

# Committee Agenda



**Epping Forest  
District Council**

## **Area Plans Subcommittee C Wednesday, 27th July, 2005**

**Place:** Civic Offices, Epping  
**Room:** Council Chamber  
**Time:** 7.30 pm  
**Democratic Services Officer** Gary Woodhall, Research and Democratic Services  
Tel: 01992 - 56 4470 Email: gwoodhall@eppingforestdc.gov.uk

Members:

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

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**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 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 - 14)**

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 15 - 46)**

(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:

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
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:

<b>Agenda Item No</b>	<b>Subject</b>
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.eppingforestdc.gov.uk](http://www.eppingforestdc.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:** 29 June 2005

**Place:** Civic Offices, Epping                                      **Time:** 7.30 - 8.45 pm

**Members Present:** K Wright (Chairman), R Morgan (Vice-Chairman), Mrs D Collins, P Gode, D Jacobs, D Kelly and Mrs M McEwen

**Other Councillors:** J Knapman

**Apologies:** (none)

**Officers Present:** R Bintley (Principal Planning Officer), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Assistant)

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### 7. 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. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

### 8. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 1 June 2005 be taken as read and signed by the Chairman as a correct record.

### 9. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor K Wright declared a personal interest in the following item of the agenda for the meeting, by virtue of the Councillor being a Governor of Chipping Ongar County Junior School. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/310/05 – Chipping Ongar County Junior School, Greensted Road, Ongar.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M McEwen declared a personal interest in the following item of the agenda for the meeting, by virtue of her grandchild being a pupil at Chipping Ongar County Junior School. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/310/05 – Chipping Ongar County Junior School, Greensted Road, Ongar.

**10. ANY OTHER BUSINESS**

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

**11. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS, OCTOBER 2004 TO MARCH 2005**

The Head of Planning Services presented the bi-annual Planning Appeals report and highlighted that there had been one appeal decision allowed by the Inspector following the Sub-Committee's decision to refuse permission, contrary to officer's recommendation. The Sub-Committee were further informed that the Council's performance for the period was below last year's exceptional performance but consistent with previous periods, and had exceeded the Best Value Performance Indicator as well as the national average.

**RESOLVED:**

That the Planning Appeal Decisions for the period October 2004 to March 2005 be noted.

**12. USE AS A TRAVELLERS' CARAVAN SITE - BIRCH FIELD, EPPING LANE, STAPLEFORD TAWNEY**

The Head of Planning and Economic Development presented a report regarding the use of Birch Field, Epping Lane, Stapleford Tawney as a Traveller's caravan site, which sought approval for the recommended legal proceedings in order to secure compliance with the enforcement notice. It was explained to the Sub-Committee that the occupants had changed since the Secretary of State had considered the appeal in May 2004, but there had been no material change in the planning considerations. The continued use of the site for human habitation remained unacceptable. The options to secure compliance with the varied enforcement notice were either to start proceedings in the Magistrates Court or commence Injunctive Proceedings in the High Court, which was considered the most effective course of action. The Sub-Committee were requested to give authority for officers to take either course of action.

**RESOLVED:**

(1) That, as varied by the Secretary of State in his decision letter dated 13 May 2004, the Head of Legal, Administration and Estates be authorised to commence criminal and/or civil proceedings to secure compliance with the enforcement notice; and

(2) That the Head of Legal, Administration and Estates be authorised to commence Injunctive Proceedings in the High Court.

**13. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That the planning applications numbered 1 – 5 be determined as set out in the attached schedule to these minutes.



**14. DELEGATED DECISIONS**

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**

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1. **APPLICATION NO:** EPF/2228/04 **PARISH** High Ongar

**SITE ADDRESS:**

The Piggeries, Woolmongers Lane, Ingatestone, High Ongar

**DESCRIPTION OF PROPOSAL:**

Variation of planning conditions of planning permission ref: EPF/1899/03; specifically Condition 1, to read "for the use of the site as a landscape contractor's depot only"; Conditions 7 and 8 to increase hours of operation to 07.30 to 18.00 and to vary Condition 14 (regarding bringing materials onto the site).

**GRANTED SUBJECT TO:**

1. This consent shall inure for the use of the site as a landscape contractors depot only and for no other industrial or commercial use.
2. The manege hereby approved shall only be used for the purpose of equestrian activity by the owners of "The Piggeries" and for no commercial activity or parking of vehicles.
3. Within three months of the date of this notice, the storage building and fencing that encloses the manege shall be painted dark green and shall permanently be retained in that condition.
4. 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.
5. Retention of existing trees and shrubs.
6. The rating level of noise (as defined by BS 4142: 1997) emitted from the site, other than that generated from vehicles manoeuvring on the site, shall not exceed 5dBA above the prevailing background noise level. The measurement position and assessment shall be made according to BS 4142: 1997.
7. No machinery shall be operated, no process shall be carried out and no commercial vehicles enter or exit the site, outside 07.30 hours – 18.00 hours, Monday to Friday, nor at any time on Saturdays, Sundays, Bank or Public Holidays.
8. Within three months of the date of this notice, details of refuse storage and collection facilities shall be submitted to and approved by the Local Planning Authority. The details shall be implemented within three months of approval and must be retained permanently for the storage and collection of refuse.
9. All surface water inside the curtilage of the site that may be contaminated with pollution should pass through an interceptor tank to remove any oil, petrol or other pollutants, before discharging to the surface water system. Within three months of the date of this notice, details of the installation of such a system shall be

submitted to and approved in writing by the Local Planning Authority and shall be implemented and maintained in use within three months of approval.

10. The height of open storage materials shall not exceed two metres above ground level.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any equivalent provisions revoking or re-enacting that Order) no additional hardstanding or hard surfacing shall be formed on the site and restricted to that area bordered pink shown on the approved drawing no. 1045/1A.
12. No external lighting shall be erected on the site unless a scheme is firstly submitted to the Local Planning Authority and agreed in writing prior to the installation. The agreed lighting shall not be illuminated outside the hours on 07.30 hours to 18.00 hours Monday to Friday or at any time on weekends and public holidays.
13. Vehicle movements shall not be materially increased above the levels detailed within the application hereby approved, without the prior written approval of the Local Planning Authority.
14. No materials, other than those used in conjunction with the business operated from the site shall be brought to or stored at the site without the prior written approval of the Local Planning Authority.

2. **APPLICATION NO:** EPF/741/05 **PARISH** Matching

**SITE ADDRESS:**

Barn at Hoggs Farm, Carters Green, Matching

**DESCRIPTION OF PROPOSAL:**

Change of use from barn to bungalow.

**REFUSED:**

1. The site is within the Metropolitan Green Belt. The proposal represents inappropriate development and is therefore at odds with Government advice and Policies C2 and RE2 of the adopted replacement structure plan and policies GB2 and GB8 of the adopted Local Plan. Since the Local Authority is not convinced that the buildings are not suitable for any alternative more appropriate use or that it is so desirable that they be brought back into beneficial use that residential should be considered.
2. The proposed development results in the further subdivision of the curtilage of the listed building known as Hoggs Farm leaving insufficient curtilage for the scale and historic nature of the dwelling. This is harmful to the setting of the Listed Building contrary to policy HC12 and HC13 of the adopted Local Plan.
3. The works proposed to the curtilage buildings are considered harmful to their character and integrity contrary to policy HC13 and HC10 of the adopted Local Plan.

4. The proposal would lead to a form of unsustainable development since the provision of a new dwelling in this rural location without access to community facilities and sustainable means of transport would be contrary to policies CS4 and H2 of the adopted Replacement Structure Plan.

3. **APPLICATION NO:** LB/EPF/742/05 **PARISH** Matching

**SITE ADDRESS:**

Barn at Hogs Farm, Carters Green, Matching

**DESCRIPTION OF PROPOSAL**

Curtilage Grade II listed building application for alterations to convert from barn to bungalow.

**REFUSED:**

1. The proposed works including the provision of standardised openings in the elevations and the cutting of braces which are of major structural importance are harmful to both the character and integrity of the curtilage listed buildings contrary to policies HC10 and HC13 of the adopted Local Plan.
2. The proposed use, introducing a third residential unit in close proximity to the listed farmhouse is harmful to the setting of the farmhouse contrary to policy HC12 of the adopted Local Plan.

