

Report Item No: 1

APPLICATION No:	EPF/0178/09
SITE ADDRESS:	The Old Farm Epping Long Green Epping Upland Epping Essex CM16 6QN
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr & Mrs S Rose
DESCRIPTION OF PROPOSAL:	Proposed detached stable block to be erected in eastern part of the site close to southern boundary.
RECOMMENDED DECISION:	Recommend: Grant Permission (With Conditions)

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 that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 3 Run off from washing down the stables and all weather surface area shall be discharged to a foul water system, and not to the surface water system. Details of the system to be provided shall be submitted to and approved by the local planning authority before any works commence on site. Once approved the system shall be available for use before the stable building is brought into use, and it shall be retained and maintained thereafter for as long as the stables are used for accommodating animals.
- 4 The application proposes disposal of surface water by pond/lake/ditch. Details of surface water drainage shall be submitted to the Local Planning Authority before any works commence on site. Once approved these details shall be implemented before the stables are first used and maintained and retained thereafter.

- 5 A walled manure store shall be provided in the south east corner of the site. Details of this store, how manure is to be disposed of, and any drainage from the store, shall be submitted to and approved by the Local Planning Authority before any works commence on site. Once approved these details shall be implemented before the stables are brought into use, and maintained and retained thereafter.
- 6 Details of any external lighting proposed for the stable building, and areas around it, shall be submitted to and approved by the local planning authority before the stables are brought into use. Any external lighting approved shall be implemented in accordance with the approved details.
- 7 Burning of manure and other animal waste shall not take place on the site.
- 8 All animal feed shall be stored in vermin proof containers and any spillages or discarded food shall be cleared away to minimise the attraction of rats and mice.
- 9 The 1.2m high post and rail fence, to be sited 2m from the northern boundary of the site, shall be erected before the stables are brought into use and maintained and retained thereafter. The grassed area between this fence and the stable building shall not be used for grazing other than for miniature Shetland ponies.

This application is before this Committee since the recommendation differs from the views of the local town council (pursuant to section P4, schedule A (g) of the Council's delegated functions)

Description of Proposal:

Erection of detached stable block in eastern part of the site close to southern boundary.

Description of Site:

A listed 2 storey dwelling with large plot. Two other dwellings lie to the north but otherwise this is an isolated rural location to the west of Epping Green. The east half of the plot is akin to a paddock, and it is here that the stable block is proposed.

Relevant History:

EPF/0079/04 – Approval for replacement outbuilding to form gym and games room ancillary to house.

Policies Applied:

DBE1 – Design of new buildings; DBE2 – Effect on neighbouring properties; GB2A Development in the Green Belt; HC12 Development affecting the setting of listed buildings.

Summary of Representations:

EPHING UPLAND PARISH COUNCIL – Object on the following grounds - overdevelopment in the grounds of a listed building; health and safety concerns since no information given on how waste will be disposed of; there will be a significant increase in water run off from the stables and hardstanding, and also from maintenance of the stables; there is concern as to the impact on footpaths 19, 45, and the Bridleway; access to the stables would be via a narrow tarmac track already heavily used, and increased traffic would go past (Carters Lane) primary school.

NEIGHBOURS: the 2 nearby properties were consulted and a site notice was erected.

THE WILLOWS – object on the following grounds – the proposed development is too large and affects the setting of the listed building; it is contrary to Green Belt policy since the buildings are not small scale essential for outside recreation, and they do not preserve openness; the creation of larger buildings and hardstanding will create increased water run off into ditches and ponds which lead into the pond at the Willows, and flooding is experienced currently about twice a year; neighbouring properties, including our own, will experience adverse effect of smell, noise, flies that arise from stables and its waste; concerned at how waste products e.g. manure will be disposed of, and that stables could be more intensively used if the property is sold to new owners.

THE COTTAGE – object on the following grounds – the building is too large, it does not respect a residential setting or the listed building, and a horse paddock will be created adjoining our domestic garden; the proposal is contrary to Green Belt policy in that it is not small scale, and is not essential in that there are many commercial stables available in the locality; the development would have an adverse affect on amenity and use of our gardens through creation of smell, noise and flies; the number of horses should be restricted by condition on any permission granted; polluted water from the stables could contaminate local ponds and watercourses; and while we understand manure is intended to be kept in the furthest south east corner away from our property, the plans do not indicate this; the stables could be more intensively used by any new owners of the site.

Issues and Considerations:

The main issues raised by this application are whether the proposed building will adversely affect the setting of the listed house on the site, whether the development is appropriate in Green Belt terms, and whether it significantly detracts from the amenity of neighbouring properties.

The listed house and associated outbuildings lie in the western half of this extensive rectangular plot, which measures some 110m in length by 23m in width. The eastern half of the site is a form of paddock and the stable building is proposed in the south part of this paddock 13m away from the northern boundary of the site with the adjoining residential property - The Cottage. The stables building is L shaped being 17.4m long and part 4m and part 8m wide. It would be 2.3m to eaves with pitched roof to a 4m high ridge, and would be clad in black timber stained boarding with clay pantile roof. It is sited some 48m from the listed house. Bearing in mind the size of the plot, the distance from the house, the size and design of the proposed stable, and the appropriate materials used, this outbuilding will not adversely affect the setting of the listed house on the site. The Council's Conservation officer also has no objections to the proposal in this respect.

