

# Committee Agenda



**Epping Forest  
District Council**

## **Area Plans Subcommittee C Wednesday, 15th March, 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

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

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

General advice to people attending the meeting is attached.

**2. MINUTES (Pages 7 - 14)**

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

**3. APOLOGIES FOR ABSENCE**

**4. DECLARATIONS OF INTEREST**

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

**5. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive,

before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

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

## 6. DEVELOPMENT CONTROL (Pages 15 - 40)

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

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

## 7. DELEGATED DECISIONS

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

## 8. EXCLUSION OF PUBLIC AND PRESS

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

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

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

<b>Agenda Item No</b>	<b>Subject</b>
Nil	Nil

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

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed

to exclude the public and press.

- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

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

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

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

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## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

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

### **When and where is the meeting?**

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

### **Can I speak?**

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

### **Who can speak?**

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

### **What can I say?**

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

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

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

### **How are the applications considered?**

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

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

### **Further Information?**

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

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Plans Subcommittee C                      **Date:** 15 February 2006

**Place:** Civic Offices, Epping                                      **Time:** 7.30 - 9.00 pm

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

**Other Councillors:** (none)

**Apologies:** P Gode

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

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### 60. 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.

### 61. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 18 January 2006 be taken as read and signed by the Chairman as a correct record.

### 62. DECLARATIONS OF INTEREST

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

### 63. ANY OTHER BUSINESS

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

### 64. DEVELOPMENT CONTROL

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

#### RESOLVED:

That the planning applications numbered 1 – 7 be determined as set out in the attached schedule to these minutes.

**65. 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**



**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0022/06
<b>SITE ADDRESS:</b>	Site at Former Braces Yard Mill Lane High Ongar
<b>PARISH:</b>	High Ongar
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of new village hall including new vehicular access. (Revised application)
<b>DECISION:</b>	<b>GRANT</b>

Committee were advised of the receipt of a late objection from a resident regarding traffic access via Mill Grove.

**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.

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**Report Item No: 2**

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

WITHDRAWN FROM AGENDA

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**Report Item No: 3**

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

WITHDRAWN FROM AGENDA

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**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1686/05
<b>SITE ADDRESS:</b>	Woodlands Farm The Street Sheering Harlow Essex CM22 7LY
<b>PARISH:</b>	Sheering
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of tractor store and stables.
<b>DECISION:</b>	<b>GRANT</b>

**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.

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**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2043/05
<b>SITE ADDRESS:</b>	33 London Road Stanford Rivers Ongar CM5 9PH
<b>PARISH:</b>	Stanford Rivers
<b>DESCRIPTION OF PROPOSAL:</b>	Revision to two storey side extension and front porch approved under planning permission EPF/1680/04 to include loft conversion with rooflights. (Revised application)

<b>DECISION:</b>	<b>GRANT</b>
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The parish council withdrew their objection.

**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.

**Report Item No: 6**

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

**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 motorcar and fails to accord with the core strategy of the Structure Plan as set out in policies CS1 and CS4.

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**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2183/05
<b>SITE ADDRESS:</b>	Battleshall Farm Oak Hill Road/North Road Stapleford Abbots RM4 1JU
<b>PARISH:</b>	Stapleford Abbots
<b>DESCRIPTION OF PROPOSAL:</b>	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.
<b>DECISION:</b>	<b>GRANT</b>

**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.

## AREA PLANS SUB-COMMITTEE 'C'

15 March 2006

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2232/05	Nine Ashes Farm, Rookery Road, High Ongar	Refuse	17
2.	EPF/1511/05	Blakes Golf Club, Epping Road, North Weald	Grant	22
3.	EPF/1991/05	Laughters Farm, Faggoters Lane, High Laver	Refuse	26
4.	EPF/2165/05	Southern Cross, Little Laver Road, Little Laver	Grant	32
5.	EPF/2187/05	Knightlands Farm, Berwick Lane, Stanford Rivers	Grant	36

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2232/05
<b>SITE ADDRESS:</b>	Nine Ashes Farm Rookery Road High Ongar Ongar Essex
<b>PARISH:</b>	High Ongar
<b>APPLICANT:</b>	Park Hill Homes Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing buildings and redevelopment with 10 no. dwellings (Revised application)
<b>RECOMMENDED DECISION:</b>	<b>REFUSE</b>

**REASONS:**

- 1 The application site is located within the Metropolitan Green Belt wherein there is a presumption against new development. The redevelopment of the site for residential purposes is inappropriate development in the Metropolitan Green Belt, which is contrary to Government advice contained in PPG2 and is contrary to policies GB2 and GB7 of the adopted Local Plan and policies C1 and C2 of the Essex and Southend on Sea Replacement Structure Plan.
- 2 The development of this site in a location isolated from existing urban settlements would not be sustainable. The proposal is contrary to policies CS1, CS4, and CS5 of the Essex and Southend on Sea Replacement Structure Plan; and, policies CP1-CP5 of the Epping Forest District Local Plan Alterations First Deposit.

**Description of Proposal:**

Development comprises a pair of semi-detached houses and two terraces of four two storey houses and the conversion of a roadside building to provide off-street car parking accommodation.

**Description of Site:**

A range of Atcost type and brick built barns located on the eastern side of Rookery Road midway between the junction of King Street and Blackmore Road. The site backs onto open countryside. Currently unused the buildings adjoin residential properties on either side.

**Relevant History:**

Originally erected in the 1960's and 1970's these agricultural buildings have been the subjects of three recent planning applications. In Mach 2002 planning permission was refused for industrial

and storage use of all of the buildings owing to the potential impact on the amenities of local residents. A subsequent application for the use of two of the buildings for light industry and storage/distribution use was refused in June 2003. Proposed redevelopment of the site comprising 3 blocks totaling 12 houses refused planning permission in March 2005 primarily for Green Belt and sustainability reasons. This decision is the subject of an outstanding appeal.