4. **APPLICATION NO:** EPF/310/05 **PARISH** Ongar

**SITE ADDRESS:**

Chipping Ongar County Junior School, Greensted Road, Ongar

**DESCRIPTION OF PROPOSAL:**

Installation of 2.4m high green steel palisade fencing and gates to all boundaries.

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. Notwithstanding the drawings hereby approved, before any works commence on site, a site meeting shall take place between the Council's Landscape Officer and those who are contracted to carry out the works in order to determine the exact siting of the approved fencing. The Landscape Officer can be contacted on 01992 564117.

5. **APPLICATION NO:** EPF/604/05 **PARISH** Ongar

**SITE ADDRESS:**

Land to rear of Smiths restaurant, former Bowling Green, Fyfield Road, Ongar

**DESCRIPTION OF PROPOSAL**

Renewal of Outline Planning Permission EPF/399/01 for the change of use of former bowling green to residential to provide three single storey dwellings and extension to restaurant car park.

**GRANTED SUBJECT TO:**

1. Submission of details within 3 years.
2. Approval of the details of the siting, design and external appearance of the buildings and the landscaping of the site (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is concerned.
3. Plans and particulars of the reserved matters referred to in condition 2 above, shall also include:
  - a) details of the provision of garaging, car parking spaces and turning areas;
  - b) details of floor slabs levels in relation to existing levels of the site and surrounding properties;
  - c) details of the line, level width and junction layout of the means of access to serve the site, including details of the disposal of surface water therefrom and the provision of visibility splays at the junction with Fyfield Road;
  - d) details of the treatment of all ground surfaces together with the means of disposal of surface water therefrom;
  - e) details of the location of a refuse collection point to serve the new dwellings;
  - f) details of the means of enclosure; and
  - g) details of the location of all service runs to serve the new dwellings.
4. The new dwellings hereby permitted shall be restricted to single storey construction only.
5. The extension to the restaurant car park hereby permitted shall not be lit or illuminated in any way.
6. The development hereby permitted shall not commence until a statement of all relevant details of tree protection has been submitted to, and approved in writing by the Local Planning Authority. The statement shall include details of fencing in accordance with the relevant British Standard (Guide for Trees in Relation to Construction BS5837: 1990). Trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given prior written approval to any variation.

## AREA PLANS SUB-COMMITTEE 'C'

27 JULY 2005

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT

#### CASES

ITEM	REFERENCE	SITE LOCATION	PAGE
1.	EPF/2260/04	Hales Farm, Nether Street, Abbess Roding	17
2.	LB/EPF/359/05	Hales Farm, Nether Street, Abbess Roding	24
3.	EPF/866/05	Long Fields, Weald Bridge Road, Magdalen Laver	26
4.	EPF/760/05	Smith's Brasserie, Fyfield Road, Ongar	30
5.	EPF/1480/04	Ongar Motors & Transport Co, The Borough, Greensted Road, Ongar	37

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**APPLICATION No:** EPF/2260/04

Report Item No: 1

**SITE ADDRESS:**  
HALES FARM, NETHER STREET, ABBESS RODING

**PARISH:** The Rodings

**APPLICANT:** Mr & Mrs J Cook

**DESCRIPTION OF PROPOSAL:**

Conversion of farm buildings into three live/work units, comprising of workspace area and one each of one bed, two bed and four bed accommodation.

**RECOMMENDED DECISION: Grant Permission**

1. To be commenced within 5 years.
2. The workspace shall be used solely for a use falling within Class B1 of the Schedule of the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
3. Materials of construction to be agreed.
4. Erection of screen walls/fences.
5. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
6. 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, Classes A - G shall be undertaken without the prior written permission of the Local Planning Authority.
7. Submission of a landscape scheme.
8. The development shall be carried out in accordance with the amended plans received on 12 July 2005 unless otherwise agreed in writing with the Local Planning Authority.

9. The workspace and office area for the three properties identified on the approved plans shall remain as workspace areas in B1 use only and shall not be used for residential purposes at any time, and shall not be used by any persons other than those residing within the associated residential properties at Hales Farm.

#### Description of Proposal:

The application is for the alteration and conversion of existing disused agricultural buildings to three 'live/work' units, each with both residential and business (B1) accommodation and use. The works include removal of 6 individual barns and groups of outbuildings (total 294 sq m), and external alterations - including blocking in of 2 windows of Building C, and new glazed entrance door/screen. The former cartshed fronting Nether Street (B184) is to be converted to 3 covered parking spaces.

The buildings, which it is proposed to convert, are three groups of barns. The largest (Building 'C') is a 1930's blockwork structure, white painted which is understood to have replaced a much older barn on the same 'footprint'. This is a substantial 2 storey building with corrugated pitched roof, and the upper level nearly as extensive as the ground floor.

Of the other two narrow building groups comprising the intended 3 units, that lying alongside Nether Street is the oldest, with part (Building 'A') dating from the late 16th century, and the remainder (Building 'B') more modern. Both are weatherboarded.

Their condition is reasonably sound. The earlier part has several features of architectural interest helping to affirm its age, including structural posts, floor joists and other timbers and even some surviving wattle and daub. This is the only building, apart from the 1930's barn with an upper floor. The third group, adjoining the track away from the main road, are also timber boarded with corrugated roofing in need of replacement. The end block of Building 'D' dates from the late 18th or early 19th century, and is weatherboarded and of similar narrow floor plan and scale as the much older Building 'A'. The remainder of Building D is a narrow former cattle shed.

The main reconstruction envisaged therefore is re-roofing.

#### Description of Site:

The site is an irregular shaped area of land adjoining Hales Farmhouse and within the former farm holding, now sold off and administered separately. Hales Farm is a Grade II listed building. The site shares its access from Nether Street with the farmhouse, along an unmetalled driveway running to the north of the outbuildings, then curving around them to end in

an informal parking area. These farm buildings were last actively used in the early 1990's, for pig rearing. Adjacent fields are cultivated for arable production.

The site is relatively isolated, lying around 3m NE of Abbess Roding, and a similar distance away from Leaden Roding (Uttlesford), which has some local facilities.

#### Relevant History:

EPF/1030/96 - Change of use of agricultural building for the restoration of furniture - Approved. This relates to the easternmost barn of modern prefabricated construction (proposed for demolition).  
EPF/1547/81 - Stationing of caravan - Refused

#### Policies Applied:

##### Local Plan Policies:

GB2, GB8 Green Belt  
HC10, HC13 Listed buildings.  
LL7, LL10, LL11 Landscaping.  
DBE9 Effect on neighbours  
T17 Traffic.

##### Structure Plan Policies:

RE2 Re-use of rural buildings  
C2 Development within MGB  
H2 sequential approach to housing development  
CS4 Sustainable new development  
HC3 protecting listed buildings and their settings.

#### Issues and Considerations:

The main issues here are considered to be whether the proposal is acceptable in terms of the impact upon the Green Belt, the effect on the setting of the listed building, any impact on the neighbouring house, highway safety implications and the sustainability of the site for residential purposes.

#### Green Belt

Policy GB2 (viii) enables a change of use to be considered where it is in accordance with another Green Belt policy.

Policy GB8 (i) of the Local Plan allows for the conversion of buildings where they are permanent, substantial, capable of conversion without major reconstruction and in keeping with their general surroundings.

A structural and condition survey submitted with the application indicates that the barns are capable of conversion,

subject to re-roofing (including new rafters), repair or replacement of any timber found to be locally decayed timber, new concrete slabs and damp proof course. The report sets out structural calculations, although it does not detail all works necessary for new services or the minor alterations to layout involved. Although some work would be required to convert the buildings, there is no evidence of extensive ongoing structural movement. It is considered that the works envisaged, although quite extensive do not amount to major reconstruction.

The group of buildings is of some interest and the two wings of traditional barn scale contrast with the landmark two storey end building. As such they are in keeping with their rural surroundings and the listed Hales Farmhouse. The existing mature yew and evergreen trees to the north of the buildings are now to be retained and further screen planting added around the new garden areas of 2 of the units (the third to be in the internal courtyard), improving the present rather open aspect of the driveway and parking area across neighbouring fields.

Policy GB8 continues at (ii) that if the first requirement is met, then the new use should be one that is associated with open uses acceptable in the Green Belt, or commercial activities of benefit to the local area involving recreation or tourism, or business or commercial uses which would not involve open storage or significant vehicle parking.

