

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee C Wednesday, 18th January, 2006

Place: 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, Mrs H Harding, 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 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 - 16)

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 17 - 26)

(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.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:** 14 December 2005
Place: Civic Offices, Epping **Time:** 7.35 - 8.30 pm
Members Present: K Wright (Chairman), R Morgan (Vice-Chairman), Mrs D Collins, D Kelly and Mrs M McEwen
Other Councillors: (none)
Apologies: P Gode, Mrs H Harding and D Jacobs
Officers Present: R Bintley (Principal Planning Officer) and G J Woodhall (Democratic Services Assistant)

46. 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.

47. MINUTES

RESOLVED:

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

48. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M McEwen declared a personal interest in the following items of the agenda, by virtue of having been kept informed of the progress of both applications as ward member. 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/1657/05 – Site at former Brass Yard, Mill Lane, High Ongar; and
- EPF/1658/05 – High Ongar Village Hall, The Street, High Ongar.

49. ANY OTHER BUSINESS

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

50. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS, APRIL 2005 TO SEPTEMBER 2005

The Principal Planning Officer presented the Planning Appeals report for the period April to September 2005 in order to comply with the recommendation of the District Auditor. It was highlighted that the three planning appeals that had been allowed within the Sub-Committee's area had been delegated decisions made by officers rather than decisions made by the Sub-Committee itself. The Sub-Committee were further informed that the Council's performance for the period had been an improvement on last year but consistent with the previous year's exceptional performance, and had again exceeded the Best Value Performance Indicator as well as the national average.

The Chairman highlighted the fact that 75% of the appeals pertaining to the Sub-Committee had been dismissed, which illustrated the validity of the decisions contrary to officer recommendation that the Sub-Committee had taken during the period.

RESOLVED:

That the Planning Appeal Decisions for the period April 2005 to September 2005 be noted.

51. REQUEST TO DISCHARGE A SECTION 52 AGREEMENT - STONEHALL FARM, DOWNHALL ROAD, MATCHING

The Principal Planning Officer presented a report concerning a request to discharge a Section 52 Agreement at Stonehall Farm, Downhall Road, in Matching. The agreement related to a grade II listed barn that was currently not in use. In 1984, planning permission had been granted for change of use for the barn from agricultural storage to storage and restoration of antique furniture, subject to a legal agreement under Section 52 of the Town and Country Planning Act 1971. This legal agreement was still in force, and prevented the barn from being disposed of separately from the rest of the application site, which at that time consisted of a Farmhouse since converted to three residential units. The agreement had been considered necessary at the time in order to prevent undue traffic generation in the area.

However, the Principal Planning Officer informed the Sub-Committee that in July 2005 permission was granted for a further change of use of the barn to a single residential unit, under delegated powers. The owners had been unable to let the barn for the approved use during the previous three years and the application had been deemed to be in accordance with the policies of the Local Plan. Thus, it was felt that the Section 52 Agreement was no longer relevant, and should be discharged in order to enable the new planning consent to be implemented.

RESOLVED:

That the discharge of the Section 52 Agreement at Stonehall Farm, Downhall Road in Matching be approved.

52. 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.

53. 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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Report Item No: 1

APPLICATION No:	EPF/1603/05
SITE ADDRESS:	King Street Farm, King Street, High Ongar
PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Change of use of barn and adjoining buildings to a mixed residential and business use.
DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The workspace area as identified on drawing no. 260/6 shall be limited to this area of the building only and for the purposes of Class B1 use only. There shall be no direct retailing taking place from the workspace, nor shall it be used for residential purposes unless otherwise agreed in writing by the Local Planning Authority.
- 3 No conversion or demolition or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- 4 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 LPA and the completed phase 1 investigation shall be submitted to the LPA 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 LPA before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the LPA prior to any remediation works being carried out.

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

- 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 Classes A - H shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 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.

- 7 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved. This includes details of a replacement hedgerow for the existing hedgerow to be removed at the front of the site.

- 8 The area within the sight splays indicated on drawing no. 260/8 shall be formed before first occupation of the residential and live/work unit hereby approved and thereafter give a clear and continuous view of traffic and shall not contain obstructions above the crown of the adjacent road.