Permitted development regulations allow for outbuildings to be built in residential curtilages without planning permission provided certain criteria are met. The proposed stable building would not normally have required planning permission but it is required in this case because it lies within the curtilage of a listed building. Because an application is necessary issues other than the effect on the listed building can be considered.

Concerns have been raised about the size of the stable building and its impact on the open character of the Green Belt. Bearing in mind the size of the plot the building is not excessively large, and the existing substantial hedgerow/hedge around the site would screen most views of the building, both from outside the plot and from the neighbouring properties. The building will therefore have negligible impact on the openness of the Green Belt.

An access for animals will be available from the stables onto the bridleway along the edge of the field to the south. The applicant states that she requires the stables, firstly, so her champion Arabian mare, currently kept elsewhere in the locality, can be close at hand whilst having a foal, and secondly, to provide accommodation for two miniature Shetland ponies. Some discussions have taken place with neighbours and, as a result, an all weather surface area has been moved close to the south boundary away from the neighbours garden to the north, a 1.2m high post and rail fence will be erected 2m from the northern boundary of the site, the grassed area so enclosed would only be used for grazing of the miniature Shetland ponies, and a manure store is proposed away from neighbours gardens in the south east corner of the site. However, the neighbours still maintain their objections to the proposals, partly on grounds of smell, flies and noise. Whilst in an urban context, with smaller gardens, such an objection would have force, this is a rural area, the plot is very extensive, and the stables and grazing area abuts the rear garden of the property to the north and not the house itself. Other than the two Shetland ponies, horses will not graze close to neighbours gardens, and this restricted grazing would be ensured by a condition attached to any planning permission. Details of a walled manure store to be provided in the south east corner would also be covered by a planning condition. Bearing in mind these points, and the conditions referred to below, a refusal of planning permission on grounds of smell, noise and flies is not justified.

The Council's Environment and Street Directorate raise no objections to the proposal but they do require further details or issues to be covered by planning conditions. These are provision of a walled manure store, as mentioned above, details of any external lighting, details of the system to be adopted to ensure foul water from the stables does not enter the surface water system, no burning of animal or other waste to be carried out on site, and storage of feed to be stored in vermin proof containers. The requirements of these conditions have already been conveyed to the applicants.

Concern has also been raised about water run off from the stables, and the all weather surface area, will cause flooding in the linked ditch and ponds around the site. The Council's Land Drainage section raise no objections to the application but given the site's location within an Epping Forest District Council flood risk assessment zone, they require a flood risk assessment to be submitted via a condition, together with details of any proposal to dispose of surface water by pond/lake/ditch. A flood risk assessment has to demonstrate that adjacent properties shall not be subject to increased flood risk, and again this requirement has been relayed to the applicants who are to employ a drainage expert to provide this assessment.

The proposal is of a domestic scale, and concerns about excessive increased activity from the development, on footpaths, bridleways, and the road to Epping Green, are unfounded.

Conclusions:

The proposed development will not adversely detract from the setting of the listed building. Its impact on the Green Belt is minimal. Having regard to the character of the site, the amendments already made to the proposal, and the need to comply with conditions, the proposal will not unduly affect the amenity of two neighbouring properties. Conditional planning permission is therefore recommended.

Report Item No: 2

APPLICATION No:	EPF/0196/09
SITE ADDRESS:	St Leonards Barn St Leonards Farm St Leonards Road Nazeing Essex EN9 2HG
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Ms Angela Richards
DESCRIPTION OF PROPOSAL:	Conversion of existing outbuildings to dwelling. Amendment to planning approval EPF/0413/07 to include demolition of rear outbuilding and two single storey extensions tor rear.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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, Classes A, B, C, E, F and G, or by Part 2, Classes A and B 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 No development shall take place until details of tree planting, including positions or density, species and planting size have been submitted to and approved in writing by the Local Planning Authority, and shall be carried out prior to the occupation of the development for its permitted use, or in accordance with a timetable agreed in writing with the Local Planning Authority. If within a period of five years from the date of planting any tree, or replacement, 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.
- 8 Prior to the commencement of the development details of the proposed surface materials for the access and parking areas 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.
- 9 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 residents and visitors vehicles.
- 10 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 Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority 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 Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

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

- 11 Prior to occupation of the new dwelling hereby approved the existing outbuilding shown to be removed on Plans Ref: 1013/06A and 1013/05A shall be demolished and all material removed from the site.

This application is before this Committee since it has been 'called in' by Councillor Bassett (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).

Description of Proposal:

Amended application for the conversion of an existing outbuilding to a dwelling (original application EPF/0413/07), to include the demolition of the rear outbuilding and erection of two single storey rear extensions. The outbuilding is single storey with a floor area of 148 sq. m. and is located to the rear of the site adjoining two neighbouring outbuildings. The proposed rear extensions would be 4m deep and 5m wide with pitched roofs to a height of 5.2m. These would have a combined floor area of 40 sq. m.

Description of Site:

The application site lies within the Green Belt to the south of Nazeing. It is occupied by a single storey (former agricultural) building that is in a good state of repair and has planning consent for residential conversion. Its western elevation is open sided and it is finished in stock bricks and a plain tile roof. The frontage of the site is marked by a 2m high brick wall.

The site lies within predominantly open countryside, although there is some screening at the site boundaries, particularly to the south. Immediately to the north, there is another building that has recently been converted into a residential property. To the immediate south of the site is the original farmhouse (now a separate dwelling) and to the west of the site is an allotment garden serving the previous farmhouse.

