

Report to District Development Control Committee

Date of meeting: 11th February 2015



**Epping Forest
District Council**

Subject: Planning application EPF/2853/14 Pine Lodge Riding Centre, Lippitts Hill, Waltham Abbey - Demolition of existing buildings, improvements to existing vehicular access, erection of 5 detached houses, associated garages and boundary fences and landscaping

Officer contact for further information: Mrs. J. Shingler (01992 564106)

Democratic Services Officer: G. Woodhall (01992 564470)

Recommendation: That planning permission be granted subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- (2) The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1435/1, 2, 3, 4, 5A, 6, 7, 8, 9, 10, 11, 12 and 3382/1
- (3) No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- (4) No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or

shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- (5) A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
- (6) No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
- (7) All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- (8) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - The parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Measures to control the emission of dust and dirt during construction, including wheel washing.
 - A scheme for recycling/disposing of waste resulting from demolition and construction works.
- (9) No bonfires shall be permitted on site throughout the demolition and construction phase of the development.
- (10) Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, to be approved by Essex County Council.
- (11) The remaining stables and outbuildings and the open manege within the blue lined area on drawing number 3382/1 shall not at any time be used for any livery or commercial purpose whatsoever.
- (12) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

- (13) Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- (14) Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- (15) A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- (16) No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance. [Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- (17) Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance. [Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- (18) Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation. [Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- (19) Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- (20) In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

Report Detail

This application is before this Committee since it is an application that is submitted by or on behalf of Councillor S. Stavrou (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(j))

Description of Site:

The application site is located on the south western side of Lippitts Hill and comprises an area that is currently a riding centre with stabling and a covered riding arena. To the east of the site lie the residential properties of Springfield farmhouse which is a grade II listed building and Pine Lodge which is within the applicant's ownership. To the south west and north are equestrian facilities in different ownership

Description of Proposal:

The proposal is to remove all the existing buildings (with a volume of 6,907 cubic metres) from the site and to build 5 detached houses and associated garaging. The houses would be in roughly the same location as the existing buildings and the houses would be arranged around a central courtyard, with plots 1, 2 and 3 facing

plots 4 and 5. Plots 1, 2 and 3 are proposed to be 5 bedroom, wide gable fronted 2 storey houses with a master bedroom within the roofspace and plots 4 and 5 are three bedroom cottage style dwellings. 10 garage spaces are proposed, each with a parking space in front so each house effectively has 4 parking spaces and in addition 5 visitor spaces are proposed.

Access is to be taken via an existing access track to the east of the main access to the farmhouse and Pine Lodge.

Relevant History:

The site has a long history of stable and equestrian use. The steel framed building for horse exercise use was originally approved in 1969 under ref WHX/0157/69A and the use has been operating since that date.

Summary of Representations:

5 Neighbouring properties were written to and a site notice was erected. The following comments were received.

CARLTON HOUSE STABLES, LIPPITS HILL – Support the proposals which will enhance the site.

PIPERS FARM, LIPPITTS HILL – The development will improve the area, visually removing asbestos roofed building. The development is well designed and will reduce traffic.

ESSEX AREA RAMBLERS – Object. Totally unacceptable in the Green Belt, wholly out of character with the area, which is noted for horse riding. If granted it would encourage others, thereby altering the special ambience of High Beech. Infilling of the worst kind. Will lead to increased traffic.

FRIENDS OF EPPING FOREST – Opposed to additional housing on the edges of the forest which is a site of acknowledged scientific importance – additional traffic in the forest harmful, noise and light and air pollution and damage to verges. Incomers tend to illuminate their buildings and gardens which is detrimental to invertebrate and bird life and unsympathetic to the forest landscape. Manicured verges can result in loss of native fauna. If the decline in horsekeeping results in a rash of residential development there are significant implications, every field shelter and tack room is a potential development opportunity.

PINE LODGE, HIGHER CHILCOTT FARM, DULVERTON, SOMERSET. Former owner of Springfield Farm which was sold to Mrs Stavrou in 1987. Object, the entrance has no planning permission and is dangerous. There are underground springs leading to a pond and the land is boggy and unsuitable for housing.

CAMPAIGN FOR PRESERVATION OF RURAL ESSEX – No objection to the redevelopment at Pine Lodge as such, although any increase in district add to demands on services, water, sewerage, schools, doctors etc. More cars can mean traffic jams and pollution. The rural ambience in this area is changing, there can be a problem of light pollution, thought needs to be given to security lighting etc. There are springs on the site and water continually seeps from them, in winter roads can be icy.

CONSERVATION OFFICER -. The site stands adjacent to the grade II listed Springfield Farmhouse. The proposed demolition of the stables and indoor riding

school will enhance the setting of the farmhouse. The replacement buildings utilise traditional materials and forms, improving the appearance of the site.

As the listed farmhouse will retain its large garden and green screening is proposed along the boundary, I do not believe the proposed development will have a detrimental impact on the significance of the farmhouse or its setting, in accordance with policy HC12 of our Local Plan and Alterations (1998 and 2006).

HIGHWAYS OFFICER - The proposed development will generate significantly less vehicle movements and will reduce the movement of larger vehicles to the site to the benefit of all highway users.

