

DELEGATED

APP. NO	11/00301/FUL
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Proposal: Demolish Existing And Construct Two Storey Replacement Dwelling With Attached Annexe

Site Location: Sheepcotes Farm Lower Road Hockley

Legal Agreement: NO

Plan Numbers/Letters/Supporting Statements Plans date stamped 13th June 2011. Drg. Nos. 09-6049 001,002,003,004 and 005.

Zoning:MGB
Parish Council - Hullbridge Parish Council

Officer Report:

This application is to envelope of farm buildings forming part of the site of Sheepcotes Farm located on the northern side of Lower Road 400m west of the junction with Church Road. The farm buildings are located in a group a further 450m down an access road and to the high level land between Lower Road and the Crouch Valley. The site is within the Metropolitan Green Belt and also within the Coastal Protection Belt defined in the Council's adopted Local Plan.

This application relates to the existing farm house located to the west of the group of buildings at the top of the entrance drive. The house features a double range to the roof the larger of which includes two bedrooms within the roof void. An attached brick built and timber clad outbuilding at ground floor projects at the rear currently providing a boiler room for the house and two stores. To the northern end of the attached outbuilding exists an attached garage. The house also features an attached conservatory.

PLANNING HISTORY

The following planning history relates to this site.

Application No. EEC/ROC/161/48
Dairy Approved on 4th January 1949.

Application No. ROC/478/58
Site for caravan approved on 23rd February 1959.

Application No. ROC/ 87/65
Erection of a dwelling .

Outline application approved on 18th May 1956. No reserved matters were submitted and this was not implemented.

Application No. ROC/480/65
Erection of one dwelling at entrance to Sheepcotes Farm.
Permission refused 19th October 1965.

Application No 98/00785/DPDP6.
Determination to seek whether prior approval of siting and appearance is required to erect agricultural building . Details considered to be required and agreed on 26th January 1999.

Application No. 99/00165/FUL
Erect stable block (demolish existing stables) Approved 23rd June 1999.

Application No. 99/00686/OUT
Erection of Agricultural workers dwelling.
Permission refused 26th October 2000.
Appeal dismissed 20th August 2001.

Application No.
02/00107/DPDP6
Application to determine whether prior approval required for the erection of agricultural building.
Details considered to be required and approved on 13th March 2002.

Application No.02/00317/FUL
Erection of agricultural building.
Application withdrawn.

Application No. 02/00505/FUL
Erection of barn for storage of vintage farm machinery and vintage horse drawn carriages.
Permission refused 6th August 2002.

Application No. 04/00259/DPD6
Determination to seek whether prior approval of siting and appearance is required to erect agricultural building.
Details not considered to be required 23rd April 2004.

Application No. 09/00164/FUL
Refurbishment and conversion of existing barn and extension to barn to provide first floor living accommodation within barn for agricultural employees.
Permission refused 22nd July 2009.

An enforcement notice was served against the erection of the above building on 27th January 2010 and to permanently remove the building and remove all structures, building materials and rubble arising from the compliance with the notice.
Appeal dismissed 6th July 2010.

Application No. 11/00371/FUL
Change of use of barn to use for the storage of carriages including minor restoration works.
Permission granted 11th August 2011.

Application No. 11/00370/FUL

Demolish Existing Barn and Retain Unauthorised Building for Use of Agricultural Storage.
Permission refused 19th August 2011 for Green Belt and Coastal Protection Belt reasons.

PROPOSAL

The proposal is to demolish the existing farm house and outbuilding and construct a new replacement farm house to the west of the existing dwelling but within the same curtilage. The proposal includes an attached one bedroomed annex to the western side. The annexe would not have any internal connecting doors with the main dwelling to which it would be attached.

The proposed house would be designed with parapet walling finished in a cream coloured render. Both the main roof and that to the annex would be of a hipped design and finished in a clay tile covering.

The proposed house would have an overall width including the annex of 20.87m and depth of 18.3m

The walls would have an overall height of 6.25m and the main roof line would have a ridge height of 8.25m. The design incorporates a chimney to the eastern side.

The proposal has been negotiated with officers since arising from the outcome of the appeal decision against the unauthorised construction of a building containing a carriage business and residential flat set out in the recent planning history.

MATERIAL CONSIDERATIONS

The replacement of existing dwellings in the Green Belt is one of the few developments that would not be inappropriate and can be exceptionally permitted. Such replacement dwellings should not be disproportionate in size to the dwelling they replace.

The previous history has established that there is an agricultural need for a part time person to support the existing farm business. The existing dwelling is also the subject of an agricultural tie arising from the sale of another dwelling formerly part of the holding and fronting Lower Road. The applicant is employed by the Coach Hire business that has built up on the site over many years as well as being employed partly in the beef farm business operating on the site. It would be necessary to condition the replacement building to restrict future occupancy to persons employed or last employed in agriculture.

