

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee C Wednesday, 1st June, 2005

Place: Council Chamber, Civic Offices, Epping
Room: Council Chamber
Time: 7.30 pm
Democratic Services Officer Gary Woodhall, Research and Democratic Services
Tel: 01992 564470 Email: gwoodhall@eppingforestdc.gov.uk

Members:

Councillors K Wright (Chairman), R Morgan (Vice-Chairman), Mrs D Collins, P Gode, J Harrington, D Jacobs, D Kelly and Mrs M McEwen

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM ON THE DAY OF THE SUB-COMMITTEE.

1. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

2. MINUTES (Pages 7 - 10)

To confirm the minutes of the last meeting of the Sub-Committee.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

5. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

6. DEVELOPMENT CONTROL (Pages 11 - 74)

(Head of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

7. DELEGATED DECISIONS

(Head of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

8. EXCLUSION OF PUBLIC AND PRESS

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the paragraph(s) of Part 1 of Schedule 12A of the Act indicated:

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

Agenda Item No	Subject
Nil	Nil

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

(1) All business of the Council requiring to be transacted in the presence of the

press and public to be completed by 10.00 p.m. at the latest.

- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforesdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee C **Date:** 13 April 2005

Place: Shelley County Primary School, **Time:** 7.32 - 7.48 pm
Shelley, Ongar

Members Present: K Wright (Chairman), R Morgan (Vice-Chairman), P Gode, J Harrington,
D Jacobs and D Kelly

Other Councillors: (none)

Apologies: Mrs D Collins and Mrs M McEwen

Officers Present: R Bintley (Principal Planning Officer) and G Woodhall (Democratic Services Assistant)

68. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission.

69. MINUTES

RESOLVED:

That the minutes of the meeting held on 16 March 2005 be taken as read and signed by the Chairman as a correct record.

70. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

71. ANY OTHER BUSINESS

It was noted that there was no urgent business for consideration by the Sub-Committee.

72. CARISBROOKE FARM, KILN ROAD, NORTH WEALD - PL/131

The Head of Planning and Economic Development presented a report to the Sub-Committee regarding the possibility of taking enforcement action at Carisbrooke Farm, Kiln Road, North Weald for the unauthorised occupation of the site. At the meeting of the Sub-Committee held on 21 July 2004, consideration of this matter was deferred pending the receipt of legal advice. Counsel had now considered the matter and concluded that, because of the delay in taking action:

- A prosecution would be unlikely to succeed, or if successful, would be unlikely to result in a large fine or the recovery of significant costs.
- Injunction proceedings would be likely to be either unsuccessful, or result in a stay pending the submission of a planning application and/or appeal.
- Further enforcement action could be envisaged if the case was considered afresh, thus the Council should invite the occupiers to make a planning application and determine this before proceeding further.

The Head of Planning and Economic Development further stated that the site had been occupied for many years and were now considered part of the village. Indeed, no objections had been received from any of the local residents. It was considered that the prospect of a successful prosecution or injunction was poor, due to the lengthy delay in taking any action, and a pragmatic approach might be to take no action whilst the current occupiers were on the site. This would not result in the development becoming lawful, and further action could be taken if the current residents left the site and others occupied it.

The Head of Planning and Economic Development reassured the Sub-Committee that each case was treated upon merit and that a precedent would not be set for other sites within the District. The Sub-Committee concurred with the pragmatic approach taken in this instance and supported the recommendation to take no further action.

RESOLVED:

That, whilst the current occupiers continue to occupy the site, no further action be taken in respect of the outstanding enforcement notices.

73. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That the planning applications numbered 1 – 2 be determined as set out in the attached schedule to these minutes.

74. DEVELOPMENT CONTROL - APPLICATIONS DETERMINED BY THE HEAD OF PLANNING AND ECONOMIC DEVELOPMENT

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

1. **APPLICATION NO:** EPF/217/05 **PARISH** Ongar

SITE ADDRESS:

Land adj. to Greensted Hall, Greensted Road, Ongar

DESCRIPTION OF PROPOSAL:

Erection of stables and associated facilities.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Erection of screen walls /fences.
4. Prior to the commencement of the development, details of the proposed surface materials for the arena shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first use of the development.
5. The stables and arena hereby permitted shall only be used for the accommodation and riding of horses for private and domestic purposes and not for any commercial purposes including a livery stables or riding school.

2. **APPLICATION NO:** EPF/291/05 **PARISH** Stapleford Tawney

SITE ADDRESS:

Little Tawney Hall Farm, Stapleford Tawney

DESCRIPTION OF PROPOSAL:

Extension to existing barn to be used for hay and straw storage.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.

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AREA PLANS SUB-COMMITTEE 'C'

1 JUNE 2005

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CASES

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APPLICATION No: EPF/222/05

Report Item No: 1

SITE ADDRESS:
THRESHERS, THRESHERS BUSH, MATCHING

PARISH: Matching

APPLICANT: Mr & Mrs Pickering

DESCRIPTION OF PROPOSAL:

Two storey side/front/rear extension, alterations, replacement porch and single storey orangery. (Revised application)

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.

Description of Proposal:

Erection of two storey side, front and rear extensions, alterations, replacement porch and single storey orangery. The proposals are essentially the remodelling of the house, including the demolition of an existing extension and rebuilding. The largest element of the additions is the orangery, which is a single storey element measuring 9m x 8m.

Description of Site:

Grand detached house set in extensive grounds, with many detached outbuildings, located in a relatively isolated position within the Green Belt. Well screened from view from the road by extensive trees and hedging.

Relevant History:

A small single storey extension was approved in 1980. Front side and rear extensions and replacement porch were approved in November 2004, but not built. An application for the same for extensions but with additional orangery was refused in January 2005. An application for slightly different front side and rear extensions and replacement porch but without the orangery was approved in April 2005.

Policies Applied:

Local Plan policies GB2 and GB14 relating to extensions in the Green Belt and Policy DBE10 relating to design of residential extensions.

Issues and Considerations:

This is a very large house, (over 632 square metres of floorspace) that has not been significantly extended in the past. The two storey extensions and the remodelling now proposed, have already been considered acceptable in Green Belt and design terms and were approved earlier this year. The remaining issue therefore is whether the proposed orangery element is appropriate.

The orangery that was refused last year was 11.4m deep and 7.8m wide and was refused on the basis that the sheer depth of the extension in comparison with the depth of the original dwelling was disproportionate and that it extended the footprint of the dwelling in an illogical manner into an area that is at present undeveloped.

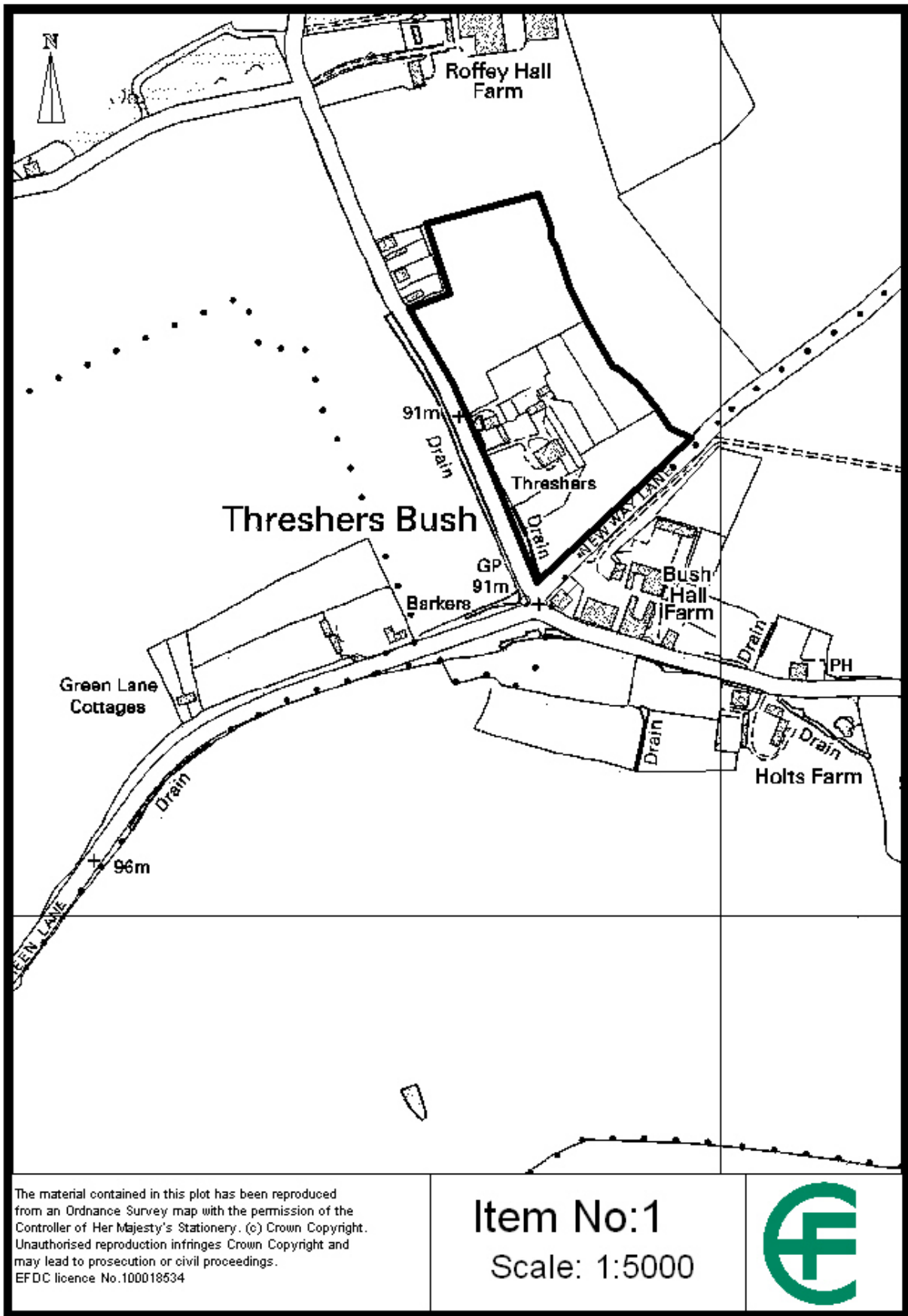
The revised orangery has a floor area of 61sqm compared to the 77sqm of the refused scheme. This is still large, but the reduced depth is now considered more in proportion with the original depth of the building. Although the proposal is still a significant addition to the footprint of the building and extends development into a currently undeveloped area of the site, it is considered that given the size of the original dwelling the proposal is not disproportionate in Green Belt terms. The total increase in floorspace of the proposal over and above the size of the original dwelling is about 27%. It is considered that this is not excessive, given the size and nature of the house and its grounds.

The proposed alterations and extensions have been well designed to be in keeping with and in fact enhance the character of the house. Some unattractive additions and alterations are being removed and the symmetry and grandeur of the front elevation will be enhanced.

It is considered therefore that the reduced scheme is in accordance with the policies of the Local Plan and the application is recommended accordingly.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - The Council resolved that the proposals formed an excessive increase in the size of the house.



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Item No:1
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APPLICATION No: EPF/435/05

Report Item No: 2

SITE ADDRESS:

BRICK WORKS BUILDING, DOWN HALL ROAD, MATCHING

PARISH: Matching

APPLICANT: Mr D Perry

DESCRIPTION OF PROPOSAL:

Renovation of existing building, and change of use to office and store.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. No alterations of any kind shall be made to the main fabric of the building other than those indicated on the plan hereby approved.
3. The roof shall be covered with dark blue/black welsh slates with matching hips and ridges, and samples shall be submitted to the Local Planning Authority prior to any work commencing.
4. The use hereby permitted shall be restricted to the storage of products, with ancillary office accommodation as described in the application, and no part of the premises shall be used for any industrial process, without the prior approval of the Local Planning Authority.
5. No storage of goods or articles of any kind, including the storage of vehicles, shall take place outside the building.
6. The hours of working at the building shall be as stated in the application, viz 08.00 - 18.00 hours, and no work shall take place on the site outside these hours on Mondays to Fridays, or any at time on Saturdays, Sundays or Public Holidays.
7. Prior to the commencement of any work on the site a full contaminated land assessment and appropriate remediation scheme shall be submitted to and approved by the Local Planning Authority. The remediation scheme as approved shall be fully implemented prior to the commencement of any other work on the site, to the satisfaction of the Local Planning Authority.

8. Prior to the commencement of the development details of the following matters shall be submitted to and approved by the Local Planning Authority:-

i) Improvements to the access point with Downhall Road, including surface materials, kerb radii, sight lines, and details of any gates and fencing.

ii) Layout of the car parking area (to be sited close to the building) and the surface materials to be used.

iii) Layout of the access road across the field and the surface materials to be used.

All of these works shall be carried out as approved prior to the building being brought into use.

