

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee C Wednesday, 24th January, 2007

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer Mark Jenkins, Research and Democratic Services
Tel: 01992 564607 Email: mjenkins@eppingforestdc.gov.uk

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

Members:

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

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. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. The Council has adopted a protocol for the webcasting of its meetings which is attached.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

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

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. MINUTES (Pages 7 - 16)

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

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) 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.

7. DEVELOPMENT CONTROL (Pages 17 - 26)

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

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of

officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. 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.

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion: 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 following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: 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 and 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.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

What can I say?

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

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

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

How are the applications considered?

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

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

Further Information?

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

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Area Plans Subcommittee C	Date:	Wednesday, 20 December 2006
Place:	Council Chamber, Civic Offices, High Street, Epping	Time:	7.30pm - 9.06 pm
Members Present:	K Wright (Chairman), Mrs D Collins, P Gode, Mrs H Harding, D Kelly and R Morgan		
Other Councillors:			
Apologies:	Mrs M McEwen and D Jacobs		
Officers Present:	M Jenkins (Democratic Services Assistant), G J Woodhall (Democratic Services Officer) and S Dobson (Information Assistant (Public Relations))		

1. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet and that the Council had adopted a protocol for the webcasting of its meetings.

RESOLVED:

That the Council's protocol for webcasting of Council and other meetings be noted.

2. 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.

3. MINUTES

There had been no meeting of the Sub-Committee in November 2006 due to their being no planning applications.

RESOLVED:

That the minutes held on 25 October 2006 be taken as read and signed by the Chairman as a correct record.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. ANY OTHER BUSINESS

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

6. PLANNING APPEALS REPORT

The Principal Planning Officer presented a bi-annual Planning Appeals report advising of the results of all successful appeals, particularly those refused contrary to officer recommendations. The report highlighted that there had been no appeal decisions allowed by the Inspector following the Sub-Committee's decision to refuse permission, contrary to the Planning Officer's recommendation.

The Sub-Committee were informed that the Best Value Performance Indicator had been amended to reflect only appeals against the refusal of planning permission, for which the Council had set a target of 24%. The performance figure for the Council was 26% which narrowly missed the target, however the Council's performance was better than the national average of 33%.

No awards of costs were made in this 6 month period against the Council, but the Council were successful in obtaining a partial award of costs in one case.

The Council's performance during this period continued to be a reflection of the quality of decision making by both officers and members at committee.

RESOLVED:

That the Planning Appeal Decisions for the period April to September 2006 be noted.

7. DEVELOPMENT CONTROL**RESOLVED:**

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

8. 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.

9. RETIREMENT OF PRINCIPAL PLANNING OFFICER

The Chairman of Committee announced the retirement of the Principal Planning Officer, Ralph Bintley who had worked on Area Plans Sub C Committee for many years. The Chairman thanked Mr Bintley for his years of service and assistance to the members of the Committee.

CHAIRMAN

Minute Item 7

Report Item No: 1

APPLICATION No:	EPF/1614/06
SITE ADDRESS:	24 Great Stony Park High Street Ongar
PARISH:	Ongar
DESCRIPTION OF PROPOSAL:	Loft conversion with conservation roof windows.
DECISION:	GRANTED

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 proposed new roof light shall be of the conservation type and shall be installed so that it is not any higher than the surrounding roof tiles.

Report Item No: 2

APPLICATION No:	EPF/1787/06
SITE ADDRESS:	Land adj to 22 Cloverley Road Ongar Essex
PARISH:	Ongar
DESCRIPTION OF PROPOSAL:	Erection of single detached dwelling for residential use.
DECISION:	GRANTED

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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.
- 7 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 8 The development shall be carried out in accordance with the amended plans received on 11/12/2006 unless otherwise agreed in writing with the Local Planning

Authority.

Reason:- In order to ensure that the development conforms with the approved plans, and for the avoidance of doubt.

