

Report Item No: 1

APPLICATION No:	EPF/2193/12
SITE ADDRESS:	Pinch Timber Farm Upland Road Epping Upland Epping Essex CM16 6PG
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mrs Averil Gilbert
DESCRIPTION OF PROPOSAL:	Conversion of barn to residential dwelling and related works.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543288

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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 05:027:2Ei, 05:027:3Ki, 05:027:4Ci, 050:27:5xiiJB, 050:27:6xJB, 05:027:IMi
- 3 No development shall take place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 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, Class A, B, C, D and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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 in writing by the Planning Authority.
- 6 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 7 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 8 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 9 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 10 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of

any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 12 If any tree, shrub or hedge 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 of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 13 No development shall take place, including site clearance or other preparatory work, until details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These shall include: details of existing features to be retained; means of enclosure (hard or soft); areas of additional hardstanding; and car parking details and layout. These works shall be carried out as approved, unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site relates to a historic barn that lies to the east of the Grade II listed, 16th century Pinchtimber Farmhouse. According to the list description the barn dates to the early 18th century and is Grade II listed in its own right, although the submitted Historic Building Assessment dates the building to the late 18th or early 19th century. The barn is timber framed and weather boarded with a plain tile roof. There are a number of lean-to's attached to the barn and a later block work extension to the south. The application site is located within the Metropolitan Green Belt.

Description of Proposal:

Revised application for the conversion of a Grade II listed barn into a five bed dwelling. The proposed conversion would involve the reroofing of the southern section of the building, the insertion of 2 rooflights and a dormer window, and the insertion of new door and window openings. The development would involve the creation of a private amenity space to the east of the building,

and access to the property would be shared with the farmhouse via the existing access from Upland Road.

Relevant History:

EPF/1483/11 - Conversion of existing barn to residential dwelling and related works – refused 01/11/11

EPF/1463/12 - Conversion of existing barn to residential dwelling and related works – refused 26/09/12

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

GB2A – Development in the Green Belt

GB7A – Conspicuous development

GB8A – Change of use or adaptation of buildings

GB9A – Residential conversions

HC10 – Works to listed building

HC12 – Development affecting the setting of listed buildings

HC13 – Change of use of listed buildings

DBE8 – Private amenity space

DBE9 – Loss of amenity

ST6 – Vehicle parking

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

2 neighbouring residents were consulted and a Site Notice displayed on 30/11/12.

PARISH COUNCIL (FOLLOWING REVISION) – No objection to the access but concerns remained as to the use of the fenced area and impact on the Green Belt.

Issues and Considerations:

The previous application for the conversion of this building was refused planning permission for the following reasons:

- 1. The proposed development would introduce unacceptable subdivision of the site, detrimental to the character, appearance and openness of the Green Belt. As such the development fails to comply with policies GB7A and GB9A of the adopted Local Plan and Alterations.**
- 2. The proposed development would result in the loss of important historic features and would introduce inappropriate subdivision of the site. As such the development would be harmful to the character, appearance and historic importance of the Grade II listed barn, and the setting of the adjacent Grade II listed farmhouse, and is therefore contrary to policies CP2, HC10, HC12 and HC13 of the adopted Local Plan and Alterations.**

The key considerations in this instance are whether the revised scheme has overcome the above reasons for refusal.

Green Belt (reason 1):

The NPPF allows for the reuse of existing buildings provided “*they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*”. This is reflected within Local Plan policy GB8A, and residential conversions are also subject to policy GB9A, which states that “*conversion for residential use must not require such changes to buildings that their surroundings, external appearance, character and fabric could be unsympathetically or adversely affected. This includes features such as new curtilages, boundary treatment (including walls and fences), windows, door openings and chimneys*”.

The details of the previously proposed scheme were considered inappropriate in part due to the proposed subdivision of the site through the introduction of a new area of curtilage that would serve as access/parking to the new dwelling. This was considered to unacceptably spread the built area into the Green Belt through the introduction of additional car parking/access beyond the previous farmyard. Whilst this application originally was submitted with the new access and parking area retained, this has subsequently been amended and this unacceptable element removed. As a result, the section of land to the east of the barn would be retained as private amenity space and the type of boundary treatment (preferably planted or a simple post and rail fence) can be controlled by way of condition. This would therefore overcome the previous reason for refusal.

