



Epping Forest District Council



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Application Number:	EPF/2999/21
Site Name:	Land on the North East Side Adj. Jessica Chase Lane Chigwell IG7 6JW

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OFFICER REPORT

Application Ref: EPF/2999/21
Application Type: Full planning permission
Applicant: Mr K and Mrs L Plaster
Case Officer: Kie Farrell
Site Address: Land On The North East Side Adjacent to Jessica
Chase Lane
Chigwell
IG7 6JW

Proposal: Build additional stables to mirror the existing stable block, construct an all-weather riding arena and adjacent store.

Ward: Chigwell Row
Parish: Chigwell
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NxJG>
Recommendation: Refuse

This application is before this Committee since it has been 'called in' by Councillor Bhanot (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).

Called in by Councillor Bhanot on 7th December 2021.

Description of Site

The application site is land on the north-east side of Chase Lane adjacent to the property known as 'Jessica'.

The site is located within the Metropolitan Green Belt, it is not located within a Conservation Area and there are no listed buildings on the site.

Description of Proposal

The description of development is:

Build additional stables to mirror the existing stable block, construct an all-weather riding arena and adjacent store.

The proposed development is very similar to application (EPF/1554/21) that was refused in July 2021 and dismissed at appeal in March 2023.

The development comprises 4 main elements as follows:

1. Stable building
2. Riding Arena
3. Arena Store Building
4. Manure Clamp

The table below compares the current proposal and the refused/dismissed scheme, showing that 3 of the 4 elements are unchanged / identical:

		EPF/1554/21 (Refused/Dismissed Appeal scheme)	Current Proposal (EPF/2991/21)
1	Stable Building	24m x 11.6m. Max height 4m (incorporating footprint of existing Barn - 19.5m x 5.9m. Maximum height 3.3m)	New building of 19m x 3.8m (max height 3m); and 3.9m x 3.8 (3m height) extension to existing building (tool/rug store)
2	Riding Arena	50m x 30m with surrounding berms 1.7m high	Unchanged/Identical
3	Arena Store Building	7.2 x 3.6m. 3.0m high	Unchanged/Identical
4	Manure Clamp	5.5m x 2.5m	Unchanged/Identical

The development proposed by the current application (EPF/2991/21) is very similar to that proposed by refused application EPF/1554/21 which was dismissed at appeal in March 2023. The appeal decision is therefore a strong and relevant material consideration for the determination of the current application.

Relevant History

EF\2021\ENQ\00796

Convert existing stables into a larger barn, construct an all-weather riding arena and adjacent store.

Post-App advice issued 5.10.2021.

EPF/1554/21

Convert existing stables into a larger barn, construct an all-weather riding arena and adjacent store. ** Corrected site address **

Refused 28.07.2021. Dismissed at appeal 07.03.2023.

Reason for refusal:

The application site is located in the Metropolitan Green Belt. The proposed development is inappropriate development, by definition, harmful to the Green Belt. In addition due to its excessive scale, volume and footprint it will have a significant physical impact on openness. No very special circumstances have been demonstrated that are sufficient to outweigh the significant harm to the Green Belt and to the purposes of including land within the Green Belt. The development is therefore contrary to policy GB2A of the adopted Local Plan and Alterations and Policy DM4 of the Local Plan Submission Version 2017 and the NPPF (2019).

EF\2020\ENQ\01120

Construction a single American Style barn and all weather riding arena.

Pre-app response issued 21.01.21 – Not supported – proposal would be inappropriate development in the Green Belt.

EPF/0992/19

Shepperd's Nursery, Chase Lane

Revision to EPF/1618/17 to allow changes to the stable and storage building design.
Approved 15.07.2019.

EPF/1618/17

Shepperd's Nursery, Chase Lane

Construction of a two-storey detached residential dwelling, with the demolition of existing stables and outbuildings and their replacement with new stables and storage facilities

Approved 23.08.2017.

It is noteworthy that as part of planning permission EPF/1618/17 (amended by EPF/0992/19) is a significant amount of stable buildings were removed in a trade off for the new development allowed which included a new dwelling and replacement stable buildings for personal use. The approved new dwelling, stable building and storage building amounted to a 54% increase over the volume of the buildings originally on the site.

