

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1234.24

WARD: Harold Wood **Date Received:** 11th September 2024

ADDRESS: Howards Farm, Tomkyns Lane
Upminster

PROPOSAL: Retrospective application for two front garages changes in eaves height and roof rebuilding, erection of garden pond, rear extension to the covered swimming pool outbuilding and Proposed front gate replacement.

DRAWING NO(S): D01
D02
D03
D04
D05
D06
D07
D08
D09
D11
D12
D13
D14
D15
D16
D17
D18
D19
PHOTO 1
PHOTO 2
PHOTO 3
PHOTO 4
PHOTO 5
PHOTO 6
Location Plan

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

SITE DESCRIPTION

The site comprises a detached two-storey dwelling house and various outbuildings. Ample parking in the garage and on the drive to the front of the property. Since the submission of the application, the address of the site has changed to La Cojan Farm. The application site is within Metropolitan Green Belt. There are various styles and designs of properties within the surrounding area.

DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for two front garages with changes in eaves height and roof rebuilding, erection of garden pond, rear extension to the covered swimming pool outbuilding with a proposed front gate replacement.

Although not mentioned on form, new pillars would be provided for the front gates.

Furthermore, the submitted plans do not show the extent of hardstanding which has been provided within the site in respect to footpaths etc. Photos taken by the Officer have been included to show in part the extent of the additional hardstanding provided.

RELEVANT HISTORY

P1130.24	Proposed front gate replacement Withdrawn 10-09-2024
P1053.24	Variation of condition 2 (approved plans) of planning permission Ref: P0550.23 dated 14/06/2023 to allow for the addition of a rear conservatory and canopy (Proposed development to demolish existing 5 bedroom dwelling, single detached garage and storage and erection of 4/5 bedroom dwellinghouse) Awaiting Decision
P0964.24	Proposed outbuilding for use as a summer house and gym including the addition of external steps Withdrawn 10-09-2024
P0924.24	Retrospective application for two front garages changes in eaves height and roof building Withdrawn 10-09-2024
P0925.24	Retrospective application for erection of garden pond Withdrawn 10-09-2024
P0926.24	Retrospective application for rear extension to the covered swimming pool outbuilding Withdrawn 10-09-2024
D0219.24	Certificate of Lawfulness for outbuilding at rear

	PP is required	03-07-2024
P0792.24	Proposed single storey rear extension and canopy	
	Withdrawn	30-07-2024
P0243.24	Change of Use from Equestrian Use (Sui Generis) to provide outdoor leisure facilities, camp site provision and outdoor activities	
	Withdrawn - Invalid	08-04-2024
P0550.23	Proposed development to demolish existing 5 bedroom dwelling, single detached garage and storage and erection of 4/5 bedroom dwellinghouse	
	Apprv with cons	14-06-2023
P1311.16	Construction of a new Agricultural Barn, (mirror image of an existing Barn), for the storage of Hay, timber required for fence maintenance and repair and farm equipment, specifically a Tractor, Trailer and Flail.	
	Apprv with cons	12-12-2016
M0006.14	2 No 4-stack antenna and 2 No 300mm dishes pole mounted to the barn building along with 1 No Airwave equipment cabinet at ground level within fenced compound formed of 1.2m high stock proof fencing and development ancillary thereto	
	Pr App Not Req'd	22-08-2014
D0008.00	Pool enclosure and garage	
	Deemed Refused	30-11-2001
D0026.99	Determination whether pool building including gymnasium/ steam room, toilet/shower, kitchen, plantroom together with a detached garage requires planning permission	
	PP not required	21-12-1999
P1383.99	Single storey rear extension	
	Apprv with cons	06-12-1999

CONSULTATIONS/REPRESENTATIONS

The application was advertised by way of a site notice and in the local press as the site is located in the Metropolitan Green Belt. Letters were sent to neighbouring occupiers with one representations being received with their comments summarised below.

- Overdevelopment of this site within the Green Belt.
- The cumulative impact of the applications will effect the rural character and street scene (lane).
- Tomkyns Lane is a rural lane and this site has now been being built on for over a year.
- A considerable amount of land has been and is being built on within the site.
- Garages: An extension has already been put on the small garage to the right hand side which is not mentioned in the application which only deals with eaves height and roofs.
- In the original planning application P0550.23, the applicant stated that the two existing garages were going to be demolished which now they are not going to demolished.
- The demolition of garages was a condition of the larger house being permitted.

