

AREA PLANS SUB-COMMITTEE 'EAST'

Date 9 April 2014

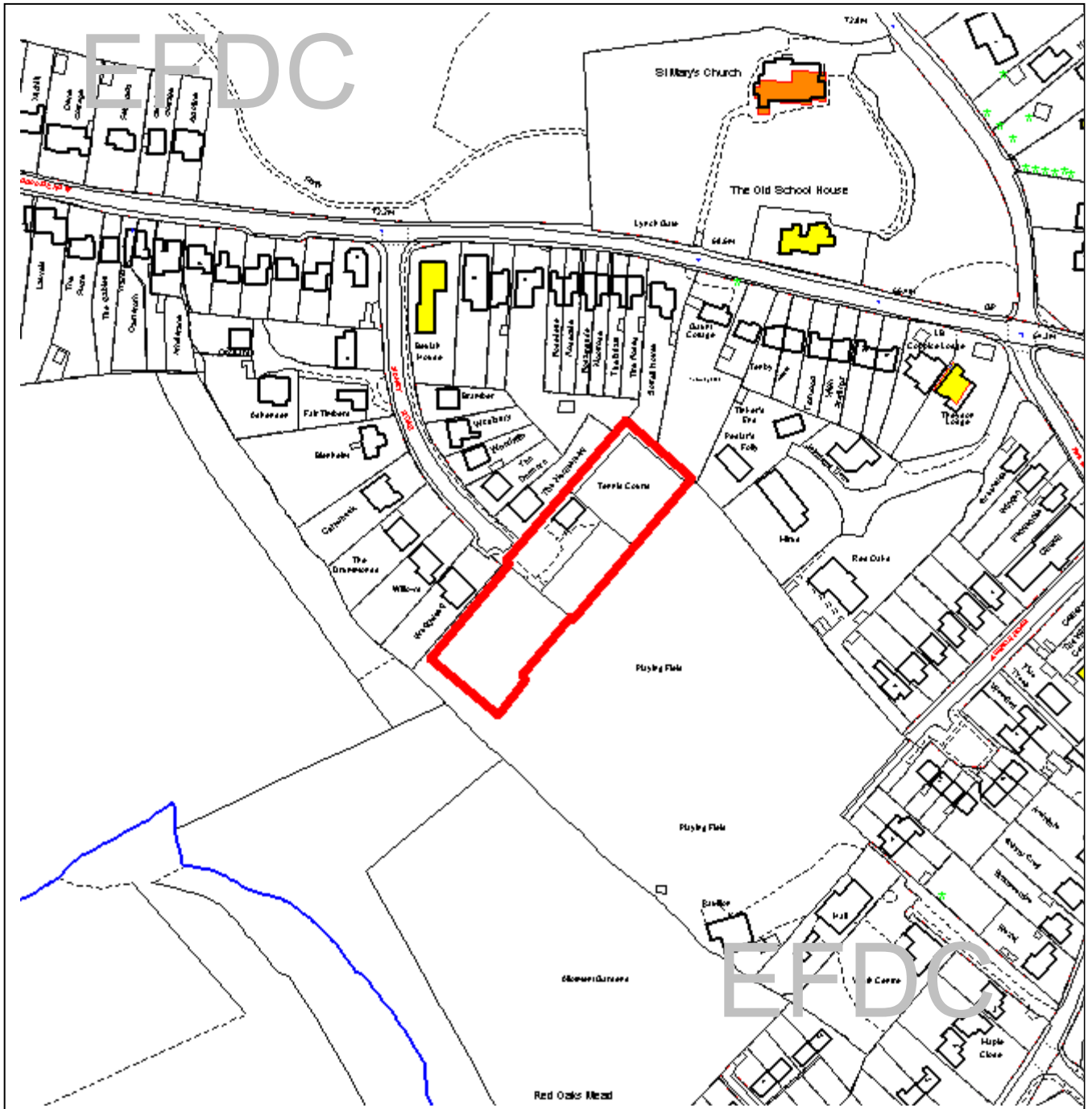
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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/2610/13 & EPF/2611/13
Site Name:	Theydon Bois Lawn Tennis Club Sidney Road, Theydon Bois, CM16 7DT
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/2610/13
SITE ADDRESS:	Theydon Bois Lawn Tennis Club Sidney Road Theydon Bois Essex CM16 7DT
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr A Breedon
DESCRIPTION OF PROPOSAL:	Installation of lights to Court 3 incorporating a total of 4 Columns and 4 Lamps - lights to be used 3 nights a week till 9.30pm.
RECOMMENDED DECISION:	Refuse Permission

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=557770

APPLICATION No:	EPF/2611/13
SITE ADDRESS:	Theydon Bois Lawn Tennis Club Sidney Road Theydon Bois Essex CM16 7DT
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr A Breedon
DESCRIPTION OF PROPOSAL:	Installation of lights to Courts 3 and 4 incorporating a total of 8 Columns and 8 Lamps - lights to be used 3 nights a week till 9.30pm. (Revised application to EPF/1075/13)
RECOMMENDED DECISION:	Refuse Permission

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=557771

REASONS FOR REFUSAL

- 1 Due to their height and proximity to adjoining houses, the lighting columns would cause light pollution that would significantly detract from the amenity and outlook of nearby residents. The proposal is therefore contrary to policies CP2, GB2A, GB7A, and DBE2 of the adopted Local Plan and Alterations, and contrary to the National

Planning Policy Framework. In addition the lighting columns will be visually intrusive in an area that is otherwise dark, contrary to the Theydon Bois Village Design Statement Dark Skies Policy.

- 2 The floodlights will facilitate more use of the club on winter evenings. However, the club car park is inadequate to cater for increased use in the evenings, including dropping off and picking up of young tennis players. Given that the site lies at the end of a residential cul-de-sac with few on street parking spaces, increased use will give rise to on street parking difficulties, and cars reversing and manoeuvring at the end of the cul-de-sac. The proposal would therefore create a road safety hazard, and also cause noise and disturbance to residents, contrary to policies ST4, ST6, and DBE2 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.

These applications are before this Committee since the recommendation for refusal of permission is contrary to more than 4 letters of support received which are material to the planning merits of the proposal (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A.(f).

Description of Site

The site is a tennis club containing 6 outside courts, a club house, and parking area for some 12-14 cars. It is located at the end of Sidney Road, which is a residential cul-de-sac leading into Coppice Row, and to the immediate east lies a playing field and cricket pitch. The tennis club lies on Green Belt land but adjoins the urban settlement of Theydon Bois. The building on the site is not a listed building and the site does not lie in a conservation area.

Description of Proposal:

Two applications have been submitted. EPF/2611/13 proposes eight 7m high lighting columns to be erected in the corners of two tennis courts (court numbers 3 and 4) in the middle of the site. The second application EPF/2610/13 proposes just 4 lighting columns to be erected on court number 3, which lies a little further away from houses close to the site. Both applications state that these lighting columns would be used 3 nights a week up till 9.30pm.

Relevant History:

EPF/454/94 - refusal of an application to erect floodlights to 3 courts, and variation of condition to enable club house to be used from 8.30am to 10.30 pm between October and March. A subsequent appeal against this refusal was dismissed.

EPF/769/04 – refusal of an application for installation of low level floodlighting on 3 courts at limited times of the year, and extension of opening hours of clubhouse. A subsequent appeal was lodged – the proposed floodlighting was rejected by the inspector (see below) - but approval was granted for an increase in the opening hours of the club (i.e. from 8.30 am to 11pm in summer and from 8.30 am to 10.30pm in winter).

Policies Applied:

GB2A – Development in the Green Belt.
GB7A – Conspicuous development.- within or beyond the Green Belt
RST1 – Recreational, sporting, and tourist facilities.
DBE2 - Effect on neighbouring properties.
CP2 – Protecting the quality of the rural and built environment

ST4 - Road safety
ST6 - Vehicle parking
NC2 - County wildlife sites
NC4 - Protection of established habitat.

GB2A and GB7A are generally compliant with the NPPF. Policies RST1, DBE2, and CP2 are compliant. Policies NC2 and NC4 are not compliant.

Summary of Representations:

THEYDON BOIS PARISH COUNCIL – object. This Council, having taken into account the views of the tennis club, is strongly of the view that the detrimental impact on the environment that the installation of 7m high floodlights would have, both visually and from light pollution, greatly outweighs any benefit accrued by the tennis club. The Dark Skies Policy forms part of the Village Design Statement, and due to this policy and the absence of street lights, the village enjoys a special and unique character. The installation of multi kilowatt floodlighting will be extreme and intrusive, and will also be a conspicuous development in the Green Belt contrary to policy GB7A. The proposed lighting will directly impact dwellings on two sides on the site, some of which lie at a lower level thus accentuating the height of the proposed lights. The houses at the end of Sidney Road will be a matter of feet away from the lights and hence will be severely affected. The floodlighting would also generate increased vehicular movements creating disturbance to residents, and any lighting on courts 3 and 4 would bring light pollution closer to the Forest and deer sanctuary compared to the previous scheme.