Report Item No: 3

APPLICATION No:	EPF/2141/06
SITE ADDRESS:	Maybanks Farm Epping Road Ongar
PARISH:	Stanford Rivers
DESCRIPTION OF PROPOSAL:	Erection of hay barn. (Revised application)
DECISION:	DEFER FOR MEMBER'S SITE VISIT

Members were advised that location of barn on the location plan was incorrect.

Additional document with 51 signatures in support of the application had been submitted.

One additional letter from neighbour supporting application had been received and a further letter from Solicitors acting for resident of 22 Epping Road had also been received, objecting to application.

Report Item No: 4

APPLICATION No:	EPF/2142/06
SITE ADDRESS:	Maybanks Farm Epping Road Ongar
PARISH:	Ongar
DESCRIPTION OF PROPOSAL:	Use of existing stables for the livery of up to seven horses. (Revised application)
DECISION:	REFUSED

Members advised that additional document with 51 signatures in support of the application had been submitted.

One additional letter from neighbour supporting application had been received

Letter from Solicitors acting for resident of 22 Epping Road had also been received, objecting to application.

REASON FOR REFUSAL

- 1 The proposed use of the existing stables for the livery of seven horses would harm the openness of the character of the surrounding countryside and therefore represent inappropriate development in the Metropolitan Green Belt, contrary to policies Structure Plan policy C2 and Local Plan policies GB2A and GB8A.
- 2 The proposal will result in undue loss of residential amenity to residents living in the vicinity of the site, by reason of vehicular activity and comings and goings to the site during unreasonable early hours of the morning, contrary to policy RP5 of the adopted Local Plan.

Report Item No: 5

APPLICATION No:	EPF/2079/06
SITE ADDRESS:	Land to the east of Willow Mount Epping Road Ongar
PARISH:	Stanford Rivers
DESCRIPTION OF PROPOSAL:	New stable block. (Resubmitted application)
DECISION:	GRANTED

Members required an additional condition and added the following:-

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 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.
- 3 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.

- 4 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.

- 5 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.

- 6 No external lighting shall be installed without the prior written approval of the Local Planning Authority.
- 7 There shall be no commercial use of the site whatsoever. Only domestic use by the applicant and his immediate family (spouse and children) is approved.
- 8 The colour of the materials is to be approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved.
- 9 Within one month of the erection of the stables hereby approved all other buildings, structures and debris shall be removed from the site and no further development shall occur without the prior written approval of the Local Planning Authority.
- 10 Details of the means of storing and disposing of manure shall be submitted to and approved by the Local Planning Authority and completed in accordance with these details prior to first occupation of the stables.
- 11 The paddocks shall be re-seeded in rotation over a period of no longer than 3 years.

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AREA PLANS SUB-COMMITTEE 'C'

Date

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2141/06	Maybanks Farm, Epping Road, Ongar	GRANT	17

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Report Item No: 1

APPLICATION No:	EPF/2141/06
SITE ADDRESS:	Maybanks Farm Epping Road Ongar Essex CM5 9SQ
PARISH:	Stanford Rivers
APPLICANT:	Mr B Hollington
DESCRIPTION OF PROPOSAL:	Erection of hay barn. (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 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 3 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 4 The hay barn hereby approved shall only contain hay cut from the application site as indicated in blue on the submitted plan all hay shall be stored within this and the two existing buildings at the site only. No hay shall be stored externally including none on any moveable trailers at the site, unless otherwise agreed in writing by the Local Planning Authority.
- 5 Before work commences on the site, details of the foundations to the proposed hay barn shall be submitted to and agreed in writing by the Local Planning Authority. The details as agreed shall be carried out thereafter.
- 6 The hardstanding and access road to the new barn, as shown on the approved plan, shall be grass-crete only, unless otherwise agreed in writing by the Local Planning Authority.
- 7 Before the hay barn is first brought into use, a drawing shall be submitted to the Local Planning Authority showing the number and position of any trailer to be stored at the site. The details as agreed shall be adhered to thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 8 The position of the new access gates as shown on approved drawing no. 1104/5A shall be carried out and completed to the satisfaction of the Local Planning Authority before the hay barn hereby agreed is first brought into use. The details of the size and appearance of the gates shall be agreed prior to their installation on the site.