ENGINEERING, DRAINAGE AND WATER TEAM – No objection subject to conditions.

Policies Applied:

CP1 - Achieving sustainable development objectives
CP2 - Quality of rural and built environment
CP3 - New development
GB2A - Development in the Green Belt
H2A Previously Developed Land
H3A - Housing density
H4A - Dwelling mix
DBE1 Design of new Buildings
DBE2 - Effect on neighbouring properties
DBE8 - Private amenity space
DBE9 - Loss of amenity
HC12 Development affecting the setting of Listed Buildings
LL2 Inappropriate rural development
LL10 Landscape retention
LL11 Landscaping schemes
ST1 - Location of development
ST4 - Road safety
ST6 - Vehicle parking

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.

Issues and Considerations:

The main issues are whether the development is appropriate in the Green Belt, the design of the development, the impact on the setting of the listed building and on residential amenity, parking and highway safety, sustainability and land drainage matters.

Green Belt:

The site is within the metropolitan Green Belt. The erection of buildings within the Green Belt are considered inappropriate development unless they meet one of the exceptions as laid out within the National Planning Policy Framework (NPPF) or where the harm is clearly outweighed by very special circumstances. These exceptions include the following:

- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The definition of previously developed land is laid out within Annex 2 of the NPPF and reads:

Land which is or was occupied by a permanent structure, including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

The existing use of the site is for the stabling of horses and associated equestrian purposes and the land is therefore previously developed. Notwithstanding the above designation of the site, the redevelopment of brownfield land is only considered as an exception from inappropriate development if “it would not have a greater impact on the openness of the Green Belt”.

In this instance the existing buildings on the site have a considerable impact on openness. The volume of the buildings is nearly 7000 cubic metres, the proposed buildings have a total volume of about 3,614 cubic metres and as a result of the development there would be a net reduction in built form within the site of over 3300 cubic metres. In addition to this volumetric calculation, the proposed replacement built form does not intrude onto any currently open area of land. Whilst the height to the ridge of the properties proposed for plots 1 2 and 3 is slightly higher than the ridge of the riding school building, as this bulk is broken up into smaller elements it is not considered that there will be a greater visual impact on openness. The gardens around the properties mean that the built development is brought away from the edges of the site. Overall it is therefore considered that there is a significant improvement in the open character of the site as a result of the development. As such the development is not inappropriate in the green belt and no Very Special Circumstances are required to justify the development.

Design and Impact on the Setting of the Listed Building

The design and materials of the houses is considered to be appropriate to this location. Whilst it is unusual to find a small courtyard of detached properties in a location such as this, the site is set way back from the road and is not viewed as part of a street scene. The development is sufficiently separated from the listed building not to compete with it for prominence and the development which removes unsightly utilitarian buildings will generally improve the setting and the visual amenity of the area. A heritage statement was submitted with the application, and the Conservation Officer agrees that the development will enhance the setting of the Historic Building. The layout within the site is considered appropriate, with frontages facing onto the courtyard area and all the properties have ample private amenity space and parking. The development will not have an adverse impact on the amenities of any adjacent residents given the separation from surrounding properties.

Highway issues:

Some concern has been raised that the proposal may result in increased traffic movements in this sensitive location where the roads are narrow and winding. However bearing in mind the authorised use, this is not the case. The existing stables include DIY livery. And there are in addition deliveries of feed and hay and

other traffic movements in connection with the use, in all on average there are about 100 car movements a day plus a minimum of 20 van and lorry movements a week. As such the cessation of the current use is likely to significantly reduce the number of vehicle movements and may even halve the number. The existing access track which is to be utilised is to be improved and the advice from Essex Highways is that the development which will reduce the number of large vehicles accessing the site will be to the benefit of highway users.

The proposed parking within the site is at 400% that is 4 spaces per dwelling and a further 5 visitor spaces are also proposed. This high level is considered appropriate for this location where there is likely to be high car ownership and there is no scope for on street parking for visitors.

Sustainability:

This is not a particularly sustainable location, it is likely that most trips will be by car, but this is not an isolated location, there are a large number of residential properties in the vicinity and the site is close to a pub. In sustainability terms we need also to take into account the existing use, which as is illustrated above results in large numbers of traffic movements to the site and is not therefore particularly sustainable either. The proposal makes good use of this previously developed site and it is not considered that the location is so poor as to warrant the refusal of the application.

Drainage

Concern has been raised that the site contains springs and is boggy. The area of the site is currently hard surfaced, the introduction of more green space to provide the gardens and landscaped areas will help reduce run off from the site. The Land Drainage Team has suggested a number of conditions to ensure that the development does not cause drainage issues. The site is not within a flood risk zone.

Other Issues

Concern has been raised that the development could set a precedent for the many other stable and equestrian developments in the Forest and throughout the District. Each application would need to be considered on its own merits. In this case there are substantial benefits to the Green Belt and the locality from the development and it is not therefore setting an adverse precedent. The change to Green Belt policy brought in by the NPPF enables the development of previously developed land in the Green Belt and applications must be determined in accordance with the guidance in that document.

Conclusion:

In conclusion the proposed development is in accordance with the adopted policies of the Local Plan and Alterations and the NPPF and is therefore recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: 01992 564106***

or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk