

**APPLICATION No:** EPF/2228/04

Report Item No: 1

**SITE ADDRESS:**

THE PIGGERIES, WOOLMONGERS LANE, INGATESTONE,  
HIGH ONGAR

**PARISH:** High Ongar

**APPLICANT:** C & R Davies

**DESCRIPTION OF PROPOSAL:**

Variation of planning conditions of planning permission ref: EPF/1899/03; specifically Condition 1, to read "for the use of the site as a landscape contractor's depot only"; Conditions 7 and 8 to increase hours of operation to 07.30 to 18.00, and to vary Condition 14 (regarding bringing materials onto the site).

**RECOMMENDED DECISION: Grant Permission**

1. This consent shall inure for the use of the site as a landscape contractors depot only and for no other industrial or commercial use.
2. The manege hereby approved shall only be used for the purpose of equestrian activity by the owners of "The Piggeries" and for no commercial activity or parking of vehicles.
3. Within three months of the date of this notice, the storage building and fencing that encloses the manege shall be painted dark green and shall permanently be retained in that condition.
4. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of 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.
5. Retention of existing trees and shrubs
6. The rating level of noise (as defined by BS.4142: 1997) emitted from the site, other than that generated from vehicles manoeuvring on the site, shall not exceed 5dBA above the prevailing background noise level. The measurement position and assessment shall be made according to BS.4142:1997.
7. No machinery shall be operated, no process shall be carried out and no commercial vehicles enter or exit the site, outside 07.30 hours - 18.00

hours, Monday to Friday, nor at any time on Saturdays, Sundays, Bank or Public Holidays.

8. Within three months of the date of this notice, details of refuse storage and collection facilities shall be submitted to and approved by the Local Planning Authority. The details shall be implemented within three months of approval and must be retained permanently for the storage and collection of refuse.
9. All surface water inside the curtilage of the site that may be contaminated with pollution should pass through an interceptor tank to remove any oil, petrol or other pollutants, before discharging to the surface water system. Within three months of the date of this notice, details of the installation of such a system shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented and maintained in use within three months of approval.
10. The height of open storage materials shall not exceed two metres above ground level.
11. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 (or of any equivalent provisions revoking or re-enacting that Order) no additional hardstanding or hard surfacing shall be formed on the site and restricted to that area bordered pink shown on the approved drawing no. 1045/1A.
12. No external lighting shall be erected on the site unless a scheme is firstly submitted to the Local Planning Authority and agreed in writing prior to the installation. The agreed lighting shall not be illuminated outside the hours on 07.30 hours to 18.00 hours Monday to Friday or at any time on weekends and public holidays.
13. Vehicle movements shall not be materially increased above the levels detailed within the application hereby approved, without the prior written approval of the Local Planning Authority.
14. No materials, other than those used in conjunction with the business operated from the site shall be brought to or stored at the site without the prior written approval of the Local Planning Authority.

#### Description of Proposal:

This application is to vary conditions attached to the planning permission for use of the site as a contractor's depot (EPF/1899/03).

Firstly, condition 1 is to be changed to lift the restriction of the site's use by the applicant, but retain the proviso that it stays as a landscape contractor's depot.

Secondly, it is proposed to amend conditions 7 and 12 to change the hours of operation, and the use of floodlighting from 08.00-18.00 hours to 07.30-18.00 hours (Monday to Friday).

Thirdly, condition 14 which states "No materials shall be brought to the site without the prior written approval of the Local Planning Authority" is proposed for revision so that it reads "Only materials used in connection with the business operated from the site shall be stored at the site".

#### Description of Site:

The site comprises a farm complex with associated buildings, paddocks and fields and is situated on the north-eastern side of Woolmongers Lane. The area in which the site is located is comprised of mainly agricultural use but there are some residential dwellings nearby, several on Woolmongers Lane. All of the site and surroundings are situated within the Metropolitan Green Belt.

#### Relevant History:

EPF/1899/03 - Continued use of land as a contractor's depot and retention of storage building and manege - Granted 25/8/04.

#### Policies Applied:

Countryside Policy from the Essex and Southend on Sea Replacement Structure Plan:-

C2 - Development within the Metropolitan Green Belt.

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

GB2 - Development within the Metropolitan Green Belt.

LL1 - Protection of the countryside.

DBE9 - Amenity considerations.

#### Issues and Considerations:

The main issues with this application relate to the impact of varying these conditions on the green belt and amenities of surrounding residences.

## Green Belt

The permission is currently personal, however the applicant wishes for this restriction to be lifted and the restriction be placed on the nature of the business.

This is considered appropriate in the context of the Green Belt given the activities that have occurred on this site over time. The suggested wording will still ensure that no other commercial use could take place without the permission of the Council.

In the context of the countryside, it is considered that increasing hours of operation by thirty minutes will not be detrimental, particularly in relation to the site's lawful use and nature of current operations.

The applicant states that lorries are collected from the site before 08.00 hours, as they are loaded the previous afternoon. Permitting an additional half an hour is not considered to give rise to harm to the Green Belt.

The current condition 14 does not allow for materials to be brought onto the site. The business entails bringing material onto the site (in connection with its lawful use), and the restriction currently prevents this.

Changing the wording so that only materials in conjunction with the lawful use can be brought onto the site is considered acceptable, particularly in the light of the existing condition that restricts open air storage to a maximum height of two metres, together with the screening around the site.