In this case the applicant's agent argues that the buildings are not suitable for modern agricultural uses, and in any case the land has been sold away and they are situated close to the residential property at Hales Farm.

Policy GB8 (ii) goes on to state that residential use will only be accepted where the building is unsuitable for the other uses set out above, but where the council considers it desirable that the buildings be brought back into beneficial use.

In this instance one of the buildings is quite substantial and prominent, and the others are single storey vernacular barn buildings within the curtilage of a listed building. The buildings are too extensive to be reasonably used only as storage or other ancillary activity in connection with the existing dwelling, and they have clearly remained unused for any agricultural use for a significant period of time. The proposal for live/work units offers the opportunity to regain economic use with a measure of employment activity, whilst reducing journey to work movements. The area is served by broadband Internet services.

Finally in relation to GB8(ii), the access onto Nether Street (B184) is on an unrestricted section of the main road, north of a bend with poor visibility that results in some danger particularly in egress to the north, as confirmed by the Engineering service. Intensified use of the access by slow-moving commercial vehicles, as would probably be the case

with a wholly business conversion would therefore be undesirable. Due to the floorspace of the barns (approximately 422 square metres), Local Plan standards would call for up to 17 parking spaces (2 + 1 per 15 sq m), compared with a maximum of 7 spaces (6 proposed) for the 3 live/work units (based on residential as the larger use). More frequent deliveries would also be required for an all-business use, with the sub-standard access visibility. Historically, the applicant reckons that up to 184 vehicle movements per week were generated by the agricultural activities, compared with an estimate of around 84 weekly (virtually all car) for the current application proposals.

Policy GB8(iii), the last relevant sub-section envisages potential for appropriate benefits to Green Belt or countryside objectives. A total of 294 sq m of more modern outbuildings are to be demolished, some in poor physical condition and none of visual merit. This would reduce the outbuildings at Hales Farm by 43%, in an open countryside location, which would be of demonstrable Green Belt policy benefit.

#### Listed Building Considerations:

The outbuildings are not listed in their own right but are "curtilage buildings" of the late 16th century house (Building A being apparently of at least the same age) and so listed building consent is required for work to them. A separate Listed Building application has been submitted and is next on the agenda. The Council's Conservation Officer has inspected the buildings and (following amendment to the alterations for Building A) is now satisfied that the works are sympathetic to their rural character and appearance, and not detrimental to the setting of the listed farmhouse. The conversion is 'natural', keeping the layout of all existing spaces with the sole exception of Building A, where a vertical division is proposed which maintains the full height of the area up to the existing mezzanine floor. A relatively small number of additional openings are involved, some facing in to the inner courtyard and none detracting from the overall rural character of the group, or the special character of the listed house.

#### Impact on neighbours

The only property affected is the farmhouse itself. As the business activity would be likely to be office-based, and would in any case be associated with living accommodation, no significant adverse impact is envisaged.

#### Highway Issues

For the reasons of visibility already referred to, the Highway Authority has no objections to this proposal. A condition is requested to secure covered cycle and motorcycle parking, and there is room in the buildings for some provision, as well as

around the curtilage. Ample parking is available within the site.

#### Sustainability

The site is separated from Abbess Roding, itself a hamlet with a church but no shops or services. Just over a mile away, however, Leaden Roding does have a primary school, convenience store and public house, with an hourly weekday bus service between Harlow and Chelmsford running within 400m of Hales Farm. It is clear that occupiers would rely on the car for access to work, shops and other facilities, but only one of the units is now of family size, which reduces the range of facilities such as schools that would be needed. The development would enable working from home to reduce traffic movements, compared with either previous agricultural or potential business uses that would both be likely to have staff coming in by car from the wider area. This small-scale change of use is seen as assisting implementation of transport sustainability.

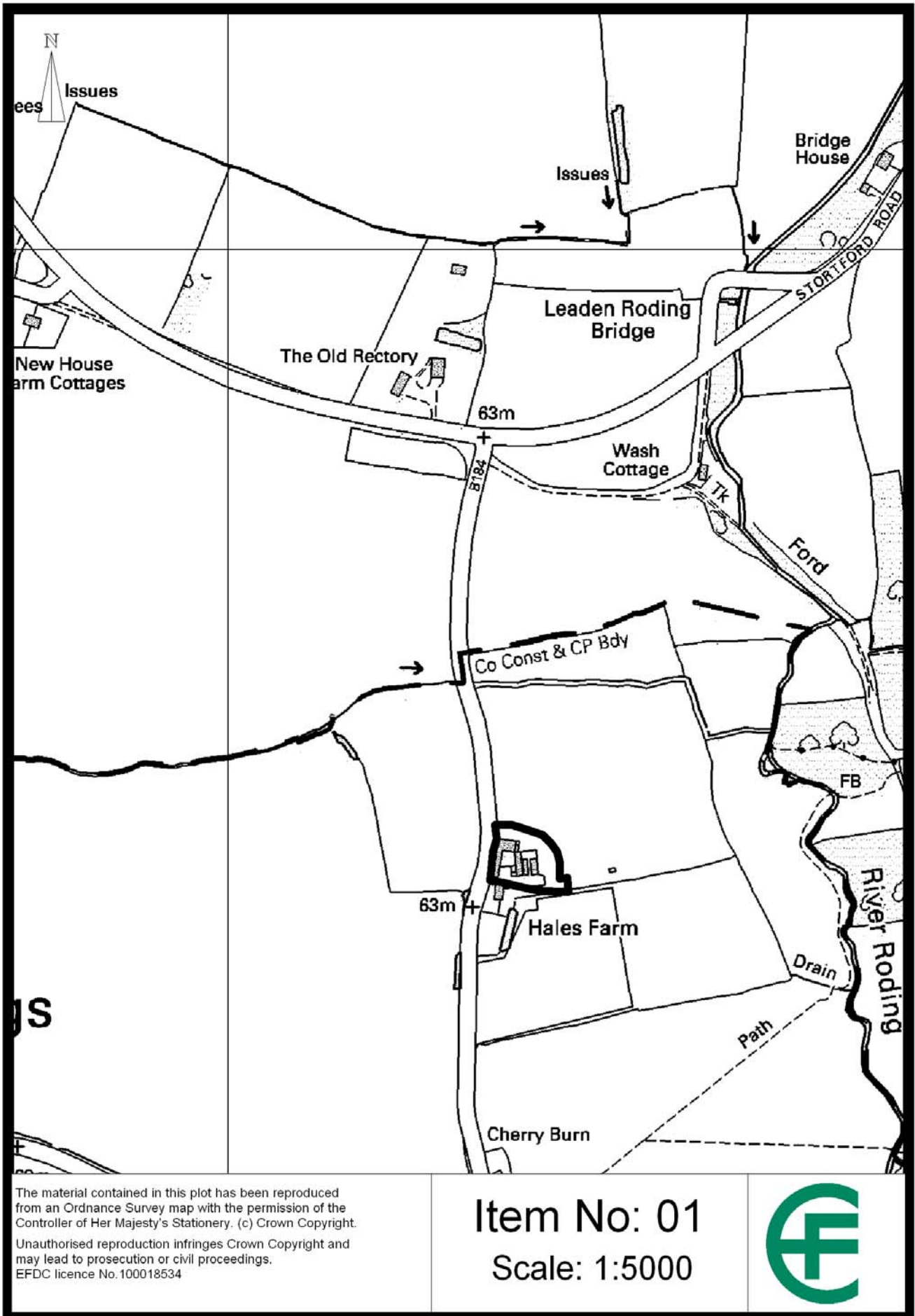
#### Conclusion

It is considered that this relatively small-scale change of use to three live/work units is acceptable in Green Belt terms. There are no amenity impacts, and there are practical benefits in removal of nearly half the ground floor area of outbuildings in the rural curtilage of the listed building. The traffic movements, will be fewer and involve mainly cars, which would better suit the dangerous location on the B184 than business uses, and the mainly non-family accommodation minimises the need to rely on facilities further away in the nearest town of Ongar.

Permission is recommended.

#### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL- No objection.