Relevant History:

EPF/0363/98 - Change of use of farm building to dwelling and demolition of 4 farm buildings – approved/conditions 24/08/98

EPF/1432/04 - Change of use of redundant farm building to residential and removal of 4 no. buildings – approved/conditions 27/10/04

EPF/0413/07 - Conversion of existing outbuildings to dwelling – approved/conditions 25/04/07

Policies Applied:

GB2A – Development in the Green Belt
GB8A – Change of Use or Adaptation of Buildings
GB9A – Residential Conversions
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 – Design in the Green Belt
DBE6 – Car Parking
DBE8 – Private Amenity Space
DBE9 – Impact of New Development
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
RP4 – Development of Contaminated Land

Summary of Representations:

5 neighbouring properties were notified and a site notice was erected. The following responses were received:

PARISH COUNCIL – None received in writing.

ST. LEONARDS HOUSE – Object to inaccurate submitted plans.

HORTICMAN LTD., WARE – Comment as HorticMan Ltd. is responsible for the garden and grounds of St Leonards House and it is felt that these works would seriously curtail their ability to restore and maintain the grounds for their client.

THE SHIRE GARDEN COMPANY - Objection

Issues and Considerations:

The change of use of the existing agricultural building for residential purposes has been granted under EPF/0413/07. The amendments to this approval are to demolish the existing outbuilding to the rear and to erect two single storey rear additions to the agricultural building to form a kitchen and third bedroom. The main issues in terms of these amendments relate to the appropriateness of the development within the Green Belt, the potential impact on neighbouring properties, and with regards to the design.

The proposed building is of permanent and substantial construction that has previously been granted approval for a change of use for residential purposes. However this amended application proposes the erection of two new 5m x 4m rear additions to the existing agricultural building. Local Plan policy GB8A requires that the change of use of buildings does not consist of *'major or complete reconstruction'* or have *'a materially greater impact than the present use on the Green Belt'*. The proposed additions would require complete construction and would significantly enlarge the existing building. Notwithstanding this, the proposed extensions to the existing agricultural building would be 'offset' by the demolition of the existing outbuilding to the west of the application site. This has a floor area of 148 sq. m., which is considerably larger than the proposed extensions combined floor area of 40 sq. m. As such it is considered that this amendment would significantly reduce the overall built form in this Green Belt location to the benefit of the openness and character of the area. Furthermore, this proposal falls within the requirements of GB14A (40% increase up to 50 sq. m.), which would be applied should this application be submitted after the previous change of use is completed and the dwelling is occupied. As such it is considered that the overall benefit of the removal of the large outbuilding to the rear of the site outweighs any further impact on the openness and character of the Green Belt resulting from the proposed rear additions.

The proposed rear extensions would match the overall design and character of the main agricultural building to which they would be affixed. Whilst generally extensions are resisted on converted agricultural buildings, these additions would not be particularly domestic in appearance and as such would not detract from the overall rural appearance of this barn conversion.

The general principle of converting the outbuilding into a residential dwelling has been previously approved, and it was considered that there would be no adverse effect on neighbouring properties as a result of this. The proposed rear additions would be located 2.3m from the shared boundary at their closest point and 6.9m at their furthest and would be single storey with pitched roofs to a slightly lower height to that of the existing structure. The only flank windows facing out of the site is an en-suite window that would be obscure glazed and effectively screened by the boundary treatment. Due to this it is not considered that the proposed additions would detrimentally impact on the neighbours.

Care would be required during the demolition of the outbuilding to ensure that no damage is done to either of the adjoining outbuildings, however this issue would be covered by Building Regulations and legal constraints.

The neighbouring property to the south, known as St. Leonards House, has objected to the application on inaccurate plans. This relates to the Location Plan and Block Plan, which has the walled vegetable garden to the rear marked as St. Leonards Farm, whereas the house to the north of the application site is in fact St. Leonards Farm. The submitted plans, whilst slightly misleading, are not considered inaccurate as the entire complex was previously known as St. Leonards Farm, and these plans have not affected the consideration of this application. All relevant neighbouring properties were consulted and the area to the rear of the site was assessed with consideration of its use as a walled garden rather than a working agricultural farm.