## Residential Amenity

Removal of the personal permission will allow another operator to conduct business on the site, but this would have to be a Landscape Contractor's Depot. As this is the lawful use of the site, which would still be controlled, no harm will result to amenities as a result of this change.

Concern has been raised with regard to the earlier hours of operation. The application was originally requesting operation to commence at 07.00, but this has been revised.

Although residential properties are located nearby the site, it is considered that for the weekday use of the site to commence at 07.30 is not unacceptable in terms of residential amenity, and it is also considered that refusal would be difficult to justify on appeal.

No application is being made for a weekend use, and although it has been stated that this occurs, this would be an enforcement matter should this occur in the future, were permission granted for the revised hours.

Given the sites screening, storage of materials in conjunction with the yard are unlikely to affect amenity.

#### Conclusion

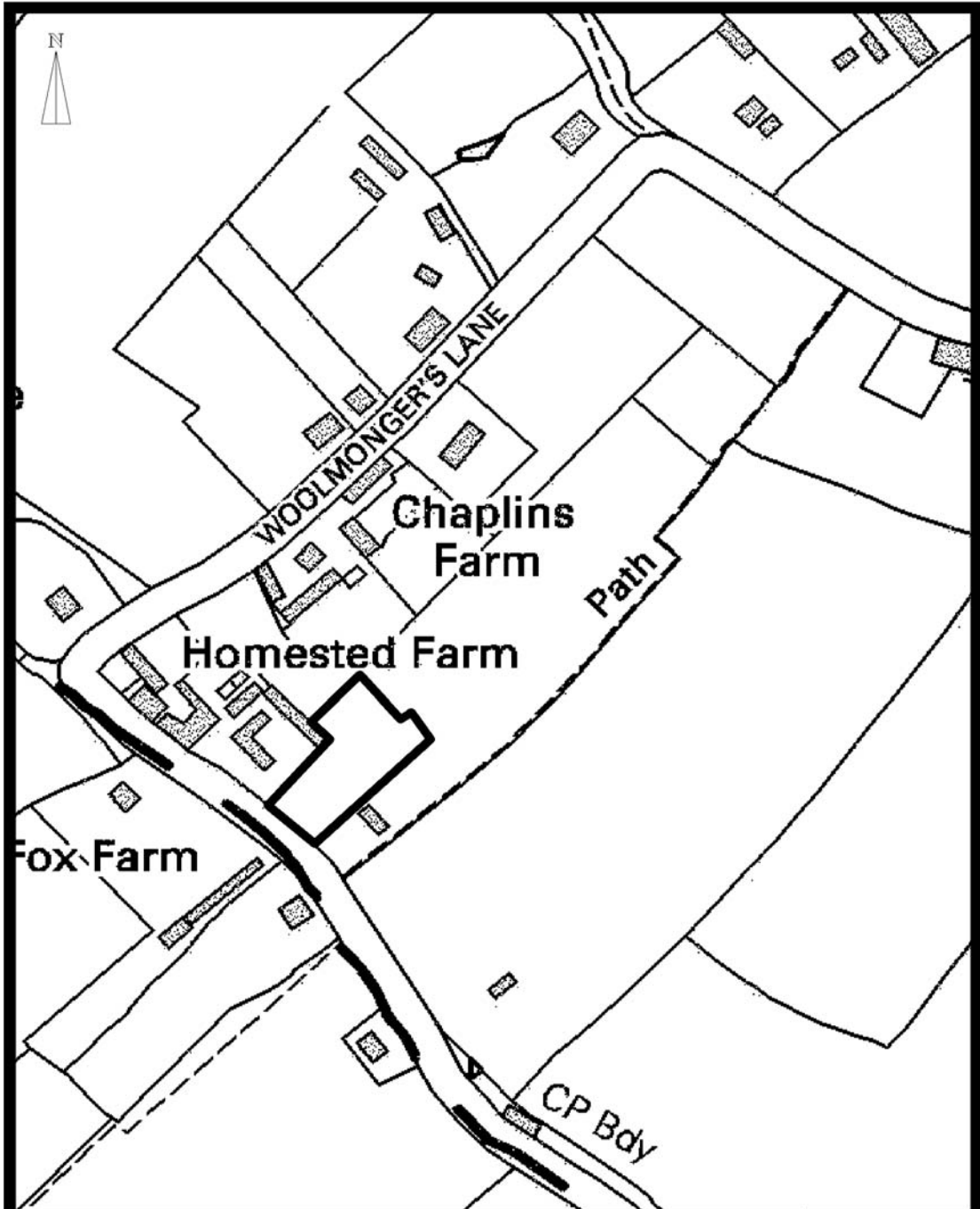
The proposals will not result in additional adverse impacts to the surrounding countryside or residential amenity. The application is recommended for approval.

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

**HOMEMEAD FARM, WOOLMONGERS LANE** - The site has been used from 07.00 am weekdays since 2003 and also on Saturdays with persistent traffic all weekend, a number of heavy equipment uses and frequent noise. This is an attempt to further increase use at more unsociable times. We oppose the application 1) This is a lane with residential housing and The Piggeries is out of keeping in its position. 2) The owners have a history of abusing the terms of their licenses and this would merely enable them to take further steps beyond this application.

