

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee C Wednesday, 15th February, 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 - 12)

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 13 - 48)

(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:** 18 January 2006

Place: Civic Offices, Epping **Time:** 7.30 - 7.55 pm

Members Present: K Wright (Chairman), Mrs D Collins, P Gode, Mrs H Harding, D Jacobs, D Kelly and Mrs M McEwen

Other Councillors: (none)

Apologies: R Morgan

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

54. 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.

55. MINUTES

RESOLVED:

That the minutes of the meeting held on 14 December 2005 be taken as read and signed by the Chairman as a correct record, subject to the following amendment:

- (a) That minute 48 should read "Braces Yard" rather than "Brass Yard".

56. DECLARATIONS OF INTEREST

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

57. ANY OTHER BUSINESS

The Sub-Committee felt that holding a meeting for one application had not been a good use of public money, especially as the application concerned had been a retrospective application. Some members of the Sub-Committee felt that perhaps it would be helpful to re-examine the Sub-Committees and that this issue should be raised for discussion at both Overview and Scrutiny, as well as the regular meetings between the Chairmen, Vice-Chairmen and Planning Officers for the four Sub-Committees.

RESOLVED:

That the issue of holding a Planning Sub-Committee to determine a single application be raised for discussion by:

- (a) The Meeting of Development Control Chairmen and Vice-Chairmen; and
- (b) Overview and Scrutiny.

58. DEVELOPMENT CONTROL

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

RESOLVED:

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

59. 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

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
DESCRIPTION OF PROPOSAL:	Retention of indoor dressage ring and horse exerciser with associated parking and landscaping.
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 and surface water.

9 The dressage ring shall only be for training purposes. It shall not be used for competitive use at any time whatsoever.

10	The building hereby approved shall be used for dressage use only and for no other purpose whatsoever.
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AREA PLANS SUB-COMMITTEE 'C'

15 February 2006

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
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3.	EPF/1991/05	Laughters Farm, Faggotters Lane, Matching	Refuse	25
4.	EPF/1686/05	Woodlands Farm, the Street, Sheering	Grant	31
5.	EPF/2043/05	33 London Road, Stanford Rivers, Ongar	Grant	34
6.	EPF/1075/05	High House Farm, Stapleford Road, Stapleford Abbots	Refuse	37
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Report Item no.1

APPLICATION No:	EPF/0022/06
SITE ADDRESS:	Site at Former Braces Yard Mill Lane High Ongar
PARISH:	High Ongar
APPLICANT:	High Ongar Parish Council
DESCRIPTION OF PROPOSAL:	Erection of new village hall including new vehicular access. (Revised application)
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 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 The development shall be carried out in accordance with the amended plans received on 23/01/2006 unless otherwise agreed in writing with the Local Planning Authority.
- 4 The sight lines of 90m x 4.5m x 90m, shown on the approved drawing nos. 505/01 Rev.H and 505/03, shall be provided on site before first commencement of the use of the building hereby approved. The sight lines thereafter shall be clear of trees, branches and hedgerow growth clear to ground level.
- 5 The new access shall be laid to a gradient not exceeding 4% for the first 6m and 8% thereafter.
- 6 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of visitors vehicles.
- 7 Prior to the commencement of the development details of the proposed surface materials for the access, access road and parking spaces 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.
- 8 Details of surface water interception and discharge shall be submitted and approved in writing by the Local Planning Authority before commencement of work on site. The details shall safeguard against discharge onto the highway and surface water details as agreed by the Local Planning Authority shall be carried out before first occupation of the building hereby approved.

- 9 Prior to the development commencing on site, adequate provision for foul drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage shall be in place, as agreed, prior to first occupation of the approved building.
- 10 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 11 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.

- 12 Details of secure covered cycle and motorcycle parking provision shall be submitted and approved in writing by the Local Planning Authority and carried out on site as approved prior to first occupation of the building hereby approved.
- 13 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 and 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.

- 14 Before first occupation of the building hereby approved, the existing vehicular access currently in the southernmost point of the site, shall be removed, resurfaced and planted to details as agreed in writing by the Local Planning Authority.
- 15 Before any part of the development hereby permitted commences at the site, a scheme shall be submitted to and approved in writing by the Local Planning Authority securing works to the adjacent highway necessitated by this scheme, including a footway to be provided along the length of the site to the adoptable standards of the Highway Authority, to include lighting, tactile dropped footway crossing points and a tactile dropped kerb/pram crossing to allow the crossing of Mill Lane between the east and west sides. The works as agreed shall be carried out and completed prior to first occupation of the building hereby approved.

Description of Proposal:

Proposed village hall building, 13m x 20m in footprint, 6.8m high to ridge of proposed tiled, hipped, pitch roof. It would be located centrally towards the Mill Grove end of the site; with a village green and grassed area southeast and north of it. A new vehicular access will be formed through the existing hedge from Mill Lane leading to a car parking area for 29 parking spaces. An existing access into the site, in the southwest corner, will be closed.

Description of Site:

Since Mill Grove housing development for 25 houses was built about 3 years ago, the southern part of this former timber yard site (Braces Timber Yard) intended for a new village hall has been left vacant. Located on the east side of Mill Lane previous buildings on the site associated with the timber yard have been demolished. Whilst the site is located in the Green Belt, it is surrounded on three sides by housing. Views into the site from Mill Lane and from the open countryside to the east are generally screened by tree and hedges.

Relevant History:

EPF/985/00 - demolition of existing buildings and proposed development for 25 houses (7 affordable) and a village hall with open space - Granted planning permission 22/1/02.
EPF/1657/05 - erection of new village including new vehicular access - Refused 14/12/05 – Reason - New vehicular access results in serious loss of amenity to No's. 38 and 40 Mill Lane, opposite.

Policies Applied:

Local Plan:
Green Belt - GB2, C2 (Structure Plan)
Community Buildings - CF8, CF9
Siting, amenity issues, design and appearance - DBE1 & 2
Parking - T14, T12 (Structure Plan)
Highway Safety - T17, T8 (Structure Plan)
Landscaping and Trees - LL10
Promoting Accessibility - T3 (Structure Plan)

Issues and Considerations:

The main issue is whether the proposed building would be in keeping with its surroundings and whether the revised position of the new vehicular access overcomes the previous reason for refusal, i.e. the local residents living in the vicinity of the site are not unduly harmed. Also, would there be any serious highway issues associated with a new vehicular access onto Mill Lane.

1. Visual Impact

A village hall has been previously approved on this site. Very special circumstances were demonstrated to justify redevelopment of this site in the Green Belt as it was previously brownfield land and the residential element (25 houses) have been built and are occupied. The principle of a village hall is there acceptable.

This proposal is smaller in footprint (260m² compared with previous approvals for 360m² and 500m²) and more compact. In design terms it will be similar and have a general traditional brick and tile appearance. There will be no undue intrusion into the Green Belt. The boundary of the site to the open fields to the east is screened by existing vegetation and the larger portion of the site will be grassed. The building itself would be a reasonable 35m away from houses to the west in Mill Lane to not cause direct impact to these residents.

Soft landscaping to the side of the nearest house, 22 Mill Grove, will reduce the impact of parking in this part of the site. Soft landscaping, involving retention and replanting of the current hedgerow along the Mill Lane frontage will help screen the parking area from being visually prominent in the street scene. The Committee had no previous objections to this element of the previous planning application.

2. Amenity Issues

The 2002 two planning permissions proposed vehicular access via Mill Grove, which currently ends as a T-shape turning area. This was because the housing development and the village hall were part of one planning application. However, the new village hall was not built and access through the housing estate would now bring increased vehicular movement and likely disturbance to these residents. To safeguard against this a new vehicular access was proposed off Mill Lane but it was directly opposite houses 38 and 40 Mill Lane and the Committee agreed with Officers that this would be very unneighbourly.

The proposed access has been moved approximately 20m south and will not be opposite any neighbouring houses. In this position the impact of the development on the amenities of the local residents will be much reduced and is now considered to be acceptable.

Some of the residents of Mill Grove object to the pedestrian access from the north boundary of the site, but this is likely to be a low key use and designed for the convenience of the residents rather than access for overspill car uses.

3. Parking and Highway Issues

Parking provision (26 spaces + 3 disabled size spaces) is commensurate with a communal hall building of the size. There is space potential in the site for further parking when the need arises and therefore on-street parking associated with the proposed development is unlikely, particularly in Mill Lane. Highway Officers have raised no objection to the new vehicular access in highway terms, subject to sight lines being clear to allow clear vision both ways on exiting the site. This will

remove hedges and shrubs along this part of Mill Lane and initially open up the site. New planting by condition will allow the hedgerow in time to redefine this boundary.

However, existing access further to the south will be closed. Subject to detailing of the access and parking area plus a new footway with street lighting provided along the boundary of the site to Mill Lane, there are no highway objections to the proposal. The closure of the current southern most access, no longer in use, is also welcomed in streetscape terms.

Summary

There is no objection in principle to the development.

The size, design and appearance of the proposed building and parking area is commensurate with its surroundings and would not harm the character of this part of the Green Belt or the more open countryside beyond.

The access arrangements on highway safety is considered acceptable, subject to provision of a footway along the side of Mill Lane linking Mill Grove to the site entrance, to adoptable standards (including lighting). The fear of overspill parking can be accommodated in the site, and any further parking beyond this is unlikely to be frequent to justify refusal. Furthermore, this was not the reason for the refusal on the previous planning application and was considered by the Committee at that time. The sole reason for refusal was the position of the access directly opposite residents of 38 and 40 Mill Lane.