Policy R6 to the councils saved replacement local plan (2006) sets out the criteria for the replacement of existing dwellings.

The original dwelling comprises the main double ridged dwelling and attached outbuildings in use for boiler room and stores. An attached garage is not relevant floor space for the purposes of policy R6.

A more recent conservatory exists on part of the rear north facing elevation which the applicant claims replaced earlier conservatories that had existed for many years. Whilst the applicant has not dated the conservatory the presence of the structure is shown on earlier Ordnance Survey extracts surveyed in 1953 and levelled in 1947. This conservatory is consistent with most recent maps. It is reasonable to conclude the conservatory to have existed in July 1948 and therefore to be original for the purposes of establishing the original floorspace of the dwelling.

The existing building measured from the applicant's own survey by officers has a floor area of 313 square metres. This includes the conservatory and store rooms attached to the northern elevation of the building. The building is currently lived in by the applicant's parents and although suffering from structural and condition problems discussed below, is part of the housing stock and capable of being lived in.

The applicant calculates (paragraph 2.6 to planning, design and access statement) the same area to be 344.8 square metres but this is at odds with the floorspace figures for each room also supplied by the applicant which total 306.1 square metres. The difference between the applicant's contrasting figures for the existing building equates to 38.7 square metres.

The lawfully existing floorspace in the case of the current dwelling on the site is the same as the original building. An extension that might have been possible under previous permitted development rights would have equated to less than the 35 square metres allowed under local policy set out in the council's saved local plan (2006). Using officers' calculations, the size of the replacement building permissible under part (i) to Policy R6 is therefore 349 square metres. (313 original + 35 policy allowance). The proposal would result in a total floorspace of 360 square metres which is in excess of that which would reasonably be allowed by 11 square metres. Such oversized replacement dwellings are inappropriate and the added size would further harm the openness of the locality. The proposal is therefore contrary to Part (i) of saved local plan policy R6.

The proposed dwelling would be located 2.7m westwards of the existing building and within the extensive garden area serving the existing house. The applicants argue that the revised siting would enhance the appearance of the envelope of farm buildings and would move the new dwelling away from larger farm traffic that currently passes close to the side walls of the existing dwelling as a result in technology changes since the dwelling was originally sited. Whilst it is normally the case that replacement dwellings should be sited in the same location over the footprint of the existing building to be replaced, in this case the re-siting would not be materially harmful to openness and would allow for intervening landscaping between the new position and the farm access and circulation areas. The re-siting would therefore offer an improvement to the site appearance in accord with part (iv) to Policy R6.

Policy CP3 to the council's emerging core strategy states that a local list of buildings will give protection to local buildings with special architectural and historic value. The building to be demolished is included on the draft local list of heritage assets prepared by the council and which has been the subject of consultation but the responses to that consultation are yet to be considered.

The local list of heritage assets is intended to persuade owners against demolition of local buildings with special or local historic value or their unsympathetic extension. Whilst the list does not enjoy statutory protection, such buildings are considered to be of local distinctiveness and familiar to a cherished local scene. The farm has a long history and

where the building is considered to be of local importance. The recommendation is that the farmhouse be included on the local list.

The submitted application is accompanied by an appraisal and feasibility report on the condition of the existing building to be demolished. The applicants have also formally objected to the inclusion of the building on the local list. The building is described in the report to have been constructed in the mid to late 1700's and to be in a state of disrepair with significant defects such as leaning external walls, sloping suspended timber floors, beetle infestation and distortion to door and window openings. The report concludes the condition of the building is such that it is beyond economic repair and refurbishment and that it would be more economical to construct a new dwelling.

The more detailed appraisal refers to water ingress resulting in the cracking of lintels over windows and cracking in the rear wall for its full height indicating structural movement. The survey has however omitted further examination of the building foundations and has not involved substantial lifting of floor boards because the house is occupied and such survey would inconvenience unreasonably the current occupiers.

The report however is silent on the essential need to demolish the building and from the investigations undertaken concludes that refurbishment with the annexe would require additional cost in the region of a further £58,130. Other features described in the report relating to undulating roof lines and sloping floors are not uncommon to buildings of this age.

The county Council's specialist adviser for historic buildings argues for the retention of the building. The county archaeologist acknowledges the historic value of the building. Although not enjoying statutory protection, the replacement of the building would consume resources in new materials, energy and waste increasing carbon emissions. Policy HE1.1. to Planning Policy Statement 5 argues that the re-use of historic buildings avoids the adverse affect upon climate change arising from reconstruction.

The proposed demolition is primarily argued on cost grounds but if allowed would result in the loss of the locally historic building which should be avoided. It is not the case that the building cannot be restored and on that basis its retention and further extension is the most desirable despite the added cost to the applicant.