**CAMPAIGN TO PROTECT RURAL ESSEX** - Object, the opening up of the site for general use and bringing uncontrolled materials to site could cause problems of excessive storage of waste materials and excessive lorry traffic in the area. You are experiencing major problems at North Weald and Theydon Bois with such activities.

Following the revision to the application (amending hours of operation and use of lamps to 07.30 and not deleting condition 14), neighbours and the Parish Council were re-consulted. Any comments received after agenda preparation will be reported orally to the Committee.



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Item No:01

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Epping Forest District Council  
Final Committee Agenda  
For Committee meeting on: 29/06/2005  
Decision Level: Development Committee and Plans Sub-committee

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**APPLICATION No:** EPF/741/05

Report Item No: 2

**SITE ADDRESS:**

BARN AT HOGGS FARM, CARTERS GREEN, MATCHING

**PARISH:** Matching

**APPLICANT:** Mr B Bartlett

**DESCRIPTION OF PROPOSAL:**

Change of use from barn to bungalow.

**RECOMMENDED DECISION: Refuse**

1. The site is within the Metropolitan Green Belt. The proposal represents inappropriate development and is therefore at odds with government advice and Policies C2 and RE2 of the adopted replacement structure plan and policies GB2 and GB8 of the adopted Local Plan. Since the Local Authority is not convinced that the building are not suitable for any alternative more appropriate use or that it is so desirable that they be brought back into beneficial use that residential should be considered.
2. The proposed development results in the further subdivision of the curtilage of the listed building known as Hoggs Farm leaving insufficient curtilage for the scale and historic nature of the dwelling. This is harmful to the setting of the listed building contrary to policy HC12 and HC13 of the adopted Local Plan.
3. The works proposed to the curtilage buildings are considered harmful to their character and integrity contrary to policy HC13 and HC10 of the adopted Local Plan.
4. The proposal would lead to a form of unsustainable development since the provision of a new dwelling in this rural location without access to community facilities and sustainable means of transport would be contrary to Policies CS4 and H2 of the adopted Replacement Structure Plan.

This application is brought to Committee at the request of Cllr Knapman.

#### Description of Proposal:

This is a resubmission following amendment of an application that was considered by Members back in December 2004 and deferred for a site visit. The earlier application was withdrawn, by the applicant, to enable further negotiation.

The application is for the alteration and conversion of existing agricultural buildings to residential use. The works include removal of an existing small outbuilding and erection of an extension to link the two main buildings to create a three-bed dwelling. Additionally a detached double carport is proposed to replace an existing single garage and an existing storage building is to be removed.

#### Description of Site:

The site is an irregular shaped area of land within the current garden area of Hoggs Farm. This is a Grade II listed farmhouse, which now has no agricultural land. The site is accessed via the existing access to the farmhouse and the intention is that there will be shared access. The site forms part of the small collection of residential properties that comprise Carters Green. A barn immediately to the south of the access (originally within the ownership of Hoggs Farm) has recently been converted to residential use with the benefit of planning permission and Listed Building consent from 2002.

The buildings, which it is proposed to convert, are two single storey, timber framed barns, clad with timber weather boarding and standing at right angles to each other. They are set well back from the road frontage and are not visually prominent.

#### Relevant History:

EPF/1011/02 and LB/EPF/1012/02 planning and Listed Building Consent for conversion of barn to dwelling - Approved. This relates to the barn to the south of the entrance to Hoggs Farm House.

EPF/212/04 - Two storey side extension to Hoggs Farm House - Approved 8/6/04.

EPF//1745/04 - Conversion of former farm buildings to single residential use with car port - Application withdrawn.



#### Policies Applied:

##### Local Plan Policies:

GB2, GB8 Green Belt  
HC10, HC13 Listed buildings.  
LL7, LL10, LL11 Landscaping.  
DBE9 Effect on neighbours  
T17 Traffic.

##### Structure Plan Policies:

RE2 Re-use of rural buildings  
C2 Development within MGB  
H2 sequential approach to housing development  
CS4 Sustainable new development  
HC3 protecting listed buildings and their settings.  
HC4 Conversion of listed buildings.

#### Issues and Considerations:

The main issues here are considered to be whether the proposal is acceptable in terms of the impact upon the Green Belt, the effect on the setting of the listed building, any impact on neighbouring properties, highway safety implications and the sustainability of the site for residential purposes.

#### Green Belt

Policy GB8 allows for the conversion of buildings where they are permanent substantial, capable of conversion without major reconstruction and in keeping with their general surroundings. A condition survey submitted with the application indicates that the barns are capable of conversion, subject to underpinning, part rebuilding of brick plinths, rebuilding of parts of the timber frame, repair or replacement of locally decayed timber, possible enhancements of roof timbers, new concrete slabs and damp proof course. The report is not a full structural survey and does not detail all works necessary for structural stability and conversion to residential. Although clearly substantial work would be required to convert the buildings they are square and level and there is no evidence of extensive ongoing structural movement. On balance it is considered that the works envisaged, although quite extensive do not amount to major reconstruction.