9. The rooflights to be used on the building shall be of the conservation/heritage type and exact details of these fittings shall be agreed with the Local Planning Authority prior to commencement of any works to the building.

10. All external joinery shall be carried out in timber and finished with a traditional paint finish.

Description of Proposal:

Renovation of existing building and change of use to office and store.

Description of Site:

Although the building is not listed it dates from the 1870's and was originally built to supply gas to Down Hall. The building is a concrete construction some 160m from Down Hall Road, and is currently in a dilapidated condition. It is situated next to a stream which delineates the border with Uttlesford DC. The whole site is within the green belt.

Relevant History:

EPF/1359/90 - Conversion to dwelling - Refused and dismissed at appeal

EPF/1135/97 - Conversion to business use - Approved

Polices Applied:

Structure Plan
C2 Green Belt

Local Plan
GB2 Green Belt
GB8 Conversion of building
T17 Highways
U2 Flooding

Issues and Considerations:

The main issues in this application are the effect of the proposal on the green belt, the amenities of neighbours, and land drainage issues. It should be noted the 1997 permission was not implemented, and this application is identical in its details.

Green Belt

This building was erected as part of the Down Hall estate, and the Essex County Listed Building Advisor commented on the 1997 application "This building is a very early example of the use of no-fines concrete cast in situ". He also regarded the building had historic interest as an early industrial building and was worth preserving. The current Listed Building Advisor is of the same opinion. The building is in derelict condition, and has been disused for many years. The roof has been reframed prior to 1997. It should be noted, however, that this building is not listed.

The proposal is to reuse the shell of the building, re roof it, and use the interior for office and storage use. There is an access into the field already, although there is no laid path or access track. There would be no increase in footprint, volume or height of the building.

Policy GB8 of the adopted local plan allows for a change of use of buildings provided they meet a number of conditions:

- (i) The building is:
 - (a) of permanent and substantial construction; and
 - (b) capable of conversion without major or complete reconstruction; and
 - (c) in keeping with its surroundings by way of form, bulk and general design;
- (ii) The proposed use is for residential use where the building is unsuitable for recreational, business or storage use and where it is desirable that the building is brought back into beneficial use; and
- (iii) The proposal entails appropriate benefits to green belt or countryside objectives in circumstances where the council considers it necessary or desirable.

In this case it is considered that it is in line with (i) notwithstanding the fact that it will need to be re roofed and that (ii) is met as the proposed use is for a business use.

It is also the case that the Inspector in the 1991 appeal stated, when dismissing the use of the building as a residence, that "it is the historic relationship with Down Hall which I consider to be the overriding factor in this case, and I have no reason to think that with minimum maintenance and adoption the building, more or less as it stands, could not provide for a use in line with Governments wish to stimulate economic activity in rural areas". Although this appeal is now 14 years old, this is not out of keeping with the advice given in the recently issued PPS7 on rural issues, and in line with criteria (iii) of the policy. The facts are the building is in situ, the proposed use is not residential and thus will entail a minimum of change to the building, and it is the opinion of the officers that it is desirable that this historic building is brought back into a beneficial use, despite the Parish Council's objections that the building has no architectural value. Therefore it is considered that this proposal is in line with Policy GB8.

The site is in the bottom of a shallow valley, and is screened by extensive tree lines. It is not very visible from Down Hall Road to the east. However opening up the access and surfacing an access path to the building will make it more prominent. The use can be conditioned to avoid outside storage and it is envisaged that only 2 vehicles will be on site during the day. With the small size of the building this appears a realistic provision for vehicles. On balance it is considered that there will be no significant harm to the openness of the Green Belt in this location.

Neighbouring Amenities

There are 3 residential properties in Down Hall Road to the east of the site. The nearest is some 160m distant, and it is considered with the limited vehicle movements and small size of the building will have only a very limited impact on these properties. The hours of working can be conditioned and therefore there is no justification for a refusal.

Drainage

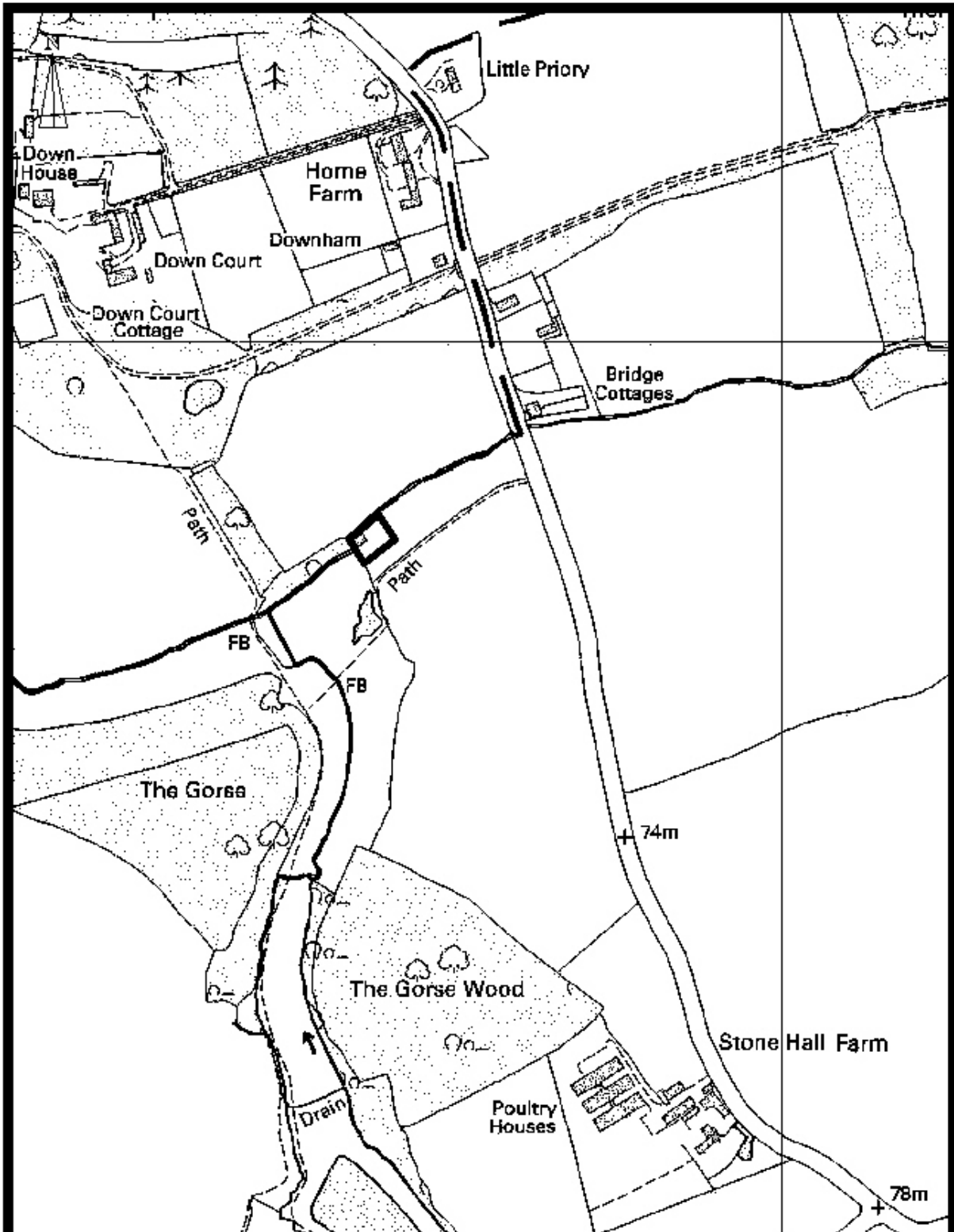
The Land Drainage Section has raised no objections subject to condition.

Conclusion

This is an opportunity to restore and preserve a historically interesting building, and it is considered that there is no significant impact on the Green Belt as a result of this application. For the above reason this application is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Object, the building is said to be no more than a ruin, has no architectural value demanding its reinstatement, and currently has no proper road leading to it. Councillors objected to restoring and a change of use for this building in this Green Belt location, as it would affect the openness of the Green Belt, contrary to EFDC policy.



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Item No:2
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APPLICATION No: EPF/341/05

Report Item No: 3

SITE ADDRESS:

2 THE THRESHERS, HASTINGWOOD ROAD, HASTINGWOOD, NORTH WEALD

PARISH: North Weald

APPLICANT: Darlington Limited

DESCRIPTION OF PROPOSAL:

Erection of a 5m wooden sound barrier on the eastern boundary of site.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Tree protection measures required.
4. Retention of existing trees and shrubs

Description of Proposal:

Erection of a 5m high wooden sound barrier along the entire eastern boundary of the site.

Description of Site:

A waste transfer station on a 0.27ha site on the southern side of Hastingwood Road. There are a number of single storey buildings on the site. The site and its surroundings are flat. There is an open agricultural field to the west and rear, and residential housing to the immediate east. Hastingwood Road is a two lane road. The whole site is within the Green Belt.

Relevant History:

A long and complex history. The site was originally used as an agricultural contractors equipment yard in the 1940's, and from about 1960 as a haulage yard. In the mid 1980's a licence to operate the site as a Waste Transfer Site was granted by

Essex County Council.

Recent applications include:

EPF/856/954 - Repositioning part of yard - Approved

ESS/160/96B2 - Industrial diesel tank repositioned and additional waste compound - Approved

EPF/943/98 - Installation of a wood burning combination unit - Refused

EPF/1629/98 - Installation of a wood burning combination unit - Refused

EPF/1293/04 - Curtilage extension - Refused

EPF/1294/04 - Retention of fence - Refused

Policies Applied:

GB2 Green Belt Policy

DBE1 Design of new structures

RP5 Development likely to cause a nuisance

LL1 Character, appearance, and use of rural landscape

T17 Highways

Issues and Considerations:

The main issues are the impact of this proposal on the Green Belt, rural landscape, noise and disturbance, and amenities of neighbouring properties.

Green Belt

This site is a long established commercial use which has been the subject of many complaints and objections by local residents to its use over the years. However the site has permission for the current uses and is not on the Council's list of non-conforming sites which it would wish to see discontinued and relocated.

The applicant wishes to erect a 5m high wooden sound barrier fence along the length of the eastern boundary with Threshers Cottage (a distance of some 85m). This would provide an acoustic barrier to reduce the impact of the yards activities on the neighbouring residential properties to the northeast. The fence would be of a timber construction and finished in an appropriate colour.

The current site boundary has a number of 6-7m high conifers forming a continuous screen on the eastern boundary from the Hastingwood Road to beyond the site office, which are some 40m into the site. The treeline then becomes somewhat sparser to the rear boundary of the site, where it again become continuous, and then returns along the western boundary of the site to an area of new planting. This tree line gives a screening effect to the neighbouring properties at Threshers Cottages and Belle Vue Villas to beyond the site office, and

then gives some screening to the rear boundary.

It is the case that a fence of this height and length will inevitably impact on the openness of the Green Belt. However it is considered that in this case there is a significant level of screening provided by the tree lines around the site, and if the trees are retained, which is proposed (and can be conditioned) the fence will not be readily visible from the east, apart from a small section to the rear of the site office, or from the open land to the east and south. Therefore it is considered that this would have no further adverse impact on the openness of the Green Belt than that already caused by the site. In addition there are benefits to adjacent dwellings as will be discussed below.

Amenity

The justification for this structure is that it will reduce noise and disturbance to the nearby residents. This site has been subject of many complaints to Environmental Services on this issue, and the erection of the barrier will reduce noise by up to 10dB, as estimated by the Council's Environmental Officers, which would equate to a reduction of half in the current noise levels.

Whilst this is an obvious gain there will be a corresponding adverse effect in terms of overshadowing of the garden areas to the northeast. It is likely that the gardens of Threshers Cottages and Belle Vue Villa would suffer some loss of sunlight in the late afternoon and evenings. However it is the case that the current treeline is some 1 - 2m higher than the proposed fence, and already reduces the amount of light in these areas. With the exception of the area to the rear of the site offices there will be no further loss of light to these addresses, and the small area that does not have a continuous tree line would not be so adversely affected as to justify a refusal. None of the neighbours in these houses have raised an objection to the scheme.