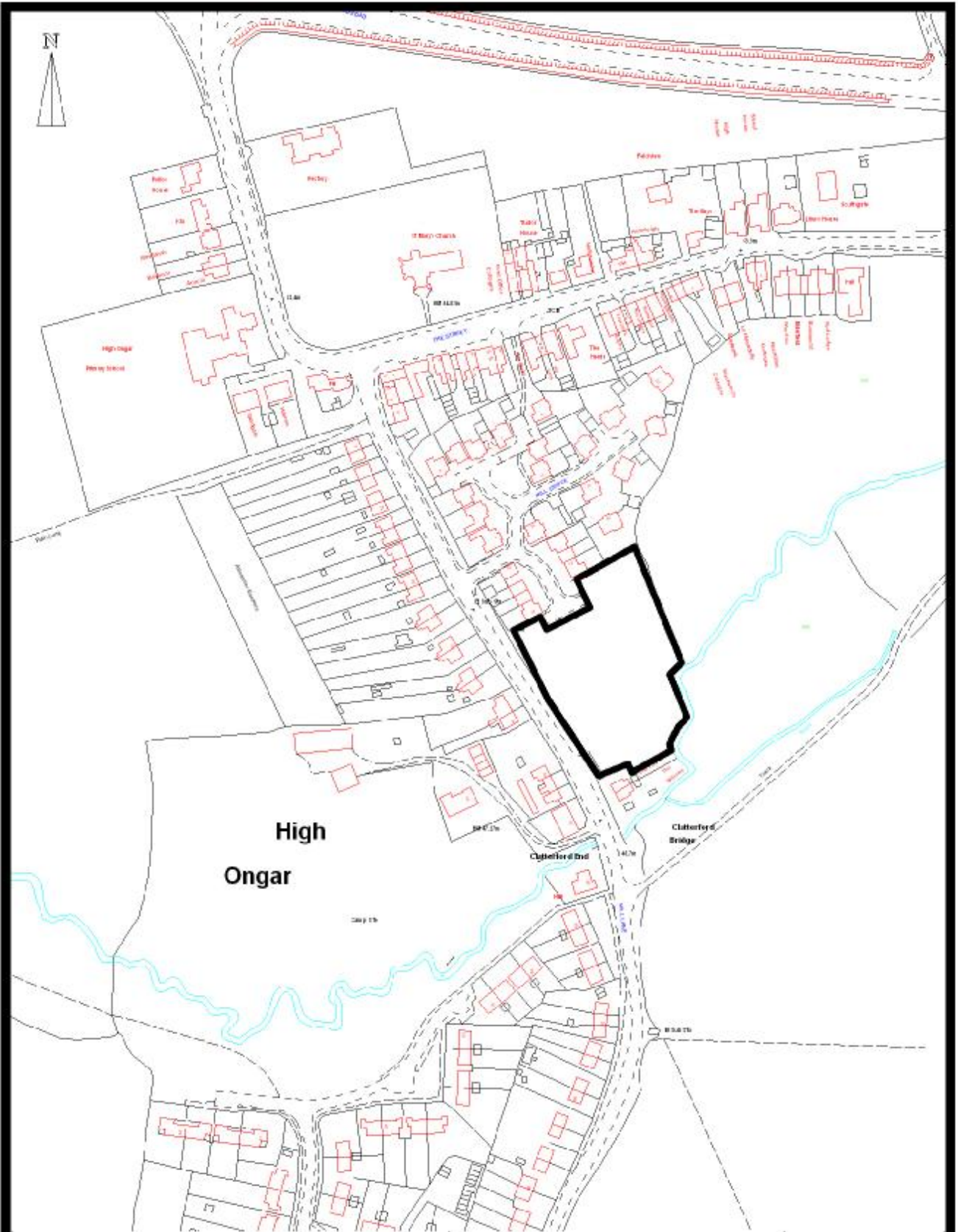
This proposal overcomes the previous reason for refusal and is recommended for approval.

SUMMARY OF REPRESENTATIONS:

STREET HOUSE, THE STREET – Appreciate plans show statutory requirement for off street parking but feel this is inadequate because of the halls capacity and the type of events that will be held there, e.g, weddings or party attended by 120 people could bring about 60 cars vying for 26 spaces plus 3 disabled. Mill Lane already over parked for busy access to the village, can pass through at present because of spaces between parked cars, but if taken up by more parked cars, will logjam for residents, surrounding streets and emergency vehicles. No indication on plans for overspill and Village Green (Green Belt) is just that, which would not be suitable on a rainy day. No indication on plans of a pavement from Mill Grove or street lighting, no doubt will be required, no provision on plan for new entrance to be gated to prevent travellers or overnight parking.

RESIDENTS OF 19, 21, 22, 24 AND 25 MILL GROVE – Oppose pedestrian access into Mill Grove and feel more parking should be made available to stop overspill into our roads which will bring disruption. This will encourage visitors to park in our road. Weddings here may have a hundred and fifty guests there will certainly be more than 29 cars.

HIGH ONGAR PARISH COUNCIL – In response to the first representation above, 29 off-street parking spaces is the statutory requirement for a hall of this size, appreciate that will be occasions when car parking will be significantly above this but this has been built into the plan; aware that Highway staff will demand adequate provision of street lighting and pedestrian access, which will be addressed as required; low level lighting – a health & safety risk assessment must be carried out and will ensure adequate provision is made; security – aware of health and safety obligations and gates will form part of the process. We will ensure any effects on local residents, particular vehicle movement are kept to a minimum.



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Item No: 01
Scale: 1:2500



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Report Item no.2

APPLICATION No:	EPF/1754/05
SITE ADDRESS:	Ruallan High Road North Weald Bassett Epping Essex
PARISH:	Bobbingworth
APPLICANT:	Peer Group
DESCRIPTION OF PROPOSAL:	Removal of agricultural occupancy condition.
RECOMMENDED DECISION:	GRANT

NO CONDITIONS

Description of Proposal:

The application is for the removal of an agricultural occupancy condition that relates to the dwelling the wording of which is: "The occupant of the dwelling known as Ruallen shall be limited to a person solely or mainly working or last employed in the locality in agriculture or forestry or a widow or widower of such person and to any resident dependents".

Description of Site:

The house is one of a pair of semi-detached dwellings on the Ongar Park Hall Estate on the fringe of North Weald Village. There is open land to the rear and to the east. The site lies about 90m from North Weald High Road.

Relevant History:

The pair of agricultural dwellings was approved in 1963 to provide accommodation for workers on the Ongar Park Hall estate.

EPF/55/99 Use without compliance with agricultural occupancy condition. Refused. Subsequent appeal was dismissed and the more general agricultural occupancy condition quoted above was applied, November 1999.

Epf/480/02 Continued use of dwelling without compliance with agricultural occupancy condition. Refused June 2002

Policies Applied:

Green Belt policy generally and particularly GB17 of the adopted Local Plan.

Issues and Considerations:

The key consideration here is whether the retention of this dwelling for occupation by an agricultural worker is necessary. Policy GB17 of the adopted Local Plan deals specifically with the erection of new agricultural dwellings and at Paragraph 5.96 consideration is given to the removal of agricultural conditions, wherein it states the Council will have regard to the following 6-point criteria.

1. Current demand for houses for framers of farm workers in the locality.
2. Whether there are any vacant agricultural dwellings in the neighbourhood.
3. Whether there have been recent applications by agricultural workers for council houses.
4. Details of efforts to dispose of the dwelling subject to the condition, whether advertised, how frequently and for how long.
5. What the asking price or rent was and whether this reflected a reduction in value arising from the condition and
6. Whether there have been other recent applications nearby for agricultural dwellings.

This criteria was applied in considering the last two applications and the appeal in 1999. At that time the applicants failed to provide any detailed information to support removal and the Inspector found that the Councils supporting evidence showed that there was a continuing demand for agricultural dwellings in the locality.

Now however the applicants have submitted a considerable amount of information to support their application.

The property has been marketed through an estate agent with an asking price of around 30% less than the unencumbered market price of the property. It has been advertised locally in the Essex Chronicle in February June and September 2005 and in the Country Properties section of Farmers weekly 6 times over the period December 2004 to June 2005. The property has also appeared on the Acorus estate Agents general property list, which is produced monthly throughout 2005. The property also appears on the Acorus website. During this period of marketing (December 2004 – September 2005) a total of only 11 requests for particulars were received and only 1 request to view the property. The one request to view was from someone who would not fully comply with the condition. The Agents also directly contacted 96 agricultural holdings within a 10KM radius of the property through a postal survey seeking information about the need for agricultural dwellings and mentioning the availability of Ruallen. They received 12 surveys back of which 5 expressed an interest. Details were then sent to these five including a guide price. No further interest was shown and no offers were received.

In addition to this marketing exercise the applicants have provided evidence from DEFRA census data of the agriculture within the local area and its decline between 1990 and 2003. This shows amongst other things that the number of people employed full time in agriculture declined by about 29%, and that the number of livestock in the vicinity (which is the most often quoted reason for needing convenient housing) has fallen even more significantly.

When the Council successfully resisted the removal of the condition at appeal in 1999 we argued that there had been recent applications elsewhere in the North Weald area for new agricultural dwellings, which demonstrated a need for such dwellings in the locality. Additionally there was a worker actually interested at that time in renting the property. Since then however there has only been one application in the North Weald parish for such a dwelling and as that was the change of use of an existing building it was approved. We therefore have no evidence of a current demand for agricultural workers dwellings in the locality.

An adjacent resident has suggested that someone employed as a greens keeper on the adjoining golf course could occupy the dwelling, but such a person would not be in compliance with the occupancy condition.