- Garden Pond is retrospective with 3 separate fish ponds, not as stated, 1 fish pond, and a pump house, plus paths, steps and terraces surrounding the which covers a considerable area of what was previously green area and increases the hard surface area of the site.
- Concerned regarding the risk of flooding from the development & water run-off.
- There are steps which are now considerably higher than the previous ground level.
- Loss of privacy.
- Swimming pool extension increases the amount of hard surface.
- Reference to P0964.24 - new proposed building is far larger than the original shed.
- Risk of flooding due to cumulative works on site.
- Concerned regarding the height of gate that it would not be higher & out of character with area.
- There are a lot of trees and shrubs that have already been removed from the site.
- Removing trees and shrubs from this site is not in keeping with the rural character of the area.
- Concerned with over development of this site in green belt land, additional runoff water, and removal of significant trees and shrubs which is not in keeping with the rural area.

Officer comments: P0964.24 was withdrawn and therefore the LPA did not come to a view on this proposal.

RELEVANT POLICIES

- For ease of reference, the Residential Extensions and Alterations SPD will be referred as "SPD".

LONDON PLAN (LP):

- Policy D1 London's form, character and capacity for growth
- Policy D4 Delivering good design
- Policy G2 London's Green Belt
- Policy T6 Car parking

Havering Local Plan (HLP)

- Policy 7 Residential design and amenity
- Policy 24 Parking provision and design
- Policy 26 Urban design

National Planning Policy Framework (NPPF) (2021)

- 2. Achieving sustainable development
- 9. Promoting sustainable transport
- 13. Protecting Green Belt land

MAYORAL CIL IMPLICATIONS

The application is not liable for CIL. However, mindful that the property is not being currently habituated, this application should have been submitted as part of variation of P0550.23 being considered as part of P1053.24 and therefore CIL potentially would need to be charged. The matter

will be referred to CIL Team to follow up.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not initially undertaken. Site photos were provided by the agent in support of the application. The case officer visited the site with Planning Enforcement due to the number of applications that have been submitted and due to the enforcement investigation on site under reference ENF/132/24 .

PRINCIPLE OF DEVELOPMENT

The site is located within the Green Belt, where development is generally restrictive. Paragraphs 142-156 of the National Planning Policy Framework (NPPF) states that the extension or alteration of a building may be acceptable in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include 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.

This proposal seeks retrospective consent for two front garages with changes in eaves height and roof rebuilding, erection of garden pond, rear extension to the covered swimming pool outbuilding with a proposed front gate replacement.

The storage & garage on drawing D02 of P0550.23 should have been demolished to make way for the new dwelling but this was retained and altered.

No existing or proposed volume calculations have been provided. Nevertheless, it is considered that the elements of the proposal would have a detrimental impact on the Green Belt and this will be elaborated within the following sections of the report. The proposed development would result in disproportionate and would be unacceptable in principle in the Green Belt.

GREEN BELT IMPLICATIONS

The NPPF attaches great weight to Green Belts in preventing urban sprawl by keeping land permanently open. 'Openness' is not defined in the NPPF, and is not necessarily focused entirely on visual prominence. Importance is given to taking into account the overall visual experience when assessing the impact on openness. The NPPF identifies the fundamental aim of the Green Belt as "to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

No objections are raised to the rear extension to the covered swimming pool outbuilding and to the

proposed front gate replacement.

However, there are concerns regarding the changes in eaves height and roof for the two front garages and the erection of garden pond.

It is considered that the height, scale, bulk and mass of the proposed roof to the garages and the introduction of a significant amount hard standing from the proposal would result in a very significant increase in volume and footprint with the Green Belt and erode the previous grassed or green areas which previously existed.

National Policy attributes weight to the impact of development on the openness of the Green Belt. The site is screened from the side and rear from the vegetation including trees and bushes, however on entering the site, there are various buildings, paths, ponds and hardstanding areas which have been added. The building on the right had side to the front of the new dwelling which was approved as part P0550.23 was meant to have been demolished. The volume of this garage was used in off-setting the new dwelling.