Policy GB8 continues that if the first requirement is met, then the new use should be one that is associated with open uses

acceptable in the Green Belt, or commercial activities of benefit to the local area involving recreation or tourism, or business or commercial uses which would not involve open storage or significant vehicle parking. In this case the applicant's agent argues that the buildings are not suitable for modern agricultural uses, and in any case the land has been sold away and they are situated close to two residential properties (Hoggs Farm and Hoggs Farm Barn). The access is narrow and unsuitable for uses that would increase traffic.

The applicant's agent argues that due to the floorspace of the barns (approximately 156 square metres) it is conceivable that over 20 cars would need to be accommodated in front of the barn and including service vehicles movements would be in excess of 100 per day if an office use were to be permitted. However the planning authority disputes these figures. The parking standards for B1 business use is 1 space per 30sqm (which would mean 5 spaces) and for B8 storage use the figure is just 1 space per 150 square metres and it is conceivable that such low key storage or business use would generate similar traffic movement levels to a family dwelling.

Clearly this is not an ideal location for intensive storage or business use, but these alternatives have not been fully explored and the figures that have been put forward appear significantly inflated. One residential property in an isolated location like this can generate up to 10 vehicle movements a day 7 days a week, a business use employing 2 or 3 people may not generate significantly more traffic, and could help meet local employment needs. The possibility does not seem to have been adequately explored.

Policy GB8 goes on to state that residential use will only be accepted where the building is unsuitable for the other uses set out above, but where the council considers it desirable that the buildings be brought back into beneficial use.

In this instance the buildings are not prominent buildings, they are single storey unremarkable buildings within the (now residential) curtilage of a listed building. The buildings could be legitimately used as storage in connection with the existing dwelling, they have clearly remained unused for any agricultural use for a significant period of time and it is not considered that it is particularly desirable that they be given an alternative use. At present they are essentially domestic outbuildings and this appears to be the most appropriate use for them, alternatively consideration could be given to the possibility of conversion to ancillary living accommodation as an annexe to the existing house. This would have the benefit of maintaining a single residential curtilage and no need for additional garaging etc.

Finally the proposal involves the construction of a carport building replacing an existing single garage close to the northern boundary of the site. The proposed car port measures 5.5m square and has a pitched roof with a 4m ridge height. The intention is to provide garaging for both the existing house and the barn conversion. The provision of this building is to some extent offset by the removal of an unattractive storage building to the rear of the site. However one of the main concerns about allowing conversion of buildings to residential use is that inevitably there follows a need or a desire for new built structures, for garaging and or storage and this proposal only serves to emphasise that.

#### Listed Building Considerations:

The buildings are not listed in their own right but are "curtilage buildings" and listed building consent is required for work to them. A separate Listed Building application has been submitted and is next on the agenda. The Senior Historic Buildings Adviser from Essex County Council has raised considerable concern about the proposal and considers that the progressive subdivision of the site harms the setting of the listed building. The subdivision, which follows the earlier conversion of the barn immediately to the west of the farmhouse, leaves insufficient curtilage around the Farm House for the scale and historic status of that house.

The design of the conversion itself results in a very domestic character to the building, and the interior is very subdivided and new openings involve cutting through braces that are of major structural importance. The scheme is therefore considered harmful to the setting of the listed building and the interest of the curtilage listed buildings.

The proposed carport, which is the first building that would be seen on the approach to the site and listed building, is not attractive, with squat proportions and a span greater than that of the main listed farmhouse. The recommendation of the Historic buildings adviser is therefore to refuse.

#### Impact on neighbours

Objection to the proposal has been raised by occupants of 3 other dwellings within the hamlet of Carters Green, however part of their concern appear to relate to the problems of noise and disruption that could occur during the works involved in the conversion, which they have suffered with during the conversion of Hoggs Farm Barn, and these are not grounds for the refusal of a planning application. It is not considered that the use itself would result in any harm to the residential

amenity of adjacent residents, including those at Hoggs Farm itself. The nearest neighbour, in the recent barn conversion, has written in support of the proposal.

### Highway Issues

The proposed use is unlikely to generate significant traffic movements and the Highways Authority has no objections to this proposal, as it is not contrary to the transport policies contained within the ECC Structure Plan and EFDC Local plan. Adequate parking is proposed within the site to ensure that there is no need for on-street parking, which would be hazardous in this location.

### Sustainability

Carters Green is a small hamlet with no facilities and it is clear that any inhabitant of the barns if converted would be heavily reliant on the car for access to work, shops and other facilities. The proposed development would therefore be likely to lead to an increased number of car journeys from the hamlet contrary to Government objectives of reducing car dependency, contrary to policies CS2 and CS4 of the structure plan.

### Conclusion

It is considered that the proposed change of use to residential is not justified as the buildings could potentially be used for other less harmful purposes that have not been fully investigated or, could be used as domestic storage in connection with the existing dwelling. It is not considered that there is a need to find alternative uses for these relatively low-key curtilage buildings, and it is not accepted that residential use is the only option available. The scheme although now free of physical features demarking the separate curtilages for the existing and proposed dwelling still results in an additional unit within close proximity to the original dwelling and an inevitable change in the character of the building which will impact on the setting of the listed building.

The scheme will further fragment the curtilage of the listed farmhouse, which has already been impacted on by the conversion of the barn immediately to the west of the house, and the design of the conversion is not sympathetic to the barns. The site is poorly located for residential development. Singly, each of the above concerns could perhaps be overcome, or would not be sufficient to warrant refusal of the application, but all together they illustrate that the scheme is inappropriate and harmful and should be resisted. The application is therefore recommended for refusal.