### **Policies Applied:**

Metropolitan Green Belt policies GB2, GB7. Housing policies H2, H4-H9. Design and built environment DBE1, DBE2, DBE4, DBE5-9. Landscaping LL10, LL11. Car parking T14, T17. First deposit policies - sustainable development CP1, CP2, CP3, CP5. Housing H1A, H3A, H4A, H5A, H10A. Sustainable transport ST1, ST2, ST4. Structure Plan - case strategy CS1, CS4, CS5. Green Belt C1, C2. Housing provision H1, H2. Transport T1, T2.

### **Issues and Considerations:**

The main issues in determining this application relate to the appropriateness of the development in the Green Belt; affect on the character/amenities of the area; sustainability of the location for residential development; traffic and access related issues and trees. In addition the differences between this scheme and that refused planning permission need to be considered.

Currently the site is occupied by several substantial buildings of permanent construction, which are no longer in use for agricultural purposes. Two planning applications have been submitted to the Council, which have proposed the reuse of all of the buildings and more recently for just two of the buildings for storage and distribution or light industry. These applications have been refused planning permission primarily on grounds of loss of amenity to local residents and traffic related grounds and the unacceptable impact on the open character and amenities of this rural area by reason of noise, disturbance and traffic generation.

The last application proposed the demolition of all of the buildings with the exception of a linear brick built building, which aligns with the highway. The cleared site would be developed by the erection of 12 dwellings providing either 2 or 3 bedroom accommodation and these would be complemented by areas of landscaping and parking spaces whilst the roadside barn will be used for covered car parking accommodation. This application was refused planning permission for Green Belt reasons; on sustainability grounds and the potential impact on trees surrounding the existing site. Following the refusal of planning permission an appeal against the decision has been lodged; and in addition negotiations have taken place with the Council's Tree Officer to resolve concerns regarding the impact on trees.

The current proposals still entail the demolition of most of the redundant farm buildings and their replacement with a total of 10 houses, with car parking being accommodated within the roadside barn. In addition the applicants have indicated a willingness to make a financial contribution of £100,000 to the Council's 'Affordable Housing Fund'; and to contribute a similar sum towards highway improvements in the locality, which would include the provision of a bus layby next to the site in order that the school bus which visits this location can be pulled clear of the highway when passengers are being boarded.

The houses are considered to be well designed and they complement the appearance of the adjacent farm cottages, which face the junction with King Street. Furthermore they have been shown to be provided with adequate amenity space as well as off-street car parking. Revisions to this submission have also reduced the potential threat to the trees on the site and have now overcome the previous reason for refusing permission.

Notwithstanding these issues the proposals are fundamentally contrary to Green Belt policy. The site is located within the Metropolitan Green Belt and there is no justification for a relaxation of policy. An exception would be permissible in the case of 100% affordable housing in cases where there has been demonstrated to be a social or economic need for the accommodation. No such issues apply in this case; consequently the proposal is contrary to policy. The application is accompanied by an offer of £100,000 as a contribution to the 'Local Authority's Affordable Housing Fund'. Consequently the submission has been considered by the Head of Housing Services who has responded to the consultation and made the following response:

"I note that there are no proposals for the provision of affordable housing on this site and that the only contribution towards affordable housing is the offer of a commuted sum of £100,000. I would make two comments in response.

"Firstly, the main problem that we have at the moment is the lack of land/property to provide affordable housing, not so much the required funding. Therefore, I would recommend that the Council only consider granting permission for the residential development at this location if a significant amount of the houses were provided as affordable houses in partnership with a housing association.

"Secondly, even if the Council had a preference to receive a payment in lieu of affordable housing being provided, the suggested sum of £100,000 would be totally inadequate and unacceptable.

"In conclusion, therefore, I could not support the planning application on the current proposal from an affordable housing point of view, since the proposal is totally inadequate."

Moreover, the Head of Legal Services affirms that the circumstances of this case, where there is no planning justification for affordable housing, means that its acceptance would be unreasonable, could be argued to be unlawful and not able to be enforced. The Council must always be wary of offers amounting to 'buying' a planning permission.

The application fails to accord with Local Plan, Structure Plan and Government policies. Notwithstanding the support received from the Parish Council it is considered that the submission should be refused planning permission on similar grounds to those of the last application.

## **SUMMARY OF OBJECTION/OBSERVATIONS**

PARISH COUNCIL - Strongly support the application. Previously supported the development of this site which reflects the views of many local residents. Firmly believe that residential use of the land is the best alternative and note the development provides a substantial contribution towards the local authority Affordable Housing Fund.

GAINSBOROUGH, ROOKERY ROAD - Strongly object. Terraced housing is not in character with most of the properties in the locality. Other facilities in the area are overstretched e.g. long waiting list for the local school; doctors surgery already full. Danger to schoolchildren waiting for the school bus caused by increased traffic generation. Inadequate water supply is a huge problem already.

THE VINES, 257 NINE ASHES ROAD - Strongly object. Development is completely out of character with the area. Terraced houses more suitable for an urban environment. The blocks would be overbearing and out of scale with neighbouring properties. Would be overdevelopment of a cramped site. Roads are narrow with no lighting or pavements, increased traffic will add to the dangers. Inadequate parking provision for residents and visitors vehicles. Development is sited close to a dangerous junction and if vehicles were to be parked on the highway this would add to the dangers. The land is in the Green Belt and designated for agriculture. Granting planning permission would establish a dangerous precedent for other sites.

4 NINE ASHES FAR COTTAGES - Not against the proposed development but are concerned about the poor infrastructure in the area. That the development should be in keeping with the character of the area. Already experience poor water pressure. There is no mains drainage to the site. Poor public transport, no shopping, small local school etc.