CITY OF LONDON (Conservators of Epping Forest) – object - the site lies within the Green Belt and shares its boundary with Epping Forest buffer lands, the Deer Sanctuary and Redoak Wood, the latter being a country wildlife site as identified on the Council's current proposals map. As a result the proposal breaches the NPPF and policies GB2A, GB7A, NC2, NC4 of the Local Plan in respect of Green Belt policies and nature conservation. The lights would be visually intrusive within a semi rural area noted for its dark skies, if allowed monitoring of 3 nights a week till 9.30pm would be difficult, and also a precedent would be set for further applications for extension to hours of floodlighting. An ecological study should have been carried out to determine any impact from lighting on the bat roost in Redoak Wood, and bats are a protected species.

NEIGHBOURS and THIRD PARTIES. 54 adjoining and nearby properties were consulted on this application. A large volume of responses have been received to consultation and publication of these planning applications. These representations can be divided into 3 groups. Firstly, 13 objection letters received from residents who live adjoining or close to the site, secondly 33 objection letters received from residents in Theydon Bois, and thirdly some 27 letters of support received from addresses in and outside Theydon Bois, and some where addresses have not been given.

1) Replies received from properties adjoining or close to the site:-

WEDGEWOOD, SIDNEY ROAD – object – the lights will shine into my bedroom windows which are 3.5m away. I like the semi rural location in which my house is located. I question the need for lights - the courts are unused now in daylight hours except Saturday mornings. Theydon Bois does not in fact have floodlights as the application states, and I would not have moved here if I knew the Dark Skies Policy would be breached. I am not against the tennis club but I am against the lights.

BUSHWOOD, SIDNEY ROAD (formerly The Homestead which still appears on OS plans) – object – the proposal is contrary to Dark Skies Policy and I would look up to these lights from bedroom windows, in damp conditions lights can radiate or spill over wider areas, there is insufficient tree screening, the application misrepresents the public meeting held to discuss these proposals, my

bedroom windows overlook the 2 courts and the lights would be too close, car headlights would cause nuisance at night.

THE DORMERS, SIDNEY ROAD – object – we will see players, we absolutely support the current old fashioned village atmosphere with no street lighting which this proposal would undermine, there are traffic implications, and, if allowed it could set a precedent for a licensed bar and then possibly a country club.

CARTWHEELS, SIDNEY ROAD – object –the proposal is contrary to the Dark Skies Policy, 7m high floodlights would cause direct light pollution to residents, the notes of the public meeting submitted with application are incorrect – they summarise the discussion as one which came back to the issue of parking – but the main objection remained that of light and noise pollution.

THE WILLOWS, SIDNEY ROAD – object - light pollution will be caused over a considerable distance, the proposal would aggravate existing parking problems, if approved the proposal could be the ‘thin end of the wedge’ to attract additional visitors.

WOODVILLE, SIDNEY ROAD – object – we have suffered enough with current car parking problems from the tennis club with cars on pavements, there is not enough room for emergency vehicles, some of these problems are caused by tennis club members who live outside Theydon Bois, and speed of cars is often excessive. The Dark Skies Policy needs to be retained – other lights, for example at the station and pub car parks, are required for security purposes not for recreation.

FAIR TIMBERS, SIDNEY ROAD – object - lack of parking, inconsiderate parking, and also will give rise to light pollution.

THORNEYSIDE, COPPICE ROW – object – The previous appeal decision stated that lights would harm the character and appearance of the area, there is a lack of screening and houses on Coppice Row are on lower ground levels than the courts - the lights will therefore create a looming presence, the lights would be likely to affect the nearby deer sanctuary.

THE BRIARS, COPPICE ROW – object – creating a bright light is a disturbance, provision of lights would go against the wishes of a majority of the village who support the Dark Skies Policy and an undesirable precedent would be set, I am an ex member of the club and many club members live outside Theydon Bois, most people wish to play tennis in the summer and winter tennis if for the few, there is no real hardship to play elsewhere on winter evenings.

ROSEDENE, COPPICE ROW – object – no one plays on the courts in winter, the Dark Skies Policy should continue, members of the club who live outside Theydon Bois should not be counted as ‘neighbours’.

SORREL HOUSE, COPPICE ROW - object – we are on a lower ground levels than the courts and hence lights will be more visible from our windows, even without light spillage there will be a high level of light pollution, the Dark Skies Policy has been supported by a majority and lights here would set a harmful precedent, tennis is a summer and not winter sport, will the 3 nights a week be regular? and who will police the proposed nights and hours the lights are on? lighting proposals have been refused before and it is upsetting that the club continues to apply for them.

BEAULAH HOUSE, COPPICE ROW – object – there is a need to protect valuable wildlife e.g. the deer, Sidney Road is a car park during the day - and this will create evening parking problems, there is already inconsiderate parking, the proposals are contrary to the Dark Skies Policies.

PEDLERS FOLLY, THE GREEN – object – the lighting would intrude on our home and ruin our experience of dark winter evenings, the courts are empty on light warm summer evenings so why play in the cold and wet of winter? – they can go and play at other clubs.

2) Summary of 32 other objections received from residents and groups in Theydon Bois.

Many of the objections raise similar issues to those raised above and in summary are as follows. The application flatly contradicts the Dark Skies policy which gives rise to the unique character of the village. Once the Dark Skies Policy has been breached this unique character will be lost forever. Tennis is predominantly a summer game and during winter the courts are sparsely used – hence only a few people would benefit - but a majority will be detrimentally affected. Parking in Sidney Road and Avenue Road would be extremely problematic and there are concerns over access for fire and emergency vehicle. Houses in Coppice Row are on lower land than the courts e.g. 2m lower, and hence columns will appear as '9m' in height. The proposal will cause excessive loss of amenity and has insufficient car parking, the cricket club on the adjoining playing fields site has a thriving youth section but they have arranged alternative facilities for play in winter - the tennis club could do the same -and there are lots of floodlit courts available for hire in Epping Forest District, at the public meeting held at the club there was a resounding objection to floodlighting, and it is noted that many members of the club come from outside Theydon Bois.

3) Summary of 29 letters of support received from addresses in and outside Theydon Bois and some without addresses given

Modern technology ensures that spillage of light is minimal – being less than a foot, and hence inconvenience to neighbouring houses will be minor. Other clubs in Epping Forest District have lights. There is plenty of lighting already in Theydon Bois, including the station car park, Queen Victoria pub, Village Hall car park, the Scout Hut, Community Centre, and hence the proposed tennis courts lighting would not be the only lighting in the village. The club is an excellent local facility – particularly for the young. On Friday evening some 40 children are coached by senior members but when September and October arrives these sessions have to stop until the following year. Lights would provide all year round coaching for youngsters and apart from learning lifetime skills in a team sport, these youngsters, with more coaching, could represent the County. Parking is minimal since some parents drop off youngsters and pick up later. Provision of facilities for youngsters on dark winter evenings has to be welcomed. Play at the moment has to stop on Spring and Autumn evenings whereas provision of lights would allow games to finish, and provide a healthy pursuit for both adults and youngsters all year round. Use of the lights up to 9.30pm on 3 days is a modest and reasonable proposal, the club currently can play away matches but often cannot reciprocate and play return matches at home.

Issues and Considerations:

In their statement submitted with the application the applicants state that in the past the tennis club has had good membership levels but in recent years numbers have declined with members leaving to drive further afield to join tennis clubs with floodlighting. They add that this is having a detrimental effect on the club and how it serves both children and adults in the local community. The current application for 2 courts propose just 8, 7m high columns and 8 lights, compared to the 15, 7m high columns and 18 lights proposed for 3 courts in the previous 2004/5 scheme (ref EPF/769/04) – with the application for 1 court proposing just 4 columns and lights. Luxe levels for the lights is now reduced from 400 Lux to 300 Lux, and modern projection lighting casts light onto the courts ensuring only minimal light is spilt away from the playing area.

The 2004 application proposed lighting for courts 1 to 3 in the north east of the site and middle of the site. The current applications however refer to courts 3 and 4 in the more central part of the site and the second application refers only to court 3.

The 2005 appeal decision is relevant to this current application, and in it the inspector assessed the lighting proposal in terms of impact on the Green Belt, on the character and appearance of the area, and on living conditions of residents. In respect of the Green Belt he noted that the lights would be associated with an outdoor sport and recreational facility, an appropriate use in the Green Belt, and that the 15 columns were small scale features which would have a limited impact. He felt there was a genuine need for the lights in order that a sports facility could be used in the evenings. He concluded that the proposed lights had a small adverse effect on The Green Belt and did not constitute inappropriate development. The current applications show a further reduction in lighting columns - to 8 for courts 3 and 4, and 4 for court 3. Given the site's position adjoining the urban settlement of Theydon Bois the current applications are also viewed as acceptable in terms of their impact on the Green Belt.