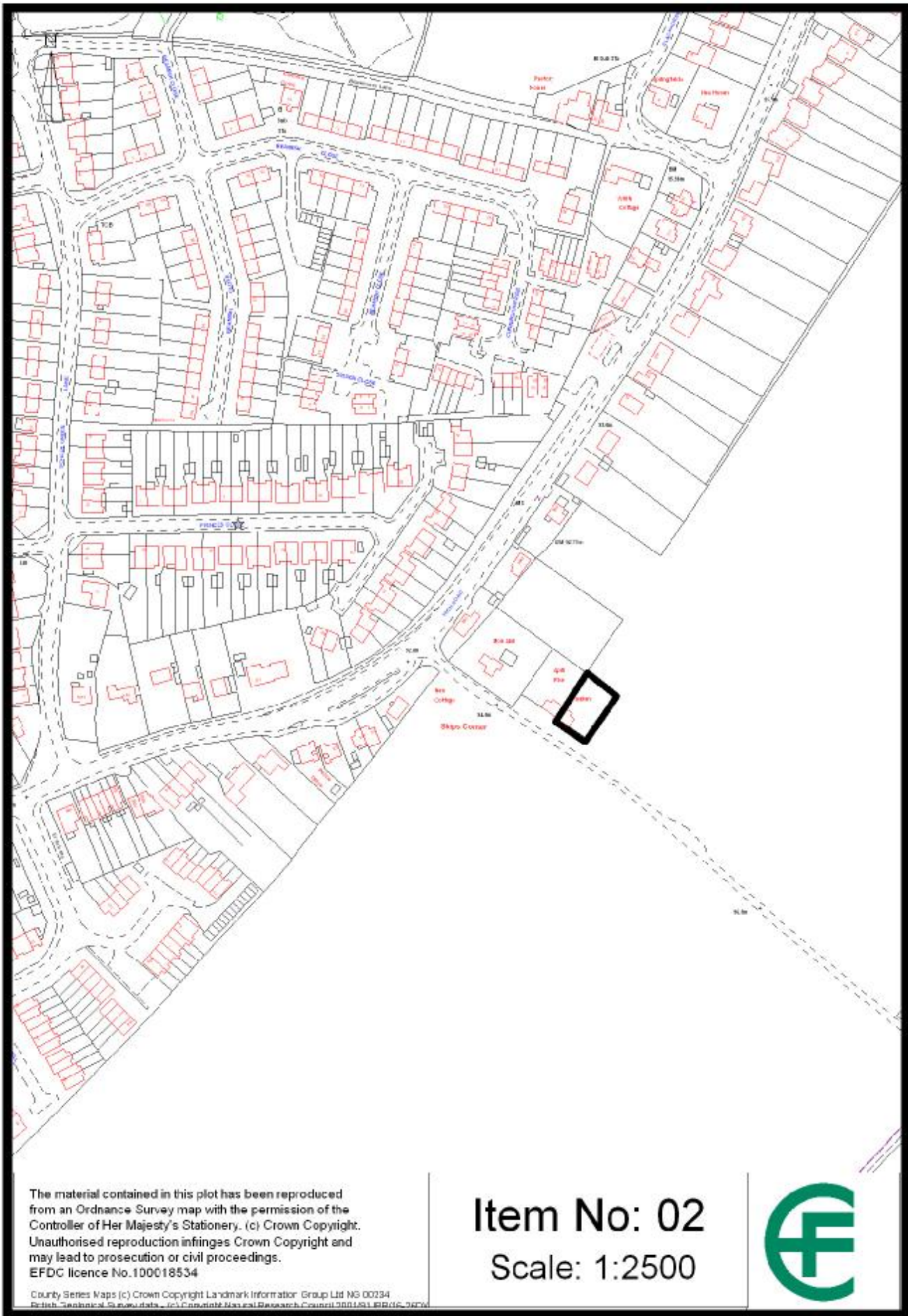
Conclusion.

In conclusion, it is considered that sufficient evidence has been presented to demonstrate that there is not a need in the locality for this agricultural dwelling, as such it would not be reasonable to insist on the retention of the condition which would mean that the property would lie empty rather than providing a home. The application is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

NORTH WEALD PARISH COUNCIL – Objection. Members were of the view that the proposed change was not appropriate.

APRIL RISE, SKIPPS CORNER - The Ruallen covenant has already been changed to cover a wider range of employees. An employee from Ongar Park Farm has contacted them. Local Golf course green keepers could be viable occupants. The covenant should stay in place. The owner's reason for wanting this is purely financial. The covenant protects people who are in a vulnerable position and should be retained.



Report Item no.3

APPLICATION No:	EPF/1991/05
SITE ADDRESS:	Laughters Farm Faggoters Lane Matching CM17 0NU
PARISH:	High Laver
APPLICANT:	C Beetlestone
DESCRIPTION OF PROPOSAL:	Change of use of the existing farm buildings into two dwellings and garage/store. Relocation of garage with new vehicular access for 'Laughters House' .
RECOMMENDED DECISION:	REFUSE

REASONS FOR REFUSAL

- 1 The site is within the Metropolitan Green Belt. The proposal represents inappropriate development and is therefore at odds with Government advice, policies GB2 and GB8 of the adopted Local Plan and policies C2 and RE2 of the adopted Replacement Structure Plan for Essex and Southend-on-Sea. The local planning authority is not satisfied that the use of the building for residential purposes can be accomplished without major reconstruction works.
- 2 The proposal would lead to a form of unsustainable development since the provision of new dwellings 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 Essex and Southend-on-Sea Replacement Structure Plan.
- 3 The site is within the Metropolitan Green Belt. The erection of a detached garage given its size, bulk and prominent location, would result in an intrusive development detracting from the open character and appearance of the Green Belt, contrary to policies GB2 and GB14 of the adopted Local Plan.

This item has been called to committee by Councillor Morgan.

Description of Proposal:

Consent is being sought for the change of use of the existing farm buildings into two dwellings with garage, office and store. The application also includes the erection of a new garage and access thereto for the original farmhouse.

Description of Site:

A detached dwellinghouse and redundant farm buildings located on the southern side of Fagotters Lane, High Laver within the Metropolitan Green Belt. The two buildings to be converted to

residential units front the road and although they are in a run down condition comprise an attractive collection of vernacular buildings within the countryside particularly when viewed from the road. The larger barn of the two to be converted to residential is weatherboarded with low brick plinth and corrugated roof. The small barn is brick built with tiled roof and the linking section between the two barns has an open elevation with wooden frame supports where it fronts the road. The smaller buildings to the rear are to be used for garaging/store and office and are weatherboarded with tiled roofs. Laughters House to the east is located some 15m from the smaller barn with garden to the side and rear.

Relevant History:

EPO/178/63 – Utility room - Approved
EPO/28/68 – O/A conversion of barn to dwellinghouse - Refused
EPO/673/73 – Details of extensions and alterations – Approved with conditions
EPF/760/95 – Erection of rear conservatory - Approved

Policies Applied:

Structure Plan:
RE2 – Re-use of rural buildings
C2 – Development within the Metropolitan Green Belt
CS4 – Sustainable new development
H2 – Housing development (the sequential approach)

Local Plan:
GB2, GB8, GB14 – Green Belt considerations
DBE1, 2, 4, 8, 9 relating to design and amenity considerations
LL2 – Inappropriate development
T14 and T17 – Highways considerations

Issues and Considerations:

The main issues in this application relate to whether or not the buildings are capable of re-use for residential purposes and whether or not it is desirable that they be put to new use, the impact of the proposal on the surroundings and the Green Belt, sustainability, effect on amenity and any highway issues.

Green Belt

Policy GB8 of the Local Plan and RE2 of the replacement structure plan allow for the re-use of rural buildings provided that the buildings are of permanent and substantial construction and that they are in keeping within their surroundings by way of form, bulk and general design.

Policy GB8 sets out a hierarchy of uses which must first be considered concluding with residential only where other uses are clearly unsuitable. However, the policy is clear that residential use should only be pursued were the Council considers it is desirable that the buildings be brought back into beneficial use.

In a statement of support of the current submission the applicant has argued that due to poor, narrow and difficult access routes to and from the site the buildings would not be suitable for commercial use and this view has been reinforced by the Highway Authority.

As previously acknowledged this range of buildings, although not listed, have an attractive vernacular appearance but whether or not the necessary works of adaptation to residential could be accomplished without major or complete reconstruction is of considerable concern here.

Barn 1

This is the largest barn on the site and is proposed to have 4 bedrooms with a first floor added within the roof space. There is a lot of disrepair within the fabric of the building. Large sections of weatherboarding are missing; there is cracked and loose brickwork within the plinth and missing timber supports. The roof is corrugated sheeting and whilst it may be acceptable for this to be replaced, arguably, the existing beams would not support a heavier roof structure. It also appears that there would be a need for some rebuilding of the brick plinth. These shortcomings do not themselves indicate that the barn is incapable of being converted, but taken in conjunction with the proposed alterations, they suggest that the building operations necessary to create a modern dwelling would be far more than could be achieved by, or reasonably described as, works of ordinary maintenance or repair.

The structural survey submitted with the application argues that its former users have adapted the frame possibly to fit in large modern farming machinery. Some structural timbers have been removed or damaged and the internal flank wall between the two frames has been removed and would need to be replaced by new timbers and that whilst the main frame and posts are suitable to form the main structure for the proposed conversion, new oak timbers would be required along with extra diagonal bracing to ensure the roof's stability.

The existing lean to is falling down and would have to be demolished and replaced.

