

Report Item No: 5 & 6

ITEM 5 APPLICATION No:	EPF/1007/09
SITE ADDRESS:	Gaynes Park Mansion Banks Lane Theydon Garnon Epping Essex CM16 7RJ
PARISH:	Theydon Garnon
WARD:	Passingford
APPLICANT:	Mr Anthony White
DESCRIPTION OF PROPOSAL:	Conversion of existing Grade II* Mansion into 7 no. flats, new rear garage block,. 4 no. new build houses as enabling works and associated landscape works and restoration.
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 At least 48 hours prior notice shall be given to the Archaeological Advisory Group of Essex County Council of the date works will be commenced on this site or any part thereof, and persons authorised shall be afforded access for inspection of the site, and for carrying out works of excavation for the purpose of recording any features thereon of historical or archaeological significance.
- 3 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.
- 4 The enabling development hereby permitted shall only be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the layout, scale and appearance of the buildings, access details for the development and landscaping.
- 5 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.

- 6 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.
- 7 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 Classes A-E of Part 2 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 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.

- 9 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, 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.
- 10 Within 3 months of the grant of this permission details of earthworks shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.
- 11 Within 3 months of the grant of this permission a tree protection plan, to include all the relevant details of tree protection shall have been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to

ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

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

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

- 12 Within 3 months of the grant of this permission a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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

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

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

- 13 Prior to the commencement of the development details of the proposed surface materials for the parking areas, driveways and access roads 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.

- 14 Within 3 months of the grant of this permission details of levels shall be submitted to and approved in writing by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 15 No occupation of the development shall take place until such time as the following have been completed to the satisfaction of the Highway Authority: Access to the development site is to be provided in principle with the submitted plan drawing no. TSP/AWC/P1898/02 Option 2 Double Access

- 16 Provision and implementation of a Transport Information and Marketing Scheme for sustainable transport, approved by Essex County Council, to include vouchers for 12 months free bus travel within an applicable zone (covering the relevant zone as set out by the local operator and Essex County Council) for each eligible member of every residential household, valid for exchange during the first 6 months following

occupation of the individual dwelling. Details of the uptake of the vouchers to be provided to Essex County Council's Travel Plan Team on a 6 monthly basis as indicated in Policy F32 Essex Road Passenger Transport Strategy 2006-2011.

- 17 The public right of way in the vicinity of the site should not be obstructed or adversely affected in any way by the proposed works. Details of any changes to the start of the bridleway, at the access to the site, will need to be agreed by the relevant PROW officer at the ECC Highways Office, Harlow.
- 18 Prior to commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.
- 19 No unbound material shall be used in the surface finish of the driveway within 20 metres of the highway boundary of the site.
- 20 Measures shall be provided to ensure that no mud and/or debris are deposited in the public highway by any vehicle associated with the proposal. Details are to be agreed with the County Planning Authority and Highway Authority.
- 21 Prior to commencement of development of the enabling 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.

- 22 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development of the enabling development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken 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.
- 23 Within 3 months of the grant of this permission the applicant shall submit phasing proposals for the implementation of the enabling development which will be agreed in writing by the Local Planning Authority and thereafter implemented as agreed

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PARISH:	Theydon Garnon
WARD:	Passingford
APPLICANT:	Mr Anthony White
DESCRIPTION OF PROPOSAL:	Grade II* listed building application for the conversion of existing Grade II* Mansion into 7 no. flats, new rear garage block, 4 no. new build houses as enabling works and associated landscape works and restoration.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes, shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 4 No part of the fabric of the building, including any timber framing, infill panels and external brickwork shall be removed, cut cleaned or coated without the prior written approval of the LPA, unless specified on the approved plans.
- 5 Samples of all new rainwater goods and soil and vent pipes shall be submitted to and approved in writing by the Local Planning Authority.

These applications are before this Committee since the overall proposal is contrary to the provisions of the approved Development Plan, and is recommended for approval (Pursuant to Section P4, Schedule A (a) of the Council's Delegated Functions).

Description of proposal:

Planning permission is sought for the conversion of the main building to 7 flats and erection of new garage block and four new houses within the Green Belt as enabling development, associated landscape works and restoration of landscape and parklands. Listed building consent is also sought for the associated works to the listed building. Both applications are considered together in this report.