With regard to impact on the character and appearance of the area, and on living conditions of residents, the 2005 inspector found that the proposed lighting to 3 courts would cause excessive light pollution and would affect living conditions to dwellings to the immediate north east - in The Green and Coppice Row. The expanse of light pollution from the 2 current schemes will be less than the previous 3 court proposals, and lighting columns will be located further from properties to the north east. However the columns proposed now proposed for courts 3 and 4 lie close to properties in Sidney Road. In particular, the end houses in Sidney Road i.e. Wedgewood and Bushwood (named as The Homestead on the OS plans) lie very close to courts 3 and 4 – indeed two lighting columns on court 4 would lie 3m from the boundary of Wedgewood. These columns would have lights at 7m in height (taller than the height of these nearest houses), and in the absence of street lights, and other lighting in this locality, the proposed lighting columns would be an intrusive feature that would cause light pollution which would detract from the setting and outlook of these residential properties. The second application, to light court 3 only, would cause less light intrusion. However, the lighting columns would still lie close to these houses, and Bushwood has a side facing bedroom window facing court 3 at a distance of just 13m away. The lighting columns to court 3 would therefore still cause intrusion and give rise to a material loss of outlook and amenity for residents in these 2 adjoining houses.

A proposal to improve a sports and recreation facility would often be encouraged. Unfortunately, however, the location of this tennis club at the end of a narrow residential cul-de-sac does mean that any intensification of use could have a damaging effect on neighbours. Many objections received are concerned that increased night time use of the club will give rise to more cars parked on the road, with associated manoeuvring of cars and their headlights causing further nuisance. During the day Sidney Road is also fairly heavily parked by commuters using the Theydon Bois tube station. The current car park at the club can accommodate 12 to 14 cars – this is a modest number. The club wish for floodlights in part to be able to continue night time coaching of youngsters in the winter period, and to host matches against other clubs. Both these activities are laudable in themselves, but they would be likely to generate more cars than the car park can hold. This would result in on street parking, reversing, and manoeuvring of cars at the end of the cul-de-sac where on street parking is very limited, is also likely to cause noise and disturbance to residents.

Effect on wildlife: The City Of London raise concern about effect on wildlife in the nearby part of Epping Forest – particularly to Bat roosts. The proposed lighting columns would be over 30m from the boundary of this woodland area and the level of impact may well not be significant. Moreover, given that the applications give rise to other and more clear cut planning issues an ecological study has not been requested from the applicants.

Conclusions:

In general terms a proposed improvement to a sports and recreational facility is to be welcomed. However, local plan policy RST 1 states that this form of development will be approved if a) it is in the best interests of the community, and b) it is unlikely to result, either directly or indirectly, in the

character of the surrounding area being adversely affected. For the reasons explained in the body of this report the benefits of the scheme would be outweighed, in this case, by light pollution and consequent loss of amenity to nearby properties, and also by likely nuisance caused by 'spillover' on street parking and vehicle manoeuvring and reversing at the end of a residential cul-de-sac. It is recommended therefore that both applications be refused planning permission.

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:

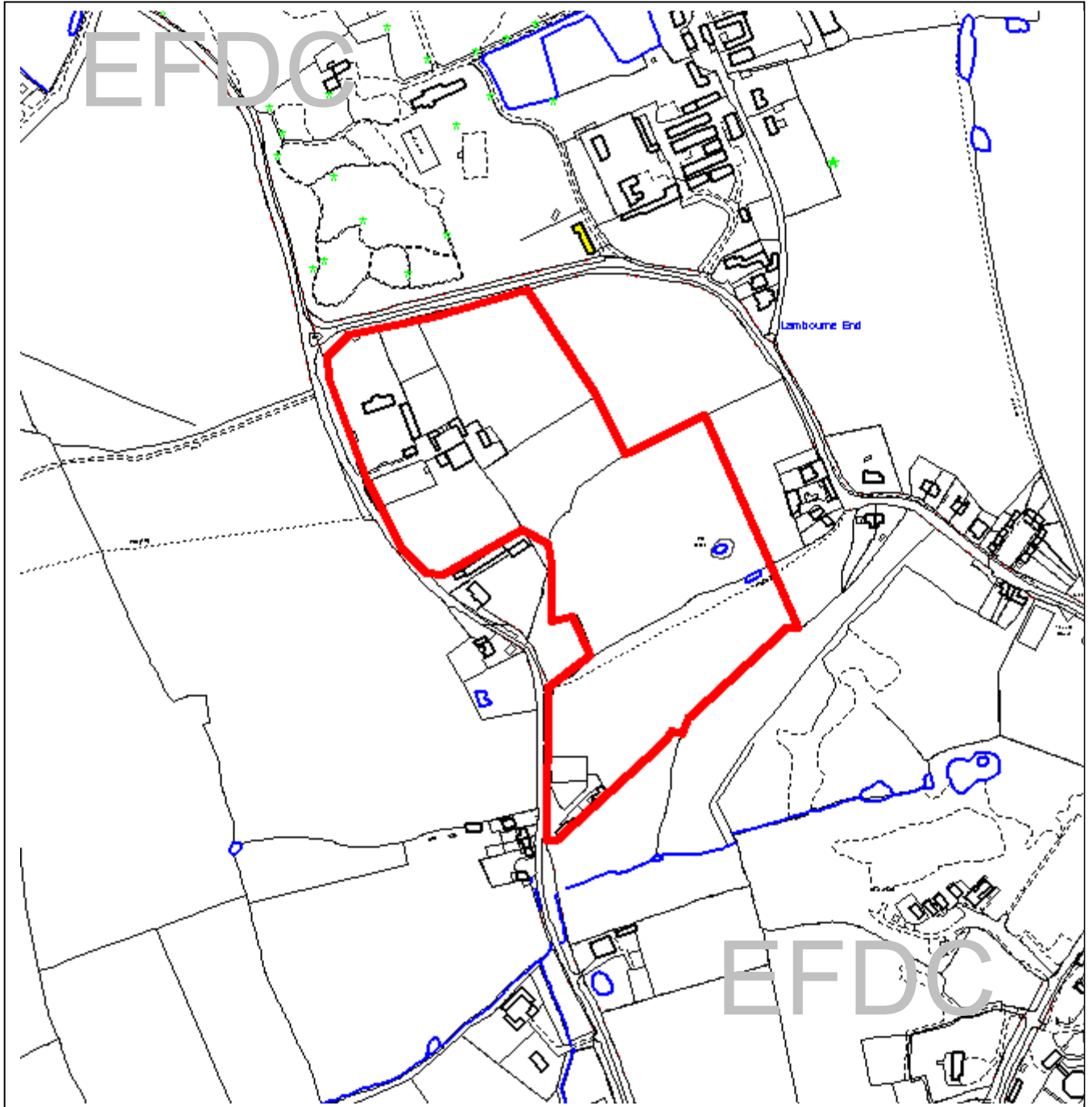
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/2693/13
Site Name:	191 Hoe Lane, Lambourne End RM4 1NP
Scale of Plot:	1/5000

Report Item No: 2

APPLICATION No:	EPF/2693/13
SITE ADDRESS:	191 Hoe Lane Lambourne End Essex RM4 1NP
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr A Greenhalf
DESCRIPTION OF PROPOSAL:	Agricultural barn building.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558130

CONDITIONS

- 1 The development hereby permitted will be maintained strictly in accordance with the approved drawings nos:
VGAS/673/1
VGAS/673/2
VGAS/673/3
VGAS/673/4
VGAS/673/5
3403/1
- 2 The Agricultural barn building hereby approved shall be used solely for the storage of goods and machinery used in association with the agricultural use on the wider unit known as Lambourne Park Farm and for associated staff refreshment and changing facilities only.
- 3 The building hereby approved shall not be used for overnight accommodation at any time whatsoever.

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 site is on the eastern side of Hoe Lane at the junction with New Road and within the Green Belt. The application building is situated near the access off New Road to the front of the Lambourne Park Farm site in the front of the curtilage of the dwelling. 191 Hoe Lane is an agriculturally tied dwelling permitted in 1993 in place of a caravan that had been on site for an elongated period in association with the enterprise on site.

The site is within the Green Belt.

Description of Proposal:

This application seeks planning permission to retain an existing barn building that is used for machinery storage and by staff onsite. The building is 8.7m long and 4.9m deep reaching a height of 4.7m. The building has one main room at ground floor with two smaller rooms off and a single high level opening in the loft space.

The applicant indicates the building was erected as it was believed to be permitted development. However the height, scale and location mean this is not the case. The building is used as storage for machinery, timber and an area where workers may take breaks away from the elements and change out of wet clothing.

The applicant has indicated that the building was located here due to the proximity to the main house providing surveillance and security and the screening available along the boundary.

This application is a resubmission accompanied by a planning supporting statement and a statement of need that also explains the uses of the other buildings onsite.

Relevant History:

The property has an extensive history dating back to 1948, most relevant is:

EPO/013/62 – Continue to station caravan - Approved

ENF/EPF/0001/90 – Planning Permission allowed on enforcement appeal re: mobile home.