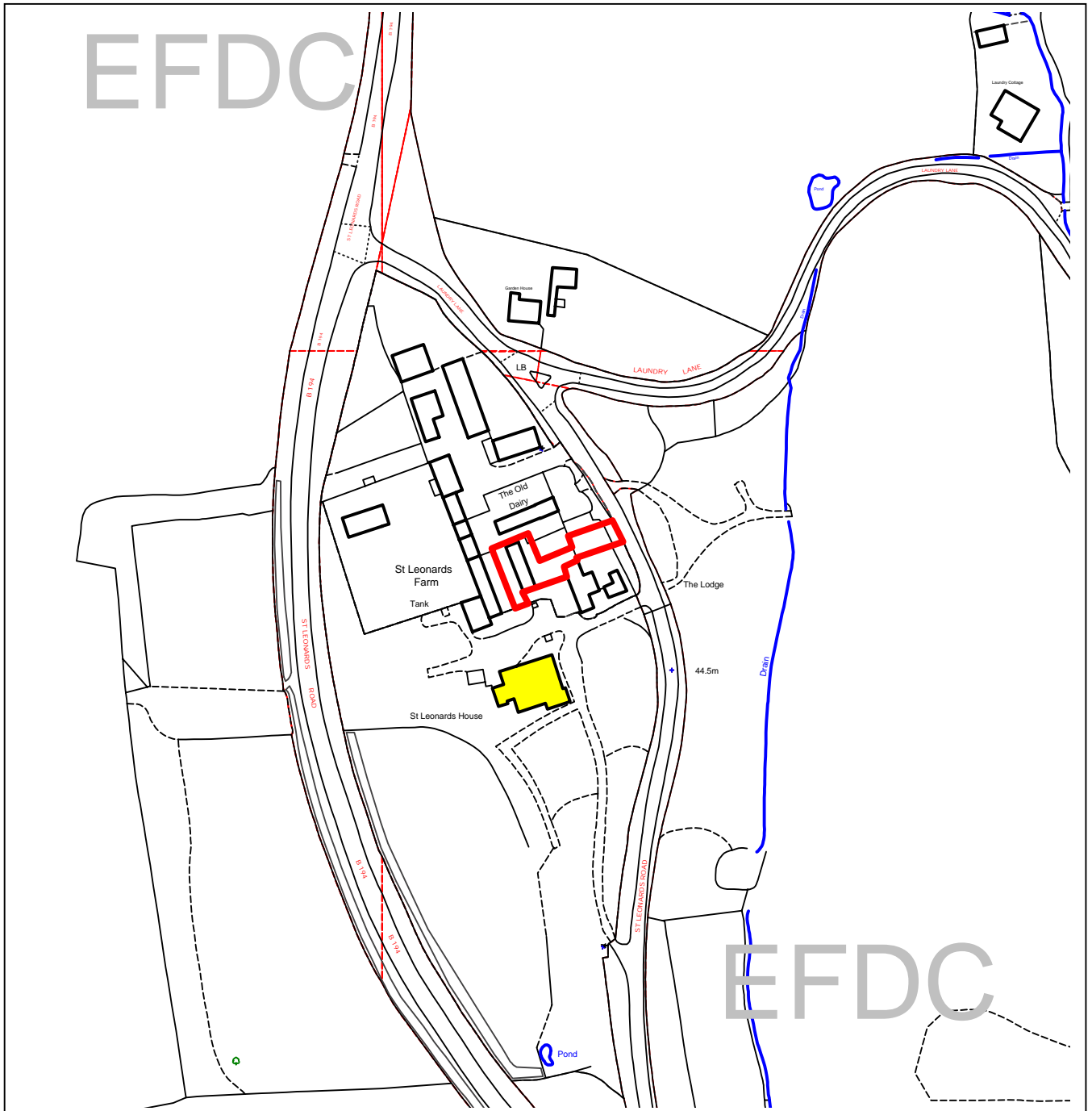
Conclusion:

The removal of the existing outbuilding would significantly outweigh the increased floor area resulting from the proposed additions. There would be no detrimental impact on neighbouring properties and the principle of residential conversion has previously been agreed on the site. As such the proposal complies with all relevant Local Plan policies and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/0196/09
Site Name:	St Leonards Barn, St Leonards Farm St Leonards Road, Nazeing, EN9 2HG
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/2113/08
SITE ADDRESS:	Roydon Mill Leisure Park High Street Roydon Harlow Essex CM19 5EJ
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr Richard Sidi
DESCRIPTION OF PROPOSAL:	Creation of a marina with moorings for up to 315 boats and associated facilities, including new lock with the River Stort Navigation, facilities building, workshop, fuel storage tank and 77 parking spaces.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No 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.

- 3 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.
- 4 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.
- 5 Prior to the commencement of the development details of the proposed surface materials for the pathways, parking areas and boatyard. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first use of the site as a marina.
- 6 The boat workshop hereby approved shall be used solely for the repair and maintenance of boats and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 7 Prior to commencement of development full details of all mitigation works and timing, and methods of construction to provide maximum protection to birds, water voles, reptiles and bats and other species at the site shall be submitted together with a habitat management scheme. The scheme shall include details of nest boxes, and a tern raft. All details and the management plan must be agreed in writing prior to commencement of any works on site and carried out in accordance with the agreed details and timetable.
- 8 No process or machinery shall be operated in the workshop and boatyard and no deliveries taken at or despatched from the workshop and boatyard outside the following times: 07.30am-1830pm Monday to Saturday, nor at any time on Sundays, Bank Holidays or Public Holidays.
- 9 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

- 10 Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to commencement of development. The lighting shall be installed maintained and operated in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
- 11 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 12 Prior to commencement of development, full details of the proposed lock, including all engineering details, shall be submitted to the Local Planning Authority for approval in consultation with British Waterways. The works shall then be carried out in accordance with the approved details.
- 13 No part of the development hereby authorised shall be brought into use until the highway improvement works shown on drawing number 5166G(PI) 201 R and set out in JNP Groups Summary of Safety Improvements to the Existing Accessway (the Approved Details) have been completed in accordance with the Approved Details.
- 14 The marina hereby approved shall be used only for recreational purposes and a maximum of 315 boats shall be moored at the site at any one time. None of the boats shall be residentially occupied. Full details of the management of the site including restrictions on length of stay of users of the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the first use of the site for mooring boats. The agreed restrictions on occupation of the boats at the site shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.
- 15 Prior to commencement of development details of the proposed pontoons and their fixings shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 16 Prior to the first use of the site for the purpose hereby approved a scheme providing for the adequate storage and disposal of refuse from the use shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details and thereafter retained.
- 17 There shall be no powered watersports carried out within the lake.
- 18 Should the use of the lake for mooring of boats cease, all moorings, pontoons, stages etc within the lake shall be removed from the site within 6 months.
- 19 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be

fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

20 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

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

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

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

This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions) and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