- 9 Details of any walls, fences and entrance gates shall be submitted to and agreed in writing by the Local Planning Authority before works commences on site.

- 10 Prior to the commencement of the development details of the proposed surface materials for the entrance, drive and parking/turning area, shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

Report Item No: 2

APPLICATION No:	EPF/1604/05
SITE ADDRESS:	King Street Farm, King Street, High Ongar
PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Listed building application (Grade II) for alteration and change of use of barn and adjoining buildings to a mixed residential and business use.
DECISION:	GRANT

CONDITIONS:

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 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 LPA in writing prior to the commencement of any works.
- 4 A scheme of landscaping including samples of external surfaces shall be submitted to and agreed by the local planning authority prior to commencement of the works.

Report Item No: 3

APPLICATION No:	EPF/1657/05
SITE ADDRESS:	Site at Former Braces Yard, Mill Lane, High Ongar
PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Erection of new village hall including new vehicular access.
DECISION:	REFUSE

2 Additional letters of objection were received, both concerned with access and number of parking spaces. Mentions petition but none received.

REASON:

- 1 The proposed new vehicular access would result in serious loss of amenity to the residents of houses opposite in Mill Lane, particularly to the occupants of Nos. 38 and 40 Mill Lane, by reason of noise, disturbance and light intrusion, contrary to policy DBE2 of the adopted Local Plan.

Report Item No: 4

APPLICATION No:	EPF/1658/05
SITE ADDRESS:	High Ongar Village Hall, The Street, High Ongar

PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Outline application to demolish existing village hall and erection of two domestic dwellings.
DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted shall only be carried out in accordance with detailed plans and particulars, which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the siting, design and external appearance of the building(s), landscaping and the means of access thereto.
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 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 A, shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No gates shall be erected at any new access to the site served by a new crossover over the existing footway.

Report Item No: 5

APPLICATION No:	EPF/0289/05
SITE ADDRESS:	Village Hall, The Street, Sheering
PARISH:	Sheering
DESCRIPTION OF PROPOSAL:	Single storey extension, with loft storage area, for pre-school activities.
DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Details of suitable external storage locations and collection arrangements for refuse shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development.
- 4 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.

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AREA PLANS SUB-COMMITTEE 'C'

18 JANUARY 2006

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2077/05	Land at Brook Farm, Stapleford Road, Stapleford Abbots, Epping	Grant	19

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Report Item No: 1

APPLICATION No:	EPF/2077/05
SITE ADDRESS:	Land at Brook Farm Stapleford Road Stapleford Abbots Epping Essex RM4 1EJ
PARISH:	Stapleford Abbots
APPLICANT:	Mr S Jones
DESCRIPTION OF PROPOSAL:	Retention of indoor dressage ring and horse exerciser with associated parking and landscaping.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No external lighting shall be erected without the prior written approval of the Local Planning Authority.
- 3 The dressage training hereby permitted shall not be open to customers / members outside the hours of 8.00 am to 8.00 pm on Monday to Friday, and 8.00 am to 8.00 pm at weekends.
- 4 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 Within three months of the date of the grant of this permission no development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the existing hedge or hedges which are to be retained, the minimum heights at which they will be maintained and appropriate trees within the hedge or hedges which shall be retained and allowed to grow on. The plan shall also show where the hedgerows are to be reinforced with further planting, details of which indicated in a timetable of implementation. The hedges shall thereafter be maintained in accordance with the approved details.
- 7 Within three months of the grant of this permission a Landscape Method Statement, shall be submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

- 8 Within three months of the grant of planning permission a scheme shall be submitted to the Local Planning Authority detailing the provision for the disposal of foul sewerage.
- 9 The dressage ring shall only be for training purposes. It shall not be used for competitive use at any time whatsoever.

Description of Proposal:

Retention of indoor dressage ring building and horse exerciser with associated parking and landscaping. The dressage ring building measures 48m x 30m, by 6.5m high. The horse exerciser is an octagonal structure 10m in diameter and 4m high. The dressage ring is to the north east of the original farmhouse, and the horse exerciser is at the western end of the dressage ring. There is a concrete parking area to the front of the building.

