

**Report to District Development Control
Committee**

Date of meeting: 26 June 2013



**Epping Forest
District Council**

**Subject: Three planning applications - New House Farm, Little Laver Road,
Moreton;**

EPF/2404/12 for the Change of use of units 2a, 3a and 7C1 to Class B2 use and alterations to previously approved lean to extensions (EPF/0359/08) to facilitate change of use.

EPF/2405/12 for the Change of use of units 3B, 3C, 6, 7A and 7C2 to a purpose within class B8 and alterations to lean to extensions (EPF/0359/08) and cattle yard building (EPF/0024/05) to facilitate the change of use.

EPF/2406/12 for a new build grain storage building.

**Officer contact for further information: D Duffin Ext 4336
Committee Secretary: S Hill Ext 4249**

Recommendations:

To consider whether planning permission would have been granted for applications at New House Farm, Moreton had appeals against the non-determination of the application not been submitted to the Planning Inspectorate as follows:

- (i) EPF/2404/12 – To decide whether to support the officer recommendation that planning permission be granted, subject to the alteration to condition 1 to further restrict the hours of operation.**
- (ii) EPF/2405/12 – To decide whether to support the officers recommendation to grant planning permission, referred to this Committee without a recommendation**
- (iii) EPF/2406/12 – To decide whether to support the Officers recommendation to grant planning permission, referred to this Committee without a recommendation**

Report

- 1. (Director of Planning and Economic Development) These applications have been referred by the Area Plans Sub Committee East with recommendations as set out above.

Planning Issues

- 2. The planning issues to be debated by Members are laid out in the attached Officer reports. The developments for consideration follow on from enforcement investigations by the Local Planning Authority.

3. In relation to application EPF/2404/12, a number of buildings at the site have been converted to uses within Class B2 (General Industry). Officers, whilst mindful of the concerns of local residents, formed the view that when these uses were tested against material planning considerations, a grant of consent subject to restrictive conditions was a reasoned decision. Members expressed reservations with regards to this proposal and acknowledged it was a balanced case. It is Officers view that the attached report provides an objective appraisal of the issues to be considered. However the position adopted is that the changes of use covered by application EPF/2404/12 are acceptable and the concerns expressed can be mitigated by conditions. The report and suggested conditions are attached to this submission.
4. Application EPF/2405/12 was for the conversion of a number of buildings at the site to B8 uses. Again the uses are in operation and the application followed enforcement investigations. The application is before Members with no recommendation. As with the previous application there are a number of conflicting issues to weigh up and be debated. The views of the Planning Consultant retained by neighbours have been factored into the Officer recommendation. The Local Planning Authority has also employed the services of an Agricultural Surveyor as part of the process and his assessment is also of benefit. The key concern with this application is that it involved the reuse of relatively new structures and there was certainly some scepticism expressed in allowing further storage space at the site (EPF/2406/12) when there were existing buildings that could be potentially used/adopted.
5. Members are respectfully requested to study the Officer report carefully as it is considered this offers a reasonable outlining of the issues on what is a relatively complex site. Officers were mindful of both local and national policies which support such uses whilst also bearing in mind issues which weighed against the proposal. A view in favour of the reuse of agricultural buildings has been further strengthened since the time of the application with the introduction of a prior approval process by the Government for changes of use in the Green Belt. It appears that Central Government are keen to accommodate such uses as part of their economic growth drive. Officers shared neighbour concerns that the applications were retrospective and only came to light following enforcement proceedings. However the view was formed that a case could be made for the retention of these uses as per the recommendation and subject to conditions.
6. The final application, EPF/2406/12, of these three linked developments was for a new build grain store at the site. Members did not discuss this development and there is no recommendation. This application largely turns on whether the storage space could be accommodated within existing buildings on site, particularly Building 6. Again Members are requested to study the Officers Report, and any available documentation particularly the Agricultural Surveyors report, as it provides an independent appraisal of this issue. The Officer assessment is considered balanced and weighs up the various options open to Members. However when drawing together all material considerations Officers are of the view that the development is, on balance, justifiable and the recommendation remains as per the original report and subject to conditions.

7. In the period since the applications were before the sub-committee the applicant has appealed these decisions on the grounds of non determination. The Planning Inspectorate has granted the Local Planning Authority an extension to the time limit for Appeal Statements in order to ensure a clear determination on the Council's position on these applications. Members are therefore requested that if the decision is contrary to the views expressed by Officers that clear, justifiable reasons are provided to withhold consent.

Conclusions

8. The applications as detailed in this report are presented to Members having been referred from Sub-Committee East with a grant of consent on EPF/2404/12 and with no recommendation on applications EPF/2405/12 and EPf/2406/12. The Officer recommendations as contained in the attached reports are that consent is granted for the proposals subject to the attached conditions.