Relevant Planning Policies

Adopted Local Plan (2023):

SP1 – Presumption in Favour of Sustainable Development

SP7 – The Natural Environment, Landscape Character and Green Infrastructure

DM3 – Landscape Character and Ancient Landscapes

DM4 – Green Belt

DM9 – High Quality Design

NPPF 2021.

Consultation carried out and summary of representations received

Chigwell Parish Council – Objection. Comments dated 12th January 2022:

“The Council OBJECTS to this application because the proposal has the potential to be inappropriate development/to impact on the openness of the Green Belt. However, if Planning and Landscape Officers are minded to approving this proposal, the committee is willing to withdraw its objection.”

10 Neighbours consulted. 8 responses received comprising:

4 objections (3 neighbours and the Chigwell Residents Association) and
4 letters of support (1 family member, 1 neighbour and 2 local businesses)

Chase Farm Cottage (Objection):

“I write on behalf of Chase Farm Cottage (Unique ID 1145013) which is located to the end of Chase Lane, to the north of the application site.

Whilst, we acknowledge the reductions from the earlier application (EPF/1554/21) in terms of the size and height of the buildings, we remain concerned regarding the scale and extent of the proposed equestrian development and its intended use. Indeed, in terms of floorspace this approximately a 100% increase in respect of the building alone. This is on the basis of the impact this will could have on the lane and the scale of the development compared to the extent of the wider available land. We also raise concerns on account of the applicant already having a sand school and stabling facilities to the other side of the lane and which we understood is within the same ownership. We also note from the council's recent report that

previous stabling was demolished to facilitate other building work and therefore it is unclear why further stabling is required when not long ago it was considered to be redundant.

Firstly, it is acknowledged that the building height and massing has been reduced but the overall scale of equestrian use remains similar as the combination of the new and existing stabling equates to the potential for up to 9-10 stables. This is on the basis of each of the rooms having the exact dimensions of a stable but which has been annotated as other uses such as a grooming box or rug store. Indeed, there would be control over these becoming stables in the future. That being said even the annotated 7 stables is significant for private use on an area of land of 4-5 acres.

The Design and Access Statement does state the facilities will be for personal use only but we raise concerns over the scale of the facilities which appear to be excessive and easily used for a greater activity and which we feel is disproportionate to the size of the land and for a personal use.

Furthermore, the grazing land appears to only be around 4-5 acres and having regard to the British Horse Society (BHS) standards of requiring 1-1.5 acre per horse, it would appear these facilities are excessive for the land holding to which the building will serve. Indeed, even the seven stables shown on PP3-4 does not meet the BHS land requirements as it would calculate at 0.71 acres per horse. This does not take account of the fact further land would be lost through the riding arena, areas of roadway and larger buildings, which would likely result in the resultant land being less than 4 acres and would decrease the land available for grazing. It is considered the existing stables (3 stables) is proportionate to the land holding and in accordance with the BHS standards. Thus, there could be horse welfare concerns if this development were to proceed.

Therefore, we question the justification for this significant increase in such facilities and their proportionality to the land and their intended personal use.

Against this statement that the facilities will be used for personal use of the family, it is understood the application land is owned by one of the owners of the land to the west of Chase Lane at Shepperds Nursery and for which a building of 4 stables was approved under EPF/1619/17 (amended under EPF/0992/19). It is also noted that under this permission, the applicant secured permission for a larger building on this site on the basis numerous stables were to be demolished and as acknowledged by the planning officer, it seems now the applicant wishes to reinstate these on the current site. It is also noted that there is also an existing sand school on this other land which the applicants currently use. Thus, it is unclear why the family require a further sand school, stabling and which would be extensive for a relatively small area of land, either side Chase Lane.

Furthermore, from social media extracts it appears the existing sandschool has been used for commercial activities including riding lessons and which has impacts on the use of the lane, including parking. A copy of these extracts will be made available to the planning officer.

Thus, having regard to the scale of the development and the existing commercial activities, we are concerned about the impacts that this development could have in facilitating an intensification of what is currently a low-key stable block and grazing land. The existing commercial activities together with the potential for over 10 stables and a larger sand school, represent a worrying situation. Indeed, the existing commercial activities already cause problems and this would only exacerbate the issues, including a significant increase in the use of the lane. It is also unclear why the owner requires two sets of stables and 2 sand schools for these relatively insignificant areas of grazing land.