Design/Impact on listed building (reason 2):

The original scheme ref: EPF/1483/11 was considered unacceptable due to the impact on the character, appearance and historic importance of the Grade II listed building. Although pre-application discussions took place between the applicant and the Essex County Council Historic Buildings Advisor after this refusal, the revised scheme submitted (EPF/1463/12) was still considered harmful to the listed building. Whilst the large majority of the unacceptable elements were addressed there was still concerns with regards to the removal of a stud and a section of the midrail to accommodate the new front door. Further discussions took place after this latter refusal, and the scheme under consideration here has now addressed this previous concern. Any other matters with the proposed development can be suitably addressed/dealt with by the imposition of conditions.

Other Matters:

Amenity considerations:

The application site would provide an acceptable level of private amenity space and would not result in any detrimental impact on neighbouring residents.

Sustainability:

The site is in a very unsustainable location, as it is not well served by local facilities, however the addition of one dwelling would not be considered unduly detrimental.

Highways/parking:

The proposed development would share the existing access to the farmhouse/former farmyard and there is adequate space to provide all required off-street parking, visitor parking space and manoeuvrability space for both the new and existing dwelling. Furthermore, it is not considered

that the use of the building for one residential property would result in a significant increase in vehicle movements over and above the existing use of the site.

Other matters:

This farm building forms part of Pinchtimber Farm, an historic farmstead comprising a group of multi-period buildings including a 16th Century farmhouse, 18th Century barn and a range of farm buildings which date from the 19th century or possibly earlier. Recent work published in the *East Anglian Archaeology: Research and Archaeology: A Framework for the Eastern Counties 2. Research Agenda and Strategy* states that the East Anglian Farmstead is a crucial and understudied component of the East Anglian Landscape. This area was of major international importance in the development of farming practises, the exploitation of the French Wars and the 'High Farming tradition'. As historic fabric, features and fittings elucidating the development and use of the building may survive, it is important that such elements are 'preserved by record' by means of a historic building survey prior to the commencement of conversion works. As such a programme of archaeological works is required for the site, which can be sought by condition.

Given the former use of the application site as a farm and the presence of made ground, the site has been identified as potentially contaminated. Due to this a phased contaminated land investigation will be required, which can be dealt with by condition.

Conclusion:

This further revised application, due to the amended plans removing the proposed new access and parking area, has suitably overcome the previous reasons for refusal and is not considered harmful to the openness of the Green Belt, the character and appearance of the area, or the historic significance of the listed barn and adjacent listed farmhouse. Therefore this complies with the relevant Local Plan policies and is recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