The structures and development within the site would be very prominent and in visual terms therefore, the increased bulkiness of the enlarged built form and over-development of the site which would cumulatively result in a reduction in the visual openness of the Green Belt.

It is considered that the cumulative impact of the changes in eaves height and roof rebuilding to the two front garages on the left hand side and the erection of garden pond which comprises of three separate component and other associated structures for the pond and pathways with the addition of the rear extension to the covered swimming pool outbuilding would be harmful to the open and spacious character of the Green Belt.

The works on site to be retained increases the overall volume, scale, bulk and amount of development on the site reducing, and therefore causing harm to, the openness of the Green Belt. The proposal therefore also conflicts with the Framework in this respect.

The submitted plans do not show the extent of hardstanding which has been provided within the site in respect to footpaths etc. Photos taken by the Officer have been included to show in part the extent of the additional hardstanding provided.

In terms of the impact of the development on the openness of the Green Belt, the proposal sought in this instance is considered to represent disproportionately large additions and further sprawl into Green Belt.

The proposed development would therefore inevitably result in a visually intrusive form of development, which is detrimental to the open and spacious character of the Green Belt contrary to the aims of the NPPF.

As a result as the site is within the area identified as Metropolitan Green Belt. Government Guidance as set out in the National Planning Policy Framework is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing open character of the area so allocated and that the new buildings will only be permitted in certain circumstances. The works on site to be retained increases the overall volume, scale, bulk and amount of development on the site reducing, and therefore causing harm to, the openness of the

Green Belt. The proposal therefore also conflicts with the Framework in this respect which would cause harm to the openness of the Green Belt. No special circumstances have been submitted in this case. The development proposals are therefore contrary to Policy G2 of the London Plan and the guidance in the National Planning Policy Framework.

DESIGN/IMPACT ON STREET/GARDEN SCENE

As mentioned no objections are raised in principle to the replacement gates, which would be roughly the same height but of a different design. The wall on either side of the piers would be lowered with the brickwork being rendered.

No objections are raised to the designs being proposed of the various elements of the scheme, however, the main concerns are in respect to the cumulative impact on the Green Belt as mentioned above.

IMPACT ON AMENITY

Consideration has been given to the impact on the neighbouring dwelling in terms of loss of light and loss of privacy.

It is considered that the various elements of the proposal which include two front garages with changes in eaves height and roof rebuilding, erection of garden pond, rear extension to the covered swimming pool outbuilding with a proposed front gate replacement would not unacceptably impact on the amenity of the adjacent neighbours mindful of the separation distance between the proposal and the neighbouring properties.

Given these circumstances and mindful of the general presumption in favour of development, it is considered any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines.

Should the application have been recommended for approval safeguarding conditions would have been proposed to protect neighbouring amenity.

In all, the development is considered to fall within the spirit of adopted guidelines for householder extensions and the proposal is not deemed to be unneighbourly.

HIGHWAY/PARKING

No highway/parking issues would arise as a result of the proposal as the existing on-site parking would be unaltered for the application site.

KEY ISSUES/CONCLUSIONS

The site is within the area identified as Metropolitan Green Belt. Government Guidance as set out in the National Planning Policy Framework is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing open character of the area so allocated

and that the new buildings will only be permitted in certain circumstances. The works on site to be retained increases the overall volume, scale, bulk and amount of development on the site, and therefore causing harm to the openness of the Green Belt.

The proposal is considered to be in accordance with the above-mentioned policies and guidance and approval is recommended.

RECOMMENDATION:

It is recommended that **planning permission be REFUSED** for the following reason(s)

1 Reason for refusal - Metropolitan Green Belt

The site is situated within the Metropolitan Green Belt. The proposal would be inappropriate development harmful to the Green Belt by definition. There would be further harm to the openness of the Green Belt. The proposal therefore conflicts with Policy G2 of the London Plan and the guidance contained in the National Planning Policy Framework. No very special circumstances have been identified that would clearly outweigh the identified harm to the Green Belt

INFORMATIVES

1 Refusal - No negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to Mr Mindru (Agent) by e-mail on 11/12/24.

Authorising Officer:



Raphael Adenegan

11th December 2024