

<b>SITE ADDRESS:</b>	High House Farm Stapleford Road Stapleford Abbots Essex
<b>PARISH:</b>	Stapleford Abbots
<b>APPLICANT:</b>	Five Star Properties
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application for the demolition of agricultural /industrial complex and the erection of 6 new dwellings and 1 replacement dwelling. (Revised application)
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**CONDITIONS:**

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 2 The development hereby permitted shall only be carried out in accordance with detailed plans and particulars, which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the siting, design, landscaping and external appearance of the building(s) thereto.
- 3 The final layout of the proposed development shall adhere to the principles of the illustrative layout plan (ama dwg. ref 02.159/5) as submitted with this outline application.
- 4 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 5 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 6 Before the commencement of the development, or of any works on the site and concurrently with the detailed design plans, a full tree and site survey shall be submitted to the Local Planning Authority. The submitted details shall include, as appropriate, the following information at a legible scale:
  - (a) Reference number, species, location, girth or stem diameter and accurately planned crown spread, of all trees with a stem diameter with 100mm or greater on of adjacent to the site; and
  - (b) An assessment of their condition and value;
  - (c) Details of existing levels, including contours where appropriate, and any

proposed changes of level across the site;

- (d) Location, spread and other relevant details of relevant hedgerows, hedges and other significant areas of vegetation;
- (e) Location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate;
- (f) Trees, or other features to be removed which shall be clearly and separately identified on the plans.
- (g) Existing boundary treatments and forms of enclosure;
- (h) Existing structures, services and other artefacts, including hard surfaces;
- (i) Indication of land use, roads or other means of access, structures and natural features on land adjoining the development site; and
- (j) Route of existing footpaths and public rights of way on and adjoining the site.

7 Before any works commence on site, and concurrently with the detailed design plans, an Ecological Survey of the site, or any part thereof identified by the Local Planning Authority, shall be carried out and submitted to the Local Planning Authority with an assessment of the impact of the proposed development and any appropriate measures of alleviation. Development shall be undertaken only in accordance with the agreed measures.

8 The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the local planning authority but instructed by the applicant.

9 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree 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 shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted

at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 10 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 11 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision, which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

- 12 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all

elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five-year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long-term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA. Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 13 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the LPA and the completed phase 1 investigation shall be submitted to the LPA upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the LPA before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the LPA prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the LPA for approval prior to first occupation of the completed development.

- 14 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
- 15 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, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.

- 16 Details of sustainable buildings construction, drainage, water storage/recycling and energy efficient services shall be submitted to and approved in writing by the Local Planning Authority before work commences on site. The details as agreed shall be carried out thereafter.
- 17 This permission is subject to a unilateral undertaking, which has been submitted by the applicant as part of this planning application, and no development shall take place until measures to enable the provision of an affordable housing contribution, improvements to Footpaths and landscaping of the site area including that marked blue on drawing no. 02.159/04, provision of a Parish Room building and associated car parking area and village green, necessitated by this development are secured with the local planning authority.
- 18 Before work commences on the site, details of existing and proposed site levels shall be submitted and agree in writing by the Local Planning authority. The details as agreed shall be carried out thereafter and include removal from the site of all existing hardstanding areas associated with the current former agricultural buildings on the site, as shown on drawing no. 02.159/7, and re-grading of that part of the site used formerly for unauthorised tipping. This work shall be carried out before first construction of the residential development hereby approved.

Reason: To repair and enhance the visual quality of the landscape.

### **Description of Proposal:**

Demolition of former agricultural buildings and a house, to be replaced by seven dwellinghouses. The application is in outline form and the indicative plans show six of the houses grouped approximately 170 metres away from the road, with a seventh house replacing an existing one close to the road. The plans also show a small parish council building and car park area at the site entrance. All matters are reserved for subsequent approval, so the submitted layout and elevations are indicative at this stage.

### **Description of Site:**

The application site consists of a grouping of derelict farm buildings, set back from the main road and a detached house, close to the road, of some 2048 square metres footprint. Access to these buildings is via a 40 metre roadway from Stapleford Road. The applicants ownership of the site extends beyond these buildings to include some 40 hectares of agricultural land, west of Stapleford Road and includes two public footpaths. The land falls north to south with the derelict farm buildings occupying the higher ground.

The whole site is in the Metropolitan Green Belt as is the surrounding area. The more built up area of Stapleford Abbots is to the south-east towards the junction with Bournebridge Lane. The village hall and primary school are 1.2 kms north on Stapleford Road.

### **Relevant History:**

EPF/916/89 – Change of use to golf course – Granted subject to a legal agreement signed in 1994.