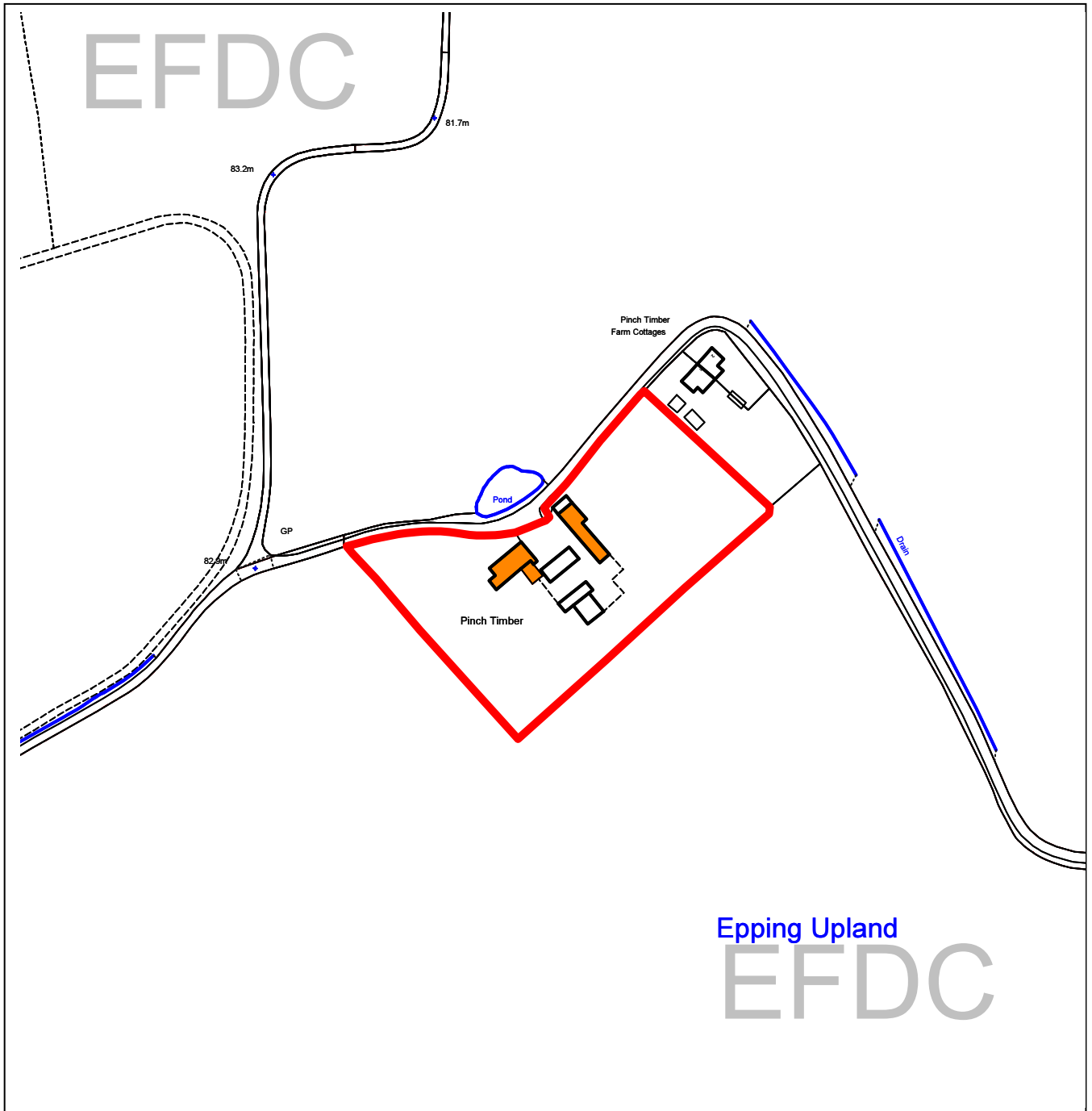
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/2193/12 & EPF/2194/12
Site Name:	Pinch Timber Farm, Upping Upland Road Epping Upland, CM16 6PG
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/2194/12
SITE ADDRESS:	Pinch Timber Farm Upland Road Epping Upland Epping Essex CM16 6PG
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mrs Averil Gilbert
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the conversion of barn to residential dwelling and related works.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543289

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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 05:027:2Ei, 05:027:3Ki, 05:027:4Ci, 050:27:5xiiJB, 050:27:6xJB, 05:027:IMi
- 3 Samples of the types and details of colours of all proposed materials and finishes shall be submitted for approval in writing by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 4 Additional drawings that show details of proposed new windows, doors, eaves, verges, cills, and any changes to the walls, floor and roof, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 5 Prior to the repair of the timber frame, and notwithstanding the details submitted, the repairs to the timber frame shall be agreed in writing by the Local Planning Authority following careful removal of the concrete surrounding the timber frame. The repairs shall thereafter be carried out in accordance with the agreed details.
- 6 Any existing boarded doors shall be retained and repaired, unless otherwise agreed in writing with the Local Planning Authority.

- 7 Prior to the subdivision of the site or erection of any boundary treatment, details of all new boundaries and any new hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and retained in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site relates to a historic barn that lies to the east of the Grade II listed, 16th century Pinchtimber Farmhouse. According to the list description the barn dates to the early 18th century and is Grade II listed in its own right, although the submitted Historic Building Assessment dates the building to the late 18th or early 19th century. The barn is timber framed and weather boarded with a plain tile roof. There are a number of lean-to's attached to the barn and a later block work extension to the south.