This item was deferred at the last meeting, held on 20 December 2006, in order to allow the Members to carry out a site visit. The visit was carried out on 22 January 2007.

The Officers report is reproduced below with an updated summary of representations.

Details of Proposal:

Erection of barn for hay storage, measuring 7.62m x 30.5m in area and 6m high to the central roof ridge. Externally, the barn would be finished in a dark green plastic coated profiled steel sheeting on three sides and would be located on the eastern extremity of the site, approximately 30 metres back from the road and adjacent to the site boundary with Toot Hill Golf course. It will be served by a new access, set in grasscrete, continuing from the existing vehicular access to the site.

Description of Site:

The site lies on the south side of Epping Road and is accessed from the road leading into a field serving a stable building, a barn, a number of vehicle trailers with a roughly surfaced forecourt. Along this frontage to the road, there is a hedge, which continues east beyond the site boundary. The site extends southwards from these buildings and is fenced into paddocks. The land rises south within the applicants land to a peak, beyond which there is a field for the growing of hay. Also on the road frontage, west of the stables, there is a Grade II listed farmhouse, occupied by the applicant. To the north, there is residential development, to the east Toot Hill Golf Course; otherwise this is open countryside.

Relevant History

EPF/423/95 – Farm store building – Granted.

EPF/1607/98 – Conversion of barn to stables, consisting of 12 loose-boxes – Granted subject to a condition stating no livery use.

EPF/116/00 – Proposed barn – Refused planning permission and Dismissed on Appeal :- harm to openness of Green Belt and visually intrusive from the road.

EPF/306/04 – Continued use of Stables for Livery purposes – Refused planning permission and subsequent appeal dismissed :- Harm to the Green Belt and to residential amenity.

EPF/1654/06 – Erection of Hay Barn – Withdrawn by the applicant.

EPF/1655/06 – Use of existing stables for the livery of up to 10 horses and new access to the site – Withdrawn by the applicant.

Relevant Policies

Local Plan policy GB2A and Structure Plan policy C2 – Development not be granted for development unless it is appropriate to the Green Belt.

GB11 – Criteria for assessing agricultural buildings.

LL2 – Development in countryside respect character of landscape and/or enhance its appearance.

DBE2 and DBE9 – Harm to the amenities of local residents living in the vicinity of the site.

Issues and Considerations

The main issues in this case are (i) whether the proposed hay barn is appropriate in Green Belt terms, (ii) would it adversely affect the appearance of the locality, including the openness of the Green Belt, (iii) would it harm the amenities of the residents living in the vicinity of the site.

(i) Appropriate Development in the Green Belt

A good deal of the applicants overall site is laid out as paddocks for horses kept on the land. But out of sight from the current buildings over a hill and south of the site the applicant produces a hay crop from land in his ownership, that he states is sold from the farm. One cut, he states, is taken each summer and currently 4000 bales are produced each year. Evidence has been submitted of hay sales for the last couple of years, including hay sales to the livery tenants on the site. He is seeking other land, despite selling off land in Mill Lane in the last 10 years, to increase further the amount of hay for sale. The current barn stores some of the hay, but he claims that the remaining hay seen on the site stored on up to 14 trailers and in small covered stacks in the open is the remaining hay from the land. Farm equipment, tractors etc are also generally stored outside. The proposed hay barn will therefore allow a greater and more satisfactory area for hay storage (up to 5,460 bales) as well as dry, covered storage of unsold hay, rather than the unsatisfactory, unsightly storage on trailers. Whilst some of the hay will be used by the horses on the land (a non-agricultural use) the majority would appear to be for genuine agricultural business use. Officers therefore consider the proposal is appropriate development in principle in the Green Belt. Admittedly, this is a different view from the Planning Inspector on the 2001 appeal for a larger hay barn, who considered the mixed use of the site involving a non-agricultural use (keeping of horses) made this an inappropriate use. The proposal therefore complies with policy GB2A of the Local Plan.