On the information available and the economic reality of a conversion of this magnitude, officers are not convinced that the development would not entail a radical reconstruction of the principal building elements. This would be at odds with one of the main criteria of policies RE2 and GB8.

Barn 2

This is a smaller barn attached to Barn 1 and proposes a conversion to a 2 bedroom dwelling utilising the roof space. The barn is a mixture of brick and weather boarded walls, partly open to the front facing the road. The roof is finished with tiling. The brickwork is relatively new and the roof appears to be in a reasonably sound condition. New supporting beams have been added internally and apart from some renovation work associated with the use for a dwelling this barn would appear adequate to convert without major reconstruction. It is proposed that half of the existing attached garage would be removed and a replacement structure built adjacent to the Laughter's House to provide garaging for that property with the remaining half being retained as garaging for this barn.

Garage with store

This existing building is located to the south of the main barns and is not visible from the road. It is currently used for both storage and garaging, however an element of the eastern section would be removed in order to allow greater turning space within the site. It would still house 4 parking spaces and a storage area for the occupiers of Barn 1. Although the barn has some areas of disrepair, mainly damage to the weatherboarding, it is essentially of sound construction and given the intended use is considered of acceptable condition for the proposed use. The garage is divided internally however both areas are deep and wide enough to house 2 cars each with dimensions of 4.1m wide x 4.9m deep and 4.1m x 4.9m deep respectively.

Office

This is located in the south west corner of the site and appears to have been used as a granary in the past. The building is relatively unobtrusive and although it is in some state of disrepair due to its proposed use as an office it is not considered that works to renovate the building would need to be major.

Relocation of garage, new vehicular access and gates

Although the agent describes this as a relocation, in reality a new detached garage of brick and tiles would be erected adjacent to the farm house. It would be 5.2m wide by 7.6m deep by 4m high finished with a pitched roof. Whilst part of the original garage building would be removed aiding openness the construction of a replacement, in an existing open area would spread development away from the main bulk of buildings further into the Green Belt. Such new development would add to the urbanisation of the site which is felt to be unacceptable. Considering that there appears to be a suitable amount of garaging on the existing site an additional building of this size and prominence would further detract from the openness of the green belt and be detrimental to the visual amenities of the area. This is contrary to Policy GB2 and DBE4 of the adopted Local Plan.

The Highway Authority has raised no highway objection to the new vehicular access although this alteration would further add to the visual impact of the development.

Sustainability

The concern here, as is the case with many barn conversions is the comparative remote siting of the barns, isolated as it is from any large settlement which could provide local services, particularly public transport. Laughter's Farm is some $\frac{3}{4}$ mile from the nearest village of Matching Tye. Although only a small village it does provide a basic level of services but the fact remains that the occupiers of the barns would be totally reliant on private cars for transport to and from the site.

Whilst this is a concern of officer's it has to be acknowledged that the traffic generated by two barns would not be great and needs to be offset against traffic movements generated by the barns original use. However this would be for a more acceptable form of traffic movement as it would have been associated with the purposes of agriculture and not solely related to a residential use.

A recent Inspectors decision relating to another local barn conversion to residential use was that the development would inevitably promote car borne journeys by the occupiers of the dwellings which given the lack of sustainable community would be contrary to the approach of national and strategic planning guidance. It is considered that the Inspectors comments can be similarly applied here with the proposal being contrary to Policy CS4 of the Structure Plan.

Other Issues

The amenity space areas would be located to the rear of both converted dwellings. The amenity space for barn 1 is in line with Local Plan policy DBE8 in that it is to the rear, is easily accessible, is of a size and shape which enables reasonable use, would received sunlight throughout the year and would achieve privacy on a continuing basis through the erection of a fence dividing the two barns.

The amenity space for Barn 2 is smaller but reflects the smaller size of the barn, however it is less private than the garden for barn 1 as it would be adjacent to the driveway into the neighbouring property. It will be inevitable that the future occupiers in order to maintain a higher level of privacy would wish to erect a barrier of some form around this area. Although this would be an additional element of paraphernalia typical of a residential use as it is well hidden from the surrounding area this aspect is probably acceptable.

Apart from the additional traffic movements there would be little or no impact on the amenity of neighbours.

Conclusion:

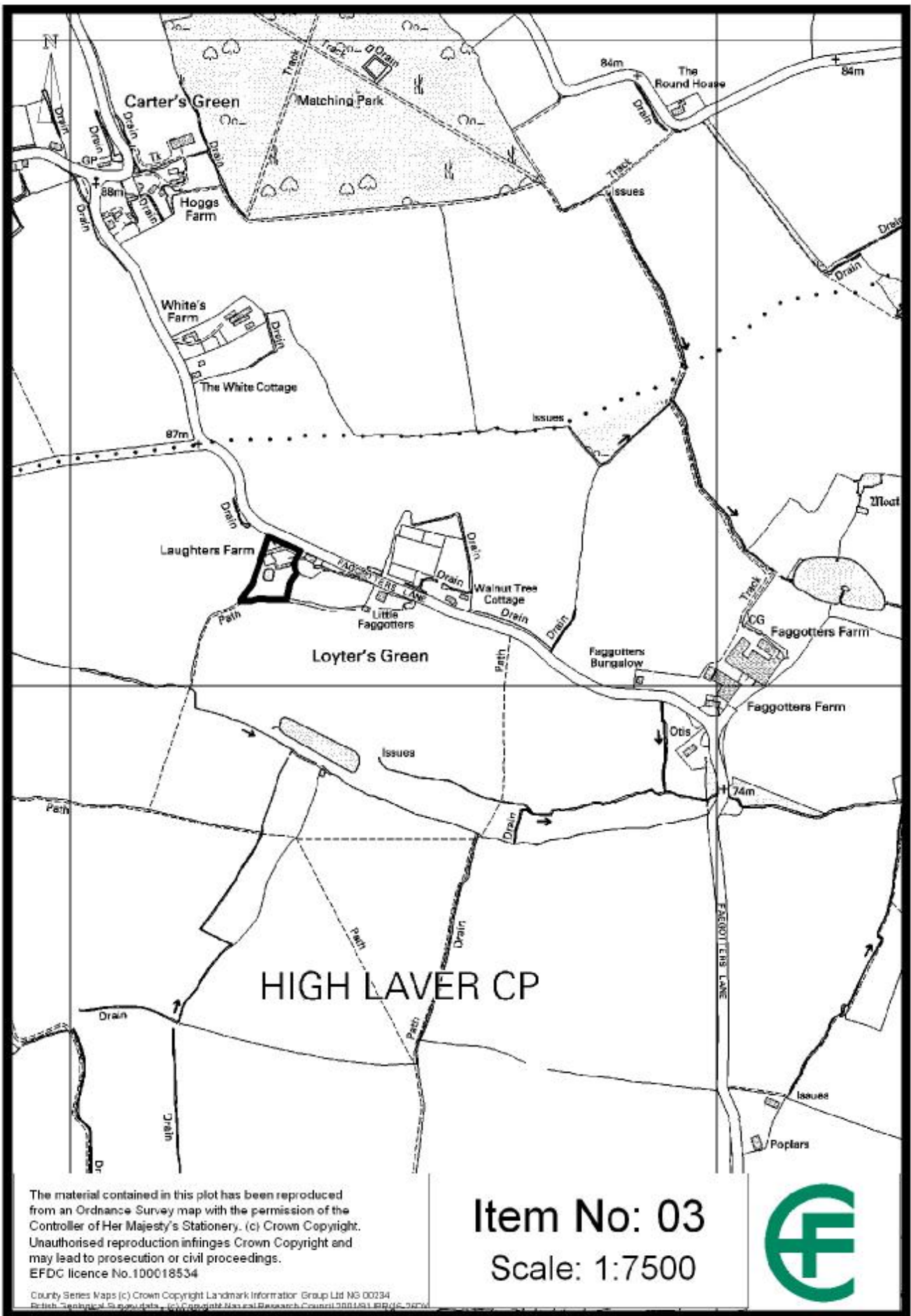
There is policy support for the conversion of rural buildings to residential use provided the Council are satisfied that it is desirable that the building/s be brought back to a beneficial use. These buildings although not listed are both traditional and attractive and create a pleasant vernacular scene. Being fairly prominent it is befitting that a use be found for the buildings if they are not to become further dilapidated and thus a visual eyesore.

The buildings are, however, in poor structural condition and almost certainly will require major work to convert to residential use. This is contrary to the main tenure of Policy GB8 and if allowed could set a precedent on many other sites in the area. Of further concern here despite the removal of some existing structures is that by allowing the current farm buildings to be separated from the farmhouse further new development by way of a new double garage and access thereto is proposed. This new development is unjustified and would detract from the locality's current openness.

On balance whilst it would be regrettable to see these traditional buildings decline further, the proposals are contrary to Green Belt policy and if permission were to be granted could be used as a precedent elsewhere to the overall detriment of the area. The application is, therefore, recommended for refusal.

SUMMARY OF REPRESENTATIONS:

None received



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Item No: 03

Scale: 1:7500



Report Item no.4

APPLICATION No:	EPF/1686/05
SITE ADDRESS:	Woodlands Farm The Street Sheering Harlow Essex CM22 7LY
PARISH:	Sheering
APPLICANT:	G Swaile & L Fox
DESCRIPTION OF PROPOSAL:	Erection of tractor store and stables.
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 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 The building hereby approved shall be used for the purposes of stabling horses and storage purposes ancillary to that use at Woodlands Farm only and for no other purpose without the prior written permission of the Local Planning Authority.