Description of Proposal:

Grade II listed building consent is being sought for the conversion of a barn into a five bed dwelling. The proposed conversion would involve the reroofing of the southern section of the building, the insertion of 2 rooflights and a dormer window, and the insertion of new door and window openings. The development would involve the creation of a private amenity space to the east of the building, and access to the property would be shared with the farmhouse via the existing access from Upland Road.

Relevant History:

LB/EPF/1510/11 – Listed building application for the conversion of existing barn to residential dwelling and related works – refused 01/11/11
LB/EPF/1464/12 – Listed building application for the conversion of existing barn to residential dwelling and related works – refused 26/09/12

Policies Applied:

HC10 – Works to listed building
HC12 – Development affecting the setting of listed buildings
HC13 – Change of use of listed buildings

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

A Site Notice displayed on 30/11/12.

PARISH COUNCIL (FOLLOWING REVISION) – No objection to the access but concerns remained as to the use of the fenced area and impact on the Green Belt.

Issues and Considerations:

The previous listed building application for the conversion of this building was refused planning permission for the following reason:

The proposed development would result in the loss of important historic features and would introduce inappropriate subdivision of the site. As such the development would be harmful to the character, appearance and historic importance of the Grade II listed barn, and the setting of the adjacent Grade II listed farmhouse, and is therefore contrary to policies HC10, HC12 and HC13 of the adopted Local Plan and Alterations.

The key consideration in this instance is whether the revised scheme has overcome the above reason for refusal.

The original scheme ref: LB/EPF/1510/11 was considered unacceptable due to the impact on the character, appearance and historic importance of the Grade II listed building. Although pre-application discussions took place between the applicant and the Essex County Council Historic Buildings Advisor after this refusal, the revised scheme submitted (LB/EPF/1464/12) was still considered harmful to the listed building. Whilst the large majority of the unacceptable elements were addressed there were still concerns with regards to the removal of a stud and a section of the midrail to accommodate the new front door. Further discussions took place after this latter refusal, and the scheme under consideration here has now addressed this previous concern. Any other matters with the proposed development can be suitably addressed/dealt with by the imposition of conditions.

Conclusion:

This further revised application has suitably overcome the previous reason for refusal and is now not considered harmful to the historic significance of the listed barn and adjacent listed farmhouse. Therefore this complies with the relevant Local Plan policies and is recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Report Item No: 3

APPLICATION No:	EPF/2282/12
SITE ADDRESS:	Sedgegate Nursery Sedge Green Nazeing Waltham Abbey Essex EN9
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr William Edwards
DESCRIPTION OF PROPOSAL:	Retrospective change of use of premises for the restoration and renovation of motor vehicles for hobby purposes
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543701

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawing no. Site Location plan dated 25 Mar 2010
- 2 The use hereby permitted shall be for a temporary period of 3 years from the date of this permission.
- 3 The premises shall be used solely for the restoration and renovation of motor vehicles as a personal hobby and for no commercial activities.
- 4 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 8, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The use hereby permitted shall not be operated outside the hours of 08:00 to 21:00 on Monday to Sundays.
- 6 No outdoor storage or external lighting shall take place on site without prior written approval from the Local Planning Authority.
- 7 The rating level of noise (as defined by BS4142:1997) emitted from the unit shall not exceed 5dB(A) above the prevailing background noise level when measured from the edge of the closest residential property.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

Sedgegate Nursery is located on the western side of Sedge Green and accessed by a narrow track to the north of Sedge Gate House. The site is within the Metropolitan Green Belt, is a site designated for glasshouse use, and is within the Lea Valley Regional Park. There is a gypsy site to the rear of the nursery and residential properties towards the front. To the north of the site are largely commercial sites and the neighbouring Leaside Nursery recently obtained a three year temporary consent for B8 Storage use within two former packing sheds. There are extant enforcement notices on the application site relating to various commercial uses.

Description of Proposal:

Consent is being sought for the retrospective change of use of part of the existing glasshouses to the restoration and renovation of motor vehicles for hobby purposes.