(ii) Visual Impact

The previously dismissed appeal hay barn was to be twice the width and 0.7 metres higher than the proposal. It was also proposed to be in a more open position in the field, behind the existing buildings, such that the Planning Inspector concluded that it would harm the openness of the Green Belt and be prominently visible from the road and houses opposite. The recent withdrawn hay barn (EPF/1654/06) was to be adjacent the front boundary of the site to the road, partly concealed behind the existing hedge and served by a re-sited new vehicular access. Officers urged the applicant to withdraw this because it would have been too dominant and bulky in this position, and the new access directly opposite 22 Epping Road, would have been very unneighbourly.

It is acknowledged that this is a large structure, but hay barns generally are on most farms. There appears to be a need for it, so the proposed location towards the tree and hedged eastern boundary with the golf course would ensure some good screening to lessen its impact. In this position, there is also hedge screening to the road, although further soft landscaping is also required to ensure further screening is provided. From the road, the proposal will be 30 metres away and 55 metres from the nearest house. The access will remain in the same position and the use of grasscrete will help to safeguard against the current hardstanding being too extensive or harmful to the appearance of the countryside. A dark green external finish is also appropriate in this rural location.

In this position it is also lower than the road. An alternative to locate it directly behind the stables would be in more of a hollow on the site where it is prone to flooding and therefore not suitable for the storage of hay. Behind the applicants own house, it will be in an elevated position and very prominent in the landscape.

On balance therefore, it is considered that the building is in a suitable location on the site and by being over to one side, it will not clutter up the appearance of buildings on the site. It therefore complies with policy GB11 and LL2 of the Local Plan.

(iii) Neighbouring Residents Living Conditions

As already stated, this is a large building and potentially could appear bulky in appearance. The neighbours will have view of it from upper floor windows of their houses, but from street level, it will be reasonably screened to not cause loss of outlook or visual amenity. Vehicular movement associated with the agricultural use is not considerable and the new hay barn should not add unreasonably to traffic movement to and from the site. The vehicular entrance would be improved by setting new gates back into the site to allow a vehicle to turn into this area before entering the site, and therefore be clear of the highway. The proposal complies with policies DBE2 and 9.

(iv) Other Matters

The hay barn will be sited close to an oak tree on the golf course boundary. It will not interfere with its crown spread, but is likely to potentially affect its roots if a deep foundations are dug. Details of foundations are therefore required and are conditioned.

The Parish Council comments have been carefully considered. The site overall is of poor appearance to the road and particularly to the residents living opposite. There are numerous trailers scattered around the site, which are no longer going to be required for the storage of hay. It is therefore appropriate in this case to impose a condition stating that all hay shall be stored in the barns on the site (and cut from the land only) and there shall be no external storage of hay. Any built development will require further planning permission and therefore it is not necessary to impose further restrictions by condition when the merits of any future scheme can be judged at that time. A condition restricting the use to no industrial again is not necessary, as the use of the barn for other purposes will require a new planning application.

Summary:

In summary, the proposal is appropriate development in the Green Belt and in a relatively sheltered location, will not be visually imposing on the openness of the Green Belt or the street scene. The visual and residential amenities of the local residents will not be seriously impaired. On balance, it is considered that a further additional building is acceptable.

However, to preserve the open character of the surrounding countryside, any further development proposals are likely to be refused planning permission.

Summary of Representations

PARISH COUNCIL – No Objection, subject to site cleaned up and existing trailers removed, no outside storage of hay, more screening (particular to protect nos. 36 and 40 on higher ground), no

further development on site (no infill between proposed and existing building), non-industrial use order to be imposed. Given history of this site we would like to see some legal agreement drawn up imposing these provisos. Such an agreement to have the force of Law behind it whereby Court action would ensue if agreement was broken – in order to protect local residents interests given how enforcement notices and planning restrictions are blatantly ignored.