**SUMMARY OF REPRESENTATIONS:**

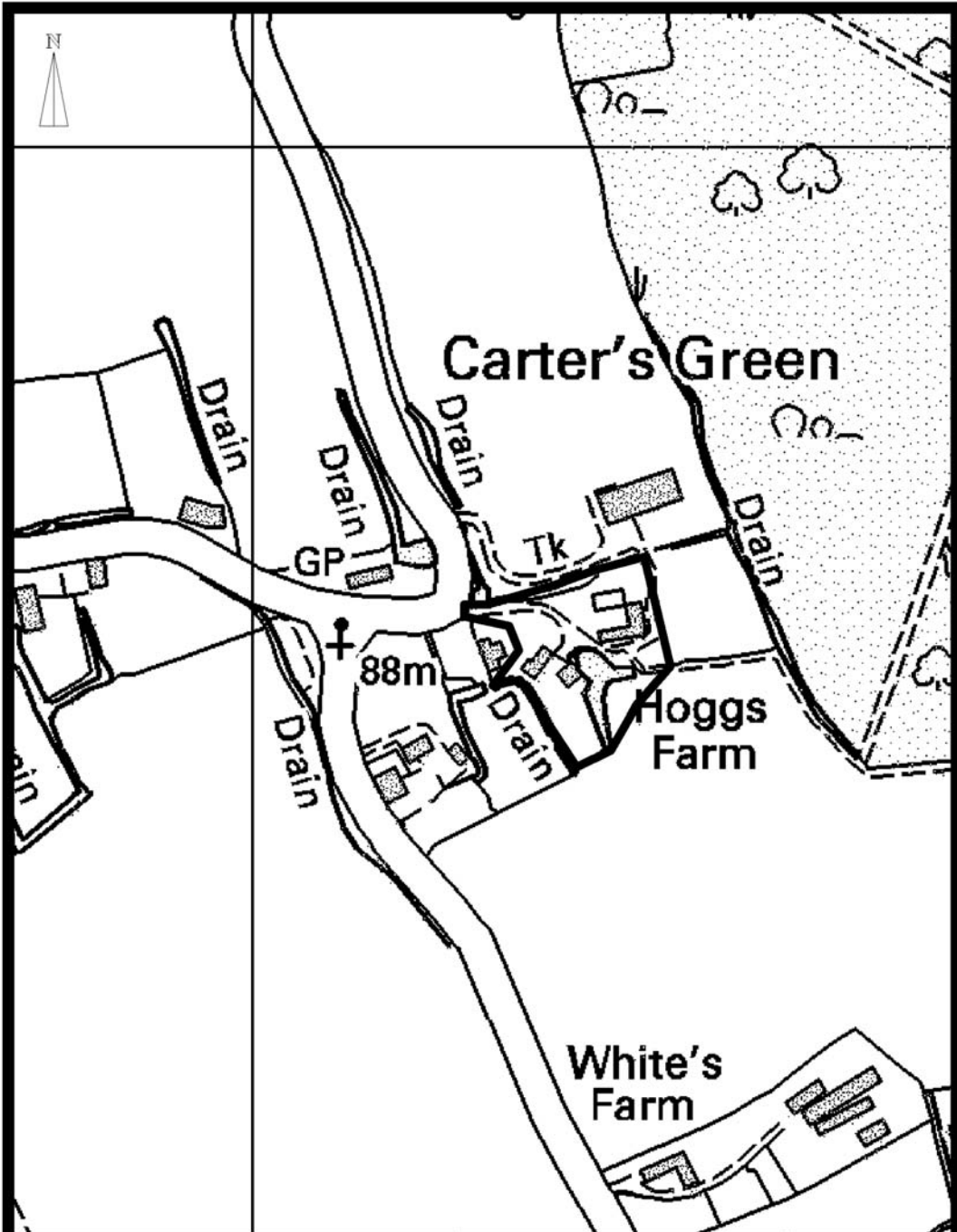
PARISH COUNCIL - No objection.

STOCK BARN, CARTERS GREEN - I give my full agreement. Having recently converted the large barn at the front of the property at Hoggs Farm I feel this would enhance the surrounding area.

WILLOW COTTAGE, CARTERS GREEN - I would like to reiterate my previous objections, noise and disruption. The lovely area is becoming like a mini Church Langley.

THE OLD HOUSE, CARTERS GREEN - Strongly object to further development in Carters Green. The adjoining barn conversion caused noise, disturbance, disruption and safety concerns during the building works. Yet another residential unit will bring much more traffic in the long run to this tiny hamlet.

BROADLANDS, CARTERS GREEN - Objection. The hamlet had until recently only 9 houses if this is approved there will be 3 houses where once there was one. Additional traffic, harmful to the character of the hamlet, of no benefit. The applicant could utilise the barn for his own family use and recreation. Permission would open the floodgates. I can name at least 25 rural outbuildings within half a mile of the barn. This is not what the area needs and is against Green Belt policy.