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**APPLICATION No:** LB/EPF/359/05

Report Item No: 2

**SITE ADDRESS:**  
HALES FARM, NETHER STREET, ABBESS RODING

**PARISH:** The Rodings

**APPLICANT:** Mr and Mrs J Cook

**DESCRIPTION OF PROPOSAL:**

Grade II Listed Building application for the conversion of farm buildings within the curtilage of the listed building.

**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 12 July 2005 unless otherwise agreed in writing with the Local Planning Authority.
3. Materials of construction to be agreed.
4. Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by sections 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.

**Description of Proposal:**

This is the application for listed building consent that accompanies the application reported in the previous item.

**Policies Applied:**

Local Plan  
HC10, HC13 listed buildings.  
Structure Plan  
HC3 protecting listed buildings and their settings.

**Issues and Considerations:**

The outbuildings are not listed in their own right but are "curtilage buildings" of the late 16th century house (Building A being apparently of at least the same age) and so listed



building consent is required for work to them. The Council's Conservation Officer has inspected the buildings and (following amendment to the alterations for Building A) is now satisfied that the works are sympathetic to their rural character and appearance, and not detrimental to the setting of the listed farmhouse.

The conversion is 'natural', keeping the layout of all existing spaces with the sole exception of Building A, where a vertical division is proposed which maintains the full height of the area up to the existing mezzanine floor. A relatively small number of additional openings are involved, some facing in to the inner courtyard and none detracting from the overall rural character of the group, or the special character of the listed house.

It is therefore considered that the proposals will make only relatively minor alteration to the present character and appearance of the outbuildings, retaining the rural design and materials of the more traditional barns and not affecting the different character of the landmark 1930's white barn.

Listed building consent is recommended.

**SUMMARY OF REPRESENTATIONS:**  
PARISH COUNCIL - No objection.

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**APPLICATION No:** EPF/866/04

Report Item No: 3

**SITE ADDRESS:** **PARISH:** Moreton, Bobbingworth & The Lavers  
LONGFIELDS, WEALD BRIDGE ROAD, MAGDALEN LAVER

**APPLICANT:** Mr & Mrs Garrett

**DESCRIPTION OF PROPOSAL:**

Detached games room / gym.

**RECOMMENDED DECISION: Grant Permission**

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. 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 E shall be undertaken without the prior written permission of the Local Planning Authority.

Description of Proposal:

Erection of a detached games room. The proposed building measures 6.5m wide by 8m deep, with a steep pitched roof with a ridge height of 5m. It has been designed with a small gable feature to the front.

Description of Site:

The proposed building is to be located within the side garden area of a detached two storey dwelling situated on the western side of Weald Bridge Road, within a ribbon of residential development. The house has a very large garden, the plot being about 30m wide by about 150m deep.

Relevant History:

The original house was approved in 1950, with extension approved in 1962, 1971 and 1995. An application for an additional dwelling on the site was refused in 1987.

Policies Applied:

Local Plan Policies GB2 and DBE4 are most relevant.

Issues and Considerations:

The main issue in this case is the impact of the building within the Green Belt.

The local plan allows for outbuildings within the Green Belt to be considered on their individual merits bearing in mind their impact on the openness of the Green Belt.

There is already a garage at the site and two outbuildings within the rear garden, which were constructed as permitted development. This proposal is for a sizeable building, albeit reduced following negotiation, that has the look of a small bungalow, located on the existing building line, such that it has a considerable visual impact and impact on the openness of the area, partially infilling the present significant gap between this dwelling and the neighbouring property to the south.

However, material to the consideration of this application is the fact that a building with a lower ridge height could be constructed in this position without the need for planning consent, and indeed, up to half the extensive garden area of the property could be covered with outbuildings up to 4 metres in height, but the applicant wished to achieve a design that was in keeping with the existing house, and therefore opted for a steeply pitched roof to utilise the same roof tiles as the house.

Following discussion with the applicant it was considered that the proposed development was inappropriate within the green belt but that it could be recommended for approval subject to the imposition of condition removing the existing permitted development rights for outbuildings within the garden, to prevent the prospect of a future proliferation of development within the site.

On balance therefore and subject to such a condition, which will protect this area from any further encroachment the application is recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

Comments on original scheme

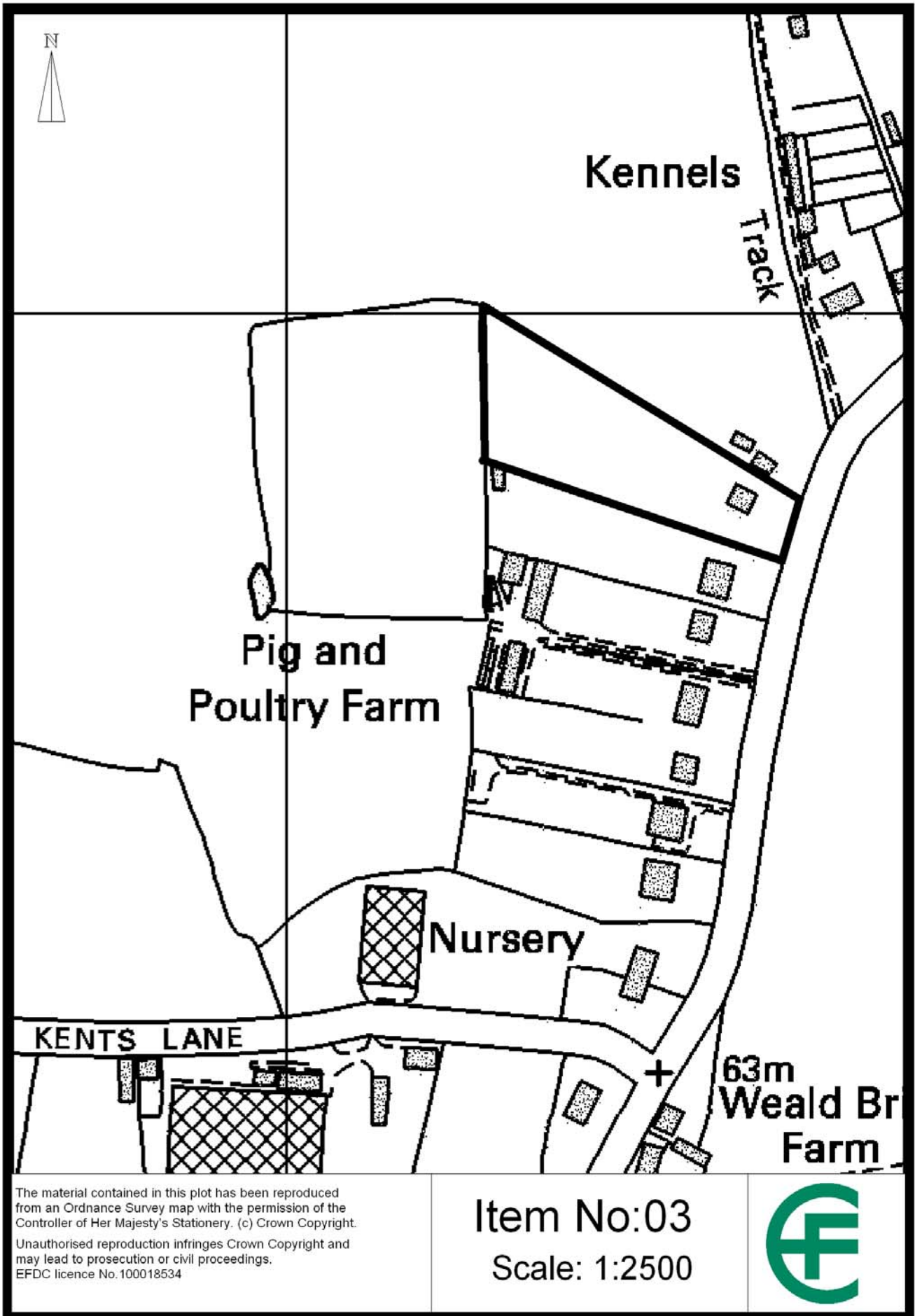
PARISH COUNCIL - The proposed development appears equivalent to a new house in size and as such is contrary to Green Belt Policy. Overdevelopment in the Green Belt. The Parish Council deplores the absence of the three main dimensions on the drawing supplied. This makes the decision more difficult and

scaling from photo-processed drawings is unacceptably inaccurate for major development.