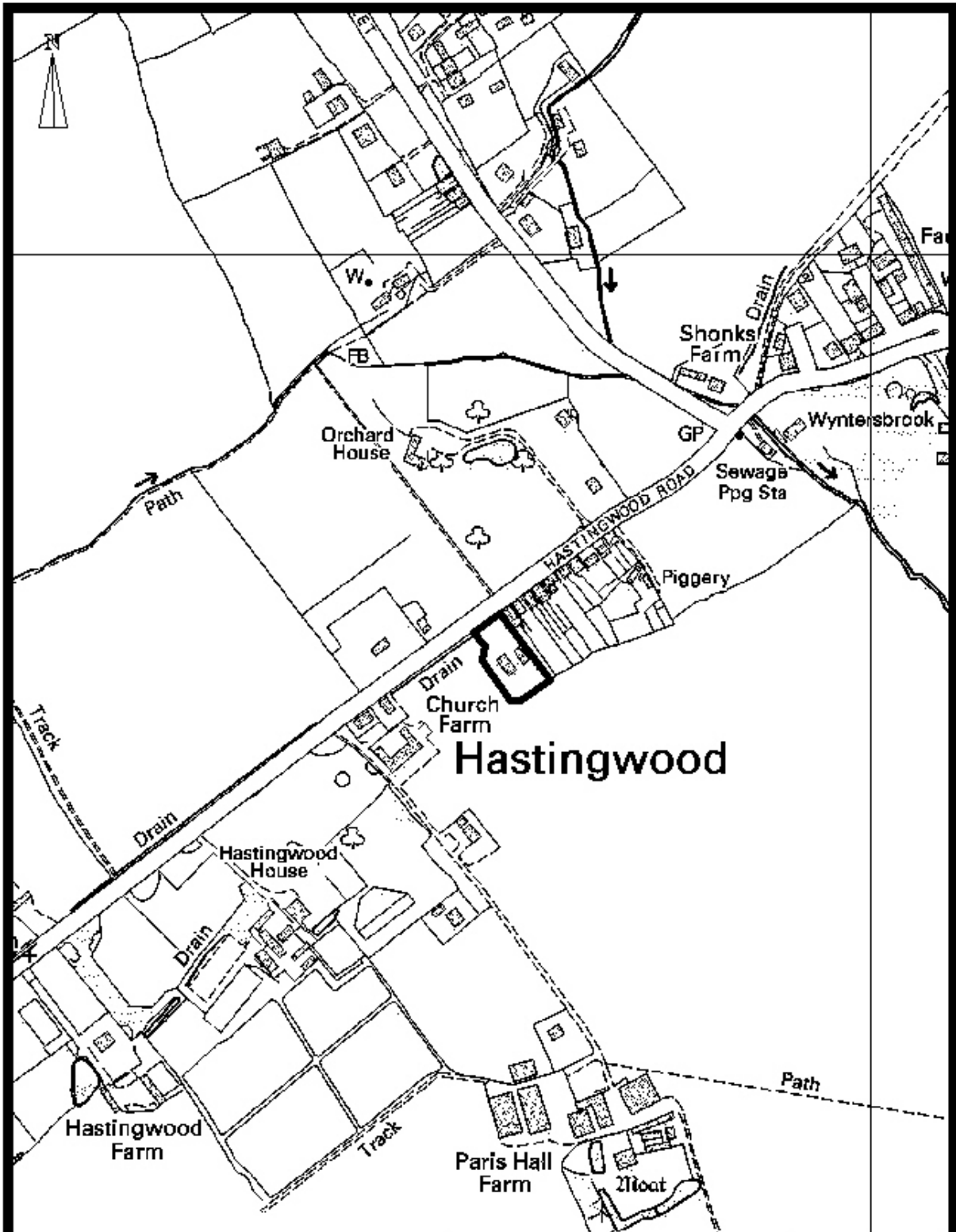
Conclusion

It is acknowledged that the fence will cause some harm to the openness of the Green Belt, but due to the existence of the treeline this harm is largely academic. The amenities of the neighbours likewise would suffer a technical loss of light, but in reality the tree line causes a far worse effect already, and this is outweighed by the improvement in noise disturbance. Therefore the recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Object, Members noted the close proximity of the proposed development to neighbouring properties. The proposal would create significant loss of amenity for

neighbours and was believed to be contrary to policy DBE9 of the Local Plan due to the loss of daylight and the overshadowing caused to these properties. Members did not object in principle to the use of ground works/or barriers to reduce noise impact associated with the site. It is suggested that greater care is required with the positioning to avoid excessive overshadowing.



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Item No:3
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APPLICATION No: EPF/149/05

Report Item No: 4

SITE ADDRESS:
2 MEAD WALK, ONGAR

PARISH: Ongar

APPLICANT: Mr & Mrs P Cuming

DESCRIPTION OF PROPOSAL:

First floor extension, extension to garage at ground floor and conservatory.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.

Description of Proposal:

First floor side extension above existing flat roof with extension to garage to rear and rear conservatory. The first floor extension would be 4.8m wide with part of it set back from the front elevation of the dwelling. It would extend no further than the existing depth of the house. The extension to the rear of the garage would be approximately 5m deep along the side boundary with No. 1 Mead Walk. The sun lounge would extend across from the rear of the dwelling to meet with the extended garage.

Two storey detached dwelling located on the east side of Mead Walk at the end of a cul-de-sac. The dwelling has been extended previously in the form of a flat roof garage and porch and single storey extension to rear. The dwelling is on land approximately 1m higher than the neighbouring property to the northwest at No. 1. Dwellings of a similar design and size typify the street scene.

Relevant History:

W/EPO/315/68 - Garage and porch - Approved
EPF/525/82 - Rear extension - Approved with Conditions

Relevant Policies:

DBE9 and DBE10 - Residential Development Policies

Issues and Considerations:

The main issues here relate to the potential impact on the neighbouring properties and the design of the proposal in relation to the surrounding area.

Amenity

The first floor side extension is sufficiently away from the neighbouring dwelling at No. 1 as not to materially affect their amenities. The existing 1.6m boundary fence and the attached double garage at No. 1 would mainly screen both the garage extension and sun lounge. No loss of privacy. No overlooking.

No impact on No. 3 Mead Walk. Complies with DBE9 of the adopted Local Plan.

Design

Ongar Parish Council are concerned that the proposal would represent an overdevelopment of the site, however the first floor side extension is mainly set back from the front elevation and would not appear overly dominant within the street scene. The extension to the garage and sun lounge are not visible from the street and the garden is large enough to accommodate these additions and they would appear subordinate to the main dwelling house. For these reasons the proposal is considered to be acceptable and complies with DBE10 of the adopted Local Plan.

The application is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

ONGAR PARISH COUNCIL - Objection - This proposal represents overdevelopment of the site and would have a detrimental impact on the street scene.

1 MEAD WALK - Not sure from plans if happy with proposed plans as we do not know if it will restrict our light in any way or be inappropriate for the location.



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Item No: 4
Scale: 1:1250



APPLICATION No: EPF/370/05 Report Item No: 5

SITE ADDRESS: CENTRAL HOUSE, HIGH STREET, ONGAR **PARISH:** Ongar

APPLICANT: Y2K Properties Ltd

DESCRIPTION OF PROPOSAL:

Demolition of existing outbuilding and erection of new building consisting of 2 shops, 1 office and 5 flats.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. The development shall be carried out in accordance with the amended plans received on 22 March 2005 unless otherwise agreed in writing with the Local Planning Authority.
3. Materials of construction to be agreed.
4. Parking area to be provided/maintained.
5. The existing access to the site shall be permanently closed and the existing footway continued across the site frontage in a manner and at a time to be agreed with the Local Planning Authority after consultation with the Highway Authority.
6. Submit programme of archaeological work

Description of Proposal:

Demolition of single storey outbuilding located in the northerside of Central House; and the erection of a three storey building comprising two shops and offices at ground level with two floors above accommodating 4 x 1 bedroom and 1 x 2 bedroom flats.

Description of Site:

Part of the site is occupied by a single storey brick built outbuilding which is used as offices, the rest used as the vehicle access to the rear car park and approximately 3 parking spaces which serve the existing shops. The building which is to be demolished could well have served as the lavatory block for the old school which occupied Central House.

Relevant History:

History of planning applications relating to the use of Central House dating back to 1970s. Extension to the building in 1980s. Erection of detached office outbuilding allowed in early 1990s.

Policies Applied:

HC6, HC7, HC9 - Development affecting Conservation Areas.
E1 & E2 - Development in employment areas.
E10 - Town Centre offices.
STC1, STC2, STC7 - Shopping and town centres.
DBE1, DBE2, DBE3 - Design and built environment.
T14 & T17 - Relating to parking and access related issues.
CS1, CS3, CS4 - Encourage sustainable development.
BE1, BE2 - Built environment.
TC3, TC4 - Town Centres - retail development.
T1, T3, T6, T9, T12 - Transport policies.

Issues and Considerations:

The main issues relating to this proposal concern the suitability of the site for a mixed use development, the impact on the town centre, appearance in the Conservation Area and car parking related issues.

The proposal will entail the demolition of a small single storey building, which is used as offices, and the repositioning of the access from the High Street which leads to the car park located behind Central House. The loss of the building is not considered an issue as it does not make a valuable contribution to the visual amenities of the Conservation Area and will not affect the setting of the Listed Building.

The building will provide for a mixed use of residential accommodation on the upper floor with shops and offices or live-work units to the rear. This form of mixed use for the site is highly desirable in this town centre location and the inclusion of a retail element will establish a link between the commercial centre of the town and Tesco's which lies on the edge of the commercial area.

The building being proposed is well designed, and will make a valuable contribution to the visual amenities of the area. Furthermore it will bridge the gap between Central House and the Tesco site adding a degree of continuity to the commercial frontage of the High Street. In addition the position of the building will not only screen the flank wall of Central House from the High Street but also much of the canopy of Tesco's petrol station both of which are not valuable attributes to the street scene.

The development will inevitably lead to the loss of some car parking spaces which are located immediately adjacent to the site entrance, and in addition the additional accommodation will not be provided with independent parking provision. This is however a town centre location wherein a greater flexibility of parking requirements can be made. The proposals will necessitate the reorganization of the existing car parking arrangements behind Central House and would result in better use of the site. Furthermore the proposals now include the provision of secure and covered cycle and motorcycle parking which accord with the Council's adopted off street car parking requirements.

The application has been the subject of consultations with the Highway Authority who have not raised any objections to the proposals subject to the permanent closure of the existing access to the highway and the reinstatement of the pavement across this section of the road frontage. The Parish Council has objected to the application as it considers that there is an increased pedestrian danger because of the proximity of the development to the Tesco's petrol filling station. However as the scheme moves the access point for the new development away from the service station access this problem should not arise.

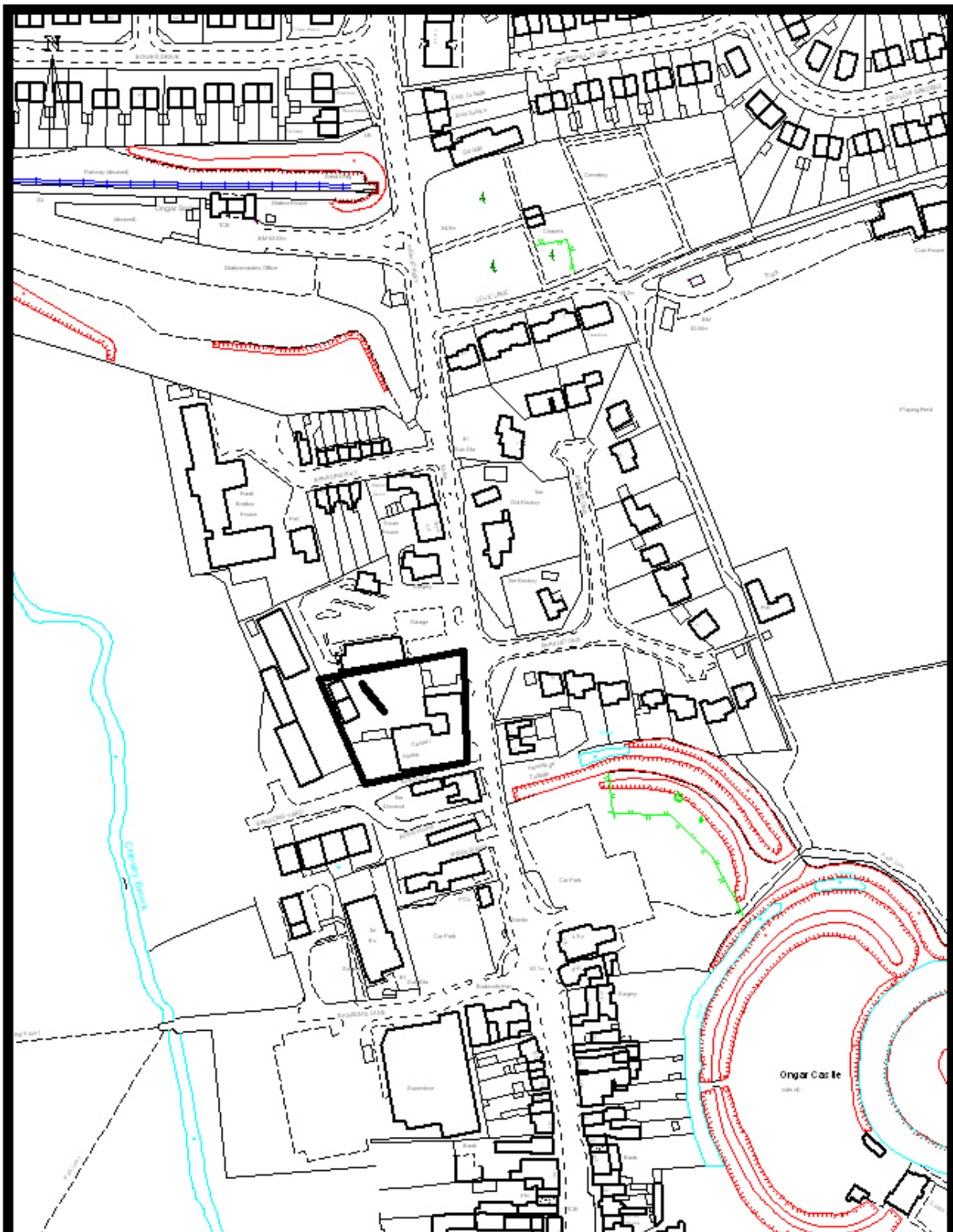
Another issue raised by the occupiers of the site relates to the adequacy of parking provision. It has to be acknowledged that during building works this might become an issue for occupiers of the buildings. This should be resolved once occupation of the development occurs. In this instance the main portion of the building is to be residentially occupied and the residents should find much of the car park available to them during evenings and at weekends when the business users are absent. Such a share use of the car park is an acceptable proposition and is not considered to be an issue.