Description of Site:

A Grade II* Listed house dating from the late 19th century, incorporating remains of late 18th century and early 19th century houses. It is a grey stone faced building with a grey slate roof that is predominantly 3 storeys. It is set in large grounds to the north east of the M11/M25 Junction. The house has been disused for around eight years and is in a serious state of physical decay. The site is set in rolling countryside with the house at the top of a small ridge, screened by extensive mature trees. There is a formal garden and lake to the south of the area which are in poor repair. The access to the site is a single tracked road with passing places running from the junction of Stonards Hill and Coopersale Street, and includes a bridge over the M11. It is wholly within the Green Belt and to the immediate east farm buildings have recently been converted into a wedding venue, accessed from Banks Lane. That site is in separate ownership.

Relevant History:

The site has a long history, the more relevant history is:

EPF/0010/05	CoU of agricultural building to wedding venue	granted
LB/EPF/0011/05	Listed Building Consent in respect of above	granted
EPF/2330/06	Conversion of house to 18 flats, 5 other flats and 10 houses as enabling development	withdrawn
LB/EPF/2331/06	Listed Building Consent in respect of above	granted
EPF/1425/07	Conversion of house to 18 flats, 5 other flats and 10 houses as enabling development	withdrawn
LB/EPF/1426/07	Listed Building Consent in respect of above	withdrawn
EPF/1560/08	Conversion of house to 18 flats, 5 other flats and 10 houses as enabling development	withdrawn
LB/EPF/1561/08	Listed Building Consent in respect of above	withdrawn

Policies Applied:

East of England Plan

SS7 Green Belt
ENV 6 The Historic Environment
ENV 7 Quality in the Built Environment
T7 Transport in Rural Areas

Adopted Local Plan and Alterations

GB2A – Green Belt
GB7A – Conspicuous development within the Green Belt
GB17A – New Houses within the Green Belt
HC10 – Listed Buildings
HC12 – Development within the setting of a Listed Building
H3A – Housing Density

H4A – Dwelling Mix
H5A – Provision for Affordable Housing
H6A – Site Thresholds for Affordable Housing
H7A – Levels of Affordable Housing
CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
DBE1 – Design of New Buildings
DBE2 – Impact of New Buildings
DBE 4 – Design of Buildings within the Green Belt
DBE8 – Amenity Space Provision
DBE 9 – Neighbours Amenity
ST4 – Highways Considerations
ST6 – Car Parking Standards
LL1 – Rural landscapes
LL10 – Adequacy of Provision for Retention
LL11 – Landscaping Schemes

Representations Received

Press advertisement, 2 Site notices posted, 2 neighbour letters sent

PARISH COUNCIL – No objection, planned houses should be built to enable the owner to enhance Gaynes Park in line with the plans which were considered to be Green in an environmental area. In addition to this the buildings cannot be seen from the road, this does not interfere in any way with the countryside area and will attract good owners.

NEIGHBOURS:- No response received.

Issues and Considerations:

The main issues of this scheme are:

1. Impact on the Listed Building
2. The impact of the scheme in the Green Belt & the very special circumstances of the enabling development
3. Design
4. Landscaping
5. Highway issues
6. Neighbour amenity

This is an unusual, almost unique, site and scheme for this District with the enabling development seeing 4 new houses erected in the Green Belt, the sale of which would finance the works to the main house. This type of development would normally not be permitted in the Green Belt and therefore the scheme requires careful assessment.

Gaynes Park House has been subject to an appraisal by the Councils Conservation Officers in 2001, which was reported to District Development Committee on 11 January 2001, who resolved:

“95. GAYNES PARK MANSION, THEYDON MOUNT - RESIDENTIAL DEVELOPMENT

The Committee considered the principle of permitting a residential enabling

development at Gaynes Park, which was situated within the Metropolitan Green Belt, to facilitate restoration of the Grade II listed mansion. The Head of Planning Services reported that such development would represent a departure from the Council's adopted Local Plan and would therefore need to be justified by special circumstances. Members considered that, given the current disuse of the Gaynes Park Mansion, an enabling development at the site should be investigated.*

RESOLVED:

That, subject to all future development proposals fully meeting the criteria set out in the report made to the Committee, the principle of residential enabling development at Gaynes Park, Theydon Mount be agreed"

The site has not been subject of any building works until repairs were carried out this year. Despite considerable interest from various companies and individuals the main building has been empty and derelict since the early 2000s.