This application is for the creation of a marina for the mooring of up to 315 boats on the existing lake at Roydon Mill. The moorings are to be supported by a marina facilities building housing toilets, showers, laundry, admin and a small chandlery, a slip-way and boat repair workshop and a service dock for fuelling and sewage pump out. A new short length of canal is proposed to link the River Stort to Roydon Lake and a new lock is proposed to lift craft the 800mm between the level of the lake and the level of the river. The scheme includes the provision of 77 car parking spaces for the use of visitors to the marina. Vehicular access to the site is to be taken from the existing access to the leisure park, i.e. along the tow path road from Roydon High Street. The moorings themselves are proposed on the eastern half of the lake. The jetties will be floating and the floating walkways to the finger jetties will be accessed from the bank at the north east end of the lake. The proposed facilities building and workshop are to be of timber boarding with slate roofs.

Description of Site:

The site is part of the existing Roydon Mill Leisure Park and the lake has been used for many years for recreational purposes. The lake lies to the west of the caravan area and is bounded to the north by the railway line and to the south by the River Stort Navigation. There are residential mobile homes to the east and much of the leisure park is being redeveloped with new log cabin style mobile homes, these can only be occupied seasonally for holiday purposes. The proposed facilities building, workshop and part of the parking are to be located to the south of the lake between the mill stream and the lake and there is an existing hedgerow to the south of this which will provide some screening. The remaining parking area is proposed to be located on the northern side of the lake between the lake and the railway line. There are substantial trees and hedgerows around much of the lake. Aside from the residential mobile homes to the east in Holy Acre, the nearest residential property is The Lock House, which is located some 80m to the south east of the proposed workshop building.

Relevant History:

The leisure park has an extensive planning history with, most recently, consent for new bases for a reduced number of mobile homes and for a new clubhouse building as part of a redevelopment and refurbishment of the site to bring it up to modern standards.

With regard to the lake itself, there was an application back in 2003 for use as a marina and creation of a lock but that application was refused on the basis that insufficient information had been provided to show that the scheme would not cause harm.

Policies Applied:

CP1 Sustainable development
CP2 Protecting the quality of the environment
GB2A Green Belt
GB5 Residential moorings and non permanent dwellings
GB7A Conspicuous development
GB10 Development in the LVRP
NC4 Protection of Established Habitat
NC5 Promotion of nature conservation schemes
RP3 Water quality
RP5A Adverse environmental impacts
RST7 Recreational function of the Lee and Stort navigations
RST23 Outdoor leisure uses in the LVRP
RST24 Design and layout of development in the LVRP
RST25 Glen Faba and Roydon Mill Leisure Park
DBE1 design of new buildings
DBE4 Design in the Green Belt
LL1 Rural landscape
LL2 Inappropriate rural development
LL7 Planting protection and care of trees
LL10 Adequacy of provision for landscape protection
LL11 Landscaping schemes
ST1 Location of development
ST2 Accessibility of Development
ST3 Transport Assessments
ST4 Road safety
ST6 Vehicle parking

Summary of Representations:

As well as statutory consultees 80 neighbouring properties were consulted and a site notice was erected, the following representations were received;

PARISH COUNCIL- No objections to amended plans/application which address the car parking issues raised previously.

BOROUGH OF BROXBOURNE - No formal objections to the proposal. Please note however that a development brief has been produced that looks at the redevelopment opportunities for the former leisure pool in Broxbourne. Part of the brief considers the potential use of that site and adjoining land as a marina complex, and the implications of this should be considered.

57 HIGH STREET ROYDON – Concerned about scale of proposals in relation to immediate environment of village and surrounding countryside. Concerned about increased traffic utilising A10 and an awkward access. Boat owners unlikely to access site by train. Concerned about the visual impact of the new buildings, they need to be screened so not visible from the tow path. Need good protection of existing trees. Care needs to be taken to protect ecology of the site. Concerned that boats will be moored at times against the tow path.

193 HIGH STREET, ROYDON- Concerned about number of boats, impact on area and aquatic life, impact on access road, concern that boats might be parked in parking spaces, concerned about ownership and access to the moorings and the way the moorings will be managed.

212 HIGH STREET, ROYDON – Welcome the comprehensive information supporting the application but have concerns regarding traffic, access, parking and the services the marina will require. Existing access of B181 is poor and road is unable to take low loaders, concerned that removal of damaged boats through this route will cause significant traffic hazard. 77 parking spaces is inadequate for the number of boats. Concern that the sewage system cannot cope. Overall will be an asset to Roydon but concerns need to be addressed before planning permission is granted.

234 HIGH STREET, ROYDON – Oppose, The access is wholly insufficient for any expansion of the leisure park. Vehicles turning into the site cause a back up of traffic over the level crossing, any increase in traffic will increase congestion, the site entrance is too narrow for vehicles with trailers carrying boats. Concerned that the development will adversely affect the flood control of the river in the area. There is a sharp bend in the river adjacent to my house which causes problems with boats unable to see the river ahead, any increase in boat traffic will escalate this problem. Concerned that the workshop, fuel storage and increased traffic will cause noise and air pollution.

5 ROSELAND AVENUE, HODDESDON on behalf of the LEE and STORT BRANCH OF THE INLAND WATERWAYS ASSOCIATION – Support the application in principle. Clear need for more moorings for leisure craft to serve the upper reaches of the Lee and Stort. Would like to see allowance for temporary visitor moorings and facilities to assist disabled visitors. Important to ensure that the new lock will not be detrimental to water levels.