These proposals are considered to be acceptable. The proposals accord with policies in the Local Plan therefore the application is recommended for conditional approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Object the development coupled with Tesco's presents increased traffic dangers to pedestrians.

FOSTER GROUP (LOUGHTON) LTD. CENTRAL HOUSE - Concerns relating to car parking. There are currently 43 spaces on the site and these are frequently all in use. There will be insufficient spaces left for the current users of the site and not enough for the occupiers of the new building. Because of the shortfall in parking spaces consider that the new development should be substantially smaller than is proposed.



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Item No:5
Scale: 1:1250



APPLICATION No: EPF/442/05

Report Item No: 6

SITE ADDRESS:
29 MAYFLOWER WAY, ONGAR

PARISH: Ongar

APPLICANT: Gary Edcombe

DESCRIPTION OF PROPOSAL:
Rear/side single storey extension.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.

Description of Proposal:

Consent is being sought for a single storey extension to the side and the rear of the dwelling. This extension would incorporate extending the detached garage, extending the dwelling out to the rear and infilling the gap between the garage and the house.

Description of Site:

Single-storey detached bungalow located on the north side of Mayflower Way, Ongar. The property consists of a dwelling and detached garage on an unusually shaped corner plot which adjoins the Great Stony Park conservation area.

Relevant History:

EPO/428/70 - Extension to garage - Approved 8/9/70

Policies Applied:

HC6 - Development in Conservation Areas
DBE9 and DBE10 - Residential Development Policies

Issues and Considerations:

The main issues here relate to the potential impact on the neighbouring properties and with regards to the design.

Impact on No. 31

The proposed extension will be no deeper than the existing rear conservatory at number 31, which itself is set back from the boundary by approximately 1m, and therefore there would be no detrimental impact.

Impact on No. 27

Number 27 has a similar extension as the proposed, which is of the same dimensions with a flat roof. Therefore there would be no adverse effect caused to this neighbouring property.

As such complies with Policy DBE9 of the adopted Local Plan

Design

Although the floor plan of the proposed extension is of an unusual shape the only views that it would be seen from are the front and rear. Due to the unusual shape of the plots, numbers 27 and 29 are angled slightly towards each other with their shared access space between the two properties at the front being fairly narrow (around 3m). Because of this, very little of the proposed extension would be viewed from the street. From the rear the proposed extension would appear as a standard, ridged roof rear extension linking the house and the garage.

Complies with Policy DBE10 of the adopted Local Plan

As the application site is adjacent to a Conservation area Local Plan policy HC6 applies. The rear boundary, shared with Great Stony Park, is well screened and the extension would not be visually obtrusive.

Therefore complies with Local Plan Policy HC6.

Conclusion:

In light of the above the rear and side extension is recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - The proposal appears to be in visual conflict with the surrounding area and adjacent properties.



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Item No: 6

Scale: 1:1250



APPLICATION No: EPF/1042/04

Report Item No: 7

SITE ADDRESS:

SAMANTHA, TYSEA HILL, STAPLEFORD ABBOTTS

PARISH: Stapleford Abbots

APPLICANT: Mr K Maxted

DESCRIPTION OF PROPOSAL:

Outline application for the demolition of a single detached dwelling and the construction of 3 no. replacement dwellings (Revised application).

RECOMMENDED DECISION: Grant Permission

1. Submission of details within 3 years.
2. The development hereby permitted shall be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority, showing the layout of proposed development including the provision of garaging/visitors' car parking spaces/vehicles loading or unloading, and turning areas, and the siting, design and external appearance of each of the buildings.
3. Materials of construction to be agreed.
4. Erection of screen walls/fences.
5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class B shall be undertaken without the prior written permission of the Local Planning Authority.
6. Submission of tree protection statement
7. Submission of Landscape Proposals
8. Prior to the commencement of the development, details of the proposed surface materials for the access road shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be

completed prior to the first occupation of the development.

9. Construction of road prior to dwellings.
10. Prior to commencement of development details of the access way shall be submitted to and approved in writing by the Local Planning Authority, this shall include a width of 4.1 metres with equal radii and measures so that no surface water shall drain onto the highway. The access shall be constructed in accordance with those details.
11. Any gates shall be set back a distance of 4.5 metres from the edge of the carriageway.
12. The vehicle turning area shown on the approved plans shall be permanently maintained and kept clear for that purpose at all times.
13. Details of refuse disposal, including its proposed position on the site, size and appearance shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. It shall be provided on site, as agreed before the first occupation of the dwellings.
14. A flood risk assessment 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 programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
15. No demolition or construction work shall be permitted on the site outside the hours 08.00 - 18.00 Mondays to Fridays and 08.00 - 13.00 hours on Saturdays. No work shall take place on Sundays or Public Holidays.

This application was deferred from the February meeting of this Committee in order for Officers to obtain additional confirmation from Thames Water whether or not they oppose the development in respect to drainage issues in relation to the outpours of raw sewage from the sewer system to surrounding properties on certain occasions.

Additional information has been received from Thames Water, which has been quoted below:

"I advise that the development proposed at Tysea Hill did not meet our criteria for detailed assessment due to its size and that no capacity issues were highlighted at this location. In

this regard, we made our response stating that we have no objection to the planning application.

"Following your letter and the concerns raised therein, we have carried out further investigations and can advise that our records do indicate a number of incidents of sewer flooding in this vicinity. Our information does however record the cause of these incidents as blockages rather than any hydraulic inadequacy of the system.

"This information allows us to confirm that our position with regard to the development is unchanged - we have no objection".

The previous report is now repeated below for clarity:

Description of Proposal:

This is a re-submitted outline application for the demolition of the existing detached dwelling, and for the erection of three detached dwellings with associated amenity and garden space, together with a new vehicular access onto Tysea Hill. All matters are reserved except means of access.

Description of Site:

The site currently comprises a detached two storey dwelling house that is located within a residential area of ribbon development on the eastern side of Tysea Hill. The area is of a mixed character and exhibits a wide range of building styles. Many of the surrounding properties (including the application site) feature detached dwellings, however some are of two storeys in height, whilst others are single storey bungalows. Other dwellings in the area are terraced or semi-detached, exemplifying the differentiated nature of the area. The building line on this eastern side of Tysea Hill is fairly irregular, with dwellings situated at different positions in relation to neighbouring units.

This site is part located within the Green Belt, which bisects the eastern most 35 metres of the site, and does so in a similar manor for the remaining properties on Tysea Hill. The area is on fairly level ground, however there is a slight slope down to the east. The site is bordered by tall trees and bushes, several of which (on the site's southern boundary) are covered by Tree Preservation Orders. All of the land to the east of the site is comprised of fields.

Relevant History:

ONG/286/49 - Proposed two dwellings - Granted 10/1/50.
ONG/121/50 - Proposed bungalow - Granted 14/3/50.
ONG/121A/50 - Proposed bungalow - Granted 14/11/50.

ONG/26A/52 - Details of proposed dwelling - Granted 2/2/60.
EPF/1358/03 - Outline application for the demolition of existing detached dwelling and the construction of four replacement dwellings - Refused 19/1/04.

Policies Applied:

Core Strategy, Countryside, Built Environment and Housing Policies from the Essex and Southend On Sea Replacement Structure Plan:-

CS1 - Achieving sustainable urban regeneration.
C2 - Development within the Metropolitan Green Belt.
BE1 - Urban intensification.
H2 - Housing development - The sequential approach.
H3 - Location of residential development.
H4 - Development form of new residential developments.

Green Belt, Housing, Residential Development, Landscape and Highway Policies from Epping Forest District Council's Adopted Local Plan:-

GB2 - Development within the Green Belt.
GB4 - Extension of residential curtilage in the Green Belt.
GB7 - Development conspicuous from the Green Belt.
H3 - Housing location criteria.
DBE1 - Design and siting of new buildings.
DBE2 - Effect of new buildings on neighbourhood.
DBE3 - Enclosure of spaces.
DBE4 - Design of new buildings within the Green Belt.
DBE6 - Provision of car parking in new residential developments.
DBE8 - Provision of private amenity space.
DBE9 - Amenity considerations.
LL10 - Retention of trees.
T14 - Car parking.
T17 - Highway safety.

Issues and Considerations:

There are several sets of issues with this application:-

1. Suitability of the site and impact on the Green Belt.
2. Appropriateness of the site to contain three detached dwellings.
3. Effect on the amenities of neighbouring properties.
4. Highway considerations.
5. Impact on trees.
6. Other Matters.

1. Suitability of the site and impact on the Green Belt.

The concept of residential development of this nature is

appropriate on this site given the nature of the existing site and surrounding area. The application area is located within the "central village location" of Stapleford Abbots, and is surrounded by other residences and is close to the ancillary amenities offered by the settlement. The site is not identified for any other use by the Local Plan, and is therefore in accordance with Policy H2 of the Structure Plan and H3 of the Local Plan.

Policy BE1 of the Structure Plan promotes intensified use of land, and H4 encourages increasing the density of urban housing subject to an acceptable layout and appearance. The guidance in PPG3 also promotes increases of housing density and use of "brownfield" sites. Given the fact that the previous proposal (for four dwellings) was refused permission on the basis of siting and proximity to trees, the principle of more intensive development has not been objected to, so it is considered that at this stage, the number of dwellings remains acceptable and therefore accords with government guidance and the Structure Plan.

This site is partly located within the Green Belt, but this relates solely to the garden area of the proposed new properties. The existing dwelling, Samantha also shares this characteristic and the garden of this property (in the Green Belt "section") is occupied with a tennis court and it is not considered that rear gardens of more than one dwelling would have an undue effect on the openness of the Green Belt. Since the new dwellings are to be located outside the boundary, in an area that is predominantly residential, there will be little impact on the Green Belt. The garden of the site is well screened by trees and bushes, which would ensure that the development would not be over-conspicuous from the Green Belt. With the nature of the surrounding area that is residential, there are no issues to warrant a refusal under GB7.

The application for three residential units is not excessive given the size of the application site, which has been used efficiently in the proposal. The development would therefore accord with Policy CS1 of the Structure Plan.

2. Appropriateness of the site to contain three detached dwellings.

The site is currently occupied by a large detached two storey dwellinghouse, which has several single storey additions. This property was built in the 1950s/1960s and is of a design that is typical for that era. This proposed development would give rise to a significant change in the appearance of the site and surrounding area. Siting and overall design of the individual buildings are however matters reserved for subsequent approval.

During the course of the application, the applicant has amended the application so that siting is no longer a matter for

determination and that the key issue is whether or not the principle of three dwellings are appropriate on the site. The layout shown in the submitted plans is for indicative purposes only, and this particular format is not considered appropriate by Officers due to the overall size and position of the two dwellings at the rear, "Plot 2" of which is too close to the boundary with the property to the north.

Were the Committee to approve this application, the final form of the development would be the subject of a Reserved Matters application that would ensure the development pays regard to the existing building lines and would not give rise to a cramped appearance. The existing dwelling is set well back from the road, to the rear of "Tysea Stores" and neighbouring properties, so a refusal of this "in principle" application on the basis of backland development would be difficult to justify.

The access road is in a similar position on the site to the current tarmac drive to Samantha. The site is substantial enough so that each of the three dwellings would be provided with a sufficient level of amenity space in order to accord with DBE8, however the exact nature of this would be covered within any subsequent reserved matters application.

Unlike the previous application, which was refused on the basis that four units on the site would give rise to a cramped appearance, the reduced number of units is now considered acceptable, and on the whole the proposal accords with Development Plan Policies.