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Epping Forest District Council  
Final Committee Agenda  
For Committee meeting on: 29/06/2005  
Decision Level: Development Committee and Plans Sub-committee

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**APPLICATION No:** LB/EPF/742/05

Report Item No: 3

**SITE ADDRESS:**

BARN AT HOGGS FARM, CARTERS GREEN, MATCHING

**PARISH:** Matching

**APPLICANT:** Mr B Bartlett

**DESCRIPTION OF PROPOSAL:**

Curtilage Grade II listed building application for alterations to convert from barn to bungalow.

**RECOMMENDED DECISION: Refuse**

1. The proposed works including the provision of standardised openings in the elevations and the cutting of braces which are of major structural importance are harmful to both the character and integrity of the curtilage listed buildings contrary to policies HC10 and HC13 of the adopted Local Plan.
2. The proposed use, introducing a third residential unit in close proximity to the listed farmhouse is harmful to the setting of the farmhouse contrary to policy HC12 of the adopted Local Plan.

**Description of Proposal:**

Listed building application for alterations to enable conversion of barn buildings to dwelling. The works include the erection of a small linking extension, the installation of new fenestration and internal subdivision to provide three bedrooms a dining room, lounge, kitchen, bathroom and utility room.

**Policies Applied:**

Policies HC10, HC12 and HC13 of the adopted Local Plan and HC3 and RE2 of the adopted replacement structure plan, relating to the protection of listed buildings and their setting.

#### Issues and Considerations:

In determining applications for listed building consent the main concern is whether the proposals protect the character and historic interest of the buildings. The existing barns are not listed in their own right, but are protected as curtilage buildings. They are important to the setting of the farmhouse in that they are ancillary agricultural buildings that one would historically expect to find close to a farmhouse.

The proposed works however, will change the character of these low key buildings, by the use itself, and by the insertion of more windows and doors. The building takes on a domestic character that is out of keeping in such close proximity to the farmhouse. Although the applicant has amended the proposals since the earlier submission, to remove some openings in the elevations facing the listed building, the Historic Buildings Adviser from Essex County Council, still has considerable concerns about the proposal. She states:

"the design is one where the numerous standardised openings and proposed elevations are very domestic in character and the interior is very subdivided and there are large new openings which are likely to cut through critical framing and bracing. The proposal would be detrimental to the setting of the listed building and the interest of the curtilage buildings, because of the location, subdivision, domestication, design and likely structural damage involved."

On this basis the listed building application is recommended for refusal.

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

See previous item.



Epping Forest District Council  
Final Committee Agenda  
For Committee meeting on: 29/06/2005  
Decision Level: Development Committee and Plans Sub-committee

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**APPLICATION No:** EPF/310/05

Report Item No: 4

**SITE ADDRESS:**

CHIPPING ONGAR COUNTY JUNIOR SCHOOL, GREENSTED ROAD,  
ONGAR

**PARISH:** Ongar

**APPLICANT:** The Head & Governors Chipping Ongar Primary School

**DESCRIPTION OF PROPOSAL:**

Installation of 2.4m high green steel pallisade fencing and gates to all boundaries.

**RECOMMENDED DECISION: Grant Permission**

1. To be commenced within 5 years.
2. Notwithstanding the drawings hereby approved, before any works commence on site, a site meeting shall take place between the Councils Landscape Officer and those who are contracted to carry out the works in order to determine the exact siting of the approved fencing. The landscape officer can be contacted on 01992 564117.

Description of Proposal:

Consent is being sought for the installation of a 2.4m high green steel palisade fencing and gates to all boundaries. The gates would be installed at the Greensted Road entrance, the pedestrian entrance from Woodland Way and for access to and from the parish play area.

Description of Site:

The site lies within the Metropolitan Green Belt and comprises a single storey primary school building surrounded by 3 hardplay areas, a car park and grass playing fields. The land is well screened along all boundaries although views into the site can be had from the rear of properties along Woodland Way.

Relevant History:

EPF/837/04 - Installation of CCTV system and erection of three 6m steel columns - Approved with Conditions - 02/08/04

#### Policies Applied:

GB2 - Development in the Green Belt  
DBE1 - New development  
DBE2 - Amenity  
DBE4 - Buildings in the Green Belt  
LL10 - Retention of Trees

#### Issues and Considerations:

The main issues here relate to the appropriateness of the development within the Green Belt, its impact on the amenities of the neighbouring properties and the material consideration of the security aspect.

#### Green Belt

The aim of the Green Belt is to retain the openness of the land. It is not considered however that the fence would result in such harm to the openness of the green belt in this location as to warrant a refusal. Existing hedging and trees would screen much of the fencing and where the fence would be visible from public viewpoints it would be against the backdrop of the school building. Complies with GB2 and DBE4.

#### Amenity

Again, as much of the fencing would be screened by existing vegetation the impact of the fencing on the neighbouring properties would be negligible. Where it would be visible there is still some amount of tree screen to soften the impact. Local residents arguing that the fence would be unsympathetic to its environment have raised objections. The fencing proposed here is not too dissimilar to fencing being used at many schools in order to combat vandalism and security.

Concerns have been raised that this would result in a loss of the playing fields being used after hours, as has been the case historically. However the land belongs to Essex County Council and the loss of it is not considered to be a planning issue.

The concern raised regarding the health and safety of children using the parish play area if the proposed fence was erected is not considered to be so material as to justify a refusal here.