EPF/0540/93 – Detached bungalow with detached garage – Approved

EPF/0777/94 – Single storey garage and farm shop with basement under – approved

EPF/0666/99 – Retention of livery use and horse grazing in connection with agriculture - Approved

EPF/2015/01 – Use of barns a and b for agriculture, livery and storage of fodder - Approved

EPF/1008/03 – Erection of two polytunnels – Approved

EPF/1095/05 – Retention of farm shop - Approved

EPF/1058/13 – Retrospective application for agricultural barn building used for storage and staff refreshments – Refused

Policies Applied:

Adopted Local Plan and Alterations

The following policies have been found to be compliant with the NPPF. Policy GB2A is generally compliant with the NPPF except we should now consider impact to the openness of the Green Belt when assessing agricultural buildings in addition to the usual criteria.

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

GB11 – Agricultural Buildings

DBE1 – Design of New Buildings

ST4 – Highways Considerations

LL11 – Landscaping Schemes

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

Summary of Representations:

3 neighbouring properties were notified and a site notice was erected. No responses have been received.

LAMBOURNE PARISH COUNCIL: Object.

There are currently a large number of buildings on this small agricultural site and in our opinion there does not appear to be any justifiable need for an additional one. This design is more in the appearance of a bungalow than a barn. There is no supporting document to justify the need for this barn. There are no special circumstances demonstrated to require building in the greenbelt.

Issues and Considerations:

The main issue to be considered in this application is whether the submission has overcome the previous reason for refusal outlined below:

The applicant has failed to demonstrate that the proposed building is necessary for the purposes of agriculture within the unit. There is insufficient information supplied regarding the nature of the agricultural enterprise taking place, the number of employees required and the uses of other buildings onsite. Therefore the Council is not satisfied that the retention of the existing building is necessary, that no other structure could be used in lieu or that the building is truly intended for an agricultural function. In the absence of such the development is considered inappropriate and harmful to the openness of the Green Belt. This is contrary to policies GB2A and GB11 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

Impacts to street scene, neighbouring amenity and the donor dwelling are unchanged from the previous submission and will not be discussed further as they have been established as acceptable.

The current application is accompanied by a Planning Statement, statement of need, schedule of existing buildings and two declarations from employees. This information has been submitted in an effort to demonstrate the structure is appropriate in the Green Belt for agricultural purposes and that the building is necessary and to establish why no existing onsite buildings are suitable.

Development in the green belt

The Supporting statement surmises that the wider holding comprises around 8 fields enclosed by hedgerows and trees. Much of the land is sloping and subdivided into paddocks. The land is described as unsuitable for arable farming and instead is used as paddocks and grazed by horses, with remaining fields left to grass which is cut for hay. Historically, the site was used for livestock grazing. Remaining land is used for planting trees which are cut for logs, some of which are used in connection with fencing.

The site does include a number of stables. The equestrian/livery functions onsite benefit from permission and the grazing of the land by horses is considered lawful. The wider agricultural functions also benefit from consent. The building proposed for retention would be used in association with the lawful use of the site, thus Officers are satisfied the proposals would be appropriate in the Green Belt subject to the tests set out in policy GB11.

The building proposed to be retained is a single storey building of domestic appearance in the front of the main dwelling house within the front curtilage. The building is used for storage of high value small machinery and for workers' facilities. Certain workers' facilities are a requirement under Health and Safety legislation. The applicant has indicated the appearance of the building as domestic is due to its location on the plot. A more functional structure would detract from the outlook of the property. The applicant has set out that the location of the building was selected to

allow passive surveillance from the dwelling to reduce thefts. Whilst not a typical location or appearance, the siting and design have no adverse impact on the dwelling or street scene.

In the last application Officers were aware there were a number of other buildings on site and there was no evidence to suggest these would not be more appropriate for the proposed use. For this reason Officers considered the structure was not demonstrably necessary as required by policy GB11 i). The applicant has now supplied information relating to the 10 other structures on site and the 11th building, the dwelling. These structures vary in size, the largest of which has a floor space of 203sqm and the smallest of which is 6sqm. The dwelling is 345sqm. The use of each building is detailed and summarised as follows:

1x dwelling, 1 x garden shed, 1x derelict poly tunnel, 3 x stable buildings, 1 stable/hay store, 4x storage buildings for farm equipment, fencing and equestrian items.

With the exception of the derelict poly tunnel which would not be suitable for storage uses or indeed a workers respite area, all existing structures onsite are in use, accounted for and photos have been supplied that indicate, whilst not best organised, the buildings are clearly in use and at or near capacity. With this in mind there is no building available to serve as workers facilities and indeed very limited space available for further storage. The information now supplied has demonstrated that the use of the unit remains for mixed stabling and forestry purposes as historically permitted and that the building is reasonably necessary.

In terms of the remainder of policy GB11, the appearance of the building is considered acceptable, a more functional structure in this location may have had adverse impacts, but at the scale and form constructed, the building appears akin to a cart lodge or domestic outbuilding and does not detract from local character or neighbouring amenities. There are no highway, water or nature conservation impacts, thus the criteria of GB11 are satisfied.

With regards to appearance, there has been concern expressed historically that the building could serve as residential accommodation. Whilst the design provides an upper window, the height of the building negates the provision of a first floor. The size and location of the building is such that it would be difficult to split the building from the main property and the overnight occupation of the building may be prevented by condition. For these reasons there is no policy reason to maintain this concern.

Conclusion:

On the basis of the information above, the applicant has now demonstrated the main purposes of the unit, the need for a building in respect of its function for workers facilities and storage in connection with the lawful use of the site and has provided information detailing why other buildings onsite can not be used for this purpose. On this basis Officers are now able to recommend approval, subject to conditions preventing overnight stays in the building and ensuring the use of the building is restricted to storage and staff facilities in association with the main site only.

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: Jenny Cordell
Direct Line Telephone Number: 01992 564481**

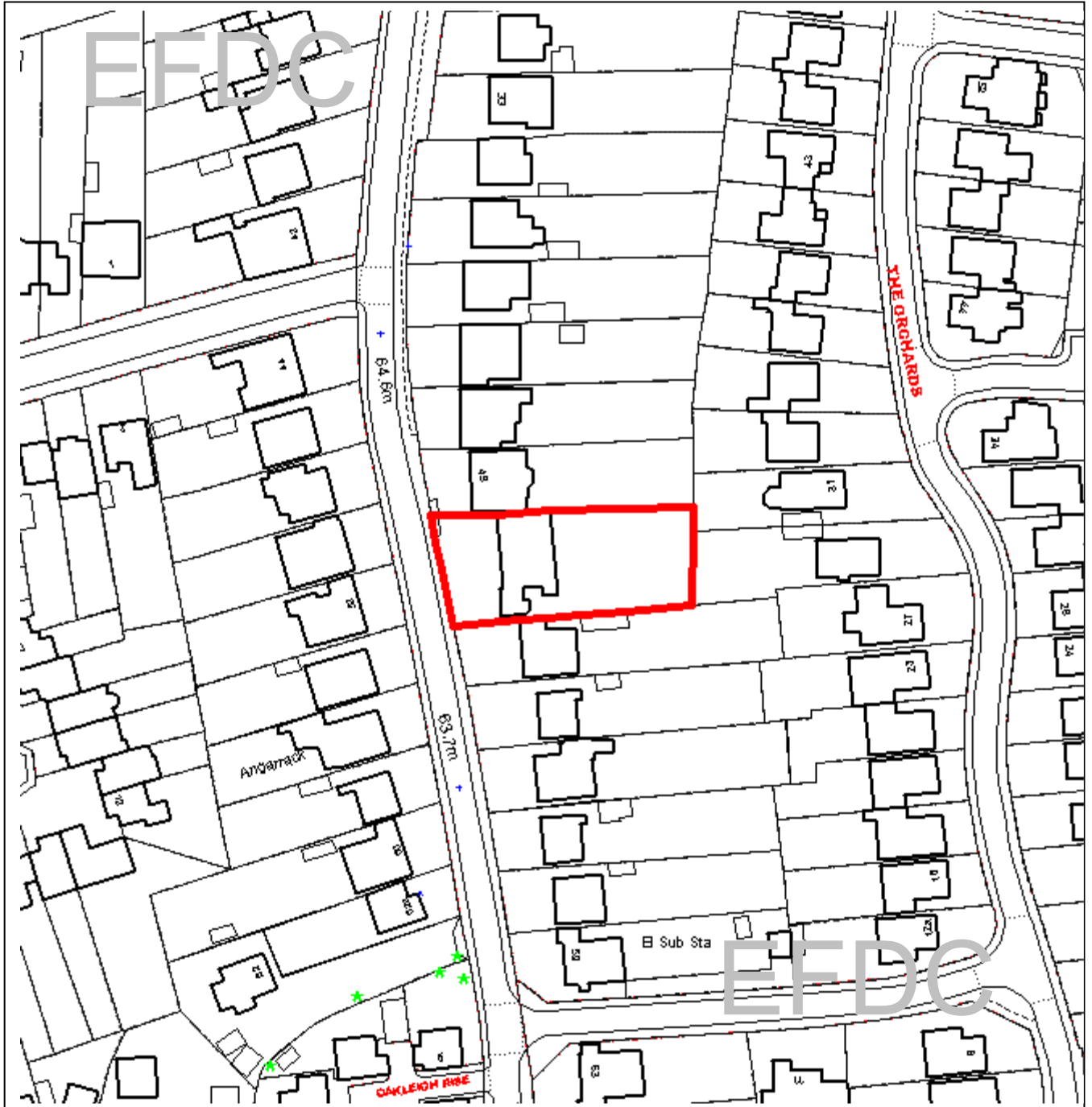
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AGENDA ITEM NUMBER 3



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Application Number:	EPF/0025/14
Site Name:	47 Bower Hill, Epping CM16 7AN
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0025/14
SITE ADDRESS:	47 Bower Hill Epping Essex CM16 7AN
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Santos De Souza
DESCRIPTION OF PROPOSAL:	A proposed enlarged first floor extension with a new hipped roof to include 2x front dormers and 2x rear dormers, small single storey ground floor side extension to the existing kitchen. (Revised application to EPF/1040/13)
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=558476

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 Materials to be used for the external finishes of the proposed development shall match those of the existing building, 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:

47 Bower Hill is occupied by a chalet style bungalow with single storey additions to both sides. The plot is a rectangular shape and the site is wider than those in the immediate vicinity by some 9 – 10 metres. No47 is set further into the site than its immediate neighbour to the north, No45. The general character of the area is predominantly unextended bungalows, although some have been altered in recent years. Recent approvals have also resulted in the approval of chalet style bungalows such as at No51.