3. Effect on the amenities of neighbouring properties.

Although siting, height and design are reserved for future approval (where the full impact of a development can be assessed), at this stage no untoward issues are considered to arise in terms of loss of light. Most of the site is well screened by tall trees and bushes, which will have the effect in obscuring any dwellings set further in the site from the view of properties in Oak Hill Road and Tysea Hill.

The issue of overlooking can only be fully assessed when the siting, design and height of the new buildings are submitted under a reserved application. Removal of permitted development rights for loft conversions will ensure that no dormers could be inserted without the control of the Local Planning Authority.

4. Highway Considerations.

Although concern has been raised with regard to the proximity of the access road to the development in relation to the junction with Oak Hill Road, Highways Officers find no objections on safety grounds. Conditions requesting details of surfacing, turning areas and means for the collection of refuse

would ensure that the proposed access is acceptable.

Since this is an outline application, no car parking details have been provided, and an application must make provision of an adequate level of parking. Since Adopted Parking Standards set maximum ceilings, it is likely that this site would be able to cope with sufficient levels of parking.

5. Impact on Trees.

The previous proposal was refused on the grounds that the proposed units would be sited too close to the preserved trees, causing harm to root-systems, as well as being in such a position that would create an overbearing relationship between the trees and main parts of the property.

Given the nature of this outline application that does not cover siting, a future application would be able to assess whether or not the dwellings would be too close to the trees. In terms of the indicative plan, Tree Officers are content that no material harm to the preserved Ash and Willow trees will occur. Conditions requesting both the submission of Landscaping and Tree Protection and method statements will ensure that the development is undertaken with the safety of these trees in mind.

It is acknowledged that there may be some risk to the other non-preserved tree and bush screening on the site's southern boundary, however refusal of permission on this basis would be difficult to defend on appeal. A condition requesting preservation of these trees and bushes can be imposed, which will cover any losses by requesting new planting should any plant be lost. Consequently the tree issues of the previous scheme have been overcome.

6. Other Matters

Representations have stated concern regarding sewerage provision within the surrounding area, and the fact that the sewage pipe that runs along the southern boundary of the site (which takes all of the village's waste) is six inches wide and insufficient. Although this is acknowledged as a concern, Land Drainage Officers raise no objection to the proposal subject to the submission of a Flood Risk Assessment, and Thames Water have responded with no objections with regard to sewerage infrastructure. The imposition of a condition requesting loss of a willow tree (to prevent further damage to a drain) would have the effect of eliminating a valuable screen. In any case this is not considered reasonable, as it relates to a situation that is already in place, and not resulting from this development. Consequently it is considered that were this application refused on this basis, or such a condition imposed, it would be very difficult to defend on appeal.

No consultation has taken place since the applicant amended the

application to reserve siting for future approval. Given the fact that siting would be determined in a future application, it was not considered necessary.

Conclusion.

The concerns of neighbours have been carefully analysed, and this proposal is considered to maximise the use of the site without any excessive detrimental impact on any surrounding property. On the basis of the above, given the capability of the site and the nature of the revised application, which improves the relationship with neighbours and overcomes the detrimental effect on Preserved Trees from the previous proposal, the application is now acceptable and is recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL (Original Plans) - Councillors recommended refusal of this application, it was considered that three houses would be an overdevelopment of the site, would increase the traffic on an already busy and hazardous corner and could also cause problems with the sewage outlet. Councillors considered that two houses would be quite sufficient for the site.

COLYTON, TYSEA HILL - Object to the plan. Concerned that dwellings will start a precedent of "back garden" building and be out of character in this area. If the plan is acceptable and houses built, bungalows to the north of Samantha will have complete lack of privacy to living areas and patios which we find disturbing.

KYREMA, OAK HILL ROAD - We have no objection to the planned development but are concerned about the drainage, we have had several problems with the drains as your environmental department are aware. The current drainage system would not be adequate for more.

STANDISH HOUSE, TYSEA HILL - Strongly against the proposal. Would be overdevelopment of the site. Putting one property on the front lawn of Samantha is gross overcrowding and the drainage system has caused problems for many years. The road into these properties would run alongside the driveway of this property causing more noise and pollution, and would be just below my bedroom window. Do not need this extra encroachment. The development would cause more cars pulling out onto what is already a very busy road.

NABBIT, OAK HILL ROAD - Willow tree incorrectly shown on plans, it is on the boundary with our house. Its roots are damaging our surface soakaway; it is preserved so cannot be cut down. The sewer drains in place are inadequate to cope with the additional dwellings, and on various occasions it has overflowed with raw sewage spread over the grounds of Samantha. Environmental Services and Thames Water are aware of the problem, and the water board says that there are already too many houses on the eight inch main sewer pipe. The proposed

planting along the boundary to the south could well damage a four inch sewer pipe just below ground surface and cause flooding. This pipe takes the surface water of Birch House, Nabbit and Kyrema and runs into the main sewer.

WYKHAM HOUSE, TYSEA HILL - I feel it inappropriate for three houses on a small plot that is congested with traffic at all times. There is a small store that attracts many vehicles next door to the development, some very large. This also provides refreshments for small business vans. Also the new drive will be opposite mine.

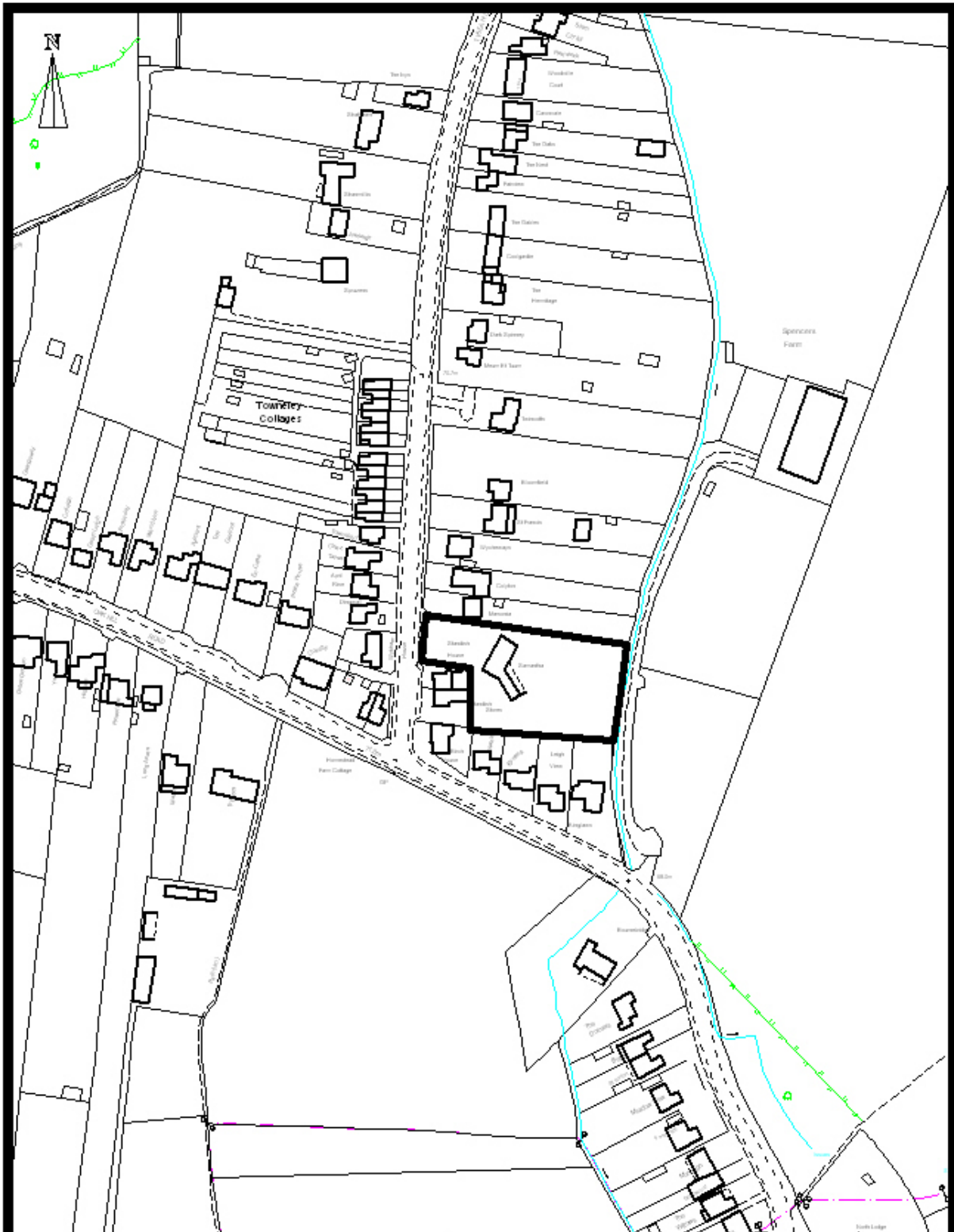
NABBIT, OAK HILL ROAD (Amended Plans) - We notice the willow tree is now correctly shown. This is not under a preservation order and its roots have grown into our soakaway. Can a condition be added to remove the tree? No sewage pipe is shown on the revised plan. Little investigation has been done regarding sewage, and we have been informed by Thames Water that the sewage pipe that takes most of the village's sewage is only six inches. We have had raw sewage coming up out of the manhole covers five times this year, running into the brook; the Environment Agency will take action against the water board if this occurs again. The water board admits that the pipe is too small but cannot say when the pipe will be upgraded. Development in the village has overloaded the pipe and we await the next overflow. The Local Plan alterations Policy U3A(ii) states that the council will not permit development which will result in significant adverse effects upon watercourses, navigable waterway or SEWER.

PARISH COUNCIL (Amended Plans) - Have no planning objections regarding this outline planning application. However, concerned about the drainage of surface water and sewage from this site. This has been mentioned on previous planning applications in this area, the main disposal pipes appear inadequate to cope.

STANDISH HOUSE, TYSEA HILL (Further Amended Plans) - One house was acceptable for many years. It appears that because John Prescott wants more housing it can go anywhere without taking into account the consequences. We are going to have the new road by our boundary fence so we will have cars continually up and down and it is quite close to our bedroom window, what about extra noise in the night? Traffic is already difficult and it will be even worse with more cars from the houses.

PARISH COUNCIL (Further Amended Plans) - The Parish Council has no objections regarding this application but the same concerns still exist as previously expressed. Additional traffic entering a very busy part of Tysea Hill and the drainage of surface water and sewage from the site. The main disposal pipes appear to be inadequate to cope with a considerable increase, particularly of sewage.

361-363 NORTH WOOLWICH ROAD, SILVERTOWN, LONDON (Further Amended Plans) - We strongly oppose to building three properties on the above site as one would be enough. They are only moving the property around on the same amount of ground.



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Item No:7
Scale: 1:2500



APPLICATION No: EPF/2279/04

Report Item No: 8

SITE ADDRESS:

SUNNYVIEW, STAPLEFORD ROAD, STAPLEFORD ABBOTTS

PARISH: Stapleford Abbots

APPLICANT: Mr K Gibbons

DESCRIPTION OF PROPOSAL:

Alterations and addition to roof, loft conversion with side dormer windows.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. The development shall be carried out in accordance with the amended plans received on 22 March 2005 unless otherwise agreed in writing with the Local Planning Authority.
3. Prior to first occupation of the building hereby approved the proposed rear side dormer windows shall be fitted with obscured glass and have fixed frames and shall be permanently retained in that condition.
4. Materials shall match existing.

Description of Proposal:

Consent is being sought for alterations and addition to the roof incorporating a loft conversion with two side dormer windows. The roof would be extended to the front and rear by 3.7m. Two small dormer windows would be inserted into each side roof slope. Two windows would be added, on to the front elevation and one to the rear.

Description of Site:

Chalet bungalow located within a small built up enclave on the southwest side of Stapleford Road within the Metropolitan Green Belt. The road is typified by detached chalet bungalows. Two dwellings to the northwest have front dormers. The side roof slopes of all the properties are highly visible due to the separation of the dwellings. The property has been extended

previously in the form of a rear conservatory and a small side/rear extension.

Relevant History:

EPO/444/70 - Details of extensions - Approved
EPF/1091/04 - Alterations and additions to roof, loft conversion with side dormer window - Refused 27/7/04

Policies Applied:

GB2 and GB14 - Green Belt Policies
DBE9 and DBE10 - Residential Development Policies

Issues and Considerations:

The main issues relate to the possible effect on the amenities of the neighbouring properties and Green Belt considerations.

Green Belt

The original dwelling has been increased in size previously but only in the form of a conservatory and a study, which equates to approximately a 20% increase. It is considered that this proposal would not represent excessive floor space and volume additions within its location in the Green Belt due to the house being situated within this built up enclave.

In terms of the developments impact on the Green Belt, the impact is lessened due to its location and that the additional floor space is largely in the existing roof space. The side dormers are set back from the road and although visible when viewed from the street scene have been reduced in size as to appear subordinate to the existing roof slope.