Furthermore, it has been confirmed by the Head of Planning and Access at Essex County Council that the Council's insurers

have stated that the school needs to install a 2.4m palisade or welded mesh fence around the boundary and this has been supported by Essex Police.

Therefore, on balance the fencing is considered acceptable and not so intrusive as to cause an excessive loss of amenity to the neighbouring properties. Complies with DBE1 and 2.

The Council's Landscape Officer has no objections to the proposal given that a condition is attached whereby the exact siting of the fence is determined on site by himself with the contractor at a date to be confirmed in order to ensure that the impact on the boundary vegetation is minimised.

Conclusion:

Whilst it may be regretted that such measures are necessary, there would appear to be no justification for refusing permission and consequently the application is recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL - No objections subject to the Council wishing to see the most environmentally sympathetic style of fencing used and any trimming of planting to erect the fence should be sympathetic to the surroundings.

LEISURE SERVICES, EPPING FOREST DISTRICT COUNCIL - Objection - As there is little access to alternative facilities it would be unfortunate to lose the playing field.

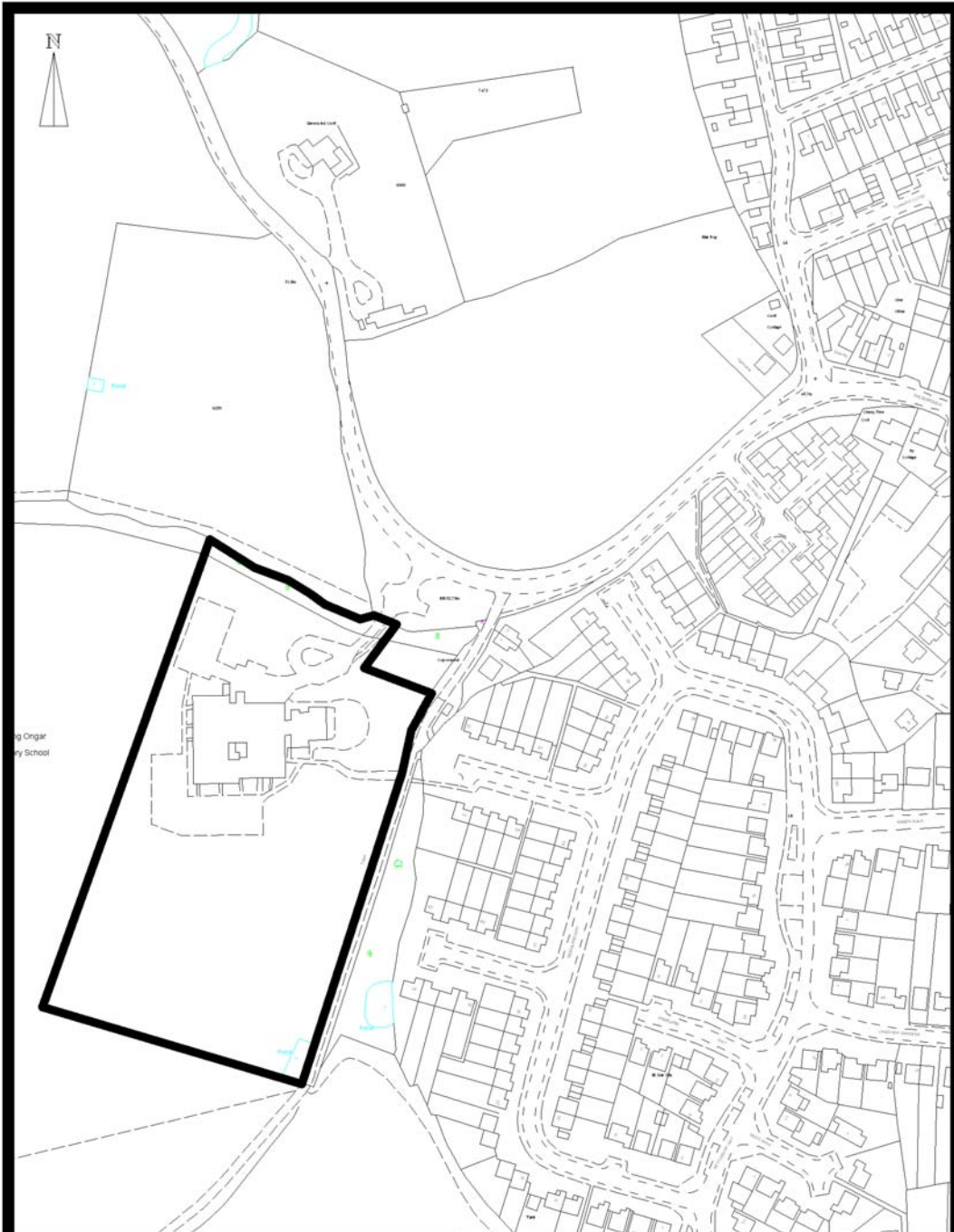
HEAD OF PLANNING & ACCESS, ESSEX COUNTY COUNCIL - The school has a claim record that is significantly worse than other schools as a result of vandalism and damage; insurers have stated that the school needs a 2.4m fence around boundary. Essex Police have supported the need.

85 WOODLAND WAY - Fencing would create an eyesore detracting from open area; fence would detract from views; loss of hedgerow; parish play area would resemble a cage.