NB the plans submitted were drawn accurately to scale and there is no requirement in the legislation for dimensions to be marked, only for a scale to be clearly indicated. Photocopied drawings are accepted as accurate unless enlarged or reduced.

Comment on revised plans

PARISH COUNCIL - Objection. Excessive development in the Green Belt. No special circumstances have been given to waive MGB policy.



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Item No:03  
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**APPLICATION No:** EPF/760/05

Report Item No: 4

**SITE ADDRESS:**

SMITH'S BRASSERIE, FYFIELD ROAD, ONGAR

**PARISH:** Ongar

**APPLICANT:** The Portet Pension Fund

**DESCRIPTION OF PROPOSAL:**

Outline planning permission to demolish existing building and car park, and erection of 20 no. flats with associated parking.

**RECOMMENDED DECISION: Grant Permission**

1. Application for the approval of details reserved by this permission (siting, design, external appearance and landscaping of the site) must be made not later than the expiration of three years from the date of this Notice. The development hereby permitted must be begun not later than whichever is the later of the following dates:
  - (a) The expiration of five years from the date of this Notice.
  - (b) The expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
2. Approval of the details of the siting, design and external appearance of the building and soft and hard landscaping of the site (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority before any development begins.
3. No development shall commence until a scheme to prevent direct overlooking of nos. 2, 4, and 6 Moreton Road from windows above ground floor ceiling height on the west elevation of any building in the southern part of the site, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out and implemented as agreed before first commencement of any of the flats served by these windows.
4. 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.

5. No construction work or deliveries into the site shall take place other than between the hours of 07.30 to 18.30 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed otherwise in writing by the Local Planning Authority. No construction work or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
6. Details of cycle and motorcycle parking shall be submitted and agreed in writing by the Local Planning Authority prior to work commencing on site. The details as agreed shall be carried out and implemented before first occupation of any of the flats hereby approved.
7. No development hereby approved shall take place until measures to enable the provision of highway improvements to the local area, necessitated by this development, are secured.
8. Details for the closure of the existing vehicular crossover and the proposed new crossover and entrance shall be submitted to and agreed in writing by the Local Planning Authority, prior to work first commencing on site.

#### Description of Proposal:

Outline planning permission sought for a residential development comprising of 20 flats. The detail of the development is reserved for future approval outside the scope of this application, except for means of access, which is to be considered at this stage and is shown to be in the centre of the site served from Fyfield Road.

Indicative plans show a profile of a two storey building providing 20 x 2 bedroom flats finished with a hipped roof. Some accommodation to be in the roof space (around 4 flats) and the proposal would follow the frontage of the site, surrounded by soft landscaping with parking for 27 cars and a bicycle store at the rear.

#### Description of Site:

Site currently occupied by a two storey restaurant building at the southern end of the site with the remainder larger area to the north predominantly laid out for parking with access into Fyfield Road. There is a disused bowling green beyond a high fence immediately west of the site, Ongar War Memorial Hospital immediately beyond protected trees on the northern boundary but otherwise the surrounding area is predominantly residential, including a recent redevelopment of the former Ongar Comprehensive School opposite (The Gables). Elderly person flatted accommodation (Finch Court) lies north-west of the

site, beyond the bowling green.

#### Relevant History:

The current restaurant has had a number of planning permissions for extensions which have been built but are not relevant to the outcome of this application.

EPF/604/05 - Members will recall at the last meeting of Area Plans Sub-Committee C, held on 29/6/05, their approval of a renewal of outline planning permission for the change of use of former bowling green to residential to provide three single storey dwellings and extension to restaurant car park on the adjacent site. The background to this is that an outline application (EPF/399/01) was originally ALLOWED on appeal by the Planning Inspector in 2002.

#### Relevant Policies:

##### Structure Plan policies:-

- H3 - Location of residential development
- H4 - Form of new residential developments
- CS1 - Sustainable urban regeneration
- BE1 - Urban Intensification

##### Local Plan policies:-

- DBE1 - new buildings respect their settings and surroundings
- DBE2 and DBE9 - Protect neighbouring properties from an excess loss of amenity
- T14 - Parking
- T17 - New Access criteria
- LL7-LL10 - Protection of Trees

#### Issues and Considerations:

The main issues are (1) the impact of the proposal upon the amenities of neighbouring occupiers in terms of outlook, light and privacy, (2) the character and appearance of the street scene, (3) parking and access and (4) retention of protected trees on the northern boundary.

##### (1) Living Conditions of Existing Neighbours

There has been a mixed reaction from local residents in respect of this proposal. On the one hand there is the benefit of removing the current restaurant facility which attracts quite a lot of customers, particularly at the weekend and evenings and judging by some of the neighbours comments, causing particular noise and disturbance late into the night and early hours of the morning when customers leave. On the other hand, the proposed development will spread across the site and introduce built development, windows and more general movement



throughout the day.

In terms of comings and goings to the proposed flats, this is unlikely to cause any more overall disruption than the current restaurant and car park and compared to the latter's peak time, will be considerably less. Residential development has already been granted on the bowling green behind the site and as the proposal is on a road frontage, the residents opposite in The Gables and approx. 50 metres away and those beyond the bowling green, at Finch Court will not be unduly affected. The inhabitants of the Memorial Hospital will not suffer loss of amenity as the proposal will be to the side of the end wall of this building and a reasonable 12-13 metres away.

The neighbouring houses adjacent to the west in Moreton Road have the restaurant building in their view and proximity. The presence of a replacement building of similar height in this location would not harm outlook or light to these properties, however rear facing habitable room windows could result in loss of privacy to the rear gardens of occupiers of nos. 2,4 and 6 Moreton Road. The indicative plans show directional windows angled obliquely away from these properties and this would safeguard against any potential loss of privacy.

## (2) Character and Appearance

This is a prominent location in a mainly residential area of mixed character which includes a wide variety of dwelling types. There is a predominance of two storey housing and those newly built opposite as 1-20 The Gables have steep pitched roofs. The indicative plans show a proposed development for 20 flats which will respect the size and height of neighbouring properties and therefore in principal it will fit into the street scene.

A reasonable area of planting is shown on the plans around the building, which would soften up the appearance of the proposed buildings and contribute to its setting. The buildings themselves are not large in footprint compared with the area of the site and parking at the rear would not be visually dominant. If a similar layout was to be followed on a detailed or full planning application, a scheme could be designed that would not appear cramped and would harmonise with the character of the area.

## (3) Parking and Access

A total of 27 spaces are indicated, supplemented by cycle parking to encourage use of more sustainable modes of transport. The centre of Ongar, with shops and services is about a 15 minute walk away and a local primary school and leisure centre are in close walking distance. Car parking provision of about 1.5 spaces per two bedroom flat is recognised as acceptable in such locations and commensurate with the provision on other recent residential flatted

developments in the area.

Highway officers have no objection to the access, particularly as there is already one in this location serving the large restaurant car park. They agree with a traffic impact assessment submitted with this application that the traffic generated by this development would not give rise to excessive traffic congestion, particularly as this is a previously developed site. There is concern that pedestrian links from the front of the flats to the road would encourage on-street parking in Fyfield Road, however this is a detail to be considered at full planning application level should this application be approved.

If the application was approved a developer financial contribution will be required to be used for highway improvements in the area. This figure is likely to be around £40,000 and is based on the number of flats proposed.

#### (4) Protected Trees

The siting of the proposal will not affect the group of protected elm trees on the northern boundary if it is laid out similar to the submitted plans. Indeed, vehicular access to the three bungalows allowed on appeal would have run closer to the trees, but should this proposal be granted and subsequently be implemented, there would be one rather than two vehicle access points into Fyfield Road into the site. This would be of benefit for both the trees and highway safety.

#### Other Matters

The Parish Council have previously objected to the loss of green space, but this argument was lost on the appeal decision and in any case, the rear car parking area proposed is in the same area as the restaurant car park extension granted last month.

The restaurant currently employs up to 30+ staff and whilst the loss of staff is regretted, it is not a weighty enough factor to justify refusal of planning permission for a development adding to the two bedroom home housing stock, for which there is a need and the government advice and the development plan encourages more efficient use of previously developed land.

#### Summary

The proposal would accord with policies of the Local and Structure Plan. Given the scale of the development proposed and the shape and area of the site and subject to appropriate conditions, there would be no greater and potentially less disturbance to neighbouring residents than the current development on the site. The development as indicated on the illustrative plans would add positively to the appearance of the street scene and there are no highway objections.