Amenity

As both neighbouring properties are bungalows, no windows are apparent at first floor level on any of these properties. Both the rearmost of the side dormers within the roof extension would directly overlook both neighbouring properties. However, the fitting of obscured glazing to the these dormers would reduce this impact and a condition can be imposed here ensuring this.

Design

The extensions to the roof are not considered to be so intrusive within the street scene as to justify refusal. The main concern with the previous application was the size of the side dormer windows, which have now been reduced to an acceptable size.

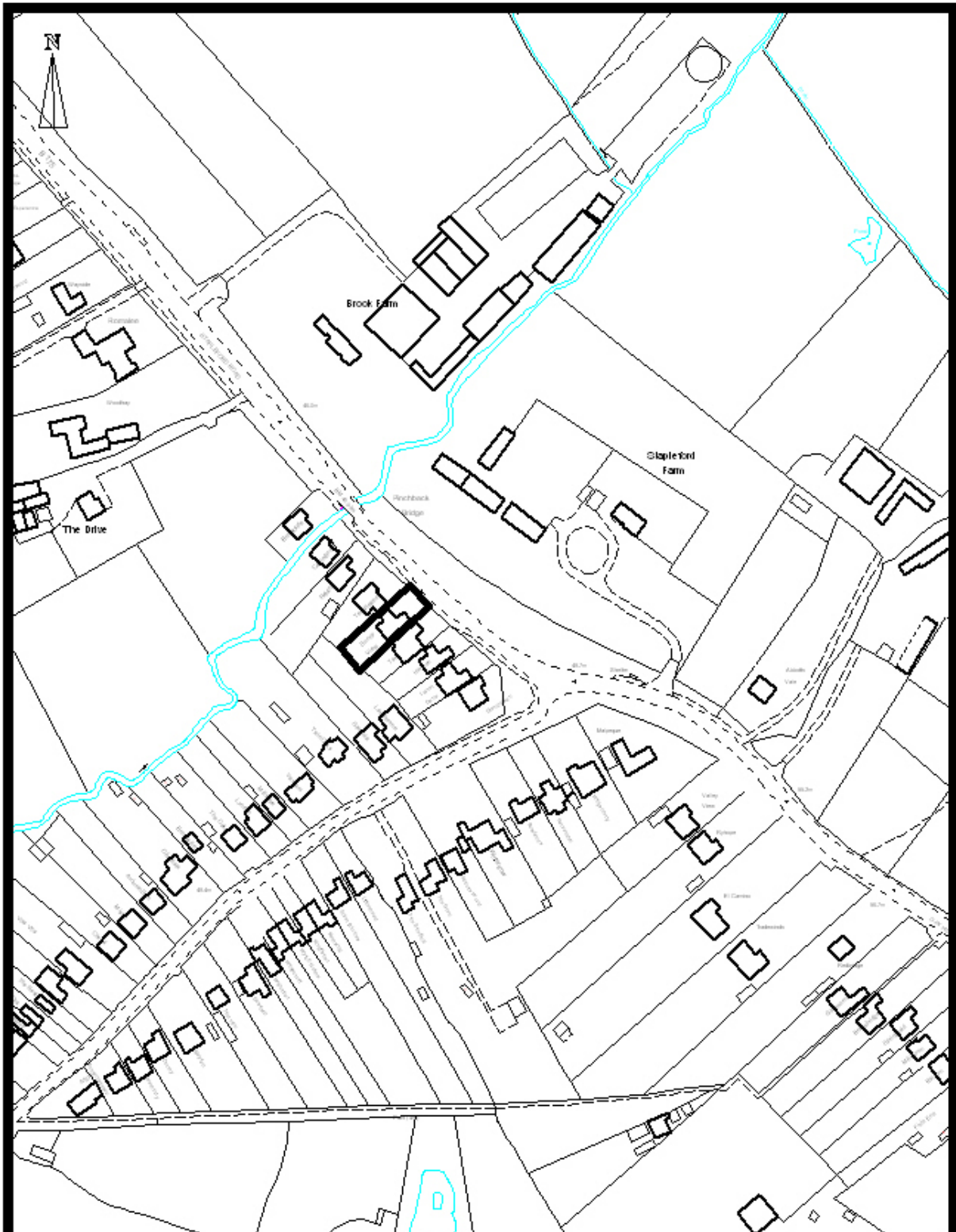
Conclusion:

Approve

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Objection - There was no change to the previous reason for recommending objection to this application. Councillors still consider this to be out of character and ugly.

GLENDOWAN, STAPLEFORD ROAD - Objection - Having viewed the revised planning application I see no reason to change my mind from my previous objection. The proposed rooflines and pitches are obtrusive and out of keeping with the surrounding properties. The window positioning is invasive to some properties, which being bungalows have enjoyed privacy.



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Item No:8
Scale: 1:2500



APPLICATION No: EPF/507/05

Report Item No: 9

SITE ADDRESS:

WHIPSIDERRY, BOURNEBRIDGE LANE, STAPLEFORD ABBOTTS

PARISH: Stapleford Abbots

APPLICANT: Mr & Mrs M Regan

DESCRIPTION OF PROPOSAL:

Demolition of single storey side extensions and garage, and erection of two storey side, single storey side and first floor extensions to convert bungalow into two storey house.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank elevation of the development hereby approved shall be fitted with obscured glass, and shall be permanently retained in that condition.
3. Materials shall match existing.
4. No further side windows without approval
5. Prior to the commencement of the development, details of the proposed surface materials for the driveway and parking areas shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

Description of Proposal:

Two side extensions would be added to the existing bungalow. That on its western side would be some 4.2m wide, set back about 3m from the building frontage and level with its rear wall. That on the eastern side would be a maximum of 1.4m wide, level with the building frontage but about 4m short of the rear wall.

A new first floor would be added above the majority of the extended ground floor. This would be finished with a hipped roof, with first floor accommodation provided via half-dormer

windows, cutting across the new eaves line.

Description of Site:

The application site lies within the built up area of Stapleford Abbots, in a residential neighbourhood. It is occupied by a modest detached bungalow that occupies the entire site frontage, and is set on elevated land above the adjacent highway. The majority of dwellings in the immediate vicinity of the application site are bungalows with low roofs. However, further afield, and on the opposite side of Bournebridge Lane there are conventional two storey houses.

Building lines in the vicinity of the site are generally uniform.

Relevant History:

None.

Policies Applied:

DBE9 - Impact of New Development
DBE10 - Residential Extensions

Issues and Considerations:

The main issues in this application are the effect of the development on the amenities of neighbouring residential properties, and on the character and appearance of the street scene.

In support of the proposals, the applicant has made the following points:

- * The width of the dwelling has been reduced.
- * The height of the new roof has been minimized.
- * Hip ends have been provided to minimize the impact of the development.
- * Garages separate adjoining houses from the proposals.
- * Fenestration and finishing materials will match the existing house.
- * Other dwellings in the vicinity have been extended quite considerably.
- * The overall appearance of the house is improved.

The proposed development would significantly increase the bulk and mass of the house in relation to both its immediate neighbours. However, both these houses have their garages on the common boundary between them and the application site. The bungalow to the west, Harvanden has three main windows in its

facing flank wall, but these would be sited about 4m from the proposed development. Having regard to the above, it is considered that the development would maintain an adequate separation to and a satisfactory relationship with both adjoining dwellings that would not cause them to suffer a material loss of amenity, in accordance with policy DBE10.

The development would transform the appearance of the dwelling, from a modest bungalow to that of a two-storey house. Whilst this might look somewhat out of place in its immediate surroundings, it is considered that in the wider context formed by other two storey houses in Bournebridge Lane that a development of this magnitude would not be out of scale in its surroundings. A gap of about 1m is provided to each flank boundary thus providing adequate visual separation from the neighbouring dwellings. Moreover, the design proposed for the extensions is pleasing, and typical of many dwellings in the locality. Therefore, it is considered that the proposal would not harm the character and appearance of the street scene and complies with policy DBE10.

Conclusion

The provision of the relevant local plan policies are met and approval is recommended.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Councillors recommended objection to this application as they considered it to be out of character in a row of bungalows. It would be an obtrusive development.

GLENDOWAN, STAPLEFORD ROAD - I object to the planning application; with the properties high elevation the proposed conversion from a single storey bungalow to a two storey house would be obtrusive and totally incongruous amongst the surrounding bungalows.

MALPEQUE, BOURNEBRIDGE LANE - The altered, raised roofing will interfere with the natural light enjoyed by our kitchen and family room which face the site. It will also be an eyesore and will block light from our "courtyard" which relies on sunlight. Windows will overlook our kitchen and family room. Other properties on the south side of Bournebridge Lane have merely converted to a "chalet bungalow" style which is less risk to nearby homes to intrude on privacy and natural light.



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Item No:9
Scale: 1:2500



APPLICATION No: EPF/10/05

Report Item No: 10

SITE ADDRESS:

GAYNES PARK ESTATE, GAYNES PARK, COOPERSALE,
THEYDON GARNON

PARISH: Theydon Garnon

APPLICANT: County House Wedding Venues

DESCRIPTION OF PROPOSAL:

Redevelopment and change of use of former agricultural out-buildings to provide a facility for the holding of civil weddings and wedding receptions, together with ancilliary night accommodation, car parking and landscaping.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. The development shall be undertaken in accordance with the programme of phasing for phases 1 to 3 as submitted to the Local Planning Authority on 13 May 2005 unless otherwise agreed in writing by the Local Planning Authority.
3. Materials of construction to be agreed.
4. Erection of screen walls/fences.
5. Wheel washing equipment to be installed.
6. The proposed units of accommodation shall only be ancillary to the use of the premises as a wedding facility and shall not be subdivided from the site for use as any hotel or residential accommodation separate from the facility.
7. Retention of existing trees and shrubs
8. Submission of a landscape scheme.
9. Prior to the commencement of the development hereby approved, the

buildings labelled as 'Buildings 9 and 10' shall be demolished and all materials removed from the site.

10. Prior to the commencement of the development, details of secure covered bicycle and motorcycle parking shall be submitted to and agreed in writing by the Local Planning Authority.
11. Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The lighting shall be provided in accordance with those details and retained, with no additional fixtures thereafter without prior written approval. The agreed lighting shall not be illuminated outside the hours of 08.00 hours to 23.30 hours.
12. The circulation area within the car park shall be kept clear at all times so that all vehicles visiting the site can turn and exit in a forward gear.
13. No demolition or construction work shall be permitted on the site outside the hours of 07.30 - 18.30 hours on Mondays to Fridays and 08.00 - 13.00 on Saturdays. No works shall take place on Sundays and Bank Holidays.
14. No deliveries shall be made to the site, outside the hours of 07.30 - 18.30 hours on Mondays to Fridays and 08.00 - 13.00 on Saturdays, or at any time on Sundays or Bank Holidays.
15. The function facility shall not be open for the holding of weddings or wedding receptions outside the hours of 08.30 to 23.30.
16. A flood risk assessment 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 programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
17. Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the local planning

authority and the completed phase 1 investigation shall be submitted to the local planning authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the local planning authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the local planning authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance plan shall be submitted to the local planning authority for approval prior to first occupation of the completed development.

18. An appropriate noise control device shall be put in place and used for any amplified sound. The device shall be set so that the volume of any amplified sound emanating from the premises does not cause a statutory nuisance to the occupiers of any noise sensitive premises and shall be set at a level that will have been previously agreed in writing by the Local Planning Authority. The Noise Control Device shall be permanently used at all times when amplified sound is played in accordance with the approved details, and any alterations to the sensitivity of the unit shall be agreed in writing by the Local Planning Authority.

19. Prior to the commencement of the development, a scheme providing for the storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with those approved details.

20. Prior to the commencement of the development, details for the provision of drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage shall be implemented in accordance with those approved details and retained throughout the duration of the approved use on the site. Foul water shall be discharged to a public sewer, or if this is not viable, to a sewage treatment plant or cesspit (sealed tank). If a treatment plant is chosen, it would require prior approval at the Environment Agency, and the discharge shall continue to meet the Environment Agency's minimum requirements. If a cesspit is chosen, appropriate approval must be sought from the Local Authority prior to use.

21. Tree protection measures required.

Description of Proposal:

This revised application is for the redevelopment and conversion of former agricultural outbuildings, in order to provide a facility for holding civil weddings and receptions,

together with ancillary over-night accommodation, car parking and landscaping.

In addition, three modern farm buildings are to be demolished: one adjacent to the listed barns that is to be replaced by a new "barn" that will hold the wedding ceremony, and two to the north of the site that will make way for car parking.

The site of the former pig pens (a long building to the centre of the site) is to be refurbished and to the rear, a new greenhouse will be constructed, facing a walled garden. The scheme also proposes landscaping of the existing walled garden and surroundings; new paved areas and accesses, together with parking for up to 46 cars.