Description of Proposal

Erection of tractor and machinery store and stables with associated tack room, toilet and office. Pitched roof building measuring 29.5m long by 7.8m wide by 5.1m and would provide stables for 7 horses.

Description of Site

Farm and yard located to the rear of farmhouse on the southern side of The Street, Sheering with access just west of Longlands bridge. Currently on site there are two large agricultural buildings and storage tanks. 11 acres of land within the site available for grazing and exercising.

Recent History

EPF/1351/97 – Erection of replacement livery stables with garage, tack room and toilets –
Approved with conditions 9/12/97

Policies Applied

RST4 and RST5 relating to keeping of horses and stables
GB2 – General restraint in the green belt

Issues and Considerations

The main issues here relate to the impact of the stables on the surrounding area and on highway safety and the impact of a new building within the green belt.

The history of the site is as follows: - Up to the time of the previous application the site had been in long term use for commercial stabling, with the original stable block housing up to 32 horses. Approval was granted in 1997, for a stable building with a reduced capacity for 12 horses therefore reducing the number of horses kept on the site and that the proposed building was of a suitable design, size and that it would not be prominent in the green belt.

Work on this stable block commenced with foundations and slab laid but the building was never completed. At time of the site visit a concrete base was visible. This application further reduces the amount of stables, although the building remains the same size and in the same location. In green belt terms given that the stable building is located behind the farmhouse it will not appear conspicuous.

The enterprise is for commercial use, as was the case previously. Given the long history regarding this site in that it has been used as a livery use and stables have been on site since the turn of the century, combined with the previous approval it would be difficult to resist this proposal.

The development would not have a significantly adverse effect on the appearance of the landscape, the amount of horseriding is not likely to lead to excessive highway danger (given the history of the site), 11 acres is considered adequate for 7 horses, and that appropriate fencing is already in place, it is considered to comply with RST4 which relates to the keeping of horses whether commercial or private.

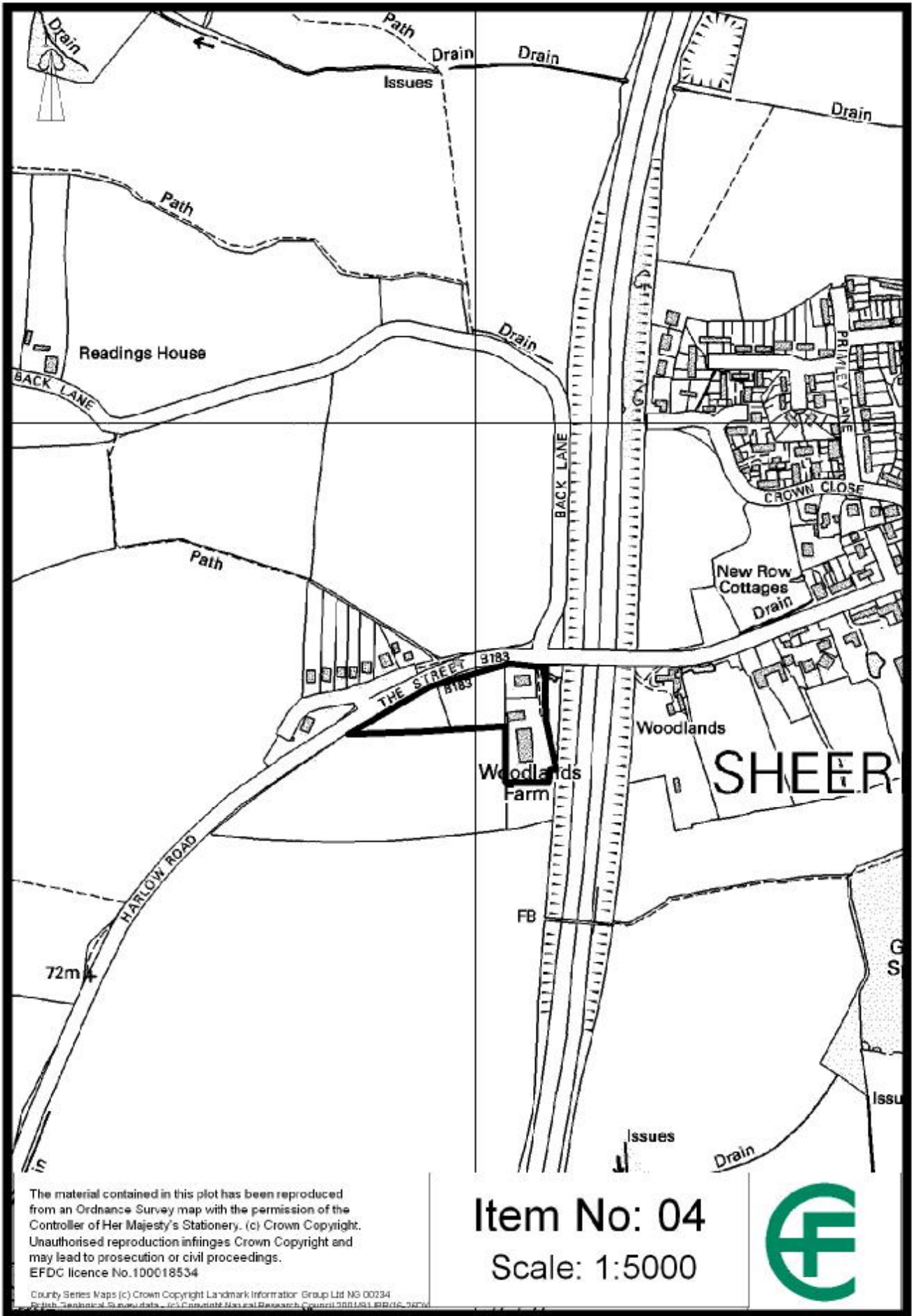
Furthermore there is adequate space for car parking in connection with the use and highways do not object, and as the size of each stable is 3.4m by 3.4m by over 3m high they are considered of an adequate size to meet the welfare requirements of the horses. Therefore this complies with RST5 regarding stabling.

Conclusion

Approval is recommended

Summary of Representations

SHEERING PARISH COUNCIL – would like to ask whether this building is for commercial or private use and if this development is on green belt land, then it cannot be allowed.



Report Item no.5

APPLICATION No:	EPF/2043/05
SITE ADDRESS:	33 London Road Stanford Rivers Ongar CM5 9PH
PARISH:	Stanford Rivers
APPLICANT:	R Dhillon
DESCRIPTION OF PROPOSAL:	Revision to two storey side extension and front porch approved under planning permission EPF/1680/04 to include loft conversion with rooflights. (Revised application)
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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

Revisions to previously approved scheme for two-storey side extension and, provision of rooms in the roof space.

Description of Site:

Detached two-storey house with garage on one side with a two-storey side extension which has been partly erected between the flank wall of the house and Gardenfields, which is a cul-de-sac running alongside. The house fronts onto London Road and is located within a built up enclave of Little End.

Relevant History:

EPF/673/04 two storey side extension. Changes to porch etc., refused 26/07/04 owing to dominance and cramped appearance in the street scene.
EPF/1680/04 - modified proposal approved in January 2005.
EPF/1711/05 - withdrawn, as plans did not bare any relation to the design of the extension thus far built.

Policies Applied:

Residential development policies DBE9 and DBE10. Metropolitan Green Belt policies GB2 and GB14.

Issues and Considerations:

The main issues in respect to the consideration of this application relate to the changes between this proposal and that granted planning permission in January 2005.

The previously approved two storey side extension has been partly erected, and the walls built to roof level. Window positions and dimensions in the extension thus far built do not correspond to the details, which were shown on the approved plans. This application seeks to rectify the changes whilst at the same time introducing the additional accommodation within the roof of the original house and in the proposed extension.

The elevation changes specifically relate to the position and size of the window openings. These do not constitute a problem and in terms of proportions the window openings relate well to those of the original dwelling house.

The introduction of rooms in the roof space can be achieved without the need to vary the roof pitch or the overall height. The extension roof will however be gable instead of having hipped ends, but this design change will not be out of keeping nor will it have a detrimental impact on the street scene.