The site has been subject to a number of recent applications by several applicants, none of which were formally appraised by Officers, but were withdrawn to allow further work to take place to meet Officer's concerns.

This particular applicant has been in extensive discussions with Epping Forest and English Heritage over the last 18 months over this scheme. Considerable internal and external works to the main building have already been carried out, with the permission of English Heritage and EFDC, to literally "stop the rot" (which has got considerably worse since 2001 with little if anything having been carried out to secure the building from the ravages of the weather), and to ascertain the level of the works required at the site to halt the ongoing decay and to restore and refurbish the property to a habitable state. The applicants have been aware that these works were at their own risk.

1. The Listed Building

The scheme will see the conversion of the main house (the Grade II* element) into seven modern large flats, each with 2 bedrooms. The main 19th century Gothic style facades to the south and west will be restored to their former state. The north and west elevations will see works to remove a 20th century extension, and the remodelling of the internal courtyard area including the enlargement of the internal eastern elevation with the removal of the eastern range of an original wall and roof believed to date from the 18th century. Internally the principal staircase would be removed, and various floors and walls would be demolished and replaced.

The main heritage issue is the works that have already been carried out, the demolition of the east range and the internal subdivisions and removal of the staircase. It should be noted that the County Listed Building Officer has objected to the removal of the staircase. The English Heritage Officer agreed that this would compromise the historic interest of the building, but also agreed with the applicant that the stair is of questionable quality and dates only from the early 20th century. It is also the case that its removal will allow a formation of two rooms, one at the ground floor and one at the first floor level, which allows a better scheme of internal layout and circulation to be provided. Therefore whilst removal of the staircase is a loss, this has to be balanced against the overall benefits of its removal to the scheme of facilitating the achievement of a more coherent and acceptable internal arrangement.

English Heritage has given the following advice in respect of works to the east range:

"The proposed new east elevation, facing the courtyard, has been redesigned, and now appears acceptable. In place of the initial contemporary design it is proposed to build a simple classical

elevationabove which would rise a glazed attic storey.... What is now proposed is a more coherent design....The wall that was (initially proposed) to conceal the ground floor of this elevation and divide the courtyard has now been omitted. The proposal to build a new entrance pavilion within the courtyard has been abandoned. This is welcome as the pavilion would have detracted from the character of the house and the relationship between the house and the courtyard.

The design of the proposed addition to the north side of the south range has been amended. Originally this would have all but enveloped the Arts and Crafts stair tower at the centre of the elevation. It has now been reduced in size, and the presence of the tower would be affected less severely, but it is not apparent why the proposed elevation could not project still less, given that the primary determinant of its dimensions is the need to accommodate a lift beside the staircase. ... The amendments improve the scheme, although fall a little short of what we had suggested”.

Accordingly, English Heritage are now satisfied that these works will not damage the appearance and character of the listed building to a level which would justify a refusal.

The scheme will also see a substantial courtyard garage building which has a “U” shaped plan, and measures 30m x 23m by 5.5m high with a hipped roof. This would be erected on the eastern flank of the site within a lightly wooded area. The scheme has been designed to have an appropriate appearance to the listed building and is not inappropriate in size, scale and height when considered as an ancillary building to a scheme of this nature. It should be noted that the existing stable block to the north of the main building is in a separate ownership and therefore is not available to be used in connection with the scheme.

The parkland to the south of the house will be restored and considerable new planting will occur. This issue will be fully considered under landscaping issues.

The enabling development will be situated to the south of the house and gardens (a minimum of 175m from the house). As will be discussed below, that location is the most suitable for the enabling development and it is considered that, whilst there is an impact on the setting of the building and gardens, this is the best outcome that can be achieved, with the least harm caused.

