

***Delegated Report***  
**EPF/1459/18**

**Description of Proposal:**

The proposal is for two large detached dwellings with a front orientation facing west with the rear garden boundaries abutting the host dwelling.

**Description of Site:**

The site is located to the north west of Nazeing and comprises of a field on a corner. To the east there are a row of dwellings, to the north are greenhouses and on the opposite side of the road there are a mixture of glasshouses and dwellings.

The site is located in the Green Belt.

**Relevant History:**

EPF/2367/12- Removal of agricultural working condition on host farmhouse - approved.

**Policies Applied:**

Epping Forest Local Plan and Alterations (1998/2006)

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

GB2A Development in the Green Belt  
GB7A Conspicuous Development in the Green Belt  
DBE1 Design of new buildings  
DBE4 Design in the Green Belt

Epping Forest District Local Plan (Submission Version) 2017

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM4 Green Belt

**Consultation Carried Out and Summary of Representations Received:**

Land Drainage require a flood risk assessment

No representations received

### **Issues and Considerations:**

The site is located in the Green Belt and within Policy E13 where glasshouses are permissible. However, in this case, Policy E13 is not relevant to this application as the site is greenfield with no structures on it and the proposal is for residential development. The main issue is the impact the proposal would have on the Green Belt. The Framework and Policy DM4 states that new buildings represent inappropriate development with a number of exceptions. One of which is limited infilling in villages.

The site is located on a bend in the road on a prominent corner with roadside vegetation. Opposite the site are residential properties and glasshouses are located to the rear. The village of Nazeing is located to the south east of the site. Leading from the village to the site there are few, if any, sites that are devoid of structures. Further along the road to the north from the site, the character becomes more rural.

Previously planning permission (EPF/1943/16) was granted on a site between Sycamore and The Lodge which is located to the east of the site. This approval related to amendments to a previous consent (EPF/1354/16) which approved two dwellings under the infill exception to the Framework.

Although the site is located outside the village of Nazeing, it has been held in case law that a location outside a designated village is not a determining factor. The site is located adjacent to a dwelling which forms a row of five dwellings (which includes the two approved dwellings). Limited infill is generally defined as a small gap with a continuous built frontage. The site is located on the end of a built-up frontage, rather than within a built-up frontage. The proposal in reality represents ribbon development and will extend the continuous built up frontage. Furthermore, the site cannot be considered to be a small gap. The previously approved site for two dwellings has a frontage which represents a fraction of the current application site frontage. In addition, the frontage extends around the corner which exacerbates its length. Overall, the proposal does not represent limited infill development and is therefore inappropriate development in the countryside. Given the applicant has not demonstrated any very special circumstances, the proposal is contrary to Green Belt policy as defined in Policy DM4 of the draft submission plan and the Framework.

There must be a screening assessment by the competent authority (generally the LPA) as to whether a project is likely to have “a significant effect” on a European Site (providing that the application is not directly connected with or necessary to the Site’s management) whether in combination with other plans or projects or alone. The screening is carried out on a precautionary basis. The trigger for subsequent assessment via a Habitats Regulation Assessment (HRA) does not presume that the plan or project considered definitely has such effects, but rather follows from the mere possibility that such effects attach to the plan or project, so that an assessment is required if there is a probability or risk that the plan or project will have an effect on the site concerned [reg 63 and Art. 6(3)]

In this instance it is entirely possible that the proposal will cause in combination impacts on the integrity of the SAC. At the very least, the application does not provide sufficient information to satisfy the Council, as competent authority, that the proposed development will not adversely affect the integrity of the Epping Forest Special Area for Conservation and there are no alternative solutions or imperative reasons of overriding public interest why the proposed development should be permitted. As such, the proposed development is contrary to policy NC1 of the

Epping Forest Local Plan (1998) and Alterations (2006), policies DM2 and DM22 of the Epping Forest Local Plan Submission Version 2017 and the requirements of the Habitats Regulations 2017. This carries substantial weight in the decision.

**Conclusion:**

The proposal is for two dwellings in the Green Belt. Although the site is close to the village of Nazeing and there is a previous approval for two dwellings in close proximity, it is not considered the proposal represents a limited infill opportunity.

The proposed development would represent an extension to a built-up frontage and would not be sited within the existing frontage. Secondly, the site does not represent a small gap due to the significant size of the existing field and it has two frontages, due to its location on a corner. Overall, the proposal is contrary to Green Belt policy as defined by the Framework and Policy DM4. On this basis the recommendation is to refuse.