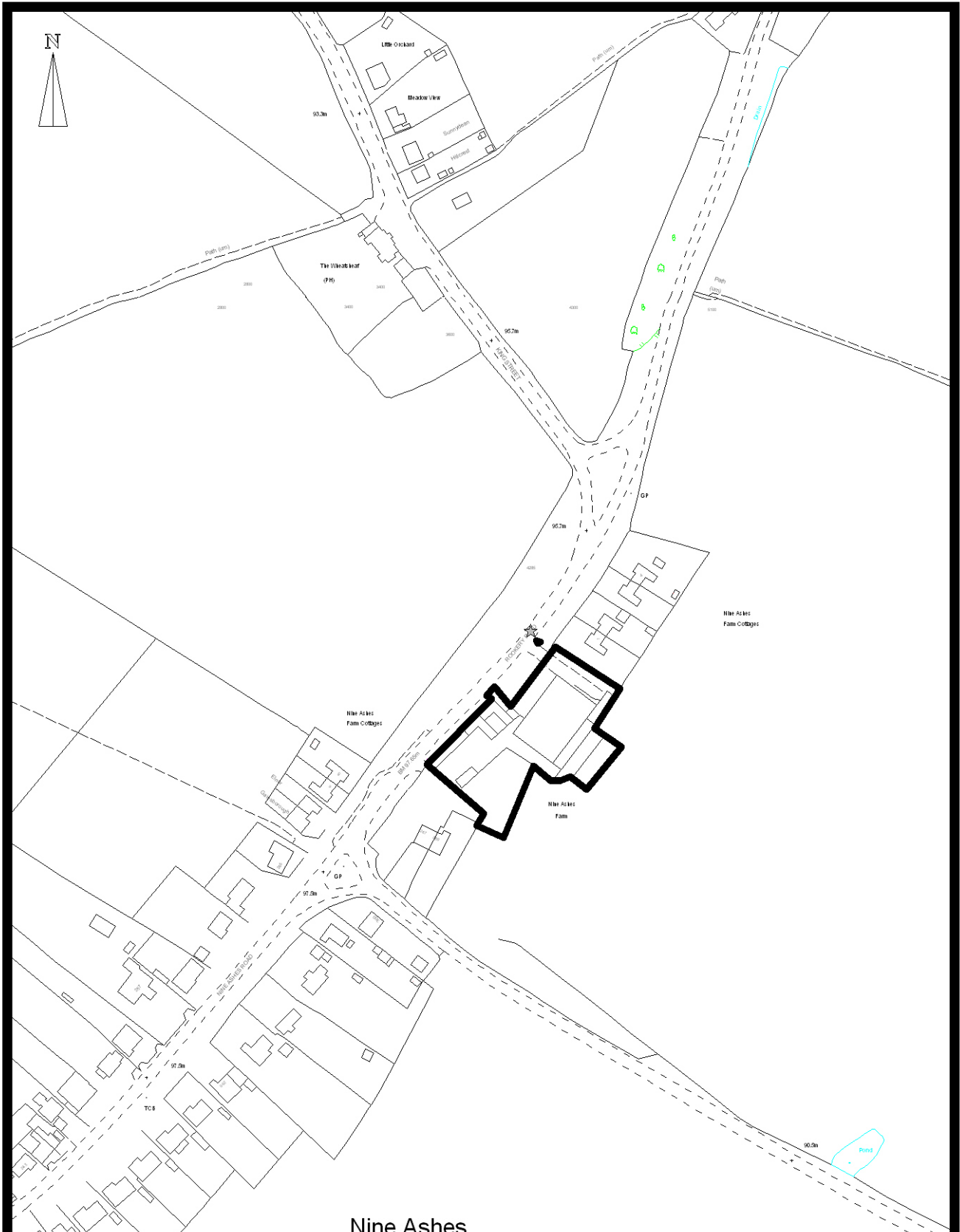
MEADOWSIDE, 284 NINE ASHES ROAD - Object to the development of Green Belt land. The impact on the local community will have to be considered and will the facilities be able to cope. There could also be an increase in the number of children living close to two dangerous road junctions. If planning permission is granted it will set an unfortunate precedent. If the farm buildings are no longer required why is it that a new farm building has just been erected in King Street.

HOPE COTTAGE, 247 NINE ASHES ROAD - Object to the proposal for terraced houses which would be out of character with the area. Access is located in a dangerous position and additional traffic generated by the development would add to the problems. 6-8 semi-detached or 4 detached houses would be more appropriate.

243 NINE ASHES ROAD - Development will be out of keeping with the area. This is a semi rural area and modern development will be out of place. The style is not in keeping with other properties in the area.

263 NINE ASHES ROAD - Totally opposed to the proposals. 10 terraced houses will not be in keeping with the character of the area - which is predominantly detached houses. The site is in a rural location and should remain that way. The water supply in Nine Ashes is inadequate and cannot supply a further 10 houses. Traffic in Nine Ashes Road has doubled in the last few years - building these houses will increase it yet more. This will increase the potential danger to schoolchildren who wait for the bus in this location.

245 NINE ASHES ROAD - Development of 10 houses is inappropriate development in the Green Belt. There are no special circumstances which justify a departure from policy. The number of buildings is excessive and out of keeping with the character of the area. It would be more reasonable to have 3 dwellings on the site. 10 houses would mean 20 more cars on the country roads. It is insensitive siting, which would harm the openness of the countryside/ Green Belt. Should not be allowed just because the land has become derelict.



Nine Ashes

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Item No: 01  
Scale: 1:2500



**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1511/05
<b>SITE ADDRESS:</b>	Blakes Golf Club Epping Road North Weald Essex CM16 6RZ
<b>PARISH:</b>	Morton, Bobbingworth and the Lavers
<b>APPLICANT:</b>	UK Golf Leisure (North Weald) Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Externally Illuminated Club House/Restaurant Sign.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**CONDITIONS:**

- 1 The luminance of the external illumination of the signs shall not exceed 600 candelas per square metre.
- 2 The external lighting for the signs shall be maintained in position such that no glare or dazzle affects road users, including pedestrians.

**Description of Proposal:**

This is an application for the display of two externally illuminated advertisement boards to either side of the main access from Epping Road. Each board measures 3m long by 0.98m deep, and is a name sign for Blakes Restaurant and the Blakes View Club Lounge, with phone number, all lettering white on a brown background and with a narrow lower sign (brown on white) indicating restaurant opening for all meals. The wording is recited for information, as the Advertisements Regulations do not enable control of content.