In terms of other policy, including Green Belt, the buildings are considered to have a greater impact on the Green Belt and will be an inappropriate form of development within the Green Belt. It is also considered the development would be contrary to the stated equestrian policies for the reasons set out in this letter.

We would also wish to raise concerns over the location of the muck heap and proximity to the ditch as it was understood this should not be located near to watercourses to avoid wider pollution. Furthermore, it is noted on the plans that there is no ecology report on the website on account of the pond to the north and it is assumed the council will be satisfied that no loss of habitat occurs for any protected wildlife.

I trust these comments will be taken into account as part of the application process and I look forward to hearing from you in due course.”

Chase Farm Riding Stables (Objection):

Same objection text as Chase Farm Cottage objection above.

Chase Farm (Objection):

Same objection text as Chase Farm Cottage objection above.

Chigwell Residents Association (Objection) 11th January 2022:

“NPPF states, inappropriate development in Green Belt, no special circumstances. Has the family crept into the greenbelt? Initially demolishing earlier stables for house building with having achieved this wanting stables again?

National Planning Policy Framework says:

147. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
1. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

Private stables can hardly be regarded as facilities for outdoor recreation, more just play space for the family”

Kimian (E Plaster) (Support)

I write in connection with the above planning application. Our family first kept horses at Chase Lane in 1965, with both my husband and brother in law riding. My children then rode and now my grandchildren ride. To have a sport pass through the generations at the same site is to be commended and I fully support their application, for the provision of more stables and an arena, to continue this legacy.

2 Chase Lane (Support)

I write in connection with the above planning application. I know the site and the families well and wish to offer my support to the proposal.

Whilst we would not be directly affected by the proposal, we do not envisage any harm to the green belt for the purposes of keeping and exercising horses.

Chigwell Riding Trust, Grange Farm Lane, Chigwell (Support)

I am writing to you with regards the Plaster family's planning application for stabling and an arena.

The Plaster family are extremely knowledgeable people when it comes to horses having kept them all their lives with Tom Plaster competing to a high level too. The wellbeing of their horses would be of paramount importance plus they would take into consideration the impact on neighbours and wildlife. Most people dealing with horses have a great understanding about the welfare of wildlife and the environment.

I feel sure that any planning application they submit would be in keeping with the surrounding area and not cause any anxiety to neighbours.

I have known three generations of the family for at least forty years. During this time, they have been extremely supportive to Chigwell Riding Trust in supplying and donating our much-needed equipment. This has helped us tremendously over the years.

Galley Hill Equine Surgery, Waltham Abbey (Support)

The Plaster family have been clients of Galley Hill Equine Surgery for many years and I can confirm they are knowledgeable and experienced horse owners.

The horses are always extremely well cared for and their welfare paramount at all times.

Issues and considerations

The main issues to consider when assessing this application are:

Green Belt

Design, Character and Appearance

Impact on Residential Amenity

Trees and Landscape.

Green Belt

The National Planning Policy Framework, (NPPF), 2021 states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. There is a presumption against inappropriate development which is, by definition, harmful to the green belt and should not be approved except in very special circumstances.

Paragraph 148 of the NPPF states that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

Paragraph 149 states that Local Planning Authorities should have regard to the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- a) Buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;**
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) Limited infilling in villages;

- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - Not have a greater impact on the openness of the Green Belt than the existing development; or
 - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Paragraph 138 of the NPPF sets out the five purposes of the Green Belt as follows

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;**
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The application site is currently used for stabling / equestrian purposes which is an outdoor recreation use falling within the definition of Paragraph 149 b) of the NPPF as set out above.

As such the tests of Para 149 b) apply. Buildings associated with an outdoor recreation use are only acceptable within the Green Belt where these facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The proposed development would be of significant scale, volume and footprint, resulting in a much greater impact on the openness of the Green Belt than the existing building on the site.

It is also considered that the proposal would conflict with the purpose of the Green Belt at NPPF Paragraph 138 c) as it would result in encroachment into the countryside.

Having failed the exceptions test of Paragraph 149, any proposed building in the Green Belt is considered to be inappropriate development unless Very Special Circumstances can be demonstrated. No Very Special Circumstances are considered to exist in this case.

The proposed development is inappropriate development in the Green Belt and is unacceptable for this reason.