The English Heritage Officer has commented *“Taking the proposals as a whole, English Heritage concludes that the scheme for the house is now a fair one, providing the justification discussed above is accepted, and that the scheme of enabling development, although unsatisfactory, is placed so as to limit the effect of the development on the setting of the house. Should your Council’s assessment find that the financial case for the scheme is sound, it would then be for it to determine whether the detriment to the public interest that would follow from permitting new development in the Green Belt would be justified by the repair and reuse of Gaynes Park”.*

They have also stated *“English Heritage acknowledges that the applicants have now provided some corroboration for the argument in justification of the elements of partial demolition and radical alteration in the scheme. It will be for your Council and its consultants to gauge the adequacy of this information”.*

It is clear from English Heritage’s comments that the merits of the scheme in terms of its impact on the special architectural and historic interest of the listed building are balanced but it is clearly accepted that the scheme will achieve a conversion of the existing building that will bring a special but derelict building back into a productive use and therefore ensure the long term survival. The scheme is balanced in its impact on the fabric and character of this important historic building, but on the whole it is considered to be an acceptable scheme which will preserve and enhance the building and its setting.

2. Green Belt

To finance the considerable works to the main building, as laid out above, the scheme proposes the erection of 4 large new houses within the grounds of the house. These will be erected in a small valley to the south of the gardens and lake, and would be built into the side of the slopes on each side of the valley to a modern and contemporary design. Access would be via a roadway joining with the main house roadway. A considerable amount of planting would take place on the 3 boundaries of the housing site, and the houses would be sited around a new pond created as a focal point. The pond would be fed by the existing stream from the main lake which would be brought to the surface from its current culverting.

The selection of this site has been subject of intensive pre-application discussions with Officers of the Council and English Heritage, and several other locations were assessed and rejected as unsuitable due to their adverse impact on the setting of the main house, impact on preserved trees and impact on the openness and character of the Green Belt. It is accepted that wherever enabling development occurs on the site it will have some impact on the setting of the house and its landscape. As with the works proposed to the main house, the siting of the enabling building balances the need to maintain the house and gardens and the need to generate the funding to enable the vital repairs to the house to be financially viable.

These new houses are inappropriate development within the Green Belt as they do not meet any of the criteria of National or Local policies for new houses. Therefore to be acceptable very special circumstances have to be proved which would justify their erection.

In a nutshell, the very special circumstances in this case are the contention that the new houses are needed to generate a profit which will enable the works to the main house to be carried out in a financially viable manner. This will be considered below.

The proposed houses are large, but designed to be built into the side of the hill to reduce their impact, and encompass facilities such as indoor swimming pools which have increased their footprint, albeit it so that much of the scheme is buried or shielded by the contours of the existing landscape. It is the opinion of officers that, if the principle of the enabling development is acceptable, then this is the best site for these houses, and has the least impact on the openness and character of the Green Belt. The development will not be visible from the main house (and vice versa).

It is accepted that they will be visible to the south, at Hornes Farm and Mount Road Cottages on Mount Road. However, the views will be obscured by the landform and the existing trees and hedges, and further obscured by the proposed landscaping. Longer distance views of the site will occur from the M25 and the opposite slope of the valley which rises to the south of Theydon Bois. These views will be at the long distance and will be fleeting, especially once the planting has occurred.

Therefore the impact on the appearance and character of the Green Belt will be limited and when balanced against the need for the development (q.v) it is considered that the scheme will be acceptable. The openness of the Green Belt will be adversely affected, but again the balance of the harm caused against the need for the scheme, which is specific and unusual, leads officers to come down in favour of the development.

As seen above the scheme needs to be able to justify the enabling development as being necessary for the future health of the listed building, and if it is, this would constitute very special circumstance which would overcome the inappropriateness of the new houses.

English Heritage has a series of tests for enabling development, which should be applied in this case:

- 1) *The development will not materially harm the heritage values of the place or its setting.*
The significance of the building rests in its historical interest as a country house of some importance and its place in the landscape. The relationship of the house to its setting in its gardens, informal parkland and the wider countryside contributes to its historic and aesthetic value. In this instance it is clear that the significance of the house will be compromised by some of the works on the eastern range, but in the terms of the most important feature of the house, its place within the landscape, it is considered that the harm is not material, and what remains of the house still has a significant value. A similar conclusion is also drawn on the siting of the enabling development as stated above.
- 2) *It avoids detrimental fragmentation of management of the place*
Whilst the scheme is for flats, these are the minimum number that would, together with the proposed housing, secure the viability of the scheme. A management company will be set up to run the site, which would be a necessity in this case. It is considered that the scheme is the best possible solution and meets these criteria.
- 3) *It will secure the long term future of the place, and where applicable, its continued use for a sympathetic purpose*
It is considered that this scheme meets this criteria and deals with the urgent need to preserve the building before the decay becomes irreversible.
- 4) *It is necessary to resolve problems arising for the inherent needs of the place rather than the circumstance of the present owner or the purchase price paid*
This criteria rests on the financial appraisal of the scheme. The application included a full financial appraisal. The basic figures of the appraisal are (rounded to the nearest £10,000):