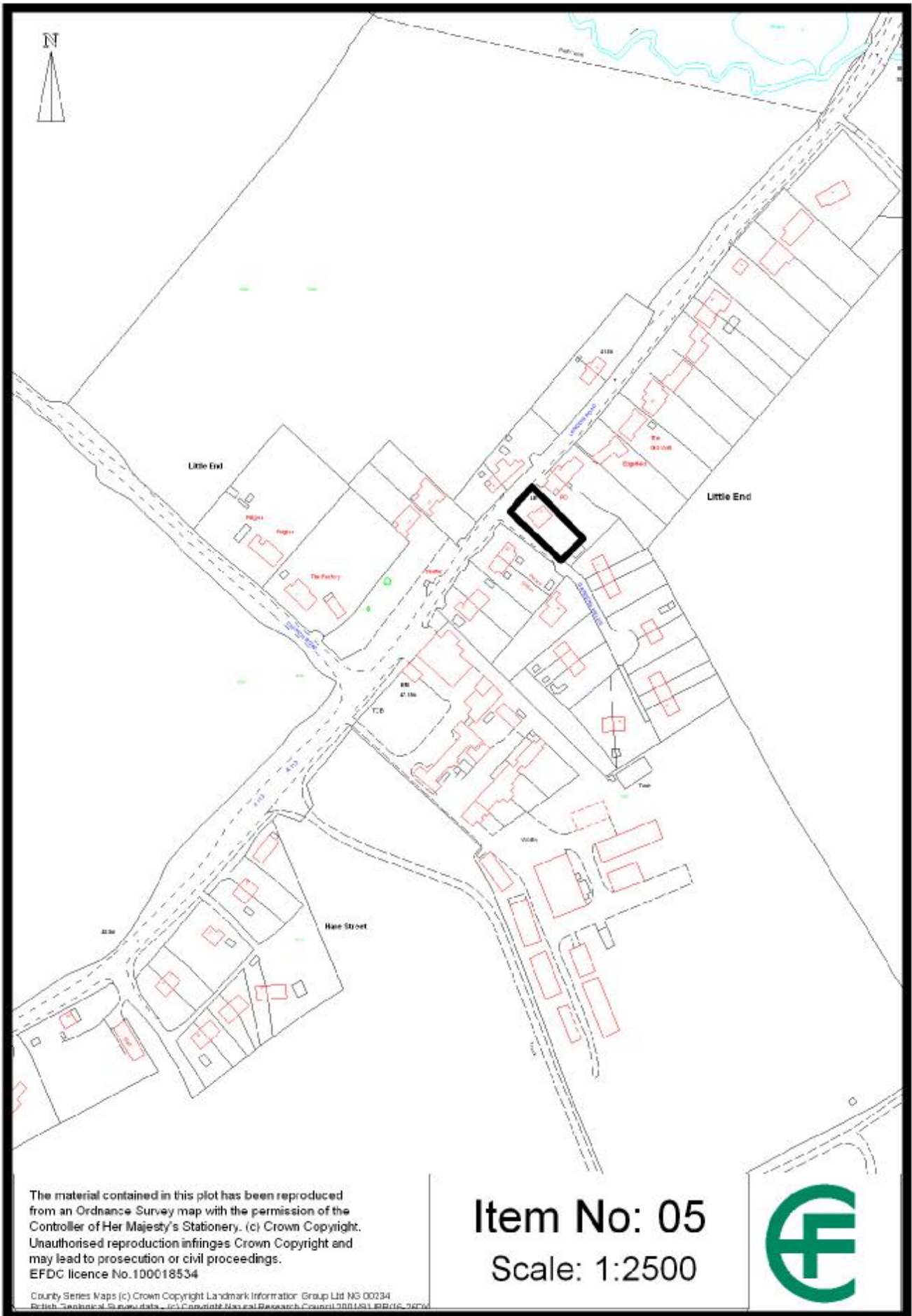
There is an intention to provide two triangular shaped windows in the gable ends - facing rearwards. These are not considered unreasonable in this location and combined with the proposed velux windows shown on the other roof slopes, will also comply with the Building Regulations.

The Parish Council has said that the windows are out of keeping and do not comply with Building Regulations, but in reality the proposals comply with the regulations and are not out of character with the property.

The proposals accord with the design advice contained in the adopted Local Plan, therefore the application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: Massing of windows and large gable windows are out of keeping - do not comply with Building Regulations.



Report Item No:6

APPLICATION No:	EPF/1075/05
SITE ADDRESS:	High House Farm, Stapleford Road, Stapleford Abbots
PARISH:	Stapleford Abbots
APPLICANT:	Five Star Properties
DESCRIPTION OF PROPOSAL:	Outline application for the demolition of former agricultural buildings and an existing farmhouse and the erection of 10 dwellings.
RECOMMENDED DECISION:	REFUSE

REASONS FOR REFUSAL

- 1 The proposal would result in the introduction of an inappropriate development on this site which is within the Metropolitan Green Belt, and is therefore contrary to Government advice, as expressed in PPG2, the policies of the adopted Local Plan and the Replacement Essex Structure Plan. These state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings, except for the purposes of agriculture or forestry, small scale facilities for sport and recreation, cemeteries or similar uses which are open in character. In the view of the Local Planning Authority the application does not comply with these policies and fails to retain, protect and enhance the existing open character of this part of the Green Belt. The proposal is therefore contrary to policies GB2 of the Local Plan and C2 of the Replacement Structure Plan.
- 2 The development would not satisfactorily integrate into its Green Belt setting and would damage the character of the landscape, contrary to policies DBE4 and LL2 of the adopted Local Plan and CS2 of the Replacement Structure Plan.
- 3 There are insufficient special circumstances to distinguish this site from other similar sites and consequently a permission would create a most undesirable precedent, seriously prejudicial to the open character of the Green Belt in conflict with policies GB2 and LL2 of the adopted Local Plan.
- 4 The site is not well located with regards to accessibility by a range of means of transport as an alternative to the motor car and fails to accord with the core strategy of the Structure Plan as set out in policies CS1 and CS4.

Description of Proposal:

Demolition of former agricultural buildings and an existing farmhouse and replacement with 10 dwellings. The application is in outline form and therefore the principle is being sought with all details reserved for subsequent approval.

The indicative layout shows how these 10 dwellings can be clustered together and set in a courtyard. The houses are shown to be of traditional Essex vernacular style of varying sizes,

served by the existing long driveway from the main road to the east. The application states a built form of some 1150 square metres is proposed on an area of 0.64 hectares. The layout plan indicates that the proposed houses would be screened by 10m deep buffer planting.

Description of Site:

The application site consists of a significant grouping of derelict farm buildings of set back from the main road and a detached house, close to the road, of some 2408 square metres footprint. Access to these buildings is via a 40 metre roadway from Stapleford Road. The applicant's ownership of the site extends beyond these buildings to include some 40 hectares of agricultural land, west of Stapleford Road, and includes two public footpaths. The land falls north to south with the derelict farm buildings occupying the higher ground.

The whole site is in the Metropolitan Green Belt as is the surrounding area. The more built up area of Stapleford Abbots is to south-east towards the junction with Bournebridge Lane. The village hall and primary school on Stapleford Road are some 1.2 km to the north.

Relevant History:

EPF/916/89 – Change of use to golf course – Granted subject to a legal agreement signed in 1994.

EPF/627/91 – Removal of some redundant agricultural buildings and change of use of remaining buildings to Class B1 (Business) – Appeal against non-determination, which was dismissed 6/2/92.

EPF/1000/96 – Change of use of land to leisure and recreation park – Refused 29/1/97.

EPF/571/99 – Renewal of Planning Permission EPF/916/89 for a golf course – Granted subject to a legal agreement, which was not renewed and the permission lapsed.

EPF/1688/99 – Outline application for residential development consisting of 22 houses with associated parking and open space – Appeal against non-determination but subsequently withdrawn.

EPF/26/01 – Outline application for demolition of farm buildings and farmhouse with redevelopment for housing including woodland planting, footpaths and village green – Refused 28/11/01.

EPF/422/02 – Outline application for demolition of existing buildings and redevelopment comprising 10 residential units – Refused 2/7/02.

EPF/1824/03 – Change of use of buildings to industrial units – Refused 18/11/03.

Policies Applied:

Adopted Local Plan:

GB2 General restraint to development in the Green Belt, unless a Green belt defined appropriate use.

DBE1 Buildings respect their setting, ensure buildings are appropriate in design and materials.

DBE4 New buildings in Green Belt respect landscape setting and are of local character, tradition and detailing.

LL2 Development in countryside to respect and enhance the character of the landscape.

T17 Highways Implications

Structure Plan:

C2 Development in the Green belt – general restraint as GB2.

CS1 Concentrate new housing development in existing urban areas.

CS2 Protecting the Natural and Built Environment,

CS4 Sustainable new development.

H2 Housing development – Sequential approach – Sporadic housing in the countryside will be resisted, should be well related to employment, shopping, education and other community facilities, easily accessible by a choice of means of transport.

National Policy:

Planning Policy Guidance 2 - Green Belt (PPG2)

Planning Policy Statement 7 - Sustainable Development in Rural Areas (PPS7)

Issues and Considerations:

The main issue is whether this represents an appropriate development in Green Belt terms and if not, are there very special circumstances to outweigh the harm, by definition, the development would have on the Green Belt. Furthermore, if considered acceptable, would the resultant development harm the visual amenities of the surrounding countryside and is the location sustainable enough for housing of this scale in the relatively remote location.

1. Green Belt

Government advice in PPG2 and Local Plan policy GB2 sets out the narrow range of development appropriate in the Green Belt. Housing, unless for an agricultural, horticultural or forestry worker is clearly inappropriate development in the green belt by definition.

This is also the second time that a planning application has been submitted for 10 houses on this site. Just like the current buildings, the development will be on a remote location on top of a hill, visible from the road. It will not integrate into the rural character of its setting and therefore prove harmful to the character of the surrounding landscape. Officers, as previous, therefore consider that the proposal will not only be inappropriate development in the green belt, but it would harm the rural character by introducing an urban form of development in place of derelict farm buildings. The proposal would therefore be contrary to Structure Plan policy C2 and CS2 and Local Plan policies GB2, DBE4 and LL2.

2. Are There Very Special Circumstances?

The previous outline planning application for 10 houses in 2002 was recommended for refusal by Planning Officers. This Area Committee considered that there were very special circumstances in that instance overcoming the presumption against inappropriate development. It was referred on to District Development Control Committee, with a recommendation for approval, who concluded with the view of Officers and refused planning permission. There were four reasons for refusal;

- a. Inappropriate development in the Green Belt, failing to retain, protect and enhance the open character of this part of the Green Belt.
- b. Would not integrate into this Green Belt setting and harm the character of the landscape.
- c. Insufficient special circumstances and set an undesirable precedent for development on other similar sites in the Green Belt.
- d. Affordable housing inappropriate in an isolated location not served by local services.