**Description of Site:**

The two advertisements, already displayed, are sited to either side of the access point for the Golf Club, around 5m back from the carriageway of Epping Road (A414), about 900m east of The Talbot PH roundabout. The tarmac road leads to automatic double gates, and is unfenced to either side, being flanked by grassed areas. The land rises from the west, so that the entrance is on rising ground with a levelling off at the next bend to the east. The net effect is that the signs are not readily visible from open fields to the east or the golf fairways to the south, although they are visible around and opposite the entrance and for about 300 – 400m westwards along the A414.

The Blakes Golf Club buildings are all at some distance from Epping Road and are not part of the visual backdrop of the entrance.

### **Relevant History:**

No relevant history.

### **Policies Applied:**

Structure Plan Policies:

C2 Green Belt.

Local Plan Policies:

GB2 General restraint in the Green Belt.

DBE13 Control of Advertisements

LL1 Preservation of the Rural Landscape

T17 Highway safety

### **Issues and Considerations:**

Issues raised by the proposal are: the effects of the advertisement display on visual amenity in Green Belt countryside, and any effect on highway or traffic safety.

The Blakes clubhouse and restaurant is set back over 300m from the main Epping Road, beyond a slight ridge. The two advertisement boards are the only means of identification for the Golf Club, apart from the name 'Blakes' at low level on either side of the dwarf wall of the traffic island in the bellmouth entrance from the A414.

Policy GB2 opposes inappropriate developments, but envisages a series of exceptions. In this case, the advertisements are considered to be reasonably necessary for a recreational use, which is appropriate in itself.

The access to Blakes Golf Club is on the outside of a shallow bend, with reasonable visibility, and the advertisement boards are set back from the highway. They do not obscure visibility or formal sight line requirements, and with the discreet external illumination do not constitute a significant distraction for passing drivers on the A414. There are no highways objections, subject to conditions requiring luminance of sign not to exceed 2.9 candelas per sq m, and lights to be positioned or shielded so that no glare or dazzle affects road users (including pedestrians).

The boards are reasonably muted in themselves and do not look too much out of place on this rural site such that they detract from the character or appearance of the area or unduly detract from the amenities.

### **Conclusions**

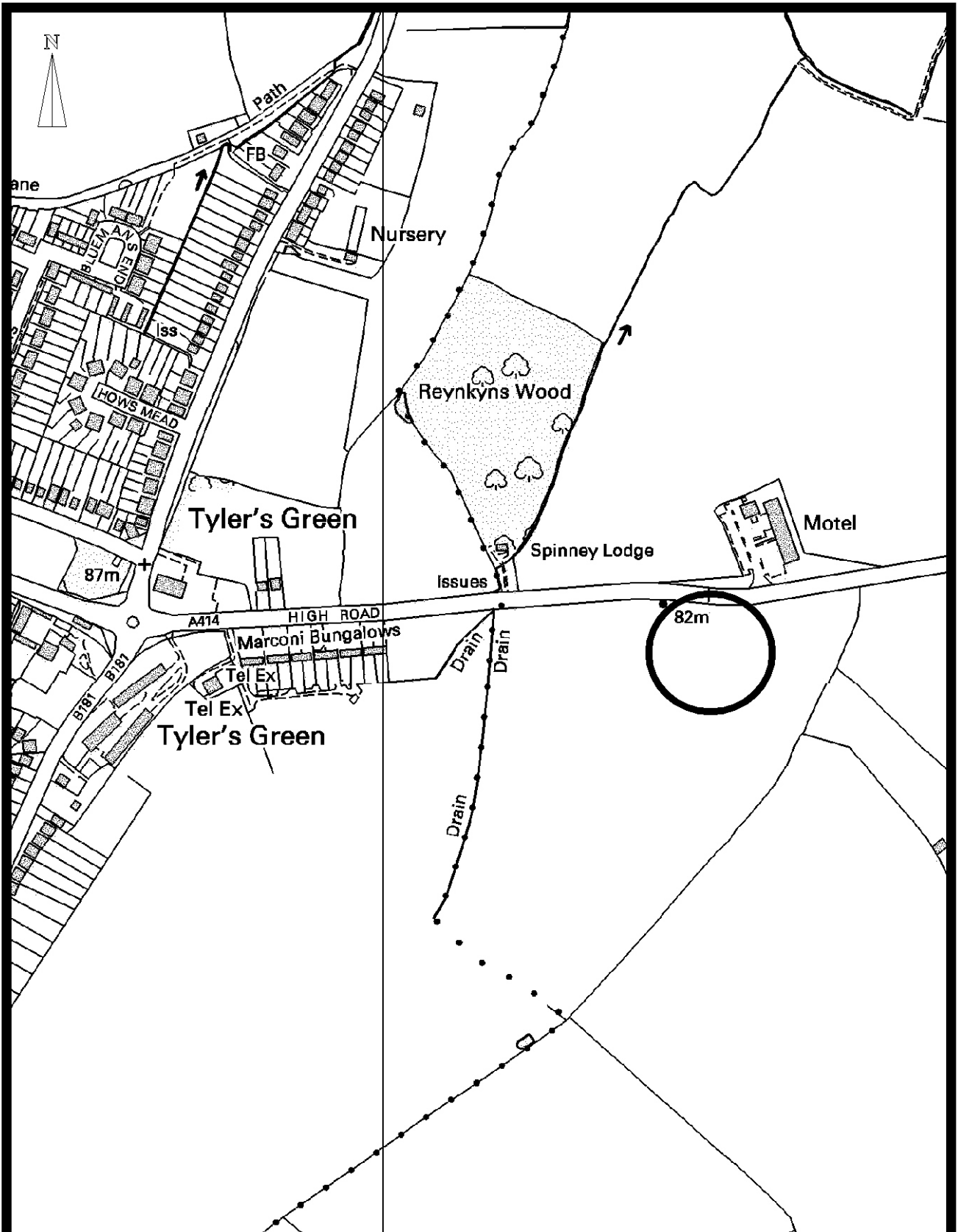
Subject to conditions the advertisement display is considered to be acceptable and can be recommended for consent.

**SUMMARY OF REPRESENTATIONS:**

NORTH WEALD PARISH COUNCIL – Objection: inappropriate development in the Green Belt. Highway safety concerns over proliferation of illuminated signage close to unlit junctions on the A414.