The application is recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL - Loss of green space, negative impact on the street scene due to its large scale and proximity to the development opposite, increased traffic and noise on the Ongar War Memorial Hospital, loss of employment opportunities currently provided by the restaurant.

13 THE GABLES - Parking problems unless two spaces per flat, more traffic on the A414, this is all aggravated by the lack of a rail link, increase traffic accidents with access opposite into The Gables and access here.

15 THE GABLES - Do not need any more housing as The Gables and The Quarter are under construction, see no plans for any extra amenities for this new housing (secondary school, railway links to London, parking or supermarkets).

CAMPAIGN TO PROTECT RURAL ESSEX - Insufficient car parking (27 spaces) for 20 flats.

1-16 (INCLUSIVE) FINCH COURT, COLES CLOSE - Object, building will cause noise and high levels of dust, loss of light, overlooking, have problems with cars parked on the pavement now so are concerned over road safety, wish to spend our remaining years in peace, but do not object to low level social housing for the over 55's.

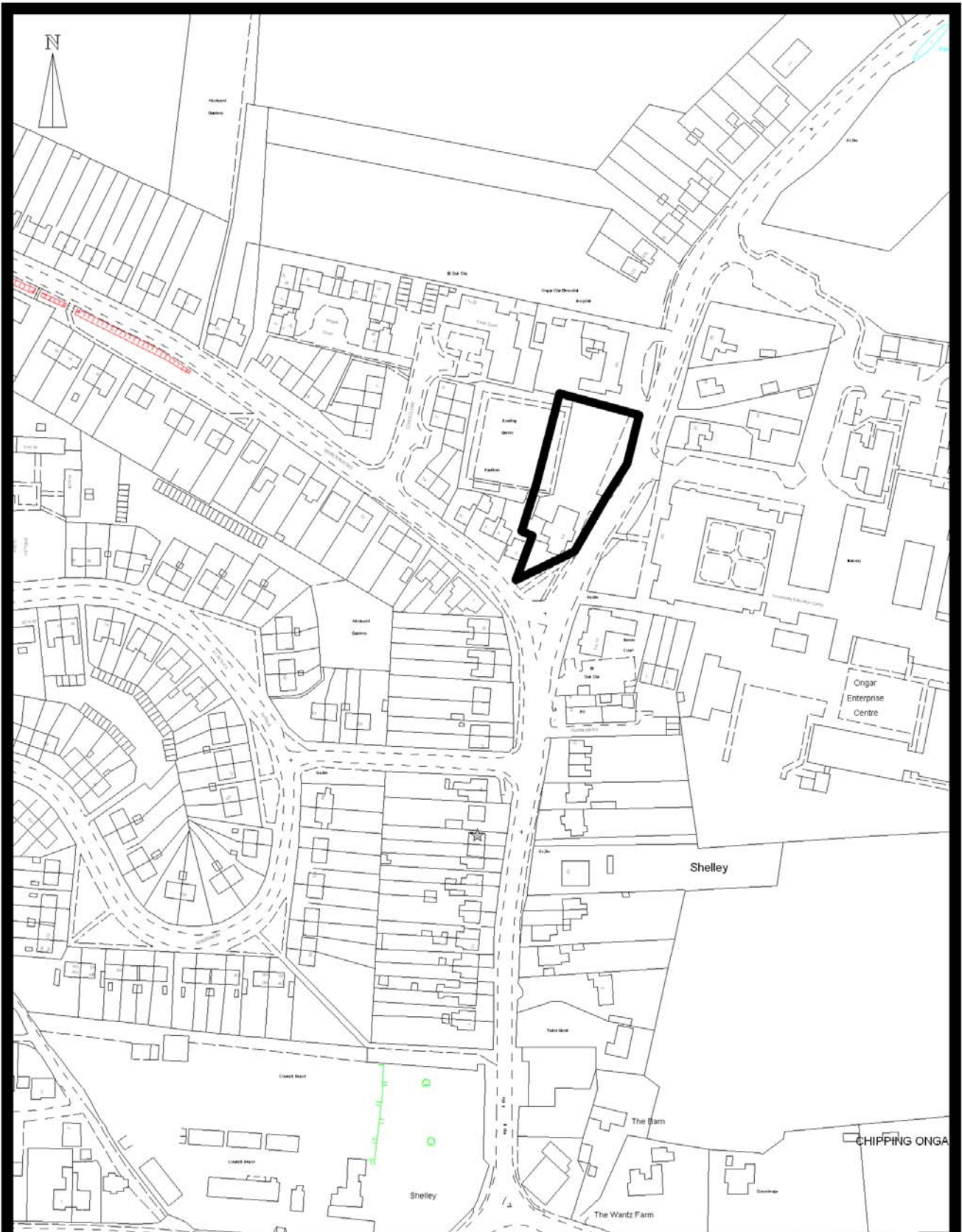
20 FINCH COURT, COLES CLOSE - Object and reduce the vision from my window, add noise where there are elderly persons living close by, reduce my privacy, increase traffic, inappropriate change of use of the land.

6 THE GABLES - See no objection so long as does not exceed the height of the houses in The Gables and that there are adequate parking facilities.

Nos.1,2,3,5,7,8,9,11,12,14,16,17,18 THE GABLES (13 PROPERTIES)

- Support the proposal as the current activities associated with the current restaurant are a constant source of annoyance and disturbance to us local residents, residential development is more suitable for the site.

2-4 MORETON ROAD - Support the application, residential is more suitable use for the site.



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Item No:04  
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**APPLICATION No:** EPF/1480/04

Report Item No: 5

**SITE ADDRESS:**

**PARISH:** Ongar

ONGAR MOTORS & TRANSPORT CO, THE BOROUGH,  
GREENSTED ROAD, ONGAR

**APPLICANT:** General Practice Investment Corporation

**DESCRIPTION OF PROPOSAL:**

Erection of medical and day care centre with associated parking facilities.

**RECOMMENDED DECISION: Refuse**

1. The proposal would result in an increased risk of flooding on this and adjacent sites in a Flood Zone 3 floodplain as defined in Government Guidance PPG25 and modelled by the Environment Agency to be within a 1 in 100 year flood event. The mitigating measures put forward by the applicant do not adequately or appropriately prevent such a flood measure occurring and therefore the proposal will be contrary to policies U2 and U3 of the adopted Local Plan and Government Guidance PPG25 (Development and Flood Risk).
2. The proposal includes development in close proximity to an ordinary watercourse. This will prejudice the environmental obligations of the Environment Agency and preclude the provision of an adequate buffer zone, contrary to policy U3 of the adopted Local Plan.

**Description of Proposal:**

`L'-shaped large, part two, part single storey building with hardstanding on three sides providing access road from southern boundary as currently exists and 60 space car park. Proposal to provide group practice doctors' surgeries and elderly person day care centre, plus other community health service related facilities (clinics, optician, dentist, pharmacy etc) totalling 2,140 square metres of floor space on a footprint of about 1,200 square metres.

The building will have a shallow curved roof profile at a maximum height of 9.5m and externally composed of a mix of contrasting brick and render, with a pitched roof centrally glazed area as the main entrance to the building.

**Description of Site:**

A 0.55 ha irregular shape site currently leased to Epping Forest District by Essex County Council for use as a lorry

park, with access off The Borough. There is a belt of trees on the eastern boundary, which Cripsey Brook and a footpath runs through, north to south. On the western boundary are 5 residential properties; to the north is open land.

The site is in the Metropolitan Green Belt and adjoins a Conservation Area to the northeast.

#### Relevant History:

Long history of use of land for parking of lorries since 1950s. In 1978 planning permission was granted for a car and lorry park, which was renewed in 1984.

#### Policies Applied:

Structure Plan - C2 (Green Belt constraint), BE1 (re-use of urban sites), T12 (vehicle parking).

Local Plan - GB2 (Green Belt restraint), HC6 (affect on Conservation Area), CF2 (location of health care centres), CF9 (access available for all user groups), U2 (resist development in areas at risk from flooding), U3 (resist development resulting in increase risk of flooding), DBE1 (scale and appearance of building), DBE2 (detriment to neighbouring property), DBE4 (new buildings in the Green Belt respect surroundings), DBE9 (residential amenity of neighbouring properties), LL10 (retention of trees), LL11 (provision for landscaping), T12 (resist loss of lorry park), T14 (adequate on-site parking), T17 (traffic accessibility, congestion and highway safety).