STANSTEAD BURY, NR WARE – Object. Proposal should be turned down. Inappropriate development in the Green Belt, hard to stop people spending more than 28 days on the boats, coalescence of Roydon and the urban strip that runs from Rye Meads sewage works into London. The scheme will have far more visual impact than suggested in the application, I am currently thinning and pollarding trees as part of conservation works on land to the north of the railway line and this will open up views of the marina site. The scheme has very little visual shelter of its own but relies on my trees, many of which need to be removed over the next few years. There will be light pollution from the development. The scheme will not improve the visual quality of the area and is therefore contrary to the LVRP plan. The proposal will increase risk of flooding and risk of sewage pollution. Concerned that development will not aid the efforts to restrict spread of non native species such as Japanese knotweed and American signal crayfish. The access is inadequate and anything that will increase movements on the B181 should be turned down. I was not consulted and have had inadequate time to give full comments.

15 THE GRANARY, ROYDON – Do not oppose a small marina but concerned at the sheer scale of this project. Scheme will have adverse impacts on the wildlife of the river. The access road is inadequate for any increase in traffic and is unsuitable for large service vehicles. The fuel storage is unnecessary as there is such a facility less than 2 miles away. Concerned that traffic already backs up to the level crossing. Concerned about water levels and flood risk.

BOX 65, HERTFORD - Object. Scheme will increase traffic over current situation and existing access and in particular access track is inadequate and unsafe. The towpath is used by walkers and cyclists and by crew of boats while they are mooring, traffic on the narrow path causes significant hazard. The roadway within the mobile home park will also have an increase in traffic and this will be hazardous to children playing in the park and to pedestrians. There is insufficient space around the tow path to widen it so it can not be brought up to standard. No development that will increase traffic over the current level (not the historic level as argued by the developer) should be allowed.

BRITISH WATERWAYS – Happy that the proposals will not generate any navigational safety issues and that the local waterway infrastructure will be able to accommodate the proposed new development. Also satisfied that the development will have no adverse impact on the ecology of the site and offers the opportunity for ecological enhancements. Welcomes the proposal which will help meet the chronic shortage of offline moorings in London and the Southeast. However concerned about safety of the tow path, and the application represents an opportunity to improve this access. Conditions are needed.

NATURAL ENGLAND- No objection to the proposed development in respect of either statutorily designated sites or legally protected species, provided that suitable mitigation is undertaken as set out in the Ecological Survey provided by the applicant.

WILDLIFE TRUSTS – No objection. We are satisfied that the proposal will not have a negative impact on the adjacent SSSI/SPA, provided mitigation is taken. The site itself is an Essex Wildlife Site and is surrounded by wetland and riparian habitats of significant importance, therefore suggest conditions to ensure the protection of these habitats.

LEE VALLEY PARK – Comment on plans prior to amendment and additional information. Object insufficient information to show how waterside environment will be protected. Detailed ecological surveys are required. If minded to grant then a unilateral undertaking should be secured to prevent use of the lake by power boats and a planning obligation should require a contribution for completion of the Lee Valley Pathway. There should be conditions restricting speed on the marina and adjacent waterway to 4mph.

THE ENVIRONMENT AGENCY – Comment on plans prior to amendment and additional information. Object, inadequate information submitted to show risks to legally protected species, inadequate mitigation measures with regard to nature conservation. Unacceptable risk to groundwater quality from the proposed underground fuel tank. NB any response received following reconsultation will be reported orally to committee.

Issues and Considerations:

The application site is within the Metropolitan Green Belt and the Lee Valley Regional Park and is a County Wildlife Site. The main issues in the determination of the application are:

Impact on the Green Belt

The landscape and visual amenity of the area,

Impact on wildlife, conservation and ecology,

Impact on highways and highway safety,

Effect on residential amenity

Flood Risk

Other issues

The Green Belt

The proposed development could be described as small scale facilities for outdoor recreation, as the works to provide moorings on the lake are relatively small scale and the buildings and structures are essentially required to enable people to fully utilise the waterways of the area for recreational purposes, it could therefore be argued that the development is appropriate in the Green Belt, however the mooring of so many boats will clearly have an impact on the openness of the area and we need to consider whether this harm to the Green Belt is outweighed by other factors. There is a recognised need in London and the South East for the provision of moorings of this type to meet the needs of the expanding number of recreational boaters and the application is therefore welcomed by British Waterways. The site is well located to meet this need and can be developed into a marina with minimal works and excavation. It is likely that any site for a marina in the South East would need to be within the Green Belt. Additionally this site is identified in the

Local Plan as an area that could be developed for watersports provided the activities are not unduly intrusive, buildings are not out of character with the surrounding area and it is appropriate in terms of nature conservation. The Council has therefore already agreed the principle of an intensification of the use of the site.

Landscape and visual amenity

The planning application was submitted with a full landscape assessment including mitigation and a landscape strategy. The site is well screened by existing trees and additional landscaping and planting are proposed. The proposed buildings and structures are kept relatively low and are of wood and slate so as to fit well into the landscape. Whilst the car park areas and indeed the boats themselves will have a visual impact within the site, it is not considered that there will be excessive impact from view points outside the site. A local land owner has pointed out that the applicant is relying to some extent on tree screening that is outwith the application site and that the assessment was carried out in the summer when most cover was available, and this is accepted, but given the low lying nature of the site it is not considered that the scheme will have a significantly adverse impact on the landscape or visual amenity of the locality.