The building will be used for the training of horse riders in the sport of Dressage. It is proposed that the occupiers of Brook Farm will use the facilities between 0800 – 1400 Monday to Friday, for private training/coaching between 1400 – 2000 on these days, and private/ training coaching on weekends between 0800 – 2000.

Description of Site:

A farm complex on the northern side of Stapleford Road on the western edge of Stapleford Abbots. The site has an area of 6ha and consists of a farmhouse and various redundant farm buildings to the northeast. These are used for a livery business and a general industrial business. There is an 18m x 7m outside manege between the new building and the existing livery yard. The site is close to the bottom of a valley, and the whole site is within the Metropolitan Green Belt. Access is via a paved two-way road from the Stapleford Road.

Relevant History:

Extensive history including:

CLD/EPF/11/95 – Certificate of Lawfulness for use of building for 7 business units and tack room/feed store - Approved

CLD/EPF/12/95 - CLD for use of Brook Farm House without complying with an agricultural occupancy condition - Approved

CLD/EPF/13/95 - CLD for use of 5 units and portacabin for business purposes - Approved

EPF/978/96 - Retention of use of buildings for B2 Business Purposes - Approved

Policies Applied:

Structure Plan

C2 Development in the Green Belt
LRT3 Countryside recreational facilities
T3 Traffic

Local Plan

GB2 Green Belt Policy
RST 5 Stables

DBE 9 Neighbour amenities
LL10 Landscaping
T17 Highways

Issues and Considerations:

The main issues are whether this development is appropriate in the Green Belt, and if not whether any very special circumstances which overcome this, the effect on the character and appearance of the area, highways safety and neighbours amenity. It should be noted that this is a retrospective application as the works have been carried out although the use has not started.

Green Belt

Whilst it is the case that the use of land for essential facilities for outdoor recreation and associated small scale buildings are acceptable in the local plan in Green Belt areas, this application is not small scale due to the size of the building that has been erected. Therefore this is an inappropriate development in this area. The applicant has accepted this and has provided a number of justifications of this development which are argued to constitute very special circumstances that overcome the harm caused by this proposal.

Very Special Circumstances

The applicant has argued that this use (equine related activities) is recognised as legitimate in PPS7 (Rural Development), which states that "equestrian activities are popular forms of recreation in the countryside that can fit in well with farming activities and help diversify rural economies". It is also the case that the wider benefits of diversification may contribute to very special circumstances. There is a close integration between the existing horse related activities, the open land and the dressage ring.

Until recently the site was used for show jumping, and the existing facilities were adequate for this purpose. Within the last few years two of the occupiers of Brook Farm, and another relative, have become actively involved in the sport of Dressage. They will use the new facilities and have already gained some recognition within the sport at competitive level, having trained on the existing outside facilities. The applicant has produced supporting letters from a Dressage Competition Judge and Trainer, and from the British Dressage Association, regarding the level of expertise gained by the occupants of the site, and supporting the need for top class facilities for this sport. Many trainers (of which there are 12 recognised by the Dressage Association in Essex) only have outdoor manege facilities and therefore have to travel to other, better equipped, indoor sites to give training in the winter months.

The new facilities will enable training for competitions to occur throughout the year, unaffected by the weather, and will be open to other dressage riders in the local area, especially younger enthusiasts. There are a limited number of indoor facilities in the local area (Chingford, Basildon and Norton Heath), and these cater for all types of horse related activities, which means the specific requirements of dressage training cannot always be met.

This lack of facilities is recognised by the British Young Riders Association. This has meant that local riders have had to travel some considerable distance, with horses, to suitable facilities, some as far as Colchester. This has gained in importance with the grant of the 2012 Olympics to London, as new facilities are required to enable our competitors to compete at the highest levels. It is argued that this facility will enable training to be carried out in similar facilities to those available in Europe, and especially Germany.

The facility surface will be constructed to the highest standards reducing the chance of injury to the horses. Training sessions for non-occupants of the site will occur during the afternoons and at weekends. All sessions will be on a one to one basis, and about 45minutes long. Only one trainer and rider will use the facility at one time.

A new landscaping scheme will be implemented to the north and west of the site, and the building has been erected into the side of the slope on the site. Both of these measures will reduce the visual impact of the scheme.