CAMPAIGN TO PROTECT RURAL ESSEX – Objects to external lighting by a dangerous bend, and 3 sq m size; dangerous for road users and detrimental to area.





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Item No: 02  
Scale: 1:5000



**Report Item No: 3**

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

**REASONS:**

- 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 two bedroom dwelling utilising the roof space. The barn is a mixture of brick and weatherboarded 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 southwest 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:**

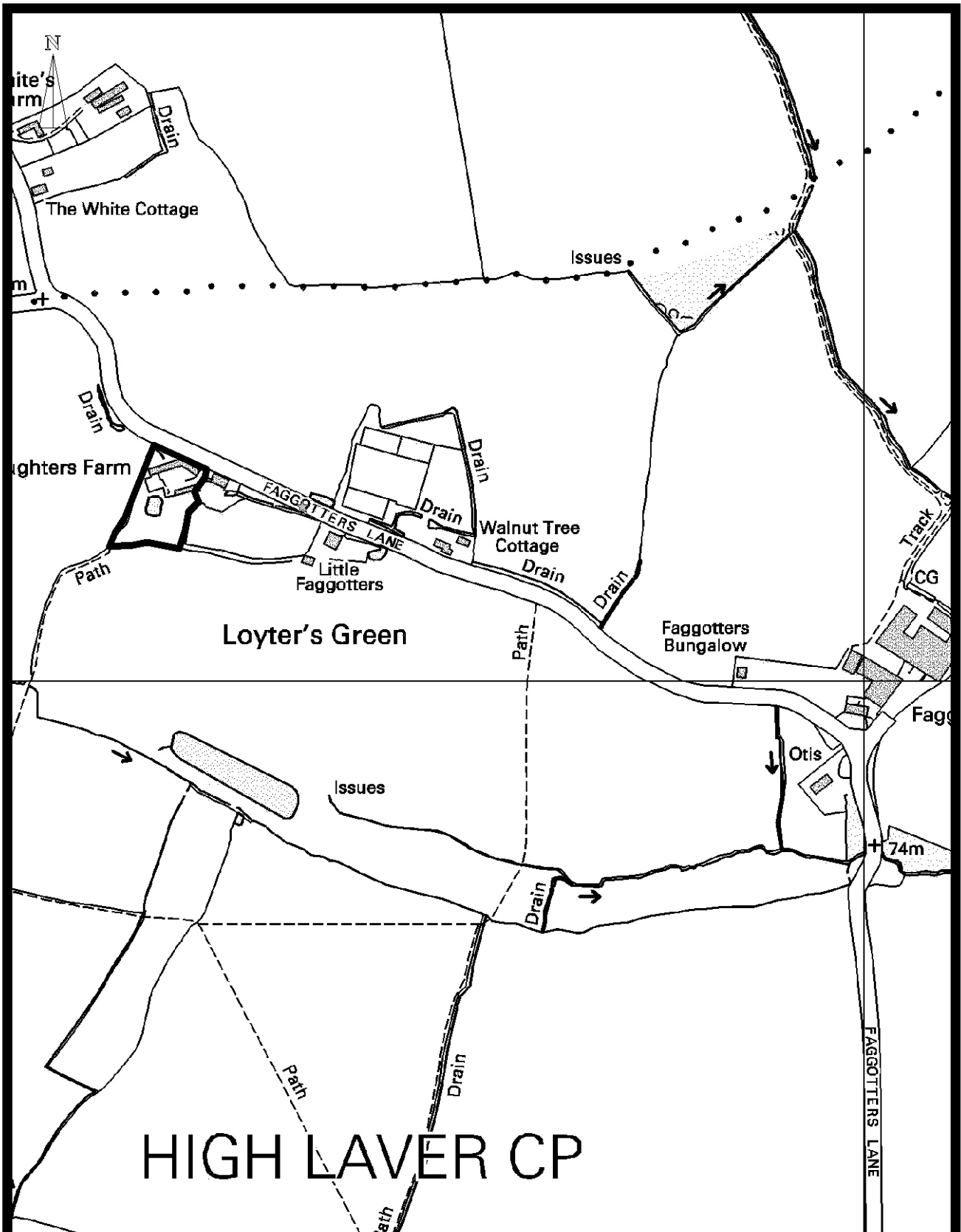
There is policy support for the conversion of rural buildings to residential use provided the Council are satisfied that it is desirable that the building/s be brought back to a beneficial use. These buildings although not listed are both traditional and attractive and create a pleasant vernacular scene. 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:**

Moreton, Bobbingworth and The Lavers Parish Council were consulted on this application following deferment from the last meeting of this committee, but at the time of printing this agenda, no comments had been received. Any received will be reported orally to the committee.



# HIGH LAVER CP

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Item No: 03  
Scale: 1:5000



**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2165/05
<b>SITE ADDRESS:</b>	Southern Cross Little Laver Road Little Laver Harlow Essex CM17 0QB
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>APPLICANT:</b>	R Pohl
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a detached garage.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**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 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.
- 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.

### **Description of Proposal:**

Erection of detached garage located in the centre on the front boundary of the site and which measures 29m<sup>2</sup> and is an amendment on a previous proposal submitted in 2004. Garage to have pitched roof, measuring 3.25m in height.

### **Description of Site:**

The property is detached and set back by 20m from Little Laver Road and is one of a line of properties on the approach to Matching Green.

### **Relevant History:**

EPF/329/04 - Single storey front and rear extension and erection of triple garage - approved with conditions 14/05/2004.

### **Policies Applied:**

GB2 – General restraint

DBE4 – Development in Green Belt

DBE9 – Excessive loss of amenity for neighbouring properties

### **Issues and Considerations:**

The main considerations relate to the impact upon the Metropolitan Green Belt, the impact upon neighbouring properties and street scene and the overall design and appearance of the garage.

This application follows the withdrawal of the garage proposal which formed part of a previous application in 2004. The amended garage would now have a floor area of 29m<sup>2</sup> compared with 51m<sup>2</sup> previously. With an overall height of 3.25m, this development would not be excessive with regard to the principles of GB 2.