Impact on Wildlife, Conservation and Ecology.

The site is clearly of significant wildlife interest and the application included an Ecological Survey. Consultation which has been carried out with the Wildlife Trusts and with Natural England and both bodies are happy that provided the mitigation measures set out in the submitted Ecological Survey are carried out then there will be no harm to protected species or to the nearby Rye Meads SSSI, Lee Valley SPA and Ramsar site. Whilst the Lee Valley Park Authority have suggested that additional survey information is required, Natural England are the body mainly responsible for the protection of protected species and wildlife sites and it is considered that in this instance as they have raised no concerns it would be unreasonable to withhold consent on such grounds. The mitigation set out within the Ecology Survey does include an additional survey to ensure no harm to water voles and works to minimise harm to habitats. Enhancement measures to improve habitats for reptiles and birds are also proposed. Conditions can be applied to ensure that such work is carried out.

The new lock link between the River Stort navigation and the Lake has potential to impact on water levels within the Navigation as the marina is at a lower level (Approx 0.8m lower) therefore the design and construction of the lock is vital to ensuring that the marina has no adverse impact on the integrity of the waterway. Full details will need to be submitted and the design will be considered in consultation with British Waterways.

Highway Issues

The proposal clearly involves a significant intensification of the use of the Roydon Mill Lake and considerable concern has been raised by neighbours with regard to the vehicular access to the site and the amount of parking proposed. Vehicular access to the site is, as for the adjacent caravan park, from the High Street just south of the Level Crossing and along the tow path road. This road is narrow with poor passing places and includes a humped back bridge with no view of the road ahead; as such there is legitimate concern about any development that may increase vehicular traffic along this track.

However, we need to look at the historic use of this path. The number of mobile homes within the leisure park has recently been significantly reduced and the large field to the east of the caravan park can no longer be used for camping, the applicants have submitted a transport statement with the application which concludes that the proposed marina use will not result in a significant increase in traffic utilising this access, over that which has recently taken place. The assessment also found that in the three years prior to the survey there were no reported accidents within the vicinity of the access junction with the B181.

The scheme proposes the introduction of 77 additional parking spaces to provide for visitors to the Marina, the number has been calculated based on British Waterways figures and have been agreed with the Highways officer from County. Although the number may seem small in comparison to the number of boats proposed, figures based on similar developments elsewhere suggest that this will be sufficient.

The marina proposals do not include a café and it is not intended that it will be a destination for non boat owners and as such it is predicted that the maximum traffic generation (on a summer Sunday afternoon) between 1500 and 1700 hours would be 45, and this is the figure on which the transport assessment was based.

The provision of a workshop and boatyard within the site itself with a slipway from the marina is intended to provide maintenance and repair of boats without the need for them to be transported by road off site. It is intended that boats will access the marina only from the surrounding waterways. Although there will be some additional larger traffic movements of service vehicles and fuel tankers in connection with the use, these have been taken into account in the transport survey.

The conclusion is that the scheme will have minimal impact on the traffic in the locality compared to the previous levels of activity associated with the Caravan Park and tent field, prior to its redevelopment, and the County Highways Officer agrees this conclusion. .

Despite this, the application affords an opportunity to improve the current unsatisfactory access road, and the applicant has been in discussion with British Waterways, who own the tow path, to bring forward improvements to the safety of the road. A drawing has been produced which proposes low level lighting along the side of the canal, to improve visibility of the edge, improved passing places and improved surfacing, all of which will make the access safer. With the agreement of British Waterways it is intended to condition that details of these works are submitted and the works completed prior to the first use of the site as a marina.

Residential amenity.

The part of the Caravan Park closest to the proposed marina development is occupied by static residential caravans, rather than holiday caravans. The residents of this site have been notified of the application and initially concern was raised with regard to the proximity of the proposed parking area to this residential area, on the basis that traffic movements would cause noise and disturbance to the occupants.

Following discussion the proposed parking area has been split into two smaller areas and the nearest spaces moved further from the residential area, such that a gap of at least 20metres is now proposed. The facilities building is some 70m away and the proposed workshop building is more than 190m away. It is therefore considered that there will not be excessive harm to residential amenity from the proposed development. The nearest house to the proposed workshop is the Lock House to the south, which is some 80m away and protected and separated by the Mill Stream, the navigation and by hedgerows.

Conditions can be attached to the workshop building to restrict hours of working to ensure that there is no late night or early morning disturbance from the use.

Flood Risk

The site is within the flood plain and there is therefore concern to ensure that the development will not be at risk of flooding or result in increased risk of flooding elsewhere. The applicants submitted a flood risk assessment with the application and have worked in liaison with the Environment Agency. The two proposed buildings (facilities building and workshop, have both been designed with flooding in mind and both meet the requirements of the Environment Agency. The Workshop is designed to let water flow through it in times of flood and the facilities building is

raised on stilts to allow water to flow underneath. The proposed car parking areas will be of permeable material to allow drainage and not increase run off. Clearly, unlike caravans, boats are not at risk from flooding.

Other Issues.

The proposal is for the boats at the marina to be occupied only for recreational purposes. Use of the marina for residential mooring (houseboats) would have significantly more impact on the locality, as residents would be dependant on road access and local facilities and there would be significant highway implications. Additionally, use for permanent residential accommodation would be clearly contrary to Green Belt Policy and sustainability policies. Conditions can however be applied to restrict occupation to ensure that the marina is only used for recreational purposes.