Comments on Very Special Circumstances

The Council recognises that PPS7 has put a greater emphasis on rural diversification, but it also reinforces the policy that harm to rural areas must be avoided and that the impact on the Green Belt must still be carefully assessed.

With regard to the use the Council accepts that there is a lack of all weather facilities in the district for this type of sport, and this facility would boost the opportunities available for local riders to take part in and excel in Dressage. This may have a future impact on our Olympic medal chances, although this is unlikely to be a major consideration in this proposal when balanced against the potential harm to the Green Belt.

The proposed numbers using the site are fairly low key, and these and the hours of use can be conditioned. It is to be welcomed that no competitions are proposed, as this would undoubtedly have an adverse impact on the site in terms of numbers, vehicles and general disturbance. This can also be conditioned. The use is also in keeping with the current equestrian use on part of the site, and is not out of keeping with this rural area.

However, whilst it is the case that the proposed use is relatively low key, the building that houses it is not. This is a large building and its impact on the area needs to be considered. The building, although of a fairly utilitarian appearance, is typical of farm buildings in the district (such as at Mitchell's Farm to the north), and does not appear out of place on this site. The building has also been built into the sloping ground on the site, the roof has a shallow pitch, and the building is clad in green with a grey roof, which reduces its impact. The building is also set against the background of existing farm and commercial buildings on this site.

The proposed landscaping is welcomed and will see a significant amount of new hedge planting to the north and west of the site. This, combined with the fact that the building is near the bottom of a valley, will greatly reduce the impact of the building in this area.

Highways

The scheme will see some increase in traffic onto the site. This will be occasionally, on weekday mornings with a car for a trainer, and for weekday afternoons and weekends with trainers and trainees. Due to the one to one basis of the training, and the fact that only one rider will be in the building at any one time the maximum number of vehicles and horsebox movements would be 4 per hour.

Although the Parish Council expressed its concern over the increase in traffic, it is considered that the proposed use would not generate an excessive amount of traffic using the main road. The area in front of the building will be used for the parking of the horseboxes and the site is laid out to facilitate the smooth flow of vehicles. The access onto Stapleford Road is acceptable, and the Highways Section has raised no objection to this scheme. The parking of horseboxes and vehicles will be against the backdrop of the existing farm buildings and will not cause any harm visually.

Impact on Neighbours

The nearest neighbouring properties that would be affected are the residential properties in Stapleford Road to the west. These are some 130m distant. It is considered that there will be no adverse effects on any neighbouring property.

Drainage

The Parish Council has raised concerns over drainage and foul water disposal. Both of these issues can be dealt with by way of the appropriate conditions.

Conclusion

This is a finely balanced case as it is contrary to Local Plan Green Belt policy due to the size of the dressage ring building. It is to be deplored that the buildings have been erected without the benefit of planning permission, but the case must be determined on its merits.