Purchase cost:	-£890,000
Cost of the repairs and refurbishment of the House:	-£2,320,000
Conversion of flats:	-£4,100,000
External works:	-£2,120,000
Fees:	-£1,970,000
Total:	£11,400,000
Sales of flats (minus costs)	- £8,600,000
Deficit:	- £2,800,000
Cost of new houses:	-£10,800,000
Fees etc:	-£1,910,000
Sales of houses (minus costs): (this equals £4.5 million per house)	£18,400,000
Profit from new houses	£5,690,000
Deficit	-£2,800,000
Overall estimated profit	£2,890,000

These figures have been provided with a considerable amount of background information which has been closely examined and appraised. They have been examined by the Council's Estates Section and an independent Quantity Surveyor (at the expense of the applicant who has agreed to pay the Council's reasonable costs for this exercise).

Estate Officers commented that *“Stevenette’s letter of 26/5/2009 mentions a proposal of 4 houses of 8,000 sq.ft. being built, but avoids suggesting valuations as they consider the maximum area should be 5,000 sq.ft. They offer a check on prices for marketing purposes of figures between £400/£500 psf (sale price/not building cost). This produces from £2,000,000 for a 5,000 sq.ft.house at £400psf up to £4,000,000 for an 8,000 sq.ft. house at £500psf. They also advise that negotiations will probably need to allow 15-20% margin on asking prices. Stepping back and looking at these figures it is inconceivable that a house, of this size not in its own large grounds, and in a somewhat better location than this could sell for figures like these, especially at the larger end. All the figures Messrs Stevenette’s are quoting are for marketing purposes only and are not valuations. I have not been able to locate any direct comparables for such expensive properties. **The report extracts provided illustrate the difficulty of valuing these unique, for our District, properties*** As you will gather from the above we can only go along with the advice in Stevenette’s correspondence on marketing values, but remain sceptical about this proposal. In conclusion the stated values of these properties have not been underestimated”.* (*Planning Officer’s bolding)

The applicant has commented *“With regard to your Estate People’s comments on proposed sale prices and our sale estimates included in the Enablement Calculations, we agree that they are at the top end of the estimates as advised to us by the professionals. I refer you to appendix 6 of the enablement documentation. Our sales estimates at £500 per square foot reflect the unique situation of the Gaynes Park “brand” and location; and take into consideration the seven star finish of both quality and design that is included in all our proposals with regard to the long term sustainability of the house and grounds and the reduction of the conservation deficit”.* Basically they are prepared to risk their money on the basis that this scheme is unique within the area and of such quality that they will realise their financial projections.

Therefore it can be seen that the Developer is running a risk if he cannot sell the houses for the proposed price, which will have a knock on impact on the profitability of the scheme. In this instance it is therefore considered that this could have an impact on the works to the main house, and thus a phased development condition for the new houses would be appropriate to ensure works are ongoing at the main house.

However, it is clear from the Estates appraisals that the scheme is not undervalued, and all of the figures quoted “add up” and are reasonable and fair, with the exception of the proposed sale price of the new houses. It is noted that the Estates Section have called these properties “unique” and in this setting within the Green Belt it is considered that they will generate a high level of interest from prospective purchasers. Therefore it is considered that there is an element of risk to the whole project which depends on the sale price of the enabling development, but this is not considered to be able to justify a refusal on these grounds, especially as phasing conditions can be imposed.

5) *Sufficient subsidy is not available from any other source*

There is no other form of funding to enable the necessary repairs. English Heritage cannot supply any funding.

6) *It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place and that its form minimises harm to other public interests*

The Council appraisal of the financial issues of the scheme has been dealt with above; in the opinion of the Officers 4 houses is the maximum that can be accommodated on the site as an enabling development, and this scheme minimises the harm to the Green Belt and the setting of the Listed Building and Parkland.