Relevant History:

Planning History:

EPF/0943/95 - Continued use for storage and distribution of plant containers and production, maintenance and storage of interior plant displays – **refused 30/01/96 (dismissed on appeal 23/10/96)**

EPF/0036/05 - Car park spaces and storage of agricultural vehicles in conjunction with growing use of greenhouses – **refused 01/07/05**

CLD/EPF/1391/10 - Certificate of lawful development for an existing use for vehicle repairs – **not lawful 28/11/11**

EPF/0374/11 - Demolition of existing glasshouses, erection of replacement glasshouses, erection of packing shed and storage building – refused 28/04/11

EPF/1283/11 - Demolition of existing glasshouses, erection of replacement glasshouses and erection of packing shed (revision to application EPF/0374/11) – approved/conditions 16/08/11

Enforcement History:

ENF/0015/96 – Change of use from agriculture to plant operations – **Notice served**

ENF/0065/98 – Use of land for making & storage of pallets – **Enforcement appeal dismissed, notice upheld – 22/06/99**

ENF/0105/06 – HGV's on site, car repairs – **Use ceased following refusal of EPF/0036/05**

ENF/0701/06 – Use of land at nursery as depot for scaffolding firm and builders yard. Use of glasshouse for general industrial purposes – **ongoing**

ENF/0442/09 – Change of use agricultural to training centre, storage business and interior landscaping business – **No breach found**

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

GB2A – Development in the Green Belt

GB8A – Change of use or adaptation of buildings

DBE9 – Loss of amenity

RP05A – Potential adverse environmental impacts
RST24 – Design and location of development in the LVRP
E12A – Farm diversification
E13B – Protection of glasshouse areas
ST4 – Road safety

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

7 neighbours were consulted and a Site Notice was displayed on 07/12/12.

PARISH COUNCIL – Object. This is E13 land and as such should either remain as such or be returned to its former use and not converted to light industrial. There is poor access from Sedge Green. If granted there is no possibility of checking the use for 'hobby purposes' or as a business use.

LEASIDE, SEDGE GREEN ROAD – Object as there have been several uses on the site that have previously been refused by the Council and Planning Inspector and as this is used/will be used for commercial purposes rather than for 'hobby use'. The site should only be used for horticultural use.

Issues and Considerations:

The main issues to consider are the impact of the proposed change of use on the Metropolitan Green Belt, the E13 area, the Lea Valley Regional Park, and regarding neighbour amenities and highways concerns.

Green Belt Considerations:

The existing buildings on the site are 110 sq. m. in area and consist of part of the former glasshouses that served the horticultural use of this nursery. Policy GB8A of the adopted Local Plan outlines the criteria against which the change of use or adaptation of buildings in the Green Belt should be judged. The National Planning Policy Framework (NPPF) also makes reference to the change of use or adaptation of buildings in the Green Belt. Paragraph 28 of the NPPF promotes the "*sustainable growth and expansion of all types of business and enterprise in rural areas...through conversion of existing buildings*". Paragraph 90 states that "*certain other forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*" and includes "*the re-use of buildings provided that the buildings are of permanent and substantial construction*".

The main issues in this case with regards to the criteria in Policy GB8A are that:

- The building is of substantial construction capable of conversion;
- The works were not carried out with the view of securing another use;
- The use would not have a materially greater impact on the Green Belt; and
- Associated traffic generation is not excessive.

Policy GB8A firstly requires that the building is of substantial construction capable of conversion. Whilst the building is a former glasshouse, which by their very nature are fairly insubstantial, a previous application was submitted in 1995 for the retrospective change of use of this building (plus additional areas of glasshouse) for the storage and distribution of plant containers and

production, maintenance and storage of interior plant displays. This was refused planning permission and subsequently dismissed on appeal, nonetheless within the appeal decision the Planning Inspector stated that “*the buildings are of permanent construction and have been converted without major or complete reconstruction*”. Whilst this decision is now some 16 years old, the change of use under consideration here has been undertaken without major or complete reconstruction so it is still considered that the buildings are of ‘substantial construction capable of conversion’.

The building is part of the original glasshouses on this site, which were previously used as part of the horticultural nursery. There is no doubt that these glasshouses were originally constructed and used for horticultural purposes, however over recent years these have been used for a variety of unauthorised uses. Nonetheless, it is not considered that any works have been carried out to the buildings with the view of securing the use under consideration here.