The development proposed by the current application (EPF/2991/21) is very similar to that proposed by refused application EPF/1554/21 which was dismissed at appeal in March 2023. The appeal decision is therefore a strong and relevant material consideration for the determination of the current application.

In summary, the appeal decision concluded that:

- The proposal would not preserve the openness of the Green Belt and is therefore inappropriate development (Para 13)
- The proposal would conflict with the purpose of the Green Belt at paragraph 138 c) of the NPPF (to assist in safeguarding the countryside from encroachment) (Para 13)
- No Very Special Circumstances exist (Para 21).

3 of the 4 elements of the current proposal are identical to the refused/dismissed scheme and therefore the Planning Inspector's conclusions in respect of those 3 elements can be applied equally to the current proposal (see summary table below).

Only the Stable building element is different in the current scheme. The maximum height of the new stable building and the extension to the existing stable building would be 3m and in this respect the maximum height would be lower than the maximum height of the previously proposed building (4m) and the maximum height of the existing building (3.3m). In terms of height therefore, this would have less of an impact on openness than the refused/dismissed scheme.

However, the majority of the Inspector's conclusions on the proposed stable building (Para 10) can be still applied to the current scheme as the new stable building:

Para 10 - Moreover, the larger barn would have a significantly greater footprint, mass and volume than the existing stables. It would extend beyond an area of existing hardstanding and into the adjoining grassed paddock land. ~~The roof would also have a higher maximum ridge height than the existing stables.~~

		EPF/1554/21 (Refused/Dismissed Appeal scheme)	Current Proposal (EPF/2991/21)	Inspector's comment in Appeal Decision
1	Stable Building	24m x 11.6m. Max height 4m (incorporating footprint of existing Barn - 19.5m x 5.9m. Maximum height 3.3m)	New building of 19m x 3.8m (max height 3m); and 3.9m x 3.8 (3m height) extension to existing building	Para 10 - Moreover, the larger barn would have a significantly greater footprint, mass and volume than the existing stables. It would extend beyond an area of existing hardstanding and into the adjoining grassed paddock land. The roof would also have a higher maximum ridge height than the existing stables.
2	Riding Arena	50m x 30m with surrounding berms 1.7m high	Unchanged/Identical	Para 9 - The grassy berms to the perimeter of the all-weather riding arena have the potential to assist in assimilating this element of the proposal into the landscape. However, the riding area would be considerable in

				area. Its surface materials and those of the extended track alongside the proposed larger barn, would have a spatial effect on the Green Belt.
3	Arena Store Building	7.2 x 3.6m. 3.0m high	Unchanged/Identical	Para 10 - The arena store would not be insubstantial in size and would be located on a previously undeveloped part of the site. Taking these factors into account, these structures would undoubtedly have a significant spatial effect on the openness of the Green Belt.
4	Manure Clamp	5.5m x 2.5m	Unchanged/Identical	-

The Appeal Decision is set out in full below:

“Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Policies referred to in the Council’s decision notice include Policy DM4 of the Epping Forest Local Plan (Submission Version) 2017 (LPSV). The LPSV has not yet been adopted by the Council as part of its development plan. However, the LPSV has been through the examination process and has reached an advanced stage. I am not aware of any unresolved objections to the policies of the LPSV so far as they relate to this appeal. Therefore, I have attached significant weight to this emerging policy but not the full weight of an adopted Local Plan. Main Issues

[Officer Note on Para 2 above – The new Local Plan was adopted in March 2023 and therefore its policies now carry full weight]

3. The main issues are: (i) whether the proposal would be inappropriate development in the Green Belt including the effect on its openness; and (ii) whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Whether inappropriate development in the Green Belt including the effect on its openness

4. Paragraph 149 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt other than in a number of exceptions. The exception at Paragraph 149 b) allows for the provision of appropriate facilities (in connection with the

existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy DM4 of the LPSV includes a similar exception and requirements to Paragraph 149 b).

5. Policy GB2A (Development in the Green Belt) of the Epping Forest District Local Plan Alternations (2006) includes an exception for the construction of new buildings or the extension of existing buildings for the purposes of outdoor participatory sport and recreation or associated essential small-scale buildings. However, this policy does not require that such buildings or extensions preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

6. Paragraph 219 of the Framework confirms that due weight should be given to existing policies according to their degree of consistency with the Framework. In this case, as Policy GB2A is inconsistent with the requirements of the Framework, I only attach limited weight to this policy.