Description of Proposal:

This is a revised application following the refusal of consent for a scheme to extend the dwelling in a similar way. This application was refused for a number of reasons including impact on the streetscene and neighbour amenity. The scheme has been altered from the previous submission.

Consent is being sought to extend the dwelling with a minor single storey addition at ground floor level. Above this, the main body of the house and the northern single storey projection of the building, a new hipped roof would be created with front and rear dormer windows added. The plans have been revised in that initially it had been the intention to join the front dormers with a flat roof link but under revisions the link has been removed. The ridge level would be raised by approximately 0.85m and the rear roof slope would contain a large dormer linked with a central flat roof section. The northern side of the extension would abut the common boundary with No45. The ridge level of the altered house would measure 6.2m from ground level.

Relevant History:

EPF/1040/13 - Single storey side extension, roof alterations and loft conversion with front and rear dormers. Refuse permission - 26/07/2013.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
DBE10 – Design of Residential Extensions

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 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:

9 neighbours consulted – 2 replies received.

EPPING SOCIETY: Objection. The rear elevation is still rather large. There is still a prominent front dormer which should be separated to reduce the bulk. The footprint of the house has obviously increased over the years which has resulted in a much larger property relative to its neighbours.

54 BOWER HILL: Objection. I am concerned at the height of the ridge level of the proposed new roof extension as it looks a lot higher than the existing ridge height of the two adjoining bungalows. I hope this will be taken in to account.

PARISH COUNCIL: Objection. The proposed house by reason of its size and bulk would result in an over dominant structure that would fail to complement the existing streetscene which would be at odds with the character of the immediate vicinity. The extension by reason of its close proximity to the neighbouring dwelling would have a detrimental impact on the amenity of the neighbours on this side resulting in an unneighbourly development. The proposal would result in an overdevelopment of the site.

Issues and Considerations:

The key considerations in this application relate to any potential impact on neighbouring amenity and design. It is also important to assess if previous concerns have been overcome and the comments of consultees are another important consideration.

Design

As stated, this property does benefit from a wider plot and previous permitted development extensions over the years have resulted in a much larger footprint than neighbouring houses. The key consideration is balancing the applicant's desire to try and benefit from the larger plot/dwelling and ensuring that the resulting dwelling does not dominate the streetscene.

The original submission on this application, which included a linked dormer, would have resulted in a dwelling which would have been quite prominent in the streetscene. The original planning application included a gable ended roof and this was considered excessive. The revised scheme proposes a hipped roof, which is more appropriate, and the scheme has been further revised to remove the flat roofed central link. This proposal will include quite an expanse of roof and the ridge level is also being extended by approximately 0.80. As the streetscene elevation suggests, the principle of extending bungalows on Bower Hill in the roof with the insertion of dormer windows and raising the ridge level has been agreed on other properties in the vicinity. Furthermore a recent scheme at No11 Bower Hill, which was allowed on appeal following a refusal at committee (EPF/0891/13), has agreed the raising of the ridge level, insertion of dormer windows and redevelopment of houses with wider plots as being appropriate.

The Parish Council has raised concern that the proposed development would result in an excessively bulky dwelling which would be out of character with the streetscene and an overdevelopment of the site. It is accepted that the resulting house would have much more of a presence in the streetscene but as the area above the garage would not be extended it would retain a relatively open feel. It is noted that the proposed ridge is no higher than the recently approved scheme at No51 and the proposed dormers are well proportioned and break up the expanse of roof.

The recently adopted NPPF requires that newly designed development responds to local character. The Local Planning Authority was always of the opinion that the loft could be extended, just not extended to the extent previously suggested. It is considered that this scheme successfully strikes the balance between benefitting from the wider plot/larger footprint and not excessively dominating the streetscene. The proposed design, bulk and scale of this submission is considered an acceptable way to extend this dwelling which indeed responds to the evolving character of the road as evident at the nearby recently extended No51.

The proposed dormer on the rear elevation is quite a bulky addition. However it would play no part in the aesthetic make up of the streetscene and is on balance acceptable. The dormer would add some character and as it has separate component parts i.e. two dormers linked by a flat roof section; this would reduce the overall bulk to an acceptable level.

Amenity

Previously there had been concern that creating a gable end adjacent to the common boundary with the neighbour at No45 would impact excessively on the amenity of residents of this property. The new proposal replaces the gable with a hipped roof. The built form at this boundary is currently single storey and low set but the wall does extend beyond the rear wall of No45 by some 5.0m. The site visit confirmed that the neighbour has a patio area on this boundary and also on this side there is a window serving a kitchen area. However as the hipped roof now pitches away from the boundary, it is considered that this is sufficient to guard against the development being

excessively unneighbourly. This neighbour has raised no objection to the proposal. There would be no significant increase in overshadowing and the proposed amendments render the scheme acceptable from this aspect.

Conclusion:

The proposed amendments to the scheme are considered to address previous concerns. The proposed extensions to the house would not result in an excessively dominant dwelling in the streetscene and it would not be out of character. Impact on neighbour amenity is considered acceptable. It is therefore considered that the revised and further amended scheme is in compliance with national and local guidance with regards to house extensions. It is therefore recommended that the application is approved with conditions.

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: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

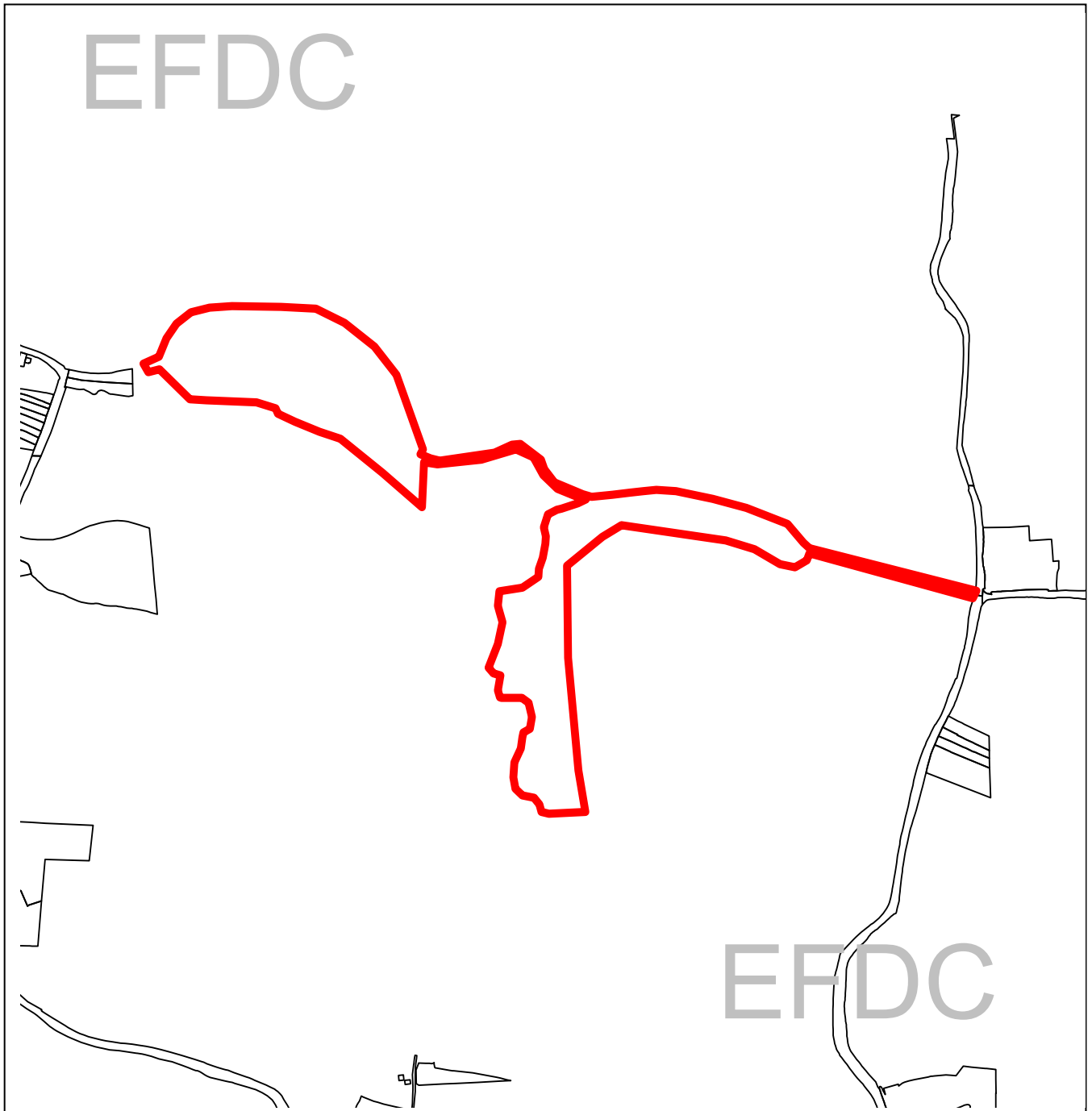
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Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/0177/14
Site Name:	Land at Berners Hall Farm, Ongar Road Beauchamp Roding, CM5 0PN
Scale of Plot:	1/7500