EPF/627/91 – Removal of some redundant agricultural buildings and change of use of remaining buildings to Class B1 (Business) – Appeal against non-determination, which was dismissed 6/2/92.  
EPF/1000/96 – Change of use of land to leisure and Recreation Park – Refused 29/1/97.  
EPF/571/99 – Renewal of Planning Permission EPF/916/89 for a golf course – Granted subject to a legal agreement, which was not renewed and the permission lapsed.  
EPF/1688/99 – Outline application for residential development consisting of 22 houses with associated parking and open space – Appeal against non-determination but subsequently withdrawn.  
EPF/26/01 – Outline application for demolition of farm buildings and farmhouse with redevelopment for housing including woodland planting, footpaths and village green – Refused 28/11/01.  
EPF/422/02 – Outline application for demolition of existing buildings and redevelopment comprising 10 residential units – Refused 2/7/02.  
EPF/1824/03 – Change of use of buildings to industrial units – Refused 18/11/03.  
EPF/1075/05 – Outline application for the demolition of former agricultural buildings and a dwelling and the erection of 10 dwellings – Refused 15/2/06

### **Policies Applied:**

#### Adopted Local Plan:

GB2A General restraint to development in the Green Belt, unless a Green belt defined appropriate use.  
GB7A Conspicuous development from within the Green Belt  
GB16 Affordable housing  
CP2 Protecting the rural and built environment  
CP3 & 4 Sustainable new development  
E14 Impact of industrial and commercial activity on amenity of an area  
H2A Previously developed land  
DBE1 Buildings respect their setting, ensure buildings are appropriate in design and materials.  
DBE4 New buildings in Green Belt respect landscape setting and are of local character, tradition and detailing.  
LL2 Development in countryside to respect and enhance the character of the landscape.  
T17 Highways Implications

#### Structure Plan:

C2 Development in the Green belt – general restraint as GB2.  
CS1 Concentrate new housing development in existing urban areas.  
CS2 Protecting the Natural and Built Environment,  
CS4 Sustainable new development.  
H2 Housing development – Sequential approach – Sporadic housing in the countryside will be resisted, should be well related to employment, shopping, education and other community facilities, easily accessible by a choice of means of transport.

#### National Policy:

Planning Policy Guidance 2 - Green Belt (PPG2)  
Planning Policy Statement 7 - Sustainable Development in Rural Areas (PPS7)

### **Issues and Considerations:**

The main issue is whether this represents an appropriate development in Green Belt terms and if not, are there very special circumstances to outweigh the harm, by definition, the development

would have on the Green Belt. Furthermore, if considered acceptable, would the resultant development harm the visual amenities of the surrounding countryside and is the location sustainable enough for housing of this scale in the relatively remote location.

### 1. Green Belt

Government advice in PPG2 and Local Plan policy GB2A sets out the narrow range of development appropriate in the Green Belt. Housing, unless for an agricultural, horticultural or forestry worker is clearly inappropriate development in the green belt by definition.

This is not the first time housing has been applied for on this site, but it is less than the previous applications, which have been submitted for 10 units. Just like the current buildings, the development will be on a remote location on top of a hill, visible from the road.

Officers have previously concluded that the number of houses proposed is excessive for this site and that the very special circumstances put forward by the applicant have not so far justified the development. In fact the last outline application proposed a tight concentration of 9 houses based on the council's adopted Essex Design Guide, which was considered to be totally out of character for this site and within the surrounding rural area. The indicative layout this time reduces the number of proposed houses by three and proposes a more spacious cluster of six dwellings set in a courtyard. The existing farmhouse close to the road will be demolished to be replaced by a new house.

The indicative plan and axonometric elevation, illustrates the design of the scheme based upon a manor house estate layout, with a large manor surrounded by smaller "farm-worker" type cottages and two converted barn-like structures. Should the principal of the development be accepted by the Committee, Officers consider that this approach would be the most appropriate design and pattern of layout so far proposed, given its rural setting. The size and position of the replacement house at the access road entrance may require more attention, but the principal of a barn type structure here would be acceptable. The visual impact of the built form of development will need a significant native landscaping and tree planting scheme to enhance its setting and it is considered that the buildings of a traditional character and vernacular in design could be seen as a visual improvement on the current larger eye-sore buildings and hardstanding area which blights the landscape. Despite this though, in principle the development of the site for residential purposes represents inappropriate development in the Green Belt.

### 2. Are There Very Special Circumstances?

The previous outline planning application for 10 houses in 2002 was recommended for refusal by Planning Officers. This Area Committee however, considered that there were very special circumstances in that instance overcoming the presumption against inappropriate development. It was therefore referred on to District Development Control Committee, with a recommendation for approval. In the event, however, it was refused in line with Officers recommendation because it was considered by Development Committee members to be inappropriate and harmful development in the Green Belt and the landscape. Members also considered that it would set a precedent for similar development in the green belt and that proposed affordable housing on this site was in an unsustainable location. The Essex Design Guide scheme for 10 houses in 2005 did not even achieve support by the Area Committee and was refused.