[Officer Note on Paras 5 and 6 – Policy GB2A is now obsolete following the adoption of the new Local Plan in March 2023]

7. The proposals would clearly provide facilities associated with the current use of the site for equestrian purposes. In this regard, there is no dispute between the main parties that the proposals would be appropriate facilities for outdoor sport and recreation. I have no reason to disagree. Therefore, I will go on now to assess whether the facilities would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

8. Paragraph 137 of the Framework sets out the essential characteristics of Green Belts, which are their openness and permanence. It has been held in the High Court that openness is epitomised by the lack of buildings or development. Openness can have a spatial aspect as well as a visual aspect.

9. The grassy berms to the perimeter of the all-weather riding arena have the potential to assist in assimilating this element of the proposal into the landscape. However, the riding area would be considerable in area. Its surface materials and those of the extended track alongside the proposed larger barn, would have a spatial effect on the Green Belt.

10. Moreover, the larger barn would have a significantly greater footprint, mass and volume than the existing stables. It would extend beyond an area of existing hardstanding and into the adjoining grassed paddock land. The roof would also have a higher maximum ridge height than the existing stables. The arena store would not be insubstantial in size and would be located on a previously undeveloped part of the site. Taking these factors into account, these structures would undoubtedly have a significant spatial effect on the openness of the Green Belt.

11. From a visual perspective, I accept that Chase Lane is a private drive and that the mature planting along the boundary of the site with this lane filters views of the site. Even so, I saw on my site visit that the development would be discernible to passers-by on the lane. The proposed larger barn would be particularly noticeable from windows serving some of the nearby dwellings on Chase Lane as well as in more distant oblique views from residential properties on Willow Mead.

12. I accept that any new development under the exception at Paragraph 145 b) has the potential to erode openness to some degree. However, I find that when the spatial and visual effects of the various aspects of the proposal are taken together in this instance, there would be moderate harm to the openness of the Green Belt.

13. I conclude, the proposal would not preserve the openness of the Green Belt. In the context of paragraph 149 b) of the Framework, the proposal would therefore constitute inappropriate development in the Green Belt. Furthermore, it would conflict with the purpose of the Green Belt at paragraph 138 c) of the Framework, namely to assist in safeguarding the countryside from encroachment.

14. For the same reasons, the proposal would also conflict with Policy DM4 of the LPSV.

Other Considerations

15. The appellant has drawn my attention to some appeal decisions relating to equestrian development in the Green Belt. The equestrian elements of the appeal at Tipulo Stud, Berkhamstead¹, related to a manège of a 'not significant' scale and a single stable which was 'very small in scale' with 'a verdant form'. These elements were also considered in the context of a hybrid application which took into account the relationship with openness as a whole alongside agricultural and forestry proposals. From the limited details before me in terms of the other appeal referenced ², the Inspector in that instance considered that the level of incursion into the open countryside would be negligible.

16. With regards to the planning applications in the locality listed by the appellant, I am not aware of the material considerations that formed part of the Council's assessment in the majority of these cases³. With regards to the planning application at Dews Hall Farm⁴, the delegated report takes into account amongst other things a previously approved and implemented development and suggests that the proposal in that instance was a reduction on this.

17. In any case, having regard to the particular circumstances of the case before me, I do not find that any of the examples provided by the appellant justify the site-specific harm to the Green Belt in this instance.

18. I note that the appellant's family include a successful show-jumper and that some members of the appellant's family currently travel 8 miles to a riding school to ride their horses on a daily basis. The proposal would result in benefits for the well-being of the appellant's family as a result of the proposed stabling allowing them to keep additional horses at home. There would also be a reduction in car journeys and associated emissions. Furthermore, the riding arena would be likely to provide a safe riding environment off the highway. I attach some positive weight in favour of these matters.

19. I have seen there is some third-party support for the proposal. I have no reason to doubt that the appellant's and their family are well respected in the equestrian community or that the wellbeing of their horses is of paramount importance.

Conclusion

20. The development constitutes inappropriate development in the Green Belt to which I attach substantial weight. The Framework states that inappropriate development is by definition harmful to the Green Belt and should only be approved in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. This is a high hurdle for a development proposal to overcome. The other considerations put forward in favour of the proposal only carry very limited weight.