Report Item No: 4

APPLICATION No:	EPF/0177/14
SITE ADDRESS:	Land at Berners Hall Farm Ongar Road Beauchamp Roding Nr Fyfield Essex CM5 0PN
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr David Tyndall
DESCRIPTION OF PROPOSAL:	Formation of fishing lake and stock ponds with associated landscaping and construction of small ancillary building with parking for 12 cars.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559210

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 Site Location Plan and drawings nos: 3222/1, 3222/2, EW-300-D, EW-301-D, SK02 Rev: D, SK05 Rev: F
- 3 No construction works on the approved ancillary building shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 All recommendations and mitigation strategies outlined in the Ecological Report by Tim Moya Associates Ref: 220612-ED-01, the Bat Tree Assessment, Habitat Suitability Index Assessment for Fisheries Pond 1, Habitat Suitability Index Assessment for Fisheries Pond 2, and Reptile Avoidance Mitigation Strategy by Naturally Wild shall be undertaken and adhered to.
- 5 The development shall be carried out in accordance with the approved Flood Risk Assessment "Level 1, Flood Risk Assessment, May 2013, Saker Estate, Final 2" and the associated plans.
- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition

and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 7 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. 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 in writing.
- 8 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
- 9 No development shall take place in accordance with the cut and fill volumes and re-profiling details shown on EW-300-D, EW-301-D and SK02 Rev:D, unless otherwise approved in writing by the Local Planning Authority.
- 10 No development shall take place until details of the proposed surface materials for the access road and car park area have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
- 11 The parking area shown on the approved plan shall be provided prior to the first use of the development and shall be retained free of obstruction for the parking of customers, staff and visitors vehicles.
- 12 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Access to the site for construction traffic, site operatives and visitors
 3. Loading and unloading of plant and materials
 4. Storage of plant and materials used in constructing the development
 5. Wheel and underbody washing facilities.
- 13 The public's rights and ease of passage over public footpath no's. 27, 29, 50 and 74 Abbess Beauchamp & Berners Roding shall be maintained free and unobstructed at all times.

- 14 There shall be no vehicle access to the site for customers or visitors from the West (School Lane).

This application is before this Committee since it is an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(c) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)

Description of Site:

The application site consists of an 8 hectare parcel of agricultural and general open/amenity land located to the north of Birds Green. Vehicle access to the site is from the east down an unmade track accessed opposite 'the black barns' (part of Berners Hall Farm). The site is dissected by a number of public footpaths, which link the proposed site area with School Lane to the west.

The site currently consists of a large area of open amenity land and part of an agricultural field and contains a pond and a brook, plus part of the River Roding. There are also a number of trees, none of which are preserved by TPO's. To the west of the site are a collection of residential properties. To the north, east and south are open fields with an agricultural reservoir present to the immediate east of the site. Approximately 800m to the southeast is Birds Green fishing lakes.

The site is located within the Metropolitan Green Belt and partly within Environment Agency floodzones 2 and 3.

Description of Proposal:

Planning permission is sought for the formation of a fishing lake and two stock ponds, along with the erection of an ancillary building and associated car park.

The proposed fishing lake would be around 2 ha in size and roughly oval shaped with two islands containing the main high quality trees. The proposed stock ponds would have a combined area of approximately 1 ha and would be located adjacent to the existing agricultural reservoir to the east of the site. The proposed building would measure 9.8m in width and 5.7m in depth with a pitched roof to a ridge height of 4.5m. This would contain a secure storage area, small kitchen/rest room and shower room, and two externally accessed toilets. The associated car park would provide 12 parking spaces.

The existing watercourse and land drain running through the site would be stopped up and a new ditch created along the southern edge of the site. Some of the existing trees and vegetation will be removed, with some being retained/replaced. The excavated material will be used to re-profile the site or will be added to the existing northern bank of the adjacent reservoir. No public footpaths will be stopped up or diverted as part of the proposed development.

Relevant History:

EPF/0135/02 - Use of agricultural reservoir for coarse fishing – approved/conditions 08/09/03

Policies Applied:

CP1 - Achieving sustainable development objectives

CP2 - Protecting the quality of the rural and built environment
DBE1 - Design of new buildings
DBE2 - Effect on neighbouring properties
DBE4 - Design in the Green Belt
DBE9 - Loss of amenity
GB2A - Development within the Green Belt
GB7A - Conspicuous development
LL10 - Adequacy of provisions for landscape retention
LL11 - Landscape schemes
ST4 - Road safety
ST6 - Vehicle parking
U2A - Development in flood risk areas
RP5A - Adverse environmental impacts
RST3 - Loss or diversion of rights of way
RST6 - Fishing lakes

The above policies form part of the Council's 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:

35 neighbouring residents were consulted and a Site Notice was displayed on 17/02/14.

PARISH COUNCIL – None received.

THE OLD RECTORY, SCHOOL LANE – Object as there is already a large irrigation pond now mainly used for fishing and a privately owned fishing pond not far away. Concerned about vehicle access to the site and the impact this would have on School Lane, any possible upgrading of the existing path, and as the proposed building would not enhance the beauty of the Green Belt.

8 BOND COTTAGE, SCHOOL LANE – Object as any traffic using School Lane will be unacceptable, potential impact on the public footpaths, the impact on wildlife, and the impact on flooding.

10 BOND COTTAGE, SCHOOL LANE – Object as they do not think cars will use the proposed entrance but will instead gain access from School Lane, which is not suitable for increased traffic. There is already a large fishing lake nearby and no need for another one, plus permission for a new building would set a precedent for future planning applications.

LETTERBOX COTTAGE, SCHOOL LANE – Concerned about the location of the access and car parking.

OAKLANDS, SCHOOL LANE – Object as there is existing noise and disturbance from the farm, as the irrigation reservoir is used for fishing purposes, as the erection of a building will be detrimental to the Green Belt, the development would promote increased car usage and carbon emissions, and concerned about where access will be gained to the site and what restrictions will be placed on the business.

TOTAL TACKLE, BIRDS GREEN FISHING LAKE – Support the application as fishing is a recreational use in demand due to the closure of public access waters and increased popularity of the sport. The growth of this industry has both economic and ecological benefits and it would create more employment (both on the site and at related businesses such as their tackle shop).

6 DUNMOW ROAD – Support the application as this would be a great asset on the surrounding land as it will improve the landscape and wildlife of the area along with providing recreational use.

Main Issues and Considerations:

The main issues to be addressed are the appropriateness of the development on the Green Belt, the impact on the character and appearance of the surrounding area, and with regards to neighbour's amenities, highways and potential flood related issues.

Green Belt:

Principle of the development:

The application site is located within the Green Belt. Within paragraph 81 of the NPPF it states that *“local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”*.

The proposed creation of a recreational fishing lake and use of the site for this purpose would *“provide opportunities for sport and recreation”* and therefore meets the above requirement. Whilst the proposed development would involve engineering operations in the form of excavation and the raising of land, such engineering operations can be considered as ‘not inappropriate’, as stated within paragraph 90 of the NPPF, provided *“they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”*. The proposed nature and resulting landscape topography of the site is considered to retain the openness of the Green Belt and would not conflict with the purposes of including land in the Green Belt, and therefore the resulting engineering operations associated with the proposed development would not constitute inappropriate development.

With regards to the proposed ‘associated building’, paragraph 89 of the NPPF states that *“a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:*

- *Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”*.

The proposed building would be a relatively small scale structure used for storage of maintenance equipment, a shelter for fishermen, two externally accessed toilets and a small shower room. It is considered that the proposed building would be appropriate for the recreational fishing use of the site and would be relatively small scale and therefore would comply with the above exception. The associated car park would provide 12 parking spaces for fisherman and can be conditioned to be appropriately finished, which would also not detrimentally impact on the openness and character of the Green Belt.