The applicant has not reduced the number of houses proposed but does put forward a number of arguments, some of which include other benefits, as very special circumstances. These are as follows:-

- Removal of 2,408 square metres of former agriculture buildings in disrepair that have been used for unauthorised business use. An existing farm house building close to the road will also be removed. The proposed 10 units will be more compact in area and their

footprint is indicated to be 1,150 square metres, a reduction of about 48%, which is intended to be screened by a 10 metre wide planting area. It complies with the Essex Design Guide, which is adopted Supplementary Planning Guidance to the development plan, and the house types are Essex vernacular style.

- Part of the site has a history of unauthorised tipping, which has altered the contours of the land rear of the current buildings. The applicant has stated that they will repair and re-grade the land to its natural level.
- Improvements such as widening and surfacing to footpaths nos. 21 and 22 which both pass through the applicant's land and close to the development site. Also, new footpath routes through the applicants land to join with footpath 12 at Gutteridge Lane and a new route west of the site where a wet land area could be created for a wider diversity of habitats.
- The gifting of 1.5 hectares of the applicant's land to the Parish Council, located either side of Stapleford Road, as a possible village green.
- The gifting of areas of the larger site of agricultural land to establish woodland. Stapleford Abbots Community Tree Strategy aims to encourage field corner woodlands, which is achievable within the farmland around the applicant's site. The Woodland Trust is currently negotiating purchase of land south of Bournebridge Lane and they have expressed an interest in this site as well.
- Up to 20% of the total accommodation to contain live/work area.
- 30% of the dwellings to be made available for affordable housing.

The Parish Council have also requested that the development include parish room/office. The applicant has stated that it would be possible to provide a modest building which fell outside the curtilage of the proposed houses, however, this is not included as part of this proposal. They also comment that there will be no demand for the sport pitch facility provision, originally intended for the site. This is no longer part of the proposal.

Planning Officers consider that there is some merit in these proposals, particularly in respect of the woodland planting, new footpaths, wetland and a village green for an area that lacks a focus and heart to its community. Planning Services CountryCare Manager, in particular, considers that there is potential for environmental and public access benefits if the applicant was to gift the rest of the site around the proposed residential development to, say, the Forestry Commission, Woodland Trust or the Corporation of London.

Affordable Housing was also offered on the previous refusal and there has been particular recent concern over the lack of supply of affordable housing in the district. But the 30% has no backing of a Housing Association and is no more than the requirement in more sustainable urban areas.

Officers consider that the benefits to outweigh the harm of the development to the Green Belt do not go far enough. After all, an extra 9 residential units on one site in the Green Belt is a significant urban form of development, quite alien to the sporadic pattern of development that exists north and south of the site. New planting, a village green, 30% affordable housing, footpath improvements and element of live/work space do not overcome the harm of a 10 house development to the character of the landscape and openness of the Green Belt. The derelict condition of the agricultural buildings is not an unfamiliar site in the countryside and their position from the road is not dominating or intrusive to a great extent to justify urban development on this scale.

Finally, there is the real concern that if planning permission was granted it would set a precedent for the redevelopment of other derelict/poor condition farm buildings in the Green Belt and countryside for housing of similar scale and intensity. There are no very special circumstances in this case to overcome the harm caused by this clear inappropriate development in the Green Belt and intrusion into the visual amenities of the countryside.

3. Sustainability

The applicant admits that this is not a very sustainable development in terms of reducing the need to travel by car. It is also isolated in respect of local services, employment opportunities and public transport. There is a local primary school in walking distance and bus service along this road with links to Harlow and Romford, but it is only hourly. An element of live/work area may be suitable, but the applicant states that this generally only succeeds in city and urban locations. The development is therefore going to encourage predominantly car borne journeys, contrary to policies CS4 of the Structure Plan.

The applicant is willing to accept conditions in respect of sustainable construction, energy efficiency and conservation at the reserved matters stage; a requirement of Structure Plan policy EG4. Whilst this is clearly welcomed, it does not amount to again sufficient very special circumstances to outweigh the harm of the development to the Green Belt or that this is a non-sustainable transport location.

4. Highway Implications

The vehicle movement associated with the development are not considered to be significant and Highway Officers have raised no objection other than improvements to the entrance to the site from the main road and footways.

5. Summary

Understandably, there is support for most of this proposal from the Parish Council and no local opposition has been raised. Members of the Committee may give greater weight than Officers to the benefits available for the local area as part of this proposal.

Officers must follow the policy line, which is that this clearly represents inappropriate development in the Green Belt. Visually, the surrounding countryside will be harmed by a residential development of this scale and intensity and it is an unsustainable location for housing. Should the Area Committee consider as previously that this proposal has merit, then it will need to be referred on to the District Development Control Committee and if that committee are minded to grant planning permission, then it would have to be referred to the Government Office for the East of England for their deliberation.

The application is recommended for refusal.

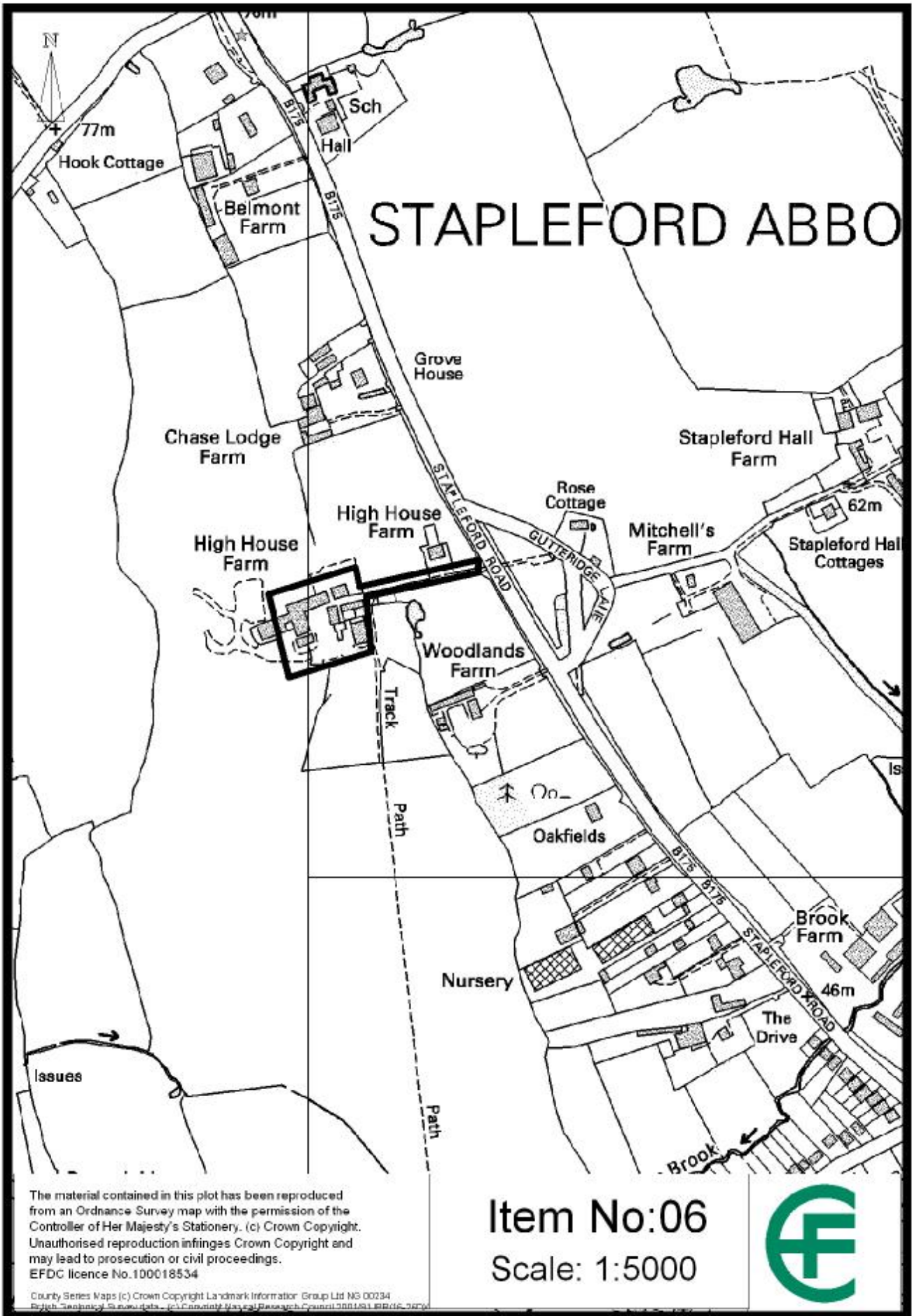
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – No objection. However there are certain points that are of concern.

1. It has reservations about the proposed house design, even though it is said to conform to the Essex Design Guide.
2. The increase of public access to the land with the enhancement of footpaths and bridleways would be popular. The bridleways would be especially popular with the increasing horse community, but the exits and entrances to these facilities must not be a danger to our busy roads.

3. The remaining land belonging to the farm should be tied up legally, possibly with a 106 Order, or something tighter to prevent further development.
4. The ownership of the surrounding land must be established, as part of the wording in section 2.3 states – Quote “the blue line site contains land which is *likely* to be gifted to *others*, to allow community or landscape enhancement” Unquote (our italics). Councillors are aware that certain areas may be gifted to Stapleford Abbots Parish Council, and in Section 6.9 reference is made that the Applicant would be willing to gift areas of agricultural land to The Woodland Trust. Therefore to reinforce this point, full details must be forthcoming as to who will own all of the surrounding land, together with appropriate legal documentation as to its future use.
5. Mention is made of a Village Green. Again there would have to be a legally binding document stating that the designated area would be landscaped to the Parish Council's satisfaction before the handover.
6. A parish office/meeting room is also mentioned in the document. This should not be used as one of the carrots to obtain the granting of the application, only to have the carrot removed after the event. If it is intended to incorporate such a facility in the proposal, then it should be a binding and concrete proposal. Section 6.6 is vague on the subject, mentioning the subject, but also pointing out that it may not be viable to include such a proposal into this development.
7. As far as a facility for sport is concerned, parish Councillors, do not think there will be a demand as they have witnessed over the years the demise of both the village football and crickets clubs. However, Stapleford Abbots Primary School may be interested, but the Parish Council could not be expected to assist with the upkeep.

