

# **Report to Area Plans Sub-Committee 'C'**

**Date of meeting: 14 December 2005.**



**Epping Forest  
District Council**

**Subject: Request to Discharge a Section 52 Agreement -  
Stonehall Farm, Downhall Road, Matching.**

**Officer contact for further information: Jill Shingler (01992 – 56 4106).**

**Democratic Services Officer: Gary Woodhall (01992 – 56 4470).**

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## **Recommendation:**

**That the discharge of the Section 52 Agreement at Stonehall Farm, Downhall Road, Matching be agreed.**

## **Report:**

1. This request to discharge an old Section 52 Agreement relates to a Grade II listed barn located on Downhall Road. There are commercial premises to the north and a farmhouse, now converted to 3 dwellings to the south. The barn shares an access with the residential units. The barn is currently disused.
2. In 1984 permission was granted for use of the barn for storage and restoration of antique furniture. In 2000 Listed building consent was given for reproofing and new windows and doors to the barn. In July 2005 Planning and Listed Building consent were granted for conversion of the barn to a single dwelling.
3. In 1984 when planning permission was granted for change of use of an existing barn at the above site from agricultural storage to storage and restoration of antique furniture, the application was granted subject to a legal agreement under section 52 of the Town And Country Planning Act 1971. The legal agreement, which is still in force, restricts the use of the barn to the storage and restoration of antique furniture and prevents the barn from being disposed of separately from the remainder of the application site. At the time of the permission it was considered necessary to exercise this additional control of the use in the interests of amenity and to prevent undue traffic generation.
4. In July of this year, however, Planning Permission and Listed Building Consent were granted for change of use of the same barn to a single residential unit. The application was granted under delegated powers on the basis that the owners have been unable to let the barn for the approved use for the last 3 years and that the application was in accordance with the current adopted Local Plan Policies. It is therefore considered that the Section 52 Agreement is no longer relevant or required and that it should be discharged, to enable the new planning consent to be implemented.