Description of Site:

The application site comprises farm buildings and the associated courtyard area, which lie to the east of Gaynes Park Mansion, which is a Grade II* Listed Building. The site itself is within the Metropolitan Green Belt, and consists of several farm buildings, of which some to the east of the site are Grade II Listed. The modern buildings are of a typical agricultural appearance whilst the Listed buildings are constructed out of traditional materials. The application site is accessed off Banks Lane (to the south) via a long track and can also be accessed from Coopersale Street (to the west) by a long access road (which runs along the northern perimeter of the site).

Relevant History:

The Gaynes Park Estate has been subject to various planning applications, many of which relate to alterations to the main mansion, and for telecommunications installations on the estate.

An application in the early 1990s for conversion of the barns into residential use was refused planning permission:

EPF/407/91 - Conversion of barn to dwelling - Refused
24/10/1991.

LB/EPF/28/91 - Listed building application for conversion to dwelling including demolition of extensions - Refused
24/10/1991.

The previous application (EPF/798/04) for redevelopment of the site as a wedding venue was refused planning permission on the grounds of inappropriate development in the Green Belt. That proposal sought a greater element of new build with the conversion of only one listed building.

Policies Applied:

Core Strategy, Countryside, Natural Resource, Heritage Conservation, Business Industry and Warehousing and Rural Economy Policies from the Essex and Southend on Sea Replacement Structure Plan:-

- CS2 - Protecting the Natural and Built Environment.
- CS3 - Encouraging Economic Success.
- CS4 - Sustainable New Development.
- C2 - Development within the Metropolitan Green Belt.
- NR1 - Landscape Conservation.
- HC3 - Protection of Listed Buildings.
- HC4 - Conversion of Listed Buildings.
- BIW3 - Business Development: The Sequential Approach.
- BIW5 - Business Location.
- RE2 - Re-use of Rural Buildings.

Green Belt, Heritage Conservation, Employment, Design, Landscaping and Transport Policies from Epping Forest District Council's Adopted Local Plan:-

- GB2 - Development within the Metropolitan Green Belt.
- GB8 - Change of use of buildings within the Metropolitan Green Belt.
- HC10 - Works to Listed Buildings.
- HC12 - Development affecting the setting of a Listed Building.
- E12 - Small scale business activity.
- DBE1 - Design of new structures.
- DBE2 - Effect of new structures on neighbourhood.
- DBE4 - New structures within the Green Belt.
- DBE9 - Amenity considerations.
- LL1 - The countryside.
- LL2 - Protecting the landscape of the countryside.
- T14 - Car Parking.
- T17 - Highway Safety.

Issues and Considerations:

There are several sets of issues with this application:

1. Green Belt considerations.
2. Appropriateness of the location for the proposed use.
3. Appearance of the development and Listed Building Matters.
4. Landscaping.
5. Highway issues.

1. Green Belt considerations

Unlike the previous application, this scheme proposes to re-use all of the existing listed farm buildings, and to demolish three modern structures. The buildings to be converted are capable of conversion without major reconstruction. Furthermore, the buildings will be repaired to bring them into this new use, which is desirable in conservation terms.

The two buildings that are to be demolished to the north of the site are tall and unattractive metal clad units. Their replacement with a car parking area is not considered to adversely affect the green belt and given the acceptable landscaping, this shall not appear an innocuous feature within the countryside.

The site of "building 7" is currently occupied by a barn with an asbestos roof and is of little architectural merit, this is to be replaced with a new, smaller "barn" structure in which the wedding ceremony will be held, during the final phase of works. Another element of new build will take place within the confines of the walled garden, entailing demolition of former greenhouses (attached to the rear of the pig-pens of building 11; a structure that will be repaired but left vacant for future use), this structure is to be of a larger overall volume but will be completely obscured from view due to the enclosure of the walled garden.

This proposal now provides a more comprehensive approach to redeveloping the site, and ensures that the listed farm buildings would now have a secured use to ensure their future conservation. This approach to redevelopment is also appropriate under Green Belt policies.

A relevant condition will ensure that measures are in place to prevent noise levels from music (particularly bass beats) emanating from the wedding reception facility from reaching statutory nuisance levels. Unlike the previous application, this development proposes 10 bedrooms of overnight accommodation for guests to the wedding, together with a honeymoon suite (within the "gatehouse" of building 5). The applicant states that wedding venues offering these facilities are not hotels, and that the whole facility is hired on an exclusive basis. In any event a relevant condition will ensure that the accommodation is only used in conjunction with the use as a wedding venue, thereby ensuring that the nature of these proposals will not be harmful to the objectives of the Green Belt.

2. Appropriateness of the location for the proposed use

The site is in an isolated location, and is approximately 1 and a half miles from the nearest large settlement: Epping. The majority of the estate is currently used for farming activity, and it is stated that the estate has been actively farmed for over 200 years. The applicant states however that the increasing economic pressure on agriculture has resulted in a decline of the overall farming activity at Gaynes Park Farm. Use of this site as a facility such as this follows Government Guidance in PPS7, and policies within the Structure Plan promote business after-use of any conversions or changes of use and a balance of economic development that (amongst other criteria) encourages local economic diversity. This proposal

accords with relevant employment policies in that it will not have a significantly adverse effect on the character of the surrounding area, and that there will be no adverse effects on residential amenity.

This development is to be phased, with the first stage of works being the conversion of the listed barns and layout of the courtyard area, followed by the construction of the new Ceremony Barn and overnight accommodation. The applicant has provided a programme showing how the development is to be implemented and this can be controlled by way of a condition.

3. Appearance of the development and Listed Building Matters

The overall layout of the converted farm complex will remain largely unchanged, with the key changes being the provision of hard landscaping and parking, together with the loss of buildings 9 and 10.

Given the status of the Listed buildings, the works to convert them are to be undertaken with due regard to their conservation and sympathetic changes are made to which Conservation Officers have no objections, subject to various conditions. The application site also extends to an area of the site including a listed "hunt-stand", which is to be maintained and restored.

The appearance of the new ceremony barn on the site of building 7 is traditional with weatherboarding and tile roof; the precise materials can be controlled via a condition. The appearance of the new greenhouse within the walled "photography" garden is equally traditional, and that itself will not be readily visible from outside the garden. The buildings follow the principles of good design, and will not appear out of context in its setting, particularly in relation to the historic buildings.

4. Landscaping

As a consequence of removal of buildings 9 and 10, the site will appear more open. Landscaping and planting of the area surrounding the car park and existing buildings will enhance the appearance of the development in the context of both the historic buildings and the surrounding green belt. The precise scheme can be controlled by condition.

New planting is to be within the existing walled garden, which is obscured from the wider view by trees and bushes. A new pathway is to be constructed within this, and new gates are proposed to its entrance. Given its obscurity from the wider countryside, no undue effects will arise from any changes.

5. Highway issues

The previous proposals were not refused on transportation or

car parking, therefore no new issues are considered to arise with this proposal. In terms of sustainable development, a balance can be drawn between transport to this rural location against the re-use of existing buildings, which is felt to be of sustainable merit.

Highways Officers have once again raised no objections to the proposals. Although the access from the site to Banks Lane is sited on a tight bend, no reasons for highway concern are raised given the relatively small increases in traffic posed by this development, and the fact that the road is minor.

In light of the Council's previous objection to a wedding venue on this site, it is considered that defending any highway-based reasons for refusal at this stage would be very difficult to defend on appeal.

Conclusion:

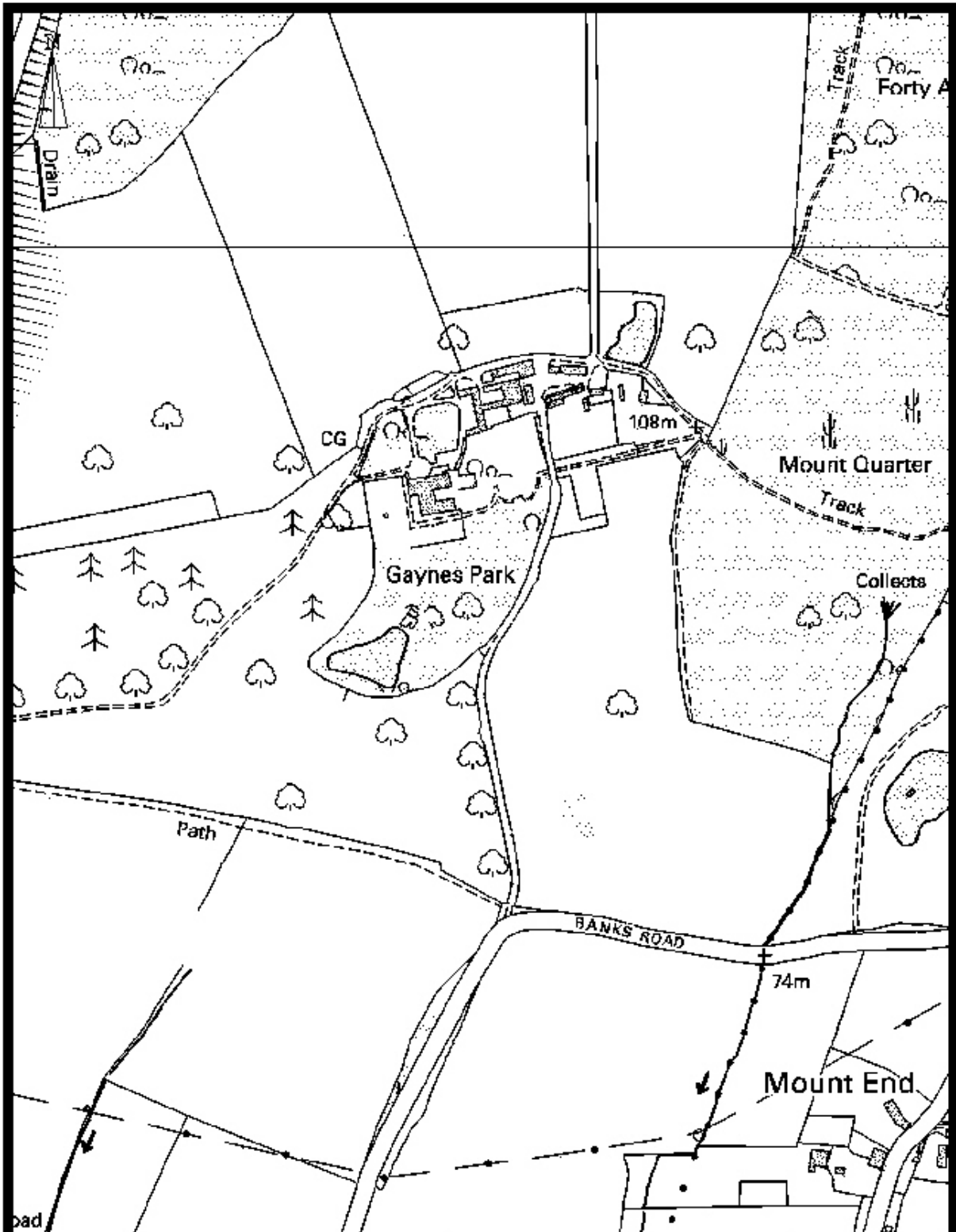
The development proposed will result in an element of rural diversification, and this will bring benefits to the rural economy and the surrounding area, without detriment to any surrounding property. The scheme now reuses the existing listed buildings and does not rely on a large amount of new building. The total amount of built form is substantially reduced and given the acceptable landscaping, this development will not represent inappropriate development in the Green Belt.

The conversion of the Listed Buildings ensures that the proposal will add benefit to historic buildings, and forms a notion of sustainability. This will be without detriment to highway safety.

The application is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

None.



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Item No:10/11
Scale: 1:5000



APPLICATION No: LB/EPF/11/05

Report Item No: 11

SITE ADDRESS:

GAYNES PARK ESTATE, GAYNES PARK, COOPERSALE,
THEYDON GARNON

PARISH: Theydon Garnon

APPLICANT: Country House Wedding Venues

DESCRIPTION OF PROPOSAL:

Grade II Listed Building application to convert agricultural outbuilding to provide a facility for the holding of civil weddings and wedding receptions together with ancillary overnight accommodation. (Resubmission).

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years
2. Samples of the types and details of colours of all the external finishes shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
3. Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
4. No part of the fabric of the building, including any timber framing, infill panels and external brickwork shall be removed, cut, cleaned or coated without the prior written approval of the Local Planning Authority, unless specified on the approved plans.
5. Details and colours of all external pipes, extracts, grilles, flues, lights and any alarm boxes or satellite dishes to be fixed to the fabric of the building shall be submitted to and approved by the Local Planning Authority prior to starting any work on site.
6. All new rainwater goods and soil and vent pipes shall be of black painted cast iron.
7. The new window frames and frames of the proposed new external doors shall be painted white.