10 LANDVIEW GARDENS - Objection - Loss of a safe and secure open space; CCTV installed is not being used to its full potential; situation is unjust and unfair; cannot accept that the fence would stop the vandalism.

117 LONGFIELDS - Loss of safe and secure open space; loss and threat to trees and wildlife; other options available including CCTV extension and more effective handling of evidence obtained.

18 KETTLEBURY WAY - Will not be possible to manage the hedging once the fence is in position; fence will be unsympathetic to the environment; fence around the parish play area is totally unsympathetic; put children's safety in jeopardy with high fence; other options available.



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Item No:04

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**APPLICATION No:** EPF/604/05

Report Item No: 5

**SITE ADDRESS:**

LAND TO REAR OF SMITHS RESTAURANT, FORMER BOWLING GREEN  
FYFIELD ROAD, ONGAR

**PARISH:** Ongar

**APPLICANT:** The Portet Pension Fund

**DESCRIPTION OF PROPOSAL:**

Renewal of Outline Planning Permission EPF/399/01 for the change of use of former bowling green to residential to provide three single storey dwellings and extension to restaurant car park.

**RECOMMENDED DECISION: Grant Permission**

1. Submission of details within 3 years.
2. Approval of the details of the siting, design and external appearance of the buildings and the landscaping of the site (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is concerned.
3. Plans are particulars of the reserved matters referred to in Condition 2 above, shall also include:-
  - a) details of the provision of garaging, car parking spaces and turning areas;
  - b) details of floor slab levels in relation to existing levels of the site and surrounding properties;
  - c) details of the line, level width and junction layout of the means of access to serve the site, including details of the disposal of surface water therefrom and the provision of visibility splays at the junction with Fyfield Road;
  - d) details of the treatment of all ground surfaces together with the means of disposal of surface water therefrom;
  - e) details of the location of a refuse collection point to serve the new dwellings;
  - f) details of the means of enclosure; and
  - g) details of the location of all service runs to serve the new dwellings
4. The new dwellings hereby permitted shall be restricted to single storey construction only.

5. The extension to the restaurant car park hereby permitted shall not be lit or illuminated in any way.
  
6. The development hereby permitted shall not commence until a statement of all relevant details of tree protection has been submitted to, and approved in writing by, the Local Planning Authority. The statement shall include details of fencing in accordance with the relevant British Standard (Guide for Trees in Relation to Construction, BS5837: 1990). Trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given prior written approval to any variation.

#### Description of Proposal:

Outline application for three single dwellings on area of redundant bowling green. All matters reserved (siting, design, landscaping and external appearance) except for means of access which is shown to be at the northern end of the site. Application also shows extension of restaurant car park to provide 9 extra spaces, also within the bowling green site.

This is a renewal of permission granted on appeal in March 2002.

#### Description of Site:

Former bowling green which has been disused for about 6 years, surrounded by residential properties on three sides and restaurant and car park on west side. There is a high fence separating the site from the restaurant's car park. The site does not have a frontage to Fyfield Road.

#### Relevant History:

EPF/399/01 - Outline for the erection of three detached dwellings and extension to the existing car park - Refused planning permission for three reasons:- loss of open space, amenity to residents and result in removal of mature protected trees. Appeal lodged and ALLOWED by Planning Inspector in 2002.

Relevant Policies:

Local Plan:-

RST14 - Protection of Playing fields  
LL5 and LL6 - Protection of urban landscapes  
LL7 - LL10 - Protection of trees  
DBE2 and 9 - Amenity of residents  
T17 - New Access criteria

Structure Plan:-

BE1 - Make efficient use of land but protect environmental quality  
BE3 - Retain open space within urban areas  
CS2 - Character of townscape of urban environment be safeguarded.

Issues and Considerations:

The main issue is whether there has been any policy or other material consideration changes since this development was allowed on appeal.

The planning merits were carefully considered three years ago at an appeal Hearing during the lifetime of the current Structure and Local Plan. It was concluded that the bowling green was, because of its limited size, private ownership, absence of vehicular access or dedicated parking facilities, extremely unlikely to provide an alternative public recreational use. The site is also fenced off from public view and no longer contributes to local amenity. The proposal is therefore not contrary to policy RST14, LL5 or 6.

The proposals are for bungalows at a low height level, it was concluded that there would be no harm to the amenities of the residents living around the site. The Inspector imposed a condition that the buildings be single storey only.

A tree protection order protects a group of elm trees along part of the northern boundary of the site and whilst no trees are to be removed, there were officers concern that the vehicular access may harm the future wellbeing of these trees. The Planning Inspector concluded that because the existing hard surface car park would be used for the access there would therefore be little or no work in this area. The proposal, he concluded, complies with policies LL9 and LL10.

There were no objections on highway grounds.

In summary, there are no new material considerations which have arisen since the appeal decision, and accordingly the application to renew the outline planning permission is recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL - Object to the application as it would result in the loss of an important area of open space and would be detrimental to the amenities of neighbours and the area as a whole.

1 FINCH COURT, COLES CLOSE - Should this be granted it should be on the condition that Smith's Brasserie receive and unload all deliveries to them from their car park, which is to be extended, rather than from Fyfield Road because they block the pavement.

PRIMARY CARE TRUST - No objection so long as the trees and hedges between the site boundary and the Ongar War Memorial Hospital are not affected by the development.





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