- 7) *The public benefit of securing the future of the significant place through such enabling development decidedly outweighs the disbenefits of other public policies.*
The preservation of Gaynes Park is a public benefit. As seen above there is an impact on the Green Belt, but weighed against the intended outcome it is considered that the adverse impacts of the scheme are not sufficient to justify a refusal.

Clearly this is a complicated and involved scheme. It is considered that, on a balanced appraisal of the financial justification for it, the scheme stands up to scrutiny and the Council has no grounds for gainsaying the information provided. Therefore, as this is accepted it is concluded the amount of enabling development proposed is necessary. This, in turn, provides the very special circumstances for the erection of 4 new dwelling houses on this site. It is considered that the need for the scheme overcomes the harm caused to the Green Belt and is therefore acceptable.

3. Design

The design of the extension to the main house and the garage block are acceptable and in keeping with the main building and the surrounding area. The 4 new houses of the enabling development are innovative and unlike any other scheme within the District. They have been deliberately designed to integrate with the landscape and will have green roofs. Much of their mass will be hidden underground and this helps reduce their impact on the Green Belt to a minimum.

The design of the new houses is not yet finalised and some minor changes may occur, and can be conditioned, but the scheme is an excellent indication of how the final scheme will appear and the concept is a welcome one which avoids a pastiche design of the rural vernacular to present something which has the potential to be a great asset to this District.

4. Landscaping

The landscaping element of this scheme is very important due to the setting of the building within this landscape being one of its fundamental features, and the large number of preserved trees on the site.

The scheme has been designed to strengthen and enhance the existing tree and landscaping on the site and will see significant new planting on the eastern and western boundaries of the enabling development as well as new planting on this area's southern boundary. New planting will also occur to the north of the main house around the new garages and tennis courts.

Planting of a tree and hedgerow is proposed along the M11 to the west, although the applicant does not control this land and this is intended to be secured through an agreement between the landowner and the Highway Authority. This is not of any consequence to the assessment of the scheme therefore it is not necessary for any consent given to include a mechanism for securing the hedgerow.

The Council's Landscape Officer has commented that much of the scheme is acceptable and can be dealt with by way of conditions. However, he has concerns over the tree planting to the east of the enabling development being highly visible and eroding the parkland setting of the site. He is also not convinced that the scheme will not be visible from the long views to the south (as covered above under the Green Belt), and has raised the issue of light pollution, especially in the winter months. He therefore recommends refusal on the grounds of the adverse impact of the enabling development on the landscape setting of Gaynes Park House.

As noted above Officers acknowledge that the scheme will be visible to the south and this is assessed at some length above. Light pollution is an issue and this scheme will see an increase as it is a virgin site.

However, both the issue of the eastern planting, visual impact on the landscaping and light pollution have to be balanced against the wider benefits that the scheme will bring to the listed building and the wider landscape. In this instance it is considered that the need to bring the building back to use and preserve and enhance it outweighs the impact that the enabling scheme has on the landscape of the area, especially as the siting and screening is the best possible that can be achieved on this site.

5. Highways

The Highways Section have not raised any objections to the scheme subject to a number of conditions.

6. Neighbour Amenity

The nearest neighbouring property is the wedding venue accessed from Banks Lane. The nearest building to this site will be the new garage block, and it is considered that there is the potential for some noise from the wedding venue to be heard from the site. However this has to be weighed against the ambient background noise of two motorways, and it is the case that due to the distances involved and the existing and proposed screening that this would not justify a refusal.

7. Other Matters

Essex County Council has asked for an education contribution of £9,246 which can be conditioned.

English Nature have raised no objections to the scheme

Conclusion

This is an unusual and significant scheme which will see the total refurbishment of Gaynes Park House, which is an objective that both English Heritage and EFDC regard as important. This refurbishment requires an enabling development of four houses to be erected to the south of the house and the garden.