30 EPPING ROAD – Object. Barn is excessive in size for the volume of hay currently used or sold off site. Size of barn appears to depend on whether the applicant purchases further land, but true that the current loaded trailers littering the site appear to be in excess of the applicants current demand, therefore concerned about an increase in traffic movements generated by the sale of hay, irrespective of being sold in bulk or small amounts. Object to bulk and size of the building within the countryside.

8 EPPING ROAD – Constant planning applications and appeals because of what applicant wants all the time and it is us who have to look at this building everyday and do not wish for our countryside and views to be blighted anymore by another barn, site already over-developed, even if requires landscaping his last attempt to plant conifers for screening didn't even grow and the suggested proper management of the existing pond and surrounding areas is unlikely to occur given his neglect of this over the last 10 years since we have lived here, building be unsightly, make more noise and danger for us if catch fire.

CAMPAIGN TO PROTECT RURAL ESSEX – Object. Haybarn is too large and too obtrusive in the Green Belt.

18 EPPING ROAD – Further intrusive development in the Green Belt and fail to enhance the character of the local countryside as covered under policy GB11 (ii) and (iii), erection of another barn will impede outflow of water in times of flood which the locality is prone to and has suffered serious flood damage on at least two occasions.

22 EPPING ROAD – Third barn at the site will detract from Green Belt openness and visual amenities of residents, no change from previous dismissed appeal for a hay barn, current buildings were meant to be agricultural buildings, does not store agricultural crop as stated and only uses it to feed the livery horses as the hay never leaves the site, no agricultural justification for this development, contrary to policy GB11 and applicant habitually ignores any planning condition, he states he is trying to expand his farm, then why does he sell off 40 acres of pasture land less than a mile from his house in Mill Lane, fire hazard close to residential property.

20 EPPING ROAD – Object. Increased development and area of enclosure and activity associated with horse movements, resulting in noise and disturbance to local residents, looking for additional land/hay to increase storage so expect may future planning applications, position close to a ditch and therefore likely to flood here as well, he does not want it outside his house and therefore why it is proposed here, size of existing development is sufficient, will continue to have trailers on his land to cause annoyance to local residents, inappropriate development and not in keeping with the rural setting that existed before this piecemeal development.

12 EPPING ROAD – Object, similar structure dismissed on appeal, be a significant over-development of the site on green belt land which is closest to the residential properties, already two large barns on the property, considerable visual impact at 6.0m high which only moderate when trees in leaf, access road to new barn will cause noise and disturbance to residents. Site been significantly developed and increase commercial activity, overall appearance of site is poor with numerous trailers.

PETITION SIGNED BY 26 RESIDENTS OF 17 LOCAL HOUSEHOLDS – Object, live within 250m of the site, believe has been enough development at this location, contravenes green Belt policy, barn is large and inappropriate in a residential area. Ask parish Council reflect view of local residents and object strongly.

PETITION SIGNED BY 53 RESIDENTS OF 36 LOCAL HOUSEHOLDS – Support the proposal. Petition includes the signatures of 6 people who signed on the earlier objection petition.