CAMPAIGN TO PROTECT RURAL ESSEX – This is all Green Belt land and although it appears to be a well-thought out scheme, we face the problem of precedence if approval is given. We therefore object to this application on Green Belt grounds.



STAPLEFORD ABBOT

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Item No:06

Scale: 1:5000



Report Item no.7

APPLICATION No:	EPF/2183/05
SITE ADDRESS:	Battleshall Farm Oak Hill Road/North Road Stapleford Abbots RM4 1JU
PARISH:	Stapleford Abbots
APPLICANT:	Orange
DESCRIPTION OF PROPOSAL:	Erection of a 20m high telecommunications monopole and six equipment cabinets within a fenced compound, on the north side of Palace Plantation 170m to east of Oak Hill Road/North Road.
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 The mast hereby approved shall be painted in a dark green colour in accordance with details to be submitted to and approved by the Local Planning Authority before any works commence on site.

Description of Proposal:

To erect a 20m high telecommunications monopole with equipment cabins within a fenced compound.

Description of Site:

The site lies at the edge of a field to the immediate north of a wooded copse known as Palace Plantation, and close to the boundary with the London Borough of Havering. It lies some 170m to the east of Oak Hill Road, and some 200m away from the nearest dwellings, a line of bungalows on the west side of Oak Hill Road. This is a rural and Green Belt location to the south east of the settlement of Stapleford Abbots.

Relevant History:

None

Policies Applied:

Policy U6 – Other masts and aerals

Policy GB2 – General Restraint

Issues and Considerations:

Planning permission, and not prior approval, is required for the proposed installation because at 20m in height it exceeds the 15m height maximum allowed under the prior approval procedure. The application was submitted after pre application consultation with the Council and with Ward Councillors and the Parish Council.

The main issues raised by the application are a) whether the mast, which takes the form of a pole, significantly detracts from residents' amenity in the locality, and b) whether the mast is located in an appropriate location bearing in mind the need to retain the open character of this Green Belt locality.

At a distance of 200m the proposed mast is a considerable distance away from the nearest dwellings lying due west in Oak Hill Road. Moreover between the site and these dwellings lies a copse of trees that adjoins the east side of Oak Hill Road. Although in winter gaps appear in these 15m/20m high trees, they still perform an adequate screening of the proposed mast. In addition the mast is not an isolated structure since it is located next to a Palace Plantation, a larger copse of trees, and this juxtaposition reduces the impact of the mast in the skyline. The applicants are agreeable to painting the mast dark green, and this colour has been beneficially used on other similar masts in the EFDC area. For these reasons the proposal will not appreciably detract from the amenity of residents living in the Oak Hill Road dwellings. From the north west and north the proposed mast will be viewed from houses along Tysea Hill. However these views will be over long distances between 300 and 600m. Moreover the Palace Plantation, immediately behind the mast, will frame the mast against a backdrop of trees, some of which are of a similar height to the proposed mast. This combination of distance, and shrouding by trees means that the mast will not unduly detract from visual amenity of residents in Tysea Hill.

With reference to the openness of the Green Belt the Ordnance Survey plan does show a footpath running south west to north east through the adjoining field. However, on the ground this footpath does not currently exist. In any event, the characteristics of the site as described in the previous paragraph means that the proposal will not have an undue effect either on the open character of the Green Belt, or on visual amenity in this rural locality.

In terms of consultations 10 dwellings fronting Oak Hill Road were notified of the application, and a site notice was erected. Whilst the Parish Council does not object, four objections letters from residents have been received. These objections are based upon visual amenity, and impact in the Green Belt, have been covered in the paragraphs above. Some of the objections also raise concerns about possible damage to health. The Government advises planning authorities that little weight should be given to such concerns in assessing the planning merits of installations, since health matters are covered by alternative legislation. In this connection the applicants, Orange, have submitted a certificate of compliance with their application declaring that the installation will conform with the requirements of the International Commission on Non-Ionising Radiation Protection.

Conclusion:

Quite a high proportion of proposed masts are discouraged at a pre application stage, or refused when applications are submitted. This particular site is a relatively good one compared to other local options. Comments received by nearby residents do raise natural concerns about this form of

development. However, this particular installation, for reasons including its distance from housing, and screening and shrouding by trees, will not unduly affect either the amenity of residents, or the open character of this Green Belt locality.

SUMMARY OF REPRESENTATIONS

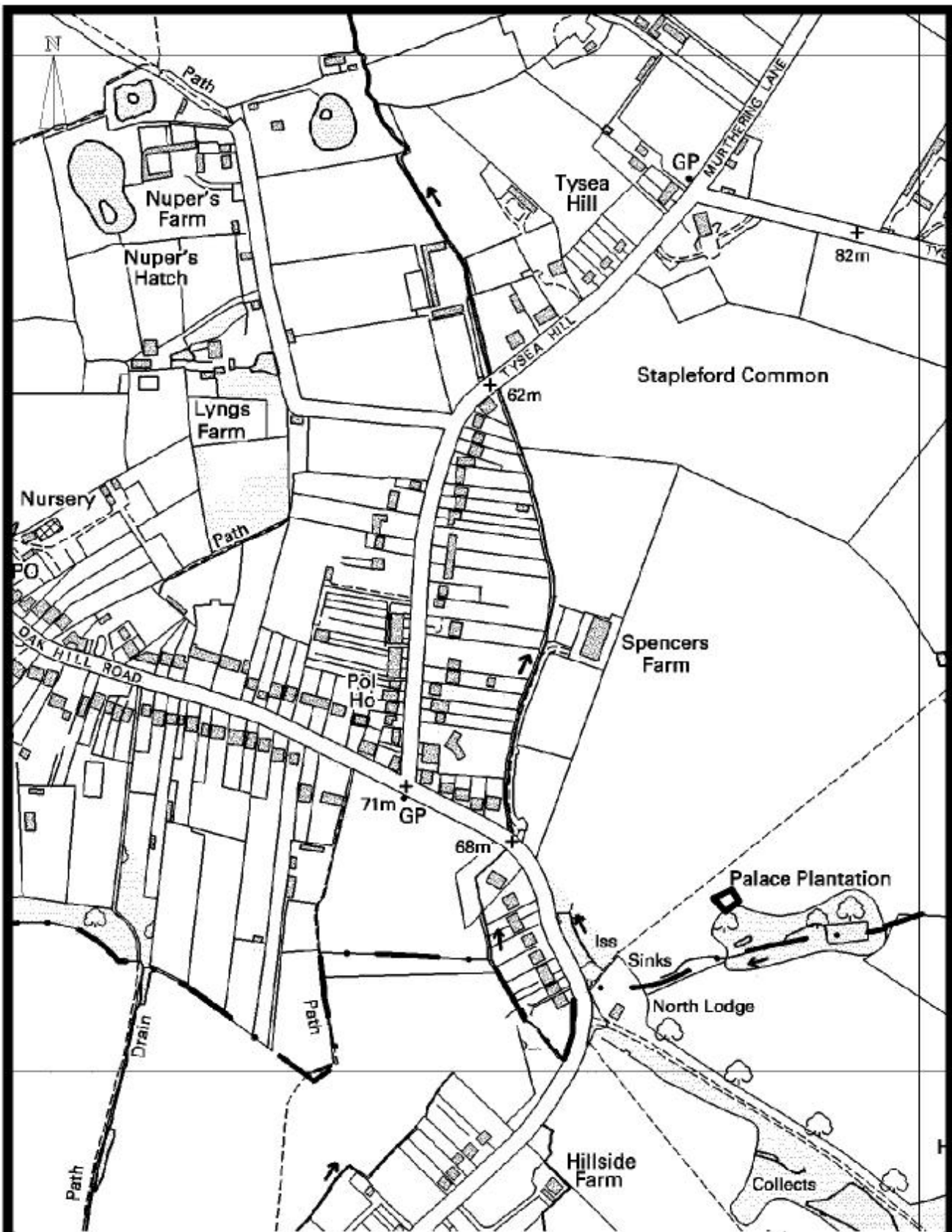
STAPLEFORD ABBOTTS PARISH COUNCIL – Although expressing some concerns about health hazards and the height of the mast Councillors did not object to this application.

GLENWOOD, OAK HILL ROAD – Object on grounds of health hazard to children living locally, it will be an eyesore too close to our house, and concerned about affect on TV reception.

MEADOW VIEW, OAK HILL ROAD – Object on the following grounds. We will be able to see the mast from our property, especially in winter when the trees are bare. The mast will be on relatively high ground and will spoil long views in this attractive area. A mast will pollute this Green Belt area.

FERNLEIGH, OAK HILL ROAD – Object on the following grounds. There is a question mark at to the effect of monopoles on health of people living in close proximity and 170 yards is too close. The view of the top of a monopole from my front window would spoil this rural setting. Would affect the value of my property.

ASHETON FARM, TYSEA HILL – this will be a huge construction at 20m in height and will be clearly visible from our property. It appears from the visuals (plans) that the unit will be shielded by trees but this is simply not true and are drawn to purely appease the situation. We have concerns over the health issues.



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