8. No meter boxes, vent pipes, flues, ducts, or grilles shall be fixed to the fabric of the building without prior, written approval of the Local Planning Authority.
9. Samples of repointing, concrete repairs, replacement brickwork, paving and tiles shall be agreed in writing by the Local Planning Authority prior to commencement of any works on site and retained during the full extent of works on site. Sample panels shall be a minimum size of 600 x 600mm.
10. Details of fixtures including information displays, seating, sensors, lights, speakers, passenger help points, columns, cameras, detectors. Signs condenser and cooling unit as noted on the approved drawings shall be submitted for the approval in writing by the Local Planning Authority prior to the installation of any fixtures on site. Notwithstanding the approved drawings, the number and positions of cameras and lights shall be agreed.
11. A sample of the lime mortar, which is to be used in connection with the works, shall be submitted to and agreed in writing by the Local Planning Authority before the works are commenced on site.
12. Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences, and the development shall be implemented in accordance with such agreed details.
13. Full details of the upgrading required to meet the building regulations, including thermal insulation and construction of party walls shall be agreed in writing with the Local Planning Authority prior to the commencement of any works.

Description of Proposal:

This application is for Listed Building consent for redevelopment, conversion and alterations of the former agricultural buildings for the holding of civil weddings, receptions and ancillary accommodation.

Policies Applied:

Structure Plan: HC3 - Protection of Listed Buildings.
Local Plan: HC10 - Works to Listed Buildings.

Issues and Considerations:

The only issue with this application is the impact of the conversions on the fabric of the Grade II Listed Buildings. The Historic Building Issues are covered in the report for EPF/10/05, and the use of conditions will ensure no detrimental effects.

This application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

None.

APPLICATION No: EPF/379/05

Report Item No: 12

SITE ADDRESS:
BARKERS FARM, THEYDON MOUNT

PARISH: Theydon Mount

APPLICANT: Leonard Barker

DESCRIPTION OF PROPOSAL:
Change of use of part of existing agricultural building to provide overnight accommodation.

RECOMMENDED DECISION: Refuse

1. The Local Planning Authority is not satisfied from the evidence submitted by the applicant that a need has been demonstrated for the proposed overnight accommodation and furthermore, is premature because there is no firm evidence of viability of an agricultural enterprise. In these circumstances, it is considered to represent an inappropriate development within the Green Belt and therefore contrary to national planning policy guidance, the Essex and Southend on Sea Structure Plan and policies GB2 and GB17 of the adopted Local Plan.

Description of Proposal:

Conversion of three animal pens into overnight living accommodation involving bricking up of front elevation and inserting of two windows and a door.

Description of Site:

Holding of approximately 2.4 hectares located on the east side of Mount End. The holding comprises a single field which rises from the road towards woodland to the east. In the northwest corner is a "U" shape group of buildings enclosing a concrete courtyard. A brick built dairy building faces the road, but separated from the road by a large hardstanding area used for parking. It adjoins another building on the north side which consists of an office and 4 goat pens. A large barn makes up the remainder of this group of buildings at the rear.

Relevant History:

EPF/381/89 - Retention of mobile home in connection with agricultural holding - Refused but subsequently allowed on appeal for temporary period of 3 years.

EPF/542/95 and 167/96 - Retention of mobile home and dairy unit building - Refused but subsequently allowed on appeal, subject to the mobile home being removed in 18 months.

EPF/167/96 carried a condition that the dairy unit be removed if no longer used for agricultural purposes. This condition was not imposed on EPF/542/95.

EPF/303/96 - Retention of mobile home - Refused and allowed on appeal.

EPF/376/96 - Retention of part of dairy building for use as milk and cheese processing room - Refused and dismissed on appeal. A subsequent application for the same was refused under ref: EPF/802/96.

CLD/EPF/933/96 - Alterations to building, laying of track and provision of "goat arks" - Granted 5.11.96.

Further applications for the retention of the mobile home have been refused. An appeal was lodged against one of the refusals and a public inquiry abandoned by the applicant with costs awarded to the Council.

CLD/EPF/600/02 - Use of land in front of the dairy building as a parking area - approved.

EPF/965/02 - Proposed stable block consisting of 2 horseboxes, tack room and hay barn - approved.

EPF/1482/03 - Change of use of milking parlour and dairy to office use and conversion of part of stock building to light industrial use - Refused 25.02.04 for two reasons: (i) agricultural barn/stock building contrary to Policy GB8 because not a permanent building capable of conversion without major construction; and (ii) would generate excess traffic to the detriment of the surrounding rural area. An appeal was lodged and allowed by Inspector's letter dated 06.09.04.

EPF/431/04 - Conversion of milking parlour to office use - Refused 28.07.04 on grounds of excess harm caused by traffic movement and unsuitable use of agricultural building.

EPF/891/04 - Change of use of animal barn to document storage - Approved 28.07.04.

EPF/398/05 - Insertion of 2 new dormer windows to front and side to front building - Approved 29.04.05.

Policies Applied:

Local Plan:

GB2 (Green Belt; general restraint)

GB8 (Change of use criteria in the Green Belt)

GB17 (Agricultural/Forestry and horticultural worker's dwelling)

Structure Plan:

CS1 and 4 (Sustainable development)

C2 (Green Belt)

Issues and Considerations:

The main issue is whether there is justification for overnight accommodation and whether the buildings for conversion

constitute a permanent and substantial building capable of conversion without major reconstruction.

1. Need for overnight accommodation

The site lies within the Green Belt and national and Local Plan policies are designed to prevent all but very exceptional forms of development from taking place. There are exceptions that include buildings for the purpose of agriculture.

Policy GB17 states that the Council may grant planning permission for a dwelling for an agricultural, horticultural or forestry worker only where it is completely satisfied that a dwelling is essential, that there is evidence of viability (including long term viability) of the enterprise, that alternative accommodation cannot be found and the internal floor area does not exceed 150 square metres.

The applicant is proposing overnight accommodation as security and supervision of his goat herd. This will involve converting three goat pens (65 square metres in area) into sleeping quarters. The goats will be kept in numerous arcs (shelters) in the field. Recent planning applications granted on appeal and approved planning permission 2004, allow the conversion of part of his main barn and all of the red brick built former dairy building into non-agricultural business and storage use. He wishes to resurrect his goat milking agricultural business, abandoned in 2001 because of the foot and mouth outbreak when the goat herd was larger than present. There have also been personal reasons for delaying the agricultural business from the site, including awaiting the outcome of appeals in respect of the conversions.

The applicant and his partner presently have part-time employment outside agriculture. To re-establish the goat herd they need some reassurance that the animals will be secure and supervised. They hope to also generate income from the conversion to office and light industrial use, which was part of their previously submitted business plan.

There is a history of temporary permissions for living accommodation since the enterprise first commenced in 1987. A mobile home, with temporary planning permission, was removed in 2002, after that temporary permission expired.

There is difficulty in accepting a justification for sleeping accommodation at this stage. A viable agricultural enterprise has yet to be established on the site and the milking of goats in the resited parlour has not commenced. It is therefore premature, even on a temporary basis, and furthermore not been proven to be essential to have overnight accommodation.

There is also concern that by allowing this conversion, apart from the milking parlour, the remaining buildings on the site will not be used for agricultural use. Officers accepted the

previous conversion applications on the basis that the applicant is trying to diversify and strengthen agricultural use of the site. The conversion of further buildings would remove more buildings from direct functional agricultural use.

2. Re-use of buildings

Policy GB8 of the Local Plan advises that the re-use of a building is not inappropriate development, subject, amongst other things, to it being of permanent and substantial construction, capable of conversion without major reconstruction and having a form, bulk and general design in keeping with its surroundings.

Those red brick buildings with a tiled roof, of the same design as the main front building that the Planning Inspector allowed to be converted to office use on the last appeal. There is no doubt that the three goat pens to be converted in this case are permanent and substantial buildings.

The three openings would be bricked in and two windows and a door inserted into the resultant wall. It will be in keeping with the rest of the building and have little visual impact on the surrounding area.

3. Summary

On balance it is considered that the evidence of need for overnight accommodation has not been demonstrated and is premature while a viable agricultural enterprise does not exist. Furthermore, the external and internal changes to bring about the accommodation will be permanent and should a temporary permission be granted and the business subsequently prove non-viable, to convert back again is unlikely to take place. Also, officers considered the previous conversions of other buildings acceptable given the remaining buildings will be used for agricultural purposes. Indeed, the applicant was intending to use the three pens to rear young animals.

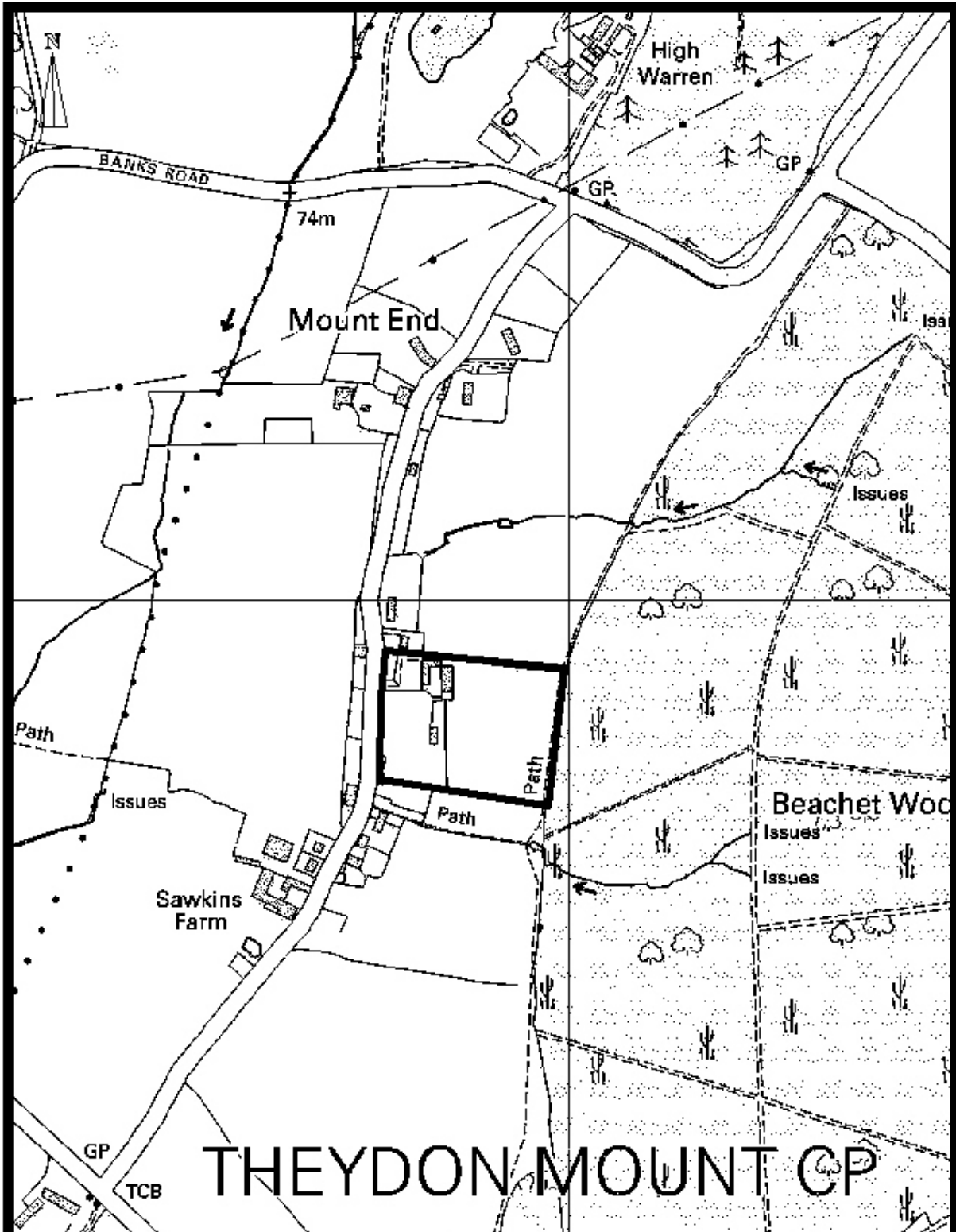
However, the Committee may feel that to encourage the re-start of the goat rearing business alongside the other commercial uses, overnight accommodation needs to be considered, but perhaps a more suitable alternative may be a temporary caravan discretely placed on the site, which at least could be moved after, say, two years if the viability is not proven. Alternatively, Members may feel that to convert an existing building is better than introducing a new caravan and to ensure an agricultural activity takes place this proposal should be supported.

However, it is felt, in view of the history of this site, that a functional need should be established prior to any form of residential accommodation and therefore the application is recommended for refusal.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - object on the grounds that this is inappropriate within the green belt.

11 MOUNT END - Object on the grounds that it is contrary to the Local Plan.



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Item No:12

Scale: 1:5000



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