Given the intended use of the site as a recreational fishing lake, the acceptable level of cut and fill, and the relatively small scale nature of the ancillary building and associated works it is considered that the principle of the proposal would not be considered as ‘inappropriate development’ within the Green Belt.

Recreational use:

Local Plan policy RST6 specifically relates to fishing lakes and allows for such development subject to an assessment with regard to the impact upon:

- (i) The character and appearance of the surrounding area;
- (ii) Traffic flows on access roads and their capacity for accommodating any increase;
- (iii) Amenities of nearby residents; and
- (iv) The potential impact upon any ground or surface water abstraction point.

The Council will also seek to ensure that:

- (a) Car parking provision is adequate to cater for the amount of traffic generated; and
- (b) An appropriate scheme of landscaping is carried out.

These factors are considered in detail below.

Character and Appearance of surrounding area:

Principle:

The application site is located within a rural location and is predominantly surrounded by open agricultural land. However there are a number of residential properties within the surrounding locality and a nearby recreational fishery at Birds Green Fishing Lakes, which is also operated by the applicant. Furthermore, to the east of the site is an agricultural reservoir that previously obtained consent for coarse fishing.

Recreational fishing is generally found in rural areas such as this, where sufficient land is available, and a quiet, secluded location such as this is often sought after for such fisheries. Given the presence of the nearby lakes, and as the development would continue to keep the site open and greened (albeit in an altered way to the site as existing); it is considered that the proposal would in principle be acceptable for this rural location.

Landscaping:

The proposed fishing lake is situated in the bottom of a valley, intersecting an existing stream, where there is an existing small pond. From the North it takes in the lower part of a large open field, a meadow which follows the lowest part of the land, and a further field to the south. It affects sections of two hedgerows, dividing the meadow from the fields (the more important of which follows the line of the existing stream and has thickened into a linear wood), and several trees.

The proposal involves the removal of a significant number of trees and extensive ground re-modelling. The submitted arboricultural report confirms that there are no "A" category trees to be lost and only 5 "B" category trees proposed for removal. The majority of the trees to be lost are in the wooded area close to the pond, which would have a minimal impact on the wider landscape given the secluded nature of the site. Whilst there would be a noticeable local impact, particularly when viewed from the adjacent public footpath, it is considered that the retention of the most important trees and proposed new landscaping would adequately compensate for the landscaping lost. Furthermore, whilst the nature and appearance of the landscaping on site would be dramatically altered as a result of the proposal, it is considered that the proposed landscaping and overall nature of the site would nonetheless be appropriate and acceptable and would not be detrimental to the amenities of users of the footpath.

The submitted Landscape Master Plan (ref: 220612-P-20) shows the intention of significant planting in the form of new hedges with trees on both sides of the site, and a small wood, with complementary proposals to enhance the area's local wildlife potential. Achieving the proposed landscaping plan will require particular care, especially given that the best trees present will find themselves on proposed islands in the lake, left for that purpose. For this reason there needs to be robust supervision of the tree protection proposals, and in particular a specialist must be instructed

by the applicant to secure compliance within the construction team, along with liaison with the LPA. This has been agreed by the applicant and, subject to suitable conditions, the proposal is considered appropriate.

Along with the proposed landscaping, there will be some re-profiling of the site as a result of the excavation for the fishing lake and two stock ponds. The excavated material from the fishing lake is proposed to re-profile an area to the east of the lake, which will then be planted with native trees, and the materials removed from the proposed stock ponds would be added to the existing northern bank of the adjacent reservoir. The details of the excavation and re-profiling are shown on plans ref: EW-300-D, EW-301-D and SK02 Rev D and are considered to be acceptable.

Habitat protection:

An Ecological Assessment along with mitigation strategies in the form of a Bat Tree Assessment, Habitat Suitability Index Assessment, and a Reptile Avoidance Mitigation Strategy have been submitted with regards to the proposal. As a result of these and the proposed development in itself, which includes retention of important ecological aspects and replacement of habitats lost, it is not considered that the proposal would have a detrimental impact on the wildlife and ecology of the area.

Neighbours Amenities:

The proposed fishing lake would be approximately 100m from the closest residential dwelling and is in a relatively secluded and screened off location. Vehicle access to the site would be from the east off a stretch of road devoid of residential properties. By their nature fishing lakes are relatively quiet activities that do not cause much in the way of noise nuisance, and whilst there would be some disturbance as a result of the construction works this would be temporary and can be controlled by way of a Construction Management Plan. As such it is not considered that there would be any detrimental impact to the amenities of neighbouring residents as a result of the proposed development.

Highways:

The proposed development would only result in a relatively low level of vehicle movements to and from the site and would utilise the existing vehicle access to the east of the site (opposite 'the black barns'). Due to this it is considered that the proposed development would not detrimentally impact on the traffic flows of the highway or result in any safety concerns to road users. A Construction Management Plan would need to be agreed prior to commencement of works, which should include wheel washing facilities to prevent the deposition of mud and debris onto the public highway, turning and off-loading facilities for construction vehicles, and adequate car parking facilities for those employed in developing the site. This will ensure that construction traffic uses the proposed access and does not enter the site from the west (via School Lane). A further condition could be added to ensure customers of the fishing lake do not gain access to the site by car from School Lane to the west. This would protect against the neighbours' concerns regarding increased traffic on School Lane.

There is no specific parking requirement for fishing lakes within the Essex County Council Vehicle Parking Standards as these would fall under the category of 'other sports facilities' which are considered on their individual merit. The provision of 12 parking spaces for the proposed fishing lake is considered acceptable and has raised no objection from Essex County Council. Furthermore, whilst a larger car park could have a greater impact on the appearance of the area, there is scope on site for an enlargement of the proposed parking area if necessary in the future (and if considered acceptable by the LPA).

The proposed development would incorporate works surrounding public footpath no's. 27, 29, 50 and 74, however the development would not require the stopping up or diverting of any of these public rights of way. Therefore, provided the ease of passage over these is maintained free and unobstructed at all times (which can be controlled by condition), then this proposal would comply with Local Plan policy RST3.

Flooding:

Both Land Drainage consent and Environment Agency Flood Defence consent have been granted for the scheme, plus a Flood Risk Assessment has been submitted for the development. This is considered to be acceptable by both the Environment Agency and the Council's Land Drainage section. Therefore, subject to full compliance with the submitted FRA, the proposed development would not detrimentally impact on flooding on site or within the surrounding area.

Other Considerations:

Economic Considerations:

Paragraph 28 of the NPPF states that planning should support economic growth in rural areas. The applicant currently runs the nearby Birds Green Fishing Lakes and employs 7 full time staff and 2 part time staff. The proposed fishing lake would be an extension of the existing business, albeit on a separate site, that would provide additional employment. Although at present it is only expected that the new development would provide one additional full time employee. There would nonetheless be additional knock on economic benefits from such a recreational use within the area through increased visitors to the area and the custom that these would bring to other nearby businesses.

Conclusion:

The proposed fishing lake and associated works would not constitute inappropriate development harmful to the Green Belt. The development is not considered to be detrimental to the character and appearance of the surrounding area (subject to suitable landscaping and ecological mitigation), neighbours amenities, highway safety or flooding (subject to compliance with the submitted FRA). The application is therefore in accordance with the policies contained within the Local Plan and Alterations and National Planning Policy Framework guidance, and as such 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***