Concerns have been raised from neighbouring Matching Parish Council regarding the construction of the garage being excessive in size and not within the current building line. However, the site is well screened from the road through thick hedging some 2.5m high. This development would therefore have limited visual impact and generally be in keeping with its setting in respect of policy DBE 4. While this new garage will be positioned at the front boundary of the property, given the reasonable garage size, the rural street scene is not compromised.

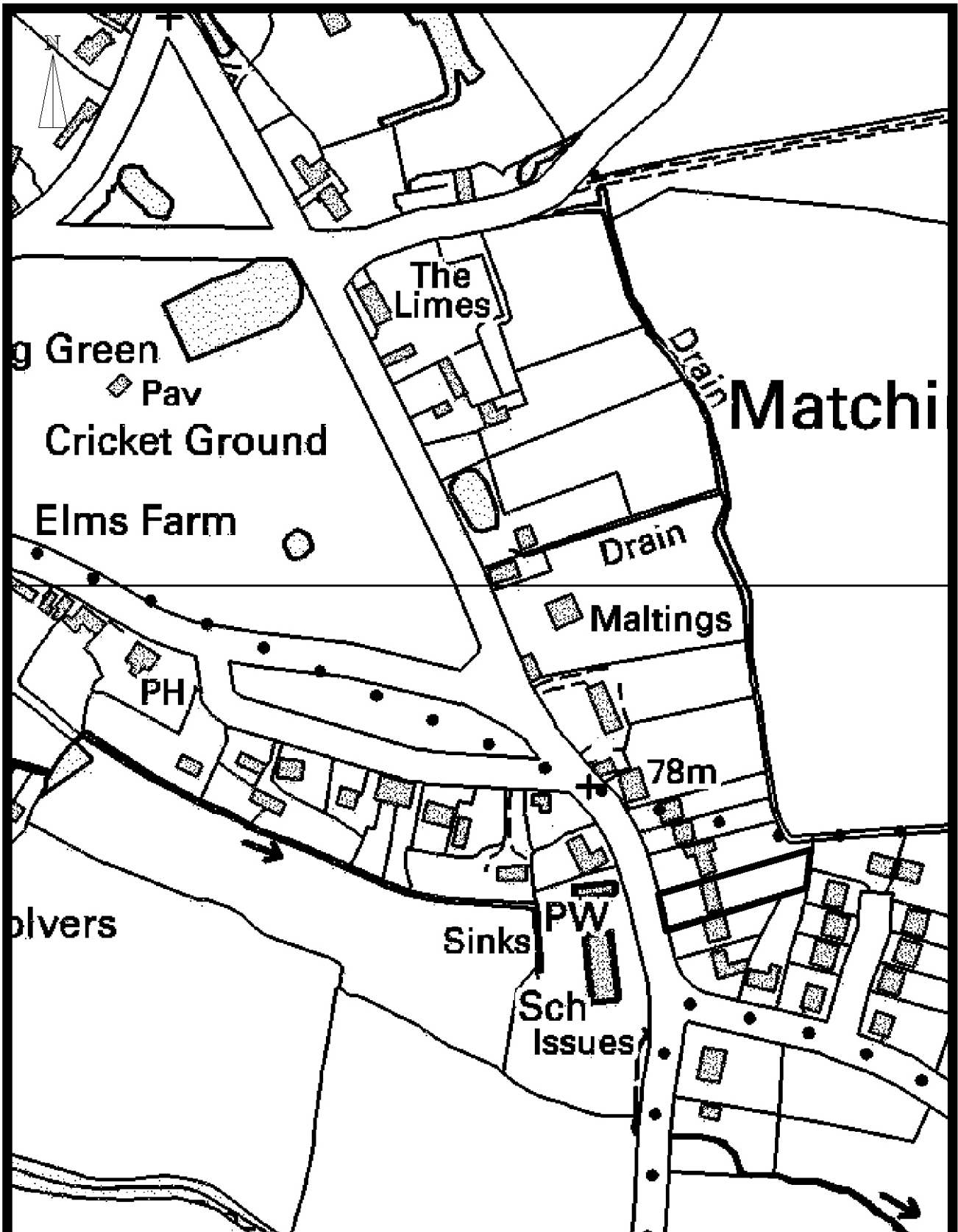
Due to the positioning of the garage there would be minimal impact upon neighbouring properties and there have been no representations to the contrary. In addition, there have been no highway objections to the proposal.

With proposed timber cladding, the overall design and appearance is in keeping with new buildings in the Green Belt outlined in policy DBE 4.

**SUMMARY OF REPRESENTATIONS:**

MORETON, BOBBINGWORTH & THE LAVERS PARISH COUNCIL – No objections.

MATCHING PARISH COUNCIL – Concerned that the proposed garage is excessively large in relation to the size of the plot and would alter the current building line.



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Item No: 04

Scale: 1:2500



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2187/05
<b>SITE ADDRESS:</b>	Knightlands Farm Berwick Lane Stanford Rivers Ongar Essex CM5
<b>PARISH:</b>	Stanford Rivers
<b>APPLICANT:</b>	R Padfield
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective change of use of agricultural building to storage of homeware imports.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**CONDITIONS:**

- 1 This consent shall inure for the use of the building for the storage of homeware imports as described in the application only and for no other industrial or commercial use.
- 2 Vehicle movements shall not be increased above the levels detailed within the application hereby approved, without the prior written approval of the Local Planning Authority.
- 3 The use shall be confined to the building forming the subject of this application and shall not include any open storage or industrial activity in the site known as "Knightlands Farm", Berwick Lane, Stanford Rivers.
- 4 No external lighting shall be erected on the site unless a scheme is firstly submitted to the Local Planning Authority and agreed in writing prior to the installation.
- 5 Within three months of the date of this notice, details for the provision for foul drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage shall be installed in accordance with those agreed details within three months of agreement.
- 6 No machinery shall operate, no process shall be carried out and no deliveries taken at or despatched from the site outside 0800 - 1800 hours Monday to Saturday, or at any time on Sundays, Bank or Public Holidays.
- 7 No external elevational changes shall be carried out to the building without the prior written consent of the Local Planning Authority.