The proposed fuel storage tank within the development has been redesigned following advice from the Environment Agency to be above ground and on stilts to minimise risk of contamination of ground water.

The applicant proposes that the previously approved use of the lake for powered watersports will cease and it is proposed that a condition be attached to restrict the speed of craft within the lake for safety reasons.

Members should be aware that back in 2004 permission was granted for 175 moorings on a lake less than a km to the south west of this site and accessed off Dobbs Weir Road. That scheme was granted with 44 parking spaces. Although that proposal is still extant, development has not yet commenced. It is not considered that there is any conflict between these two applications, given the documented demand for moorings within the south east.

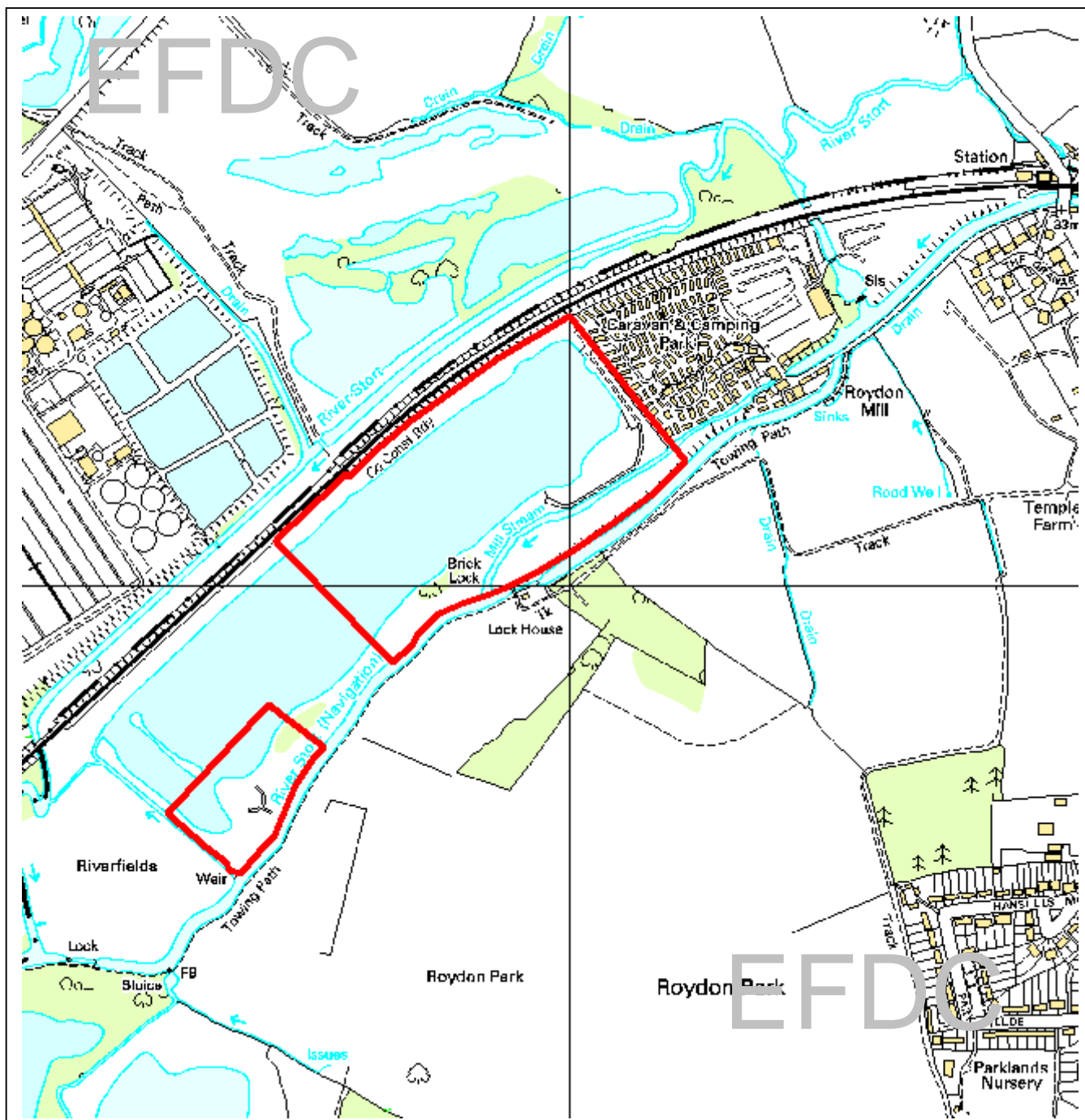
Conclusion:

In conclusion it is considered that this is a well thought out and researched application which provides all the information that was missing with the previous marina application for the site and more. The application shows that the development can be achieved without significant harm to the Green Belt, visual amenity, wildlife and ecology or residential amenity, and that there will be no harm to highway safety or to congestion in the locality. The proposed buildings are well designed and of appropriate size for their function. The proposal is in accordance with the recreational policies of the Local Plan and the Lee Valley Park Plan and will meet an identified demand for off line moorings with minimal environmental impact. Subject therefore to many conditions to ensure that the stated intentions of the scheme are met it is considered that the proposals are in accordance with the adopted policies of the Local Plan and Local Plan Alterations and the application is recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:

3

Application Number:

EPF/2113/08

Site Name:

Roydon Mill Leisure Park, High Street
Roydon, CM19 5EJ

Scale of Plot:

1/7500