#### Issues and Considerations:

The main issues in this case are:

1. whether development within the Green Belt in this case will be harmful to its openness;
2. acceptability of losing a lorry park;
3. relationship to the surrounding area;
4. impact upon the amenities of occupiers of adjacent residential properties;
5. highway issues;
6. trees and landscaping issues; and
7. development within a flood plain.

#### Background

The applicants state the doctors surgeries in Basons Lane and The Ongar Surgery in the High Street are sub-standard and do not meet the needs of a modern health service or the requirements of the Disability Discrimination Act 1995. The

practices have been searching for a suitable alternative building or site in Ongar and consider this to be the only available site of this size and location. In addition, under a NHS initiative, Primary Care Trusts have been advised to bring their community services, which may include GP services, pharmacy, dentistry, optical services, minor surgery and social care services together under one roof in new-build projects with primary health care moving out of hospitals and into community care centres. A new health centre will provide these facilities as well as other community care services (child health, chiropody, health visitors, school nurses etc).

Essex County Council have also been looking for a suitable location for a replacement facility for Day Care for Older People, currently provided at the Ongar War Memorial Hospital, which again does not meet operational standards.

A twenty place day care centre, together with expanded surgery facilities and community care staff into a new purpose built building has resulted in the proposal of this size and floor area to serve its community. The existing doctors' surgeries in Ongar do not have the facility or site area to provide the facilities now required in primary care. The proposed new building would provide 10 consulting rooms, nurse clinics and treatment room, dispensing area and administration/waiting rooms on the ground floor. The rest of the ground floor (350m<sup>2</sup>) will be the day care centre dining/sitting room, treatment room and administration plus a conservatory. Community health service facilities will be located on the first floor (physio, chiropodist x 2, child health, nurse treatment room, minor injuries rooms, speech therapist office, training room/meeting room and other offices).

## 1. Metropolitan Green Belt

There is an assumption against inappropriate development in the Green Belt. Only a few developments are appropriate as defined in Government advice, Structure Plan and the Local Plan. This is not one of those few developments.

However, should very special circumstances outweigh the harm to the openness of the Green Belt then there can be a justification for building in the Green Belt.

In considering this, it should be noted that the site does not add positively to the openness of the Green Belt. It is predominantly made up of a large hardstanding and in the past has been occupied by large lorries for overnight stay and storage purposes. There is built development immediately adjacent to it and that part of the site containing Cripsey Brook and footpath will retain its vegetation where necessary, although replacement tree planting is considered necessary.

The other main point to consider is the need for the facility. This has been outlined above and the main difficulty has been

in finding a suitable, sustainable location for a catchment area that not only includes Chipping Ongar, but outlying villages and rural areas. In this part of the town it is close to the southern end of the town centre, a large residential area and close proximity to public transport (bus stops). There is difficulty in finding a similar size, suitable site which is also available in Ongar and not in the Green Belt.

In summary on this point, it is felt that the very special circumstances do outweigh the harm to one of the main functions of the Green Belt, i.e. its openness, and furthermore, the site is hemmed in by built development, such that losing this part of the Green Belt to a community facility building of benefit to its population, would not be so out of keeping with its surroundings. It therefore complies with Structure Plan policy C2 and Local Plan policy GB2. The Parish Council is, however, also concerned with the use of land north of the application site as a potential Nature Reserve. This development may jeopardise any future provision, but a judgement of priority need has to be made based on what is best for the community.

## 2. Loss of Lorry Park

Policy T12 of the Local Plan states that the Council will resist the loss of the existing lorry park until an adequate, suitably located alternative is available. This policy is somewhat dated, having been drawn up some 10 years ago and the County Council have declared the land surplus to highway requirements, and whilst daytime parking does take place, the number of lorries present are few overnight. The County Council have no plans to continue to lease this to Epping Forest for this purpose. Furthermore, this is not neighbourly development set as it is immediately adjacent residential properties.

The loss of the lorry park therefore is accepted in this case, given the greater community benefits derived from a health and day care centre than an under-used lorry park.

## 3. Scale, Design and Appearance

Whilst the footprint of the building would be large, its height has been stepped down and the roof broken to reduce its bulk and massing. Contrasting external materials would add interest to its overall design and its height would be a little higher than the average house ridge level adjacent the site (which are about 8-8.5m). The site will be opened up to the High Street, and in general the new building would have a positive, albeit a dramatic changeable impact upon the visual amenities of the street and on the adjacent Conservation Area.

The proposal therefore complies with policy DBE1 and HC6 of the Local Plan.



#### 4. Living Conditions of Adjacent Residential Occupants

The building is large compared with adjacent residential properties to the west, which include a pair of bungalows at 6 and 7 Oakland Mews alongside parking off the entrance road, and larger two storey timber-clad homes at No's. 18 and 19 Turners Close. The building, however, will primarily be located on the opposite side of the site towards Cripsey Brook and being in the northern part of the site, it would not extend as far as the bungalows.

The residents of No. 18 Turner Close, and to a lesser extent, No. 19, will be most affected by the development. This is where the proposal will be closest at a distance of about 10m from the main rear wall of their house. Dense undergrowth will also be removed from here to provide vehicular access to parking at the rear end of the site. However, that part of the proposal in direct view from these two houses would be single storey at this point and in conclusion, the proposal would not be overbearing or visually intrusive to these occupiers.

Windows on the facing elevation will serve treatment rooms and clinic rooms, but the use of obscure glazing there would safeguard against overlooking and possible loss of privacy. Other windows facing on the far side limb of the building are more than 30m away, which is a significant distance of separation to not cause undue loss of amenity.

The proposal therefore complies with policies DBE2 and 9 of the Local Plan.

#### 5. Highway Issues

Parking provision is commensurate for a building of this content and in this location. It is close to a residential area, in walking distance for many of its residents. Bus stops are also close by. The amount of activity at the site, including vehicles coming and going are likely to increase, however, this is compared with the low use of a lorry park, which potentially could be a greater source of nuisance from large vehicle movements if used to its full capacity.

The Highway Authority has currently objected to the planning application but this was before a Transport Assessment in respect of highway capacity and safety was submitted by the applicant. The Highway Authority are now reconsidering their objection and their comments will be available at the meeting.

#### 6. Trees and Landscaping

A tree survey and planting schedule has been submitted with this application. There will be a fairly dramatic change to the eastern boundary. The current footpath and brook will not be affected, but around 13 Poplar trees are proposed to be removed because of the close proximity of the proposed

building. Whilst these are visually important, they are short lifespan trees, which are too closely located to each other to develop properly. Many are structurally unsound and diseased and there is evidence of gale damage.

The Council's arboriculturist has advised that a more positive planting scheme be submitted showing replacement planting for the Poplar trees and new hedge/shrub/tree planting to soften the extent of the large area of car parking. Larger existing specimen trees also along this boundary are shown to be retained.

It is considered that whilst the removal of the Poplar trees will open up the boundary, it has the benefit of the building being partially viewed from the High Street. Overall the proposal complies with policies LL10 and LL11 of the Local Plan.

## 7. Flooding

The site is located in a floodplain and the Environment Agency have objected to the development because it is at risk from flooding from Cripsey Brook. It lies within a Flood Zone 3 as defined in Government guidance PPG25 and modelled to be within a 1 flood in 100 year event or, to put another way, has 1% chance each year of being flooded. It also has a history of flooding. It is a previously non-developed site, possibly because of this. Also, because it is a building designed to attract the public, especially for young children and old people, it can also be considered as development for vulnerable occupancy. In the event of a 1:100 year flood, flooding could potentially be to a depth of 0.5m - 0.7m.

The applicants, aware that the site is in a floodplain, have designed the building to be on stilts and voids and submitted a flood risk assessment document. The design of the proposed building does show the ground floor of the building raised by approximately 1.2m from natural ground level and infilled by grilles to allow water to move through with access to the building via long ramps.