As stated above, the total number of houses in this submission has been reduced by three to seven and the layout and design of the development as illustrated has been improved to integrate more successfully into the local landscape. The applicant did propose a number of very special circumstances on the 2005 application, some of which are put forward in this proposal. These are as follows:

- Removal of 2,408 square metres of former agriculture buildings, which are in disrepair and visually harm the landscape. A further larger area of hardstanding will also be removed. There is a long history of unauthorised industrial uses and activities, which continue today on the site having taken place for about 18 years. Policy E4 of the Local Plan seeks removal of industrial and commercial activities, which have a serious adverse effect upon the amenities of the area. As some of the uses may have gained immunity from enforcement action, there may be environmental gain in removing the buildings and uses with replacement development less harmful on the environment and the landscape. An existing 1960's built farmhouse of little architectural merit and close to the road will also be removed. 6 of the 7 units will be more compact in area than the existing buildings and their footprint is indicated to be less at 1,200 square metres, a reduction of about 46%.
- Part of the site has a history of unauthorised tipping, which has altered the contours of the land rear of the current buildings. The applicant has stated that they will repair and re-grade the land to its natural level. This is particularly noticeable from the footpaths that cross the site.
- Improvements are proposed to existing footpath routes, which pass through the applicant's land and close to the development site. Also, a new footpath route through the applicants land to join with footpath 12 at Gutteridge Lane is proposed. Details of this will need to be finalised with the Right of Way Officer at Essex County Council, but this councils Countrycare Manager has indicated that it will be beneficial for the local community and walkers if the footpaths could be extended around part of the perimeter of the farm land close to existing hedges and ditches.
- The gifting of 1.5 hectares of the applicant's land to the Parish Council, located either side of Stapleford Road, as a possible village green. This is an option, which has been discussed with the Parish Council, and they have the option to commit to taking the land in the next 3 years.
- A financial contribution towards off-site affordable housing. Previous applications had offered 30% affordable housing on site, but this was not considered a suitable site because of its poor relation to the rest of the settlement and lack of support from the Parish Council, so that it would be contrary to Policy GB16 of the Local Plan. The applicant has offered a contribution to affordable housing needs in the area of £100,000.
- The erection of a Parish Room and car park for the local Parish Council. This is illustrated on the plans as a small meeting room.

The applicant has submitted a unilateral undertaking to secure the footpath improvements, option of land to be passed to the Parish Council for a possible village green, financial contribution to off-site affordable housing and the erection of the Parish Room and car park. It is also considered that the wider site area beyond the proposed houses be retained for agriculture and environmental and conservation benefits for the farmland to be secured through a long-term biodiversity enhancement plan. This would succeed in enhancing landscaping and the setting of the proposed dwellings

Officers consider that this package of benefits, plus the reduction in built floorspace and overall improvements to the landscape do represent the very special circumstances required to outweigh inappropriate development in the Green Belt.

### 3. Sustainability

The applicant admits that this is not a very sustainable development in terms of reducing the need to travel by car. It is also isolated in respect of local services, employment opportunities and public



transport. There is a local primary school within walking distance and a bus service along this road (Stapleford Road) with links to Harlow and Romford, but it is only hourly. However, the traffic movement is likely to be less than currently experienced. The Parish meeting room is only to be used for small meetings and the commercial use of the ex-farm buildings, which currently has 8 individual business uses with attendant daily traffic movements, will be removed.

The applicant is willing to accept conditions in respect of sustainable construction, energy efficiency and conservation at the reserved matters stage, a requirement of Structure Plan policy EG4. The applicant has stated acceptance of building materials, which are supplied locally, and a grey water system and sustainable drainage. This would satisfy Policy CP4 of the Local Plan.

#### 4. Highway Implications

The vehicle movements associated with the development are not considered to be significant and Highway Officers have raised no objection. The traffic levels into and out of the site are likely to be lower than that currently occurring. For this reason, the council Highway Officers do not require highway improvements.

#### 5. Summary

The current appearance of the site visually harms the appearance of the countryside. The existing dilapidated buildings when viewed from Stapleford Road and particularly from Bournebridge Lane to the south and Hook Lane to the west, are noticeable eyesores on the higher ground, and are prominent from these public vantage points and from the footpaths that cross through the site.

Despite this not being a particular sustainable location for residential development, Officers consider that the proposal is the best opportunity to finally repair the appearance of the landscape. Supported by the package of benefits to be secured through a submitted legal agreement, the gains are considered to amount to very special circumstances, which would outweigh inappropriate development in the Green Belt.

The resultant development, the layout and number of which can be conditioned as shown on the indicative plans, would improve the openness and visual amenities of the Green Belt without harm being caused to the living conditions of the residents living in close proximity to the application site. In this instance the Parish Council support this proposal and consider the layout to be much better than the previous Essex Design Guide led scheme, which would have been out of place in this location.

The merits of this case are considered to be special and not at all typical of residential development proposals generally submitted in the Green Belt such that if planning permission is granted, it will not set a precedent for other similar development elsewhere in the Green Belt areas of the District.

The application, on balance, is therefore recommended for approval.