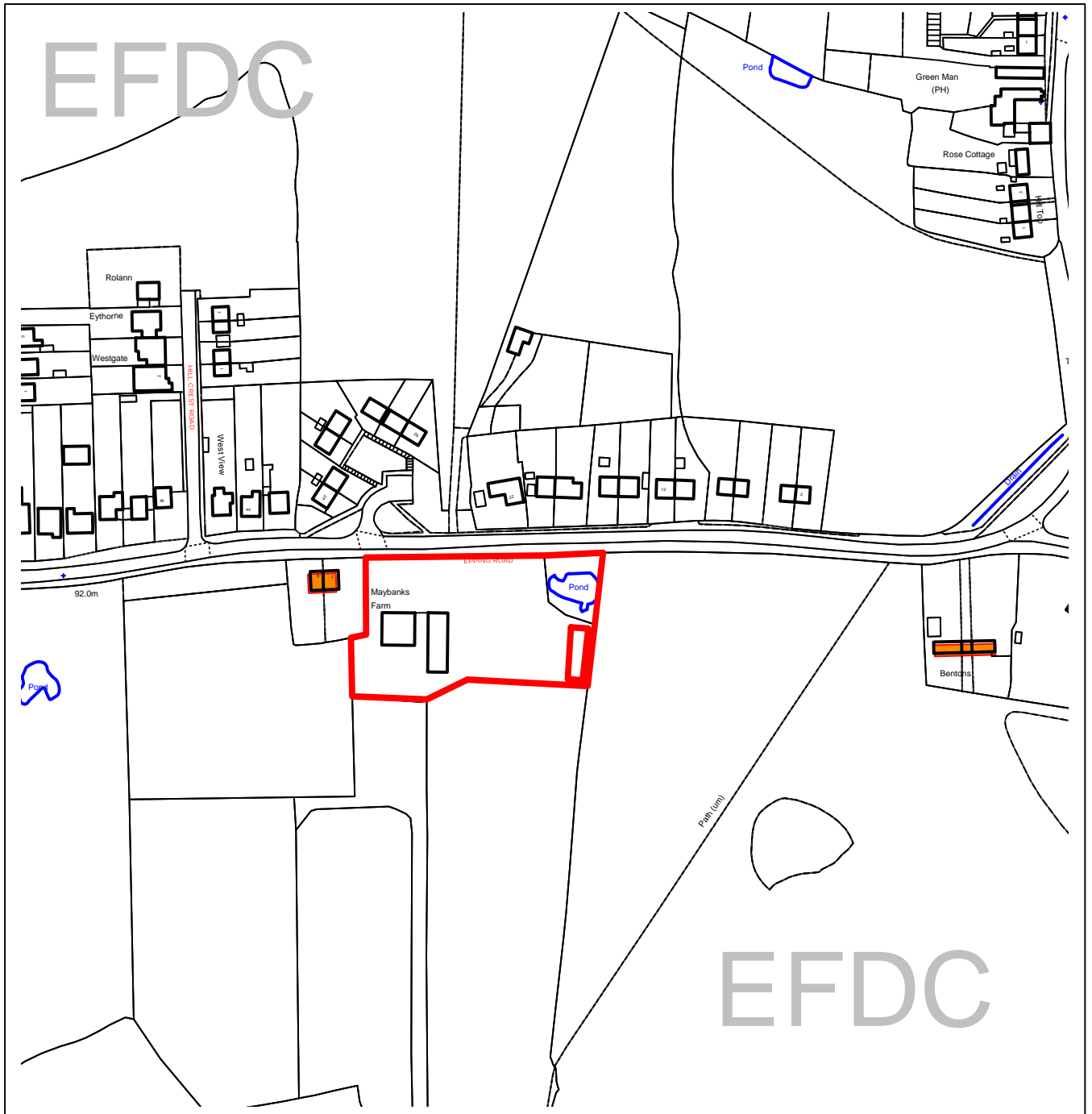
WILLOWS END, CUMLEY ROAD – Initially objected because access was to be opposite 18 Epping Road, but tons of hay lost each year due to poor storage will be saved and removal of unsightly trailers will be welcomed.

22 EPPING ROAD (2ND LETTER) – Does not comply with Local Plan policy GB2A or GB11, whole of site is not used for agriculture and livery stables is not within definition of agriculture – confirmed by Appeal Inspector in 2001, livery is unlawful and if building vacated then would be legitimately available for farm storage. Agriculture includes the ancillary right to sell produce of that land but not include right to import and sell crops from other land, not clearly demonstrated a need for a barn as concluded by Planning Inspector in 2001. Trust council will refuse the application.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	1
Application Number:	EPF/2141/06
Site Name:	Maybanks Farm, Toot Hill
Scale of Plot:	1/2500