### **Description of Proposal:**

This is a retrospective application for a change of use from an agricultural building to the storage of homeware imports.

### **Description of Site:**

The application site comprises a large corrugated barn that is amongst a series of buildings associated with Knightlands Farmhouse. This building lies to the north-east of the farmhouse and is surrounded by open fields. The whole site is accessed via a long track off Berwick Lane, and is to the south of the lane. The surrounding area is characterised by open fields, and the farm "complex" is also comprised of modern agricultural structures.

### **Relevant History:**

None.

### **Policies Applied:**

Core Strategy, Countryside, Business, Industry & Warehousing and Rural Economy Policies from the Essex and Southend On Sea Replacement Structure Plan:-

CS5 – Sustainable Transport.

C2 – Development within the Metropolitan Green Belt.

BIW3 – Business development – The sequential approach.

BIW5 – Business location.

RE2 – Re-use of rural buildings.

Green Belt, Amenity, Landscaping and Highway Policies from Epping Forest District Council's Adopted Local Plan:-

GB2 – Development within the Metropolitan Green Belt.

GB8 – Change of use of buildings within the Metropolitan Green Belt.

DBE9 – Amenity considerations.

LL1 – The Countryside.

LL2 – Effect of proposals on the landscape of the countryside.

T14 – Car Parking.

T17 – Highway safety.

### **Issues and Considerations:**

The main issues with this application relate to the suitability of the change of use (which has operated since 1999) in Green Belt terms and its effect on the rural area. In addition, the suitability of the site and any effects on surrounding properties, as well as the implications on the highway system are key issues.

Green Belt

This change of use does not seek to add to, or alter the existing building. Structure Plan Policy RE2 states that the re-use and adaptation of existing rural buildings in the countryside (and the Green Belt) will be permitted provided several criteria are met. Firstly, the buildings must be of a permanent and substantial construction and capable of conversion without major or complete reconstruction. Secondly, the buildings must not already damage the amenity of the countryside

nor introduce levels of activity that are unacceptable to the surrounding area or infrastructure. Finally, the conversion must not result in activity that prejudices village vitality. The Policy promotes business after-use conversions in order to stimulate rural enterprise and economic activity. Policy GB8 of the Local Plan states similar criteria and that the proposed use must be, amongst other possibilities business or storage and would not involve open storage or a significant amount of vehicle parking.

Since the building is of permanent and substantial construction and is itself to be unchanged by this development, and the fact it already exists in a farm/agricultural context on the site means it does not adversely affect visual amenity or the appearance of the surrounding Green Belt. The conversion into storage will not pose unacceptable issues in terms of Green Belt principles, and business is specifically mentioned in GB8 as an acceptable form of use.

The applicants have stated that current occupants of the building use it for the storage of homeware products that are imported and then sold on wholesale. It is advised that the use is purely storage and that no retail occurs from the site and additionally no employees are on site daily, thereby ensuring that there will be no/limited open vehicle parking. It is also stated that there is no open storage involved, and this can be curtailed by the imposition of conditions, ensuring the use is appropriate in the context of the surrounding countryside. Moreover the building is screened on three sides by hedging, so it is not an intrusive feature in the countryside.

#### Suitability of the site for commercial use and effects on amenity

The site is located in a rural location, accessed off Berwick Lane, which is a narrow winding country lane. Its lawful use is for agricultural and farm-related activities. The location of this business is contrary to the sequential approach favoured by BIW3 of the Structure Plan and is not conducive to promoting non-car modes of transport. Policy RE2 however promotes business after-use conversions of buildings that will have the effect of promoting rural enterprise and economic vitality. In addition, the Green Belt considerations outlined above also illustrate the acceptability of the re-use of building for a commercial use.

Within the application documentation it has been stated that the proposed use would not increase traffic activity such that it has a material effect on the surrounding rural road network. It has been stated that the number of vehicles that travel to this site is low; deliveries arrive approximately twice a month on large trailers and a small van moves smaller deliveries from the site approximately once a week. The application details show that two light goods vehicles visit the site per week, with two heavy goods vehicles visiting the site per month. Whilst concern has been raised about an increase in heavy vehicle movements arising from this use, the details that have been supplied indicate that these movements will be far less than that which would have arisen from heavy agricultural machinery and farm traffic. The type of traffic and the levels that would have been generated in conjunction with the lawful farm use could have and would be greater than those indicated with this proposal. A condition can request that vehicle movements in conjunction with this use are no greater than those specified with the application, to minimise the effects of this storage use on the surrounding area.

In terms of the cessation of use of the building for agricultural activities and storage, the applicant states that this has arisen due to the downturn in commodity prices and the need to reduce costs. All farm storage is located at Great Tawney Hall Farm (located approximately 1.5 miles from the site), which has resulted in reduced overhead costs. Farming activity will therefore continue on the site, and the overall provision of agriculture will not be affected.

The distance of the site is some 270 metres from the nearest residential property, so the use within the building itself is unlikely to generate any noise or circumstance that would be detrimental to amenity. Furthermore, environmental health officers have not commented adversely to the

application, provided hours of use conditions are imposed (which can be controlled by way of a condition).

#### Highway issues

Highway Officers have raised no objections to this proposal. Whilst there is concern about the suitability of width of the road to contain large lorries, the vehicles movements as described in the submitted application documentation are minimal. Two vehicle movements of HGVs are indicated as occurring per month, with two movements of lighter vehicles per week. On face value, these movements are not considered to materially add to those experienced with the existing lawful (farm) use of the site. A condition restricting the use of this building, as well restricting traffic as to the indicated vehicle movements will ensure that changes cannot occur without consent. The circumstances of this site are different to that of nearby Stewarts Farm (which was dismissed on appeal) in that far less vehicle movements are documented.