21. In conclusion and on balance, the substantial weight to be given to Green Belt harm is not clearly outweighed by other considerations and therefore the very special circumstances needed to justify the proposed development do not exist.

22. For the reasons given the overall conclusion is therefore that the appeal should be dismissed.”

Design, Character and Appearance

The proposal is of a simple, acceptable design in keeping with the rural, agrarian setting. The proposal would comply with policies DM4 and DM10 of the adopted Local Plan (March 2023) and the NPPF 2021 which all seek to promote high-quality design.

Impact on Residential Amenity

Due to the distance between the proposal and the closest neighbouring properties, there would be no harmful impact on living conditions of any neighbouring property by reason of overbearingness, loss of light (daylight and sunlight) or loss of outlook. The proposal therefore complies with policy DM9 of the adopted Local Plan (March 2023) and the NPPF 2021.

Trees and Landscape

There are trees on the site; particularly on the western boundary with Chase Lane. Tree Protection documents have been submitted and assessed by the Council's Tree Officer who has no objection to the proposal subject to tree protection conditions.

Tree and Landscape Officer comments 2nd December 2021:

“We have NO OBJECTION to this application subject to the addition of the following conditions:-

SCN31 – retention of trees and shrubs

Tree Protection

Tree protection shall be installed as shown on Equestrian Blueprint drawing number TP4 (dated 12th November 2021) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports. Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.”

Drainage

EFDC Land Drainage comments 15th December 2021:

“Having reviewed the above application I can provide the following comments:

Any works to or within eight metres of an open or piped watercourse will require Land Drainage Consent. For further information on the Land Drainage consent process or to find the application forms the applicant should visit the link below.

<https://www.eppingforestdc.gov.uk/environment/land-drainage-consent/>

There is a public sewer within the site, any works within three metres of a public sewer requires build over consent from Thames Water Developer Services.

The applicant has no proposal to dispose of foul sewage. Further details are required. **Please add condition SCN16 requiring approval of foul drainage details by the Local Planning Authority prior to preliminary groundworks commencing.**

The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required. **Please add condition SCN16 requiring approval of surface water drainage details by the Local Planning Authority prior to preliminary groundworks commencing.**

No objection to planning application in principle, subject to the approval/implementation of the requirements set out above by this team.”

EFDC Land Drainage final comments 5th January 2022:

“Upon attending a site visit today to discuss the proposals with the applicant and gaining a greater understanding of the surrounding area and their intention for the dispose of surface water alongside the scale/nature of the development, I wish to remove my request for a pre commencement foul and surface water condition.”

Conclusion

In conclusion, the development is inappropriate development in the Green Belt, by definition harmful. In addition, due to its excessive scale, volume and footprint it will have a considerable visual, physical and spatial impact on openness. No very special circumstances are apparent sufficient to outweigh the identified harm and the application is therefore contrary to national and local Green Belt policy. In light of the above considerations it is recommended that planning permission be REFUSED.

Refusal Reason(s): (1)

- 1 The application site is located in the Metropolitan Green Belt. The proposed development is inappropriate development, by definition, harmful to the Green Belt. In addition due to its excessive scale, volume and footprint it will have a significant visual, physical and spatial impact on openness. No very special circumstances have been demonstrated that are sufficient to outweigh the significant harm to the Green Belt and to the purposes of including land within the Green Belt. The development is therefore contrary to policy DM4 of the adopted Local Plan (March 2023) and the NPPF (2021).

Informatives: (2)

- 2 The Local Planning Authority has identified matters of concern within the officer’s report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Councils website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.
- 3 This decision is made with reference to the following plan numbers:

Drawing E2-4 – Existing Block Plan

Drawing E3-4 – Existing Elevations

Drawing P1-4 – Location Plan

Drawing P2-4 – Proposed Block Plan

Drawing P3-4 – Proposed Elevations

Drawing P4-4 – Proposed Layout

Drawing PP3-4 Rev 1 – Proposed Plan View

Drawing A2-4 – Arena Block Plan

Drawing AS3-3 – Arena Store Elevations

Drawing A3-3 – Arena Cross Sections

Drawing TP4 – Tree Plan

Arboricultural Impacts Assessment, OMC, 16 March 2021

Arboricultural and Construction Method Statement, November 2021

Design and Access Statement, November 2021

Planning Policies document

'Tom Competing' Photographs.