openness of the Green Belt.

REFERRED ITEM R2

Relevant Development Plan Policies and Proposals

Parking Standards Design and Good Practice Essex County Council and Essex
Planning Officers Association September 2009

Planning Policy Guidance Note 2 - Green Belts

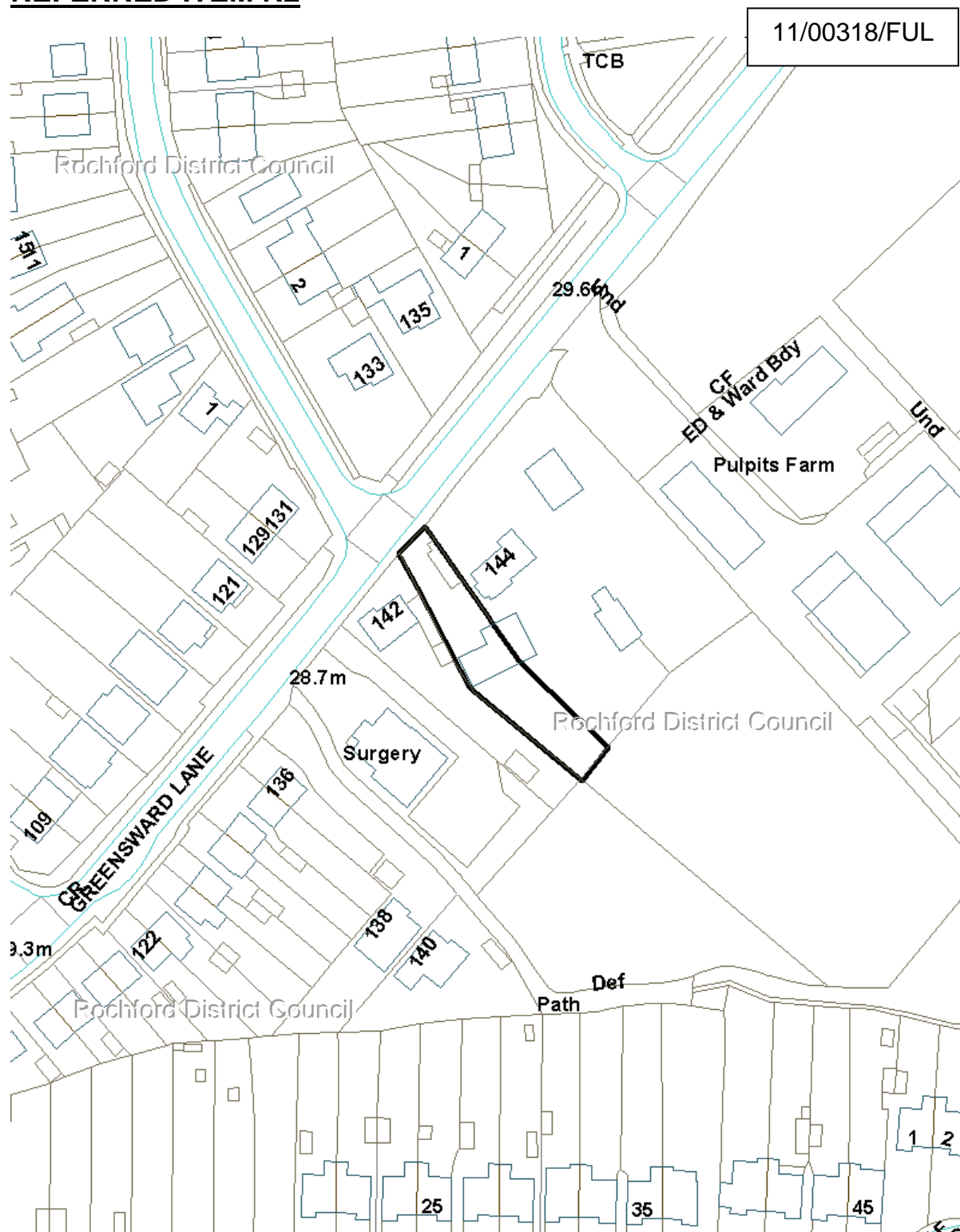


Shaun Scrutton
Head of Planning and Transportation

For further information please contact Katie Simpson on (01702) 546366.

The Ward Members for this item are Cllrs K H Hudson, J Thomass and Mrs C A
Weston.

REFERRED ITEM R2



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