#### Conclusion

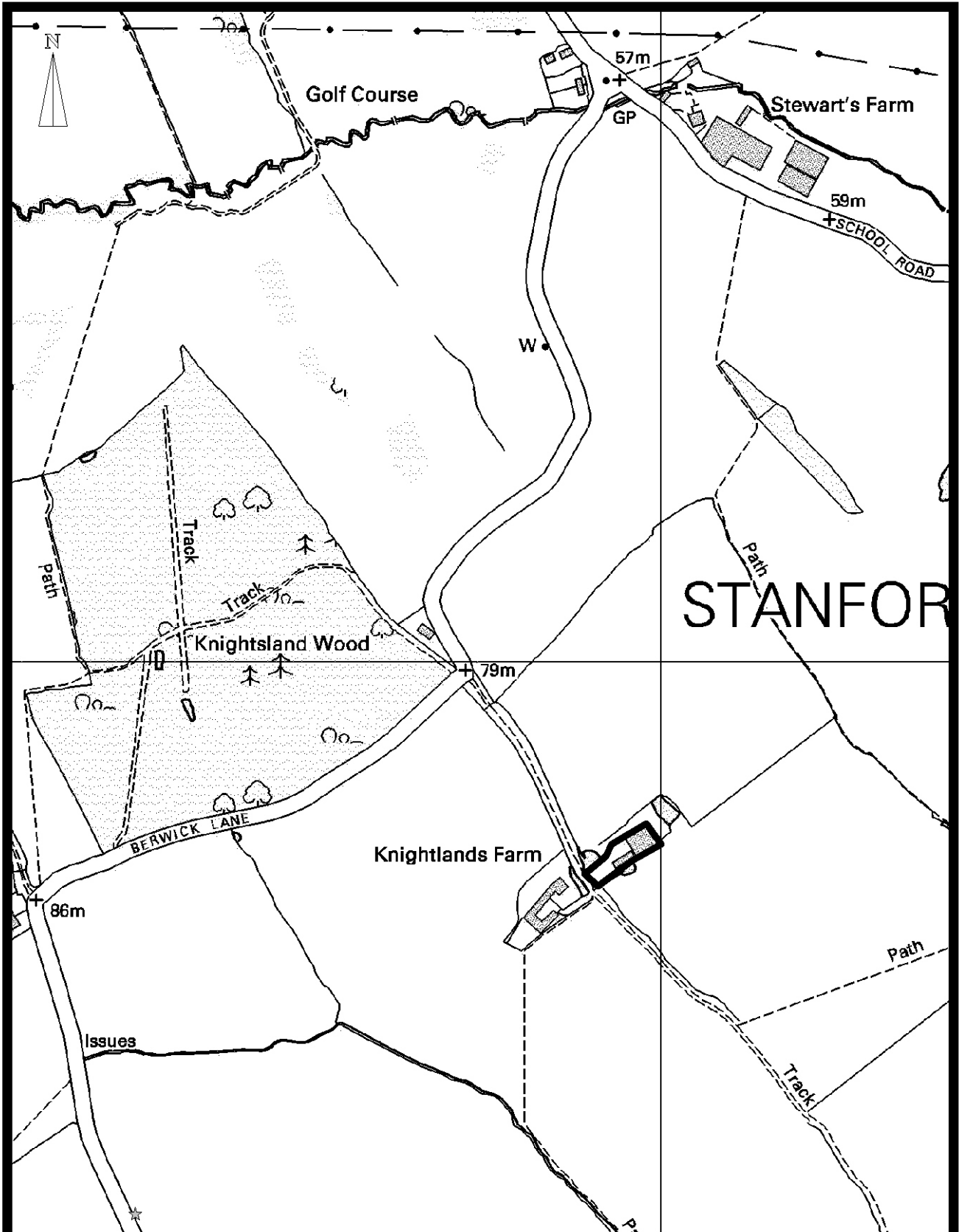
The concerns of neighbours have been carefully considered, however it is felt that on the basis of the information submitted that the change of use is appropriate in the context of the countryside and surrounding area. The application is recommended for approval.

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

PARISH COUNCIL – No objection.

47, STEWARTS CROSS, SCHOOL ROAD – Object. What are the means that that imported goods will be delivered? Do not believe that Berwick Lane and School Road are suitable for heavy traffic. A small bridge on the corner of Berwick Lane /School Road has sustained two separate vehicle incidents where the bridge has been knocked down and is now in a dangerous condition. Do not believe that it will sustain the width or weight of HGVs crossing whether it is repaired or strengthened. Damage has been done already to our verge that has caused a water leak. Articulated lorries will cause more emissions and will damage hedgerows and disturb wildlife. Wheels will chew up the roadside. I believe there will be an increase in commercial vehicles travelling past my property. Since Knightlands Farm is on a 90-degree corner of the lane approaching from the direction of Ongar Road, articulated lorries will not be able to manoeuvre into the farm. Accessing from School Road permits unrestricted access. We have seen China Shipping lorries delivering to the farm. Stewarts Farm previously operated as an animal feed business that I understand was closed down as a result of HGVs trafficking along the network of roads. If permission was not granted to this business, then it should not be granted to Knightlands Farm. We do not wish to see the little remaining unspoilt countryside in the district become ruined. The use of the farm buildings is not an issue, but merely the logistics in implementing its use.

48, STEWARTS CROSS, SCHOOL ROAD – I have noticed a large increase in traffic going down Berwick Lane, the only reason is because it is 40ft lorries. I totally object to lorries this size being able to use the lane due to its width. Not long ago a blood stained man knocked at my door to ask me to dial 999 as his small car had collided with another, causing an accident. How are lorries able to cope, or better still, how are cars able to cope with a 40ft lorry coming towards them down a country lane? My son and I were forced to climb onto a high mud bank when walking, so a 40ft lorry could pass us. The amount of mud being churned up by these lorries is also making the roads unsafe, as they are slippery and unpleasant to walk on. At the junction with School Road, on occasions, small farm machinery has knocked down the iron fence that has yet to be repaired, which is very dangerous. Concerned whether the bridge would be able to take the weight. In winter the lane is impossible to travel up via car because of the ice. If the lorries were coming off the main road and turning down the lane via Berwick Farm I feel that this would be a safer way.



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**Item No: 05**

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