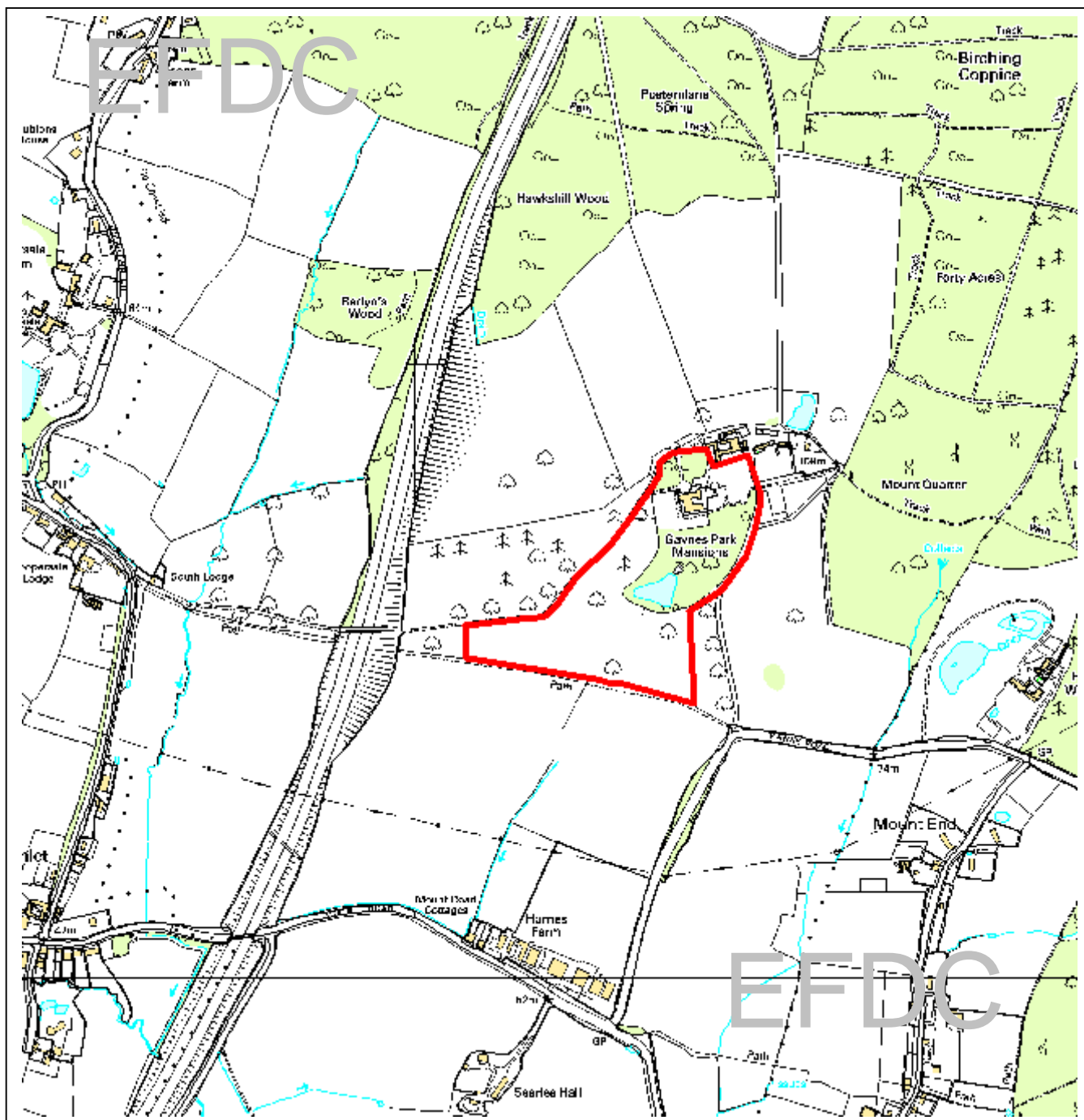
Whilst this development is contrary to Green Belt policies, the very special circumstances are that without this enabling development and the profit it will return the developers will have no economic incentive to convert the house into flats. Officers accept that if this enabling development is judged to be required then the enabling development is well sited and the harm it would cause to the openness and character of the Green Belt and the setting of the Listed Building are outweighed by the benefits of bringing Gaynes Park back into productive use and securing its future within its landscape setting.

It is a balanced case, and the objections of the Landscape Officer are noted, as are the concerns over the profitability of the new houses raised by Estates Officers. However, it is considered that this house and site are of such an importance and make such a significant contribution to the area that the objections are overcome by the benefits to the House and grounds that this scheme brings. Therefore, the application for planning permission together with the associated application for listed building consent is recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	Items 5 & 6
Application Number:	EPF/1007/09 & EPF/1008/09
Site Name:	Gaynes Park Mansion, Banks Lane Theydon Garnon, CM16 7RJ
Scale of Plot:	1/10,000