Policy GB8A also requires that the use would not have a materially greater impact on the Metropolitan Green Belt or on traffic generation. The proposed change of use reuses the existing building and is for a ‘hobby’ car repairs that would not result in customer visits or any intensive traffic movements. Furthermore, should the area of glasshouses be reverted back to horticultural use then this could result in a significant increase in traffic movements over the proposed hobby use.

Impact on designated Greenhouse area:

The application site is located within an E13 area, where the policy states that planning permission should be refused for any development that would:

- (i) *undermine its policy approach of concentrating glasshouses in clusters to minimise damage to visual amenity and loss of the openness of the Green Belt; and/or*
- (ii) *harm the future vitality and/or viability of the Lea Valley glasshouse industry.*

Although the proposed change of use would result in non-horticultural uses onto this site, these sections of glasshouse have not been used for horticultural purposes for a number of years, which can be seen from the planning and enforcement history. The reuse of redundant buildings on agricultural/horticultural sites is recognised as a way to fund the continued agricultural use of premises by supplementing the economic viability of a site. Furthermore, as a three year temporary consent could be granted, there would be no long term harm from this development.

Impact on the LVRP:

Within the 1996 appeal decision for the change of use of these glasshouses, the Planning Inspector assessed the potential impact on the LVRP. They concluded on this that “*consent could be granted for (the change of) use for a temporary period without prejudice to the medium or longer-term objectives of the Park Authority*”. As this proposal could similarly be granted temporary three year consent, this would equally not result in any long-term harm to the Lea Valley Regional Park.

Amenity considerations:

Complaints have previously been received by Planning Enforcement with regards to a change of use of the building and the wider site to various commercial uses. The latest of these was in 2009, to which no breach was found, however the 2006 enforcement investigation was a valid complaint and the investigations/enforcement action is still ongoing. The objection against this development received from a neighbouring resident refers to “*constant noise and pollution from this usage all hours of the day, and half the night, The glasshouses can be seen lit up until around 12:00 midnight, 7 days a week, the sound of hammering and the compressors, spraying paint, as well as the smell of paint and dust coming from the extractor fans or open vents, it is nothing less than a*

neighbouring nightmare to say the least". The closest point of this particular resident's property is located approximately 25m from the application buildings and separated by an access road serving Leaside Nursery, with the actual dwelling being some 35m distance. The closest neighbouring property is some 10m away, with the dwelling being 18m away.

Despite this complaint, it is considered that suitable conditions could be added to any permission that would adequately control the level of impact on neighbouring residents. This could include a restriction on the level of usage (ensuring it remains only as a 'hobby use'), an hours of use condition, and the standard condition regarding noise levels. Furthermore, noise, light and odour nuisance can also be controlled by Environmental Health if a problem arises/persists. As such, whilst the current unauthorised and uncontrolled use may well be causing harm to neighbours amenities, suitable conditions could be imposed to reduce this down to an acceptable level. Furthermore, a temporary consent could be granted, similar to that recently approved at Leaside Nursery, in order to monitor the impact of the development with the conditions in place to assess how this impacts on the neighbouring residents.

Highways:

The previous appeal in 1996 for the conversion of this building was dismissed purely on the insufficient access and resulting highway concerns, however this was for the storage and distribution of plant containers and production, maintenance and storage of interior plant displays and as such would have resulted in an intensification of traffic movements on the site. Whilst the access remains substandard, the proposed change of use under consideration here would be a fairly low key use that would not result in significant transport movements. As such, subject to a condition restricting the use of the buildings, this proposal would not detrimentally impact on highway safety over that which already occurs from the authorised horticultural use of the site.