However, the Environment Agency maintain their objection. They do not find this method acceptable and there are risks of the grilles becoming blocked, therefore impeding flood flow. This would affect flood storage volume and there is the risk of flooding, as a result, occurring to other residents in the area. Also the proposed building is too close to Cripsey Brook and an adequate buffer zone cannot be provided alongside this watercourse. The scale of the building and/or its siting is not acceptable in respect of this issue.

The frequency of flooding may be low but the Government Agency, taking advice of PPG25, state that when it occurs more people are generally affected by rarer floods, with potentially greater risk to life to those frequenting the proposed

development, particularly the very old, infirm, disabled and long-term sick, which is likely to be more common in association with this than other types of development.

The Environment Agency believe the site to be wholly inappropriate for the development proposed. Officers feel uneasy about taking an opposite view, in view of recent flood events across the country, despite the mitigating measures proposed by the applicant, which includes a willingness to enter a legal agreement/planning conditions undertaking the regular inspection of the void area underneath the whole of the proposed building, keeping the area clear and not used for storage purposes and an hours of use control (no person on the site between 10pm and 6am).

Policy U2 of the Local Plan aims to safeguard against the risk of flooding either on site or elsewhere. The clear advice from the Environment Agency is that there is a fear that flooding may occur as a result of the development on neighbouring residential sites.

Policy U3 also states that the Council will not permit development resulting in an increased risk of flooding unless it is satisfied that there are adequate and appropriate attenuation measures to minimise this risk. Given the Environment Agency guidance, the suggested mitigating measures will be inadequate and extremely difficult to enforce in order to ensure against the risk of flooding.

### Summary

In most respects this is an acceptable form of development. This appears to be the best possible provision of health care related facilities in a purpose built building and on an available site in Ongar, which has so far proved difficult to locate elsewhere and still be available generally for the public community it will serve. The Epping Forest Primary Health Trust is supportive of the new location and there is no available alternative similar size site in a more central location in Ongar.

However, Officers conclude that despite these plus factors, building in the floodplain where no building previously existed would increase flooding to adjacent sites and be a threat to the future occupiers and users of the site. On balance, therefore, the application is recommended for refusal on this point and secondly, because of its too close proximity to Cripsey Brook without an adequate buffer zone. A third reason may arise from the Highway Authority (to be orally reported at the meeting).

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL - Object, support the notion of this development, but object on the following grounds:- Development is too large due to inclusion of the day care facility, will lead to increased traffic and hazard for pedestrians. Increase traffic volumes and site is some distance from the population base with the most requirement for this facility, i.e. the Shelley area, and will increase traffic flow through Ongar, Need to redesign the access of the road junction to Greensted Road to improve site access, Parish Council have been long committed to develop the area north as a Nature Reserve and therefore require clarification as to the effect of this scheme on these longer term issues. The existing footpath within the site boundary should remain and there are serious concerns as to the inadequacy of parking given the inclusion of the day centre within the plans, soft landscaping details are insufficient to allow this building to be adequately screened.

4 THE SPINNEY - Location on this site in this part of Ongar will be a wonderful asset and remove the ugly eyesore of the current site.

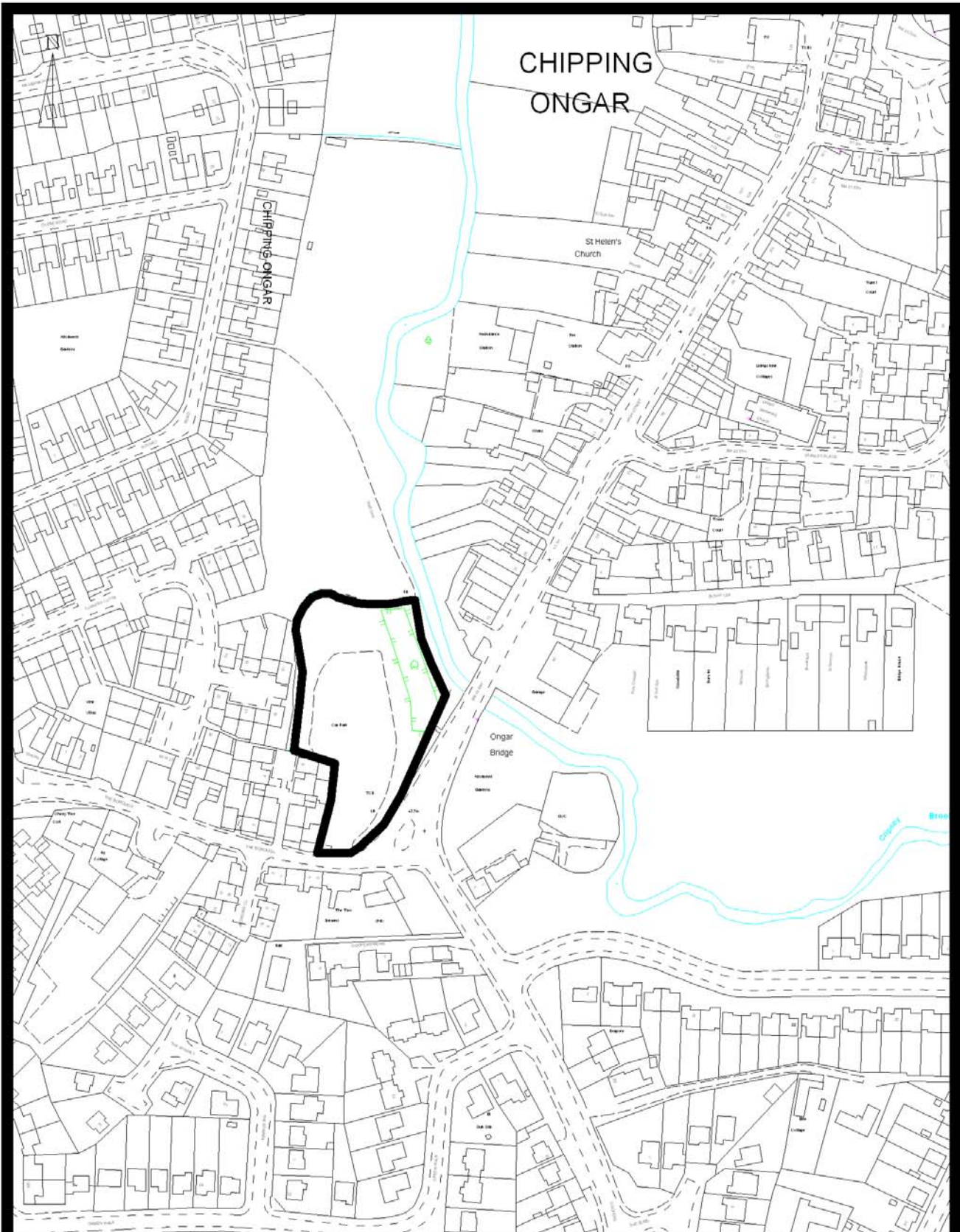
VINE HOUSE, ONGAR - No general objection, worried that if an alternative lorry park site is not found that traffic will start parking in lay-bys and on the street, Jewsons use the site for lorry to wait until their warehouse is ready, hope parking is for all and not to be charged, site will be contaminated, site access not good near a traffic island between the High Street and The Borough.

10 KETTLEBURY WAY - Site is contaminated (can smell gas), in a flood plain and having lived here for 40 years I have known the site to flood at least 3 times, cutting down trees will make the area less stable and remove the beautiful screening, proposed building is out of keeping, a more central site is required because this is located at one end of the town.

6 OAKLAND MEWS - Proposal will add to the drainage problems that exist in the area, should provide increased capacity for foul and surface water drainage, concern this will become a 24 hour, 365 days of the year facility which is inappropriate for a residential area, hours of use condition is required, headlights of cars disturb local residents entering the car park, traffic movement will seriously affect access to Oakland Mews and other residencies around The Borough, controls on lighting and signage.

7 OAKLAND MEWS - Low rise building which will not adversely affect our property, improve the area which is currently a dump for untaxed vehicles, overnight parking, fly tipping. car parking will be against the rear wall of our garden and concerned over noise pollution, would want a planted garden against this wall.

9 OAKLAND MEWS - Not sure this is the right site, should be attached to St Margarets Hospital in Epping or the War Memorial Hospital in Ongar or expand Bansons Lane surgery and make better use of other sites. Residents and traders use the site for parking and need rear access to their houses. Is alternative lorry parking to be made? Site is in a flood plain.



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