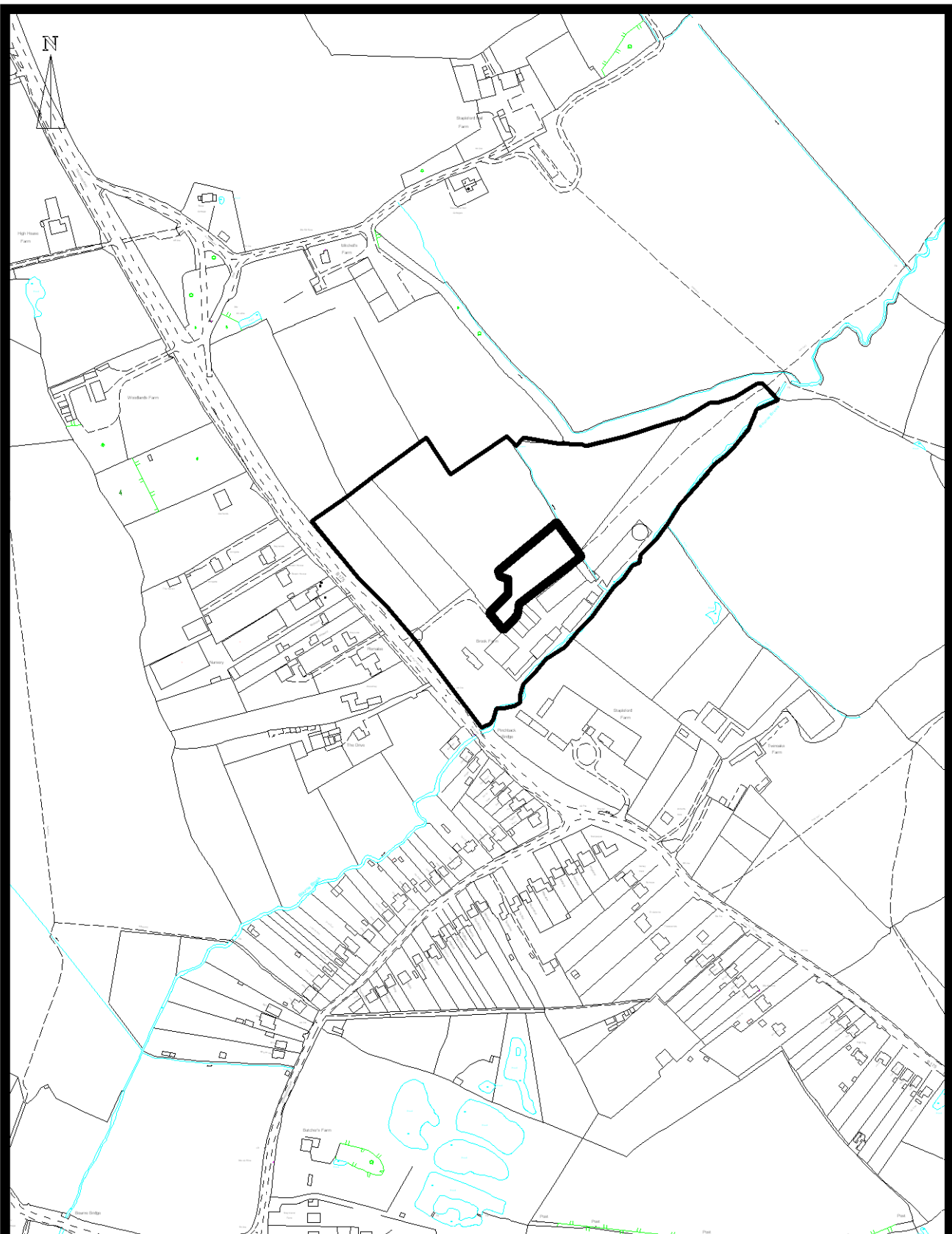
The applicant has provided a considerable amount of information about the use of the site, and it is the case that this use will not cause harm that would justify a refusal, and is appropriate in this rural area. There is little negative impact on the character and appearance of the Green Belt as a result of the dressage ring building, even though it is a large structure, due to its siting and appearance and it is the case that this will be lessened by the proposed landscaping. There are no highway objections or adverse impact on neighbours.

Therefore the very special circumstances put forward are considered to overcome the inappropriate nature of the size of the building, and therefore the recommendation is for approval.

SUMMARY OF REPRESENTATIONS

PARISH COUNCIL – Object, recommend refusal of this application, it is concerned about the nature of the development as the dressage ring is of competition size and would attract public usage (albeit on a one to one training basis) from a very wide area. It feels that this could generate a large amount of additional traffic of large vehicles (horse boxes) in and out of the Brook Farm entrance, which is situated, on a stretch of road to which the national speed limit applies. The proposal for outside (non family) usage is on a daily basis until 8 pm, which is potentially a lot of horseboxes daily. Brook Farm is already a busy industrial area and any additional heavy traffic should be discouraged. Councillors are also concerned about the quantity of surface water draining from the roof of the building into an existing ditch which, in turn drains into the Bourne Brook. As the brook is already subject to flooding in times of heavy rain this could pose a serious problem. There is also concern that no provision has been made for the removal of foul sewage. Any enterprise of this nature would create a volume of foul sewage which in the absence of any specific provision would also drain into the Bourne Brook.

The Parish Council also feels that Stapleford Abbots already has more than its fair share of "horsey" enterprises.



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