Conclusion:

The proposed use of these glasshouses when considered against local and national policy, which makes provision for the reuse of agricultural buildings in the Green Belt, is deemed appropriate. However it is considered that consent should only be granted for a temporary three year period and should be restricted by way of conditions. This temporary permission would allow for an assessment of the potential impact on neighbours amenities (once controlled by conditions) to take place in order for the potential harm to be fully considered. As such, subject to conditions, it is considered that the application complies with the relevant Local Plan policies and the guidance set out within the NPPF and it is therefore recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

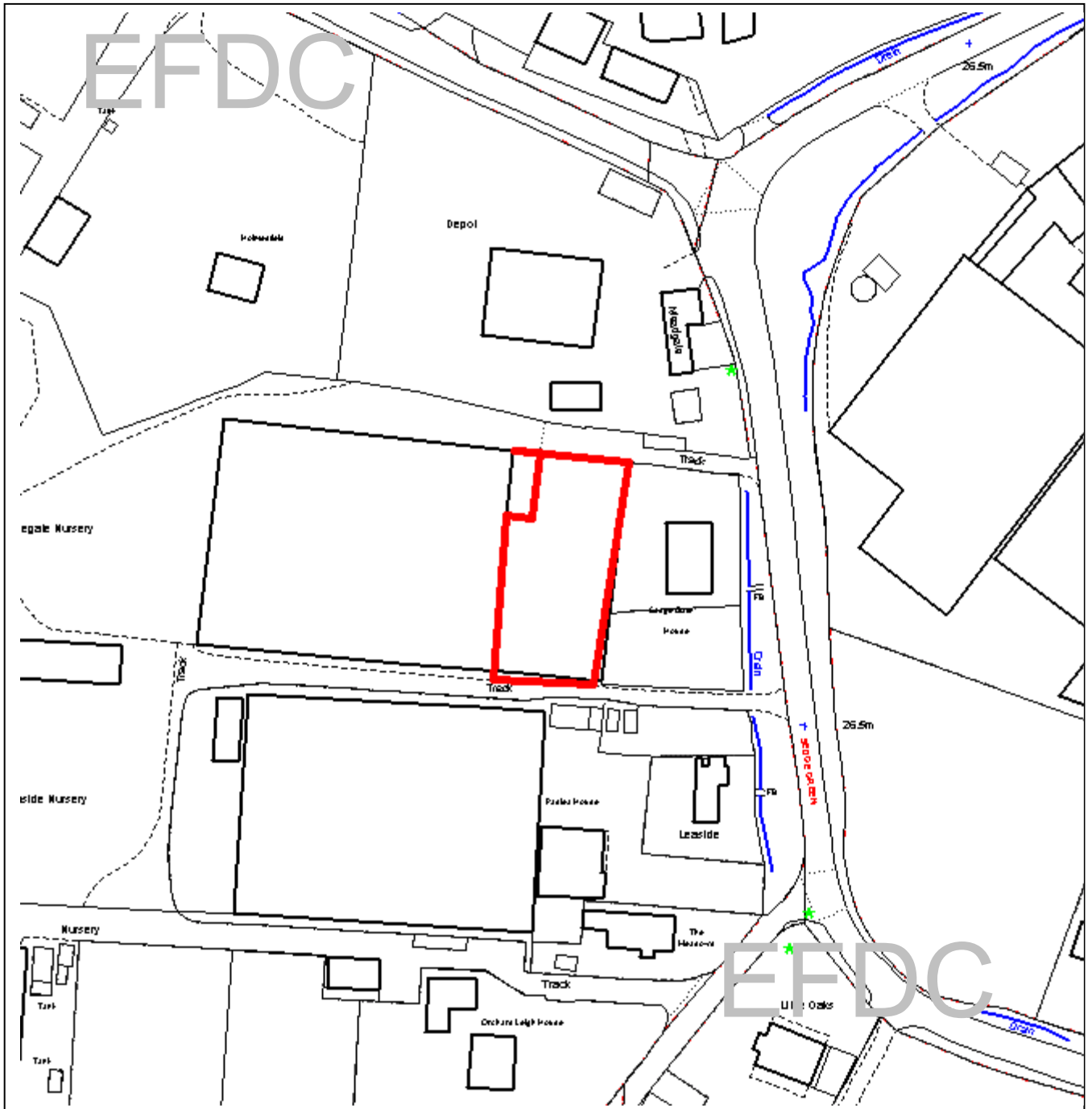
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/2282/12
Site Name:	Sedgegate Nursery, Sedge Green Nazeing, EN9
Scale of Plot:	1/1250