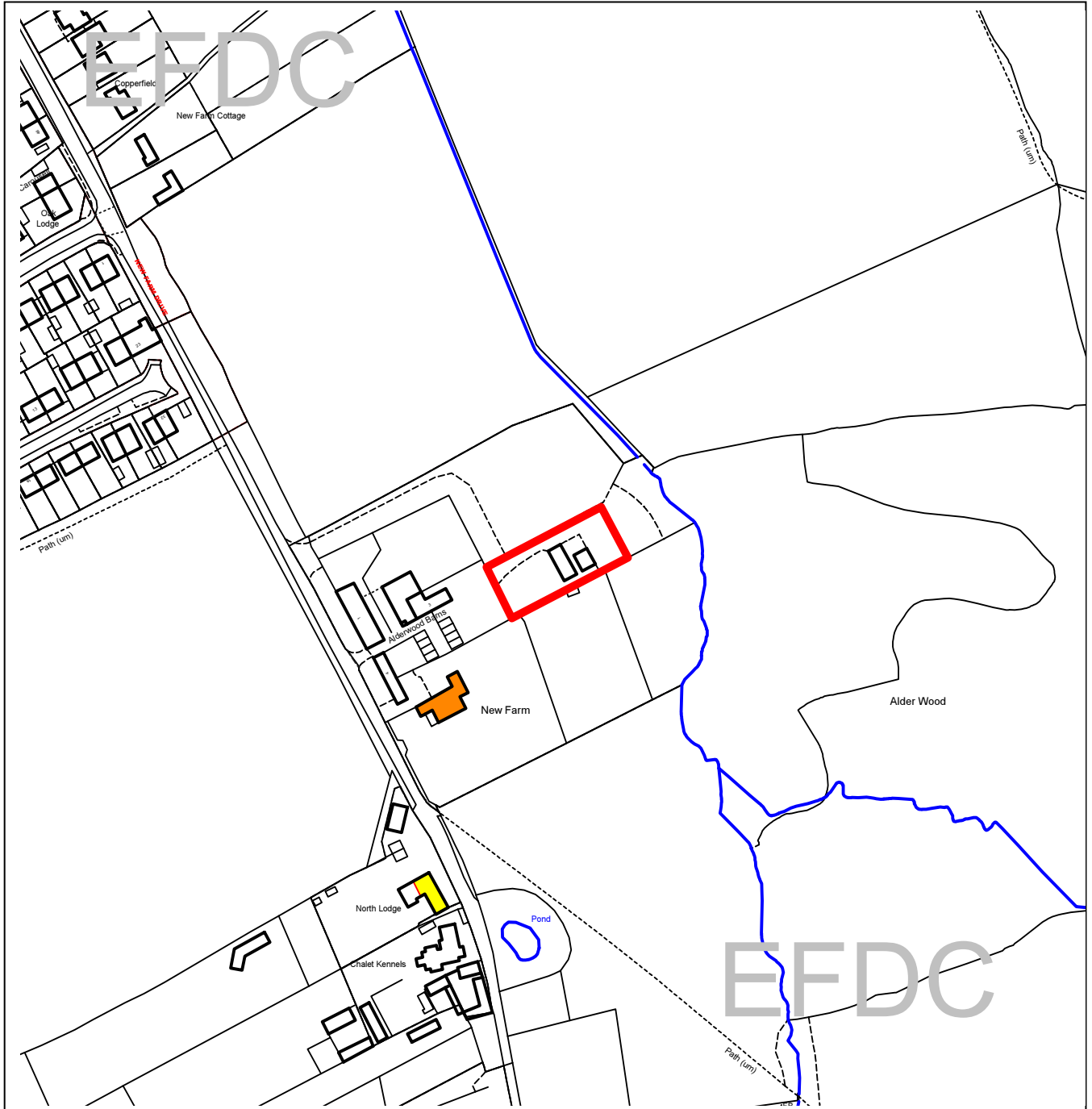
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Epping Forest District Council

AGENDA ITEM NUMBER 5



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Application Number:	EPF/0195/14
Site Name:	Alderwood (to the rear of Alderwood Barns), New Farm Drive, Lambourne
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/0195/14
SITE ADDRESS:	Alderwood (to the rear of Alderwood Barns) New Farm Drive Lambourne Romford Essex
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Ms Amanda Khan
DESCRIPTION OF PROPOSAL:	Replacement of two existing barn buildings with a new dwelling. (Revised application)
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=559312

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 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 The garden curtilage of the dwelling hereby approved shall be restricted to the red line area shown on the approved plan number AK/10/01.
- 4 Before any works commence on site details of the removal of hard surface areas, and of rubble, waste, containers, and other foreign materials, in the wider area around the proposed dwelling, shall be submitted to and approved by the local planning authority, and these details shall include how the cleared areas will be landscaped. Once approved these details shall be implemented in full before the dwelling hereby approved is first occupied.
- 5 The development hereby permitted will be completed strictly in accordance with 5 approved drawings numbered AK/10/P/01 to /05, plus a 1/1250 site location plan.
- 6 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, B, C, and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee because the recommendation for approval is 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 lies in a parcel of land some 15 acres in area. This land lies in the Green Belt just to the south of the urban settlement of Abridge. The land used to form part of the Alderwood equestrian centre, however the main buildings to this centre, fronting New Farm Drive, have been converted to dwellings. The land is a 'smallholding' partly used for the grazing of horses. Buildings on the site are not listed and the land does not lie in a conservation area.

Description of Proposal:

Replacement of two existing barn buildings with a new dwelling. (Revised application)

Relevant History:

EPF/0343/00 gave approval for the change of use of these 2 barns buildings to workshops for B1 use.

EPF/0952/13 was a refusal of an application to replace these 2 barn buildings with a new dwelling – on grounds of inappropriate development in the Green Belt, and that the new house had a greater bulk and height than the barn buildings it would replace.

Policies Applied:

DBE1 - Design of new buildings

DBE9 - Loss of amenity.

GB2A –Development in the Green Belt

GB7A – Conspicuous development.

CP2 - Protecting the quality of the rural and built environment.,

LL11 – Landscaping schemes

These policies are compliant with the NPPF.

Summary of Representations:

LAMBOURNE PARISH COUNCIL – Object -the new dwelling would be sited on Green Belt farmland in place of two dilapidated barns. This application is not concerned with conversion for residential use of redundant farm buildings, but rather that the two barns on the site are to be demolished and replaced with a new dwelling. We see no justification why, instead of run down barns, a new residential property should stand in the middle of Green Belt agricultural land.

NEIGHBOURS AND SITE NOTICE – 7 properties consulted and 15 replies received:-.

3, MIDDLE BOY – support the application – it would improve the appearance of the site and provide improved security.

15, ONGAR ROAD – I have been a resident of Abridge for over 15 years and would like to express my support for the application. It will not be detrimental to the Green Belt and will only improve the setting of the village.

THE LOG CABIN, 47 LONDON ROAD – I fully support the application - it can only improve the appearance of the site which is unsightly. It will provide a better view for users of the footpath, and will improve security for the site.

ARNOLDS FARM, 221, ONGAR ROAD - - I know the site since I deliver hay for the applicants' livestock, and break-ins to the site have caused stress. Having a house there will improve security and deter intruders. A suitable dwelling would not be out of place on the site given the close proximity to other converted barns.

OAKFIELD HOUSE, NEW FARM DRIVE – fully support this application.

10, SPUR CLOSE – support this application – given its close proximity to neighbouring barns which are now residential I feel the proposed development would be in keeping with its surroundings. I cannot see any reason why it would cause harm to the Green Belt

28, MIDDLE BOY – I overlook the above property and have no objections.

99, PANCROFT –support the plans which will benefit views and the village, and it is a much needed renovation.

8, SPUR CLOSE – The applicant has made improvements to Farm End, and the field with horses and ponies are a great asset to the local area and are enjoyed by the local residents. Based on the improvements to Farm End any building would be acceptable and blend in with local surroundings.

109, PANCOFT – support – I frequently walk nearby with my dog and feel this application would definitely improve the site. It is in need of improvement.

40, NEW FARM DRIVE – support this application - the plans are good and it will improve the look of the land which is long over due.

2, THE ALDERWOOD BARN, NEW FARM DRIVE – I have no objections to the replacement of these 2 barn buildings with a dwelling.

OAKFIELD HOUSE, NEW FARM DRIVE – fully support the proposal.

46, NEW FARM DRIVE – fully support the proposal – it will be a vast improvement to the site and its outlook, which at the moment does not enhance the Green Belt

37, PANCROFT – I regularly walk on footpaths around Abridge and at present this site at Alderwood is unsightly and requires improvement. Having seen the plans I am in complete support. It will enhance the appearance of the Green Belt.

Issues and Considerations:

The applicant owns some 15 acres of surrounding land but the red line application site relates to two barn buildings made of stone and blockwork, and a small area of land to the immediate west to be used as a garden. One of the barn buildings has recently been part demolished because of safety concerns about its condition.

This revised proposal has reduced the height of the house by 1.2m compared to the previous scheme for a house refused last year under EPF/0952/13. In addition dormer windows have been removed, and the new house now has a shape and profile closer to the shape of the existing buildings and more akin to a converted barn.

The National Planning Policy Framework has introduced some more flexibility with regard to non residential buildings in the Green Belt, and a new building can now be erected to replace an existing one provided the new building is not materially larger than the one it replaces. This means that had the 2000 planning approval for change of use to B1 workshops been implemented a replacement new B1 workshop building could have been erected. In addition it would be difficult to refuse any further application to renew this lapsed B1 use. In this context it would be preferable to have a dwelling on the site rather than a commercial building both in terms of appearance and likely vehicular generation.

The application shows a blue line around the remainder of this 15 acre site that the applicant owns, and she has given a written statement that she is prepared to improve the appearance of parts of the remainder of the site. This includes the removal of an area of hardstanding and tarmac to the immediate east of the proposed dwelling, which has an area of some 35m by 30m, and to put soil down and reseed this area with grass. She is also prepared to remove other rubble, waste and containers from the site and again replace these cleared areas with grass and shrub planting. A condition will be applied to any consent ensuring that these improvement works are undertaken, and because the land is owned by the applicant such a condition is both reasonable and enforceable.

Conclusions:

Improvement of the larger site around the proposed house, which has been mentioned in representations from third parties, will lead to a gain to the appearance of this Green Belt site which can be viewed from nearby footpaths, and indeed from dwellings in New Farm Drive and Middle Boy. These improvement proposals constitute special circumstances that can justify inappropriate development in the Green Belt. In any event the reduction in the size of the proposed new dwelling, and the removal of possible commercial building and use on the site, renders the proposal a more acceptable one than that refused in 2013. For these reasons, and the ones described in the body of this report, it is recommended that, on balance, conditional planning permission be granted.

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: David Baker
Direct Line Telephone Number: 01992 564514***

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