The proposed house would have an overall height 0.95m lower than the existing house to be demolished. The re-siting would have no material impact upon the undeveloped coastline characteristics and the landscape. The lower overall roof height would off-set the harm by way of increased mass that whilst detrimental to the Green Belt, would not harm the coastal landscape qualities.

The site is remote from neighbouring dwellings. The site would provide an extensive garden area. The site for a new garage is shown to the position of the existing outbuildings but no details of the design and appearance are included in this application but would be required as a condition to the grant of permission. The proposed new dwelling would satisfy the requirements of Policy HP 6 to the council's saved local plan (2006).

Consultations and Representations:

HULLBRIDGE PARISH COUNCIL:

Comment received.

No objection but request the existing dwelling be demolished within 3 months of the proposed dwelling being completed.

ESSEX COUNTY COUNCIL SPECIALIST BUILDINGS AND CONSERVATION ADVICE:

Comment received.

The proposal is to demolish the existing house and build a replacement however the house has been selected to go on the forthcoming "Local List" as being a building of some local historic significance.

A structural report has been submitted which argues that it would cost considerably more to repair the building and convert it than it would to replace it completely. Nevertheless I could not recommend this course of action as being desirable. It would be a loss to the local heritage if the building were demolished and would defeat the object of having a local list.

A preferable course of action would be to retain and restore the existing building or the historic parts of it and add an extension. This would be in line with PPS 5 which states "keeping heritage assets in use avoids the consumption of building materials and energy and the generation of waste from the construction of replacement buildings." (Policy HE1.1)

ESSEX COUNTY COUNCIL SPECIALIST ARCHAEOLOGICAL ADVICE

Comment received.

The application has been identified as having Archaeological implications. The Historic Environment Record shows the application site to affect a building of historic and archaeological significance.

The present farmhouse appears on the earliest OS edition drafted in the later 19th century and also the Chapmen and Andre map of Essex dating to 1777 where the site is recorded as Shipcotes. There is also an earlier reference to Shipcotes on a map of Hockley and Eastwood (held at the Essex Records Office) which dates to 1687. The antiquity of the farmhouse is noted in the buildings appraisal submitted with the application which suggests the house is mid 18th Century, although given the available map evidence, the building and the site may well be much earlier. Although the farmhouse is not designated, a brief and limited examination of available records has shown it may date from the 17th Century or earlier and is a locally significant heritage asset.

If the proposals for the demolition of the farmhouse and its replacement with a new dwelling were to proceed our recommendations would be that prior to its demolition, the farmhouse should be "preserved by record" by means of an historic building survey. Also given the archaeological potential of the site, which is documented in the 17th Century, the site of the proposed new dwelling should be assessed by means of an archaeological investigation.

A full Archaeological condition is therefore recommended in line with PPS 5. Advise further that a professional team of archaeologists should undertake the archaeological work. The District Council should inform the applicant of the archaeological recommendations and its financial implications. An archaeological brief detailing the requirements can be produced by the county council office for specialist archaeological advice on request.

Policies:

Essex and Southend-on-Sea Replacement Structure Plan (2001) as saved

Policy CC1: Undeveloped Coast - Coastal Protection Belt

Rochford District Council –Local Development Framework Core strategy submission Document (September 2009)

Policy CP3 – Local List

Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5th June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

HP6, R6

Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010

Standard C3

Conclusions:

REFUSE

REASONS FOR REFUSAL:

- 1 The Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5th June 2009 in exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 shows the site to be within the Metropolitan Green Belt within which planning permission will not be given, except in very special circumstances, for the construction of new buildings or for the change of use or extension of existing buildings (other than reasonable extensions to existing dwellings or the reasonable sized replacement of existing dwellings as defined in Policies R2, R5 and R6 to the Local Plan) for purposes other than agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sports and recreation, cemeteries or similar uses which are open in character. Any development which is permitted shall be of a scale, design and siting, such that the appearance of the countryside is not impaired.

The proposed replacement dwelling would result in an oversized replacement dwelling exceeding a floorspace considered reasonable that would result in a replacement dwelling disproportionate in size to the original dwelling it would replace contrary to parts i) and ii) to saved Local Plan policy R6. If allowed the proposal would result in a substantially sized new dwelling in terms of scale, impact and appearance compared

to the existing dwelling or that which could lawfully exist on the site such that it would detract from the openness of that part of the metropolitan Green Belt in which the site is situated and would detract from the character and appearance of the area.

- 2 The proposal would result in the demolition and loss of a building considered of local historic interest by the local planning Authority. If allowed the development would replace the existing building considered a familiar part of the local landscape to the detriment of the amenity enjoyed to the area and afforded to the locally distinctive landscape by locally important buildings contrary to policy CP 3 to the Rochford District Council Core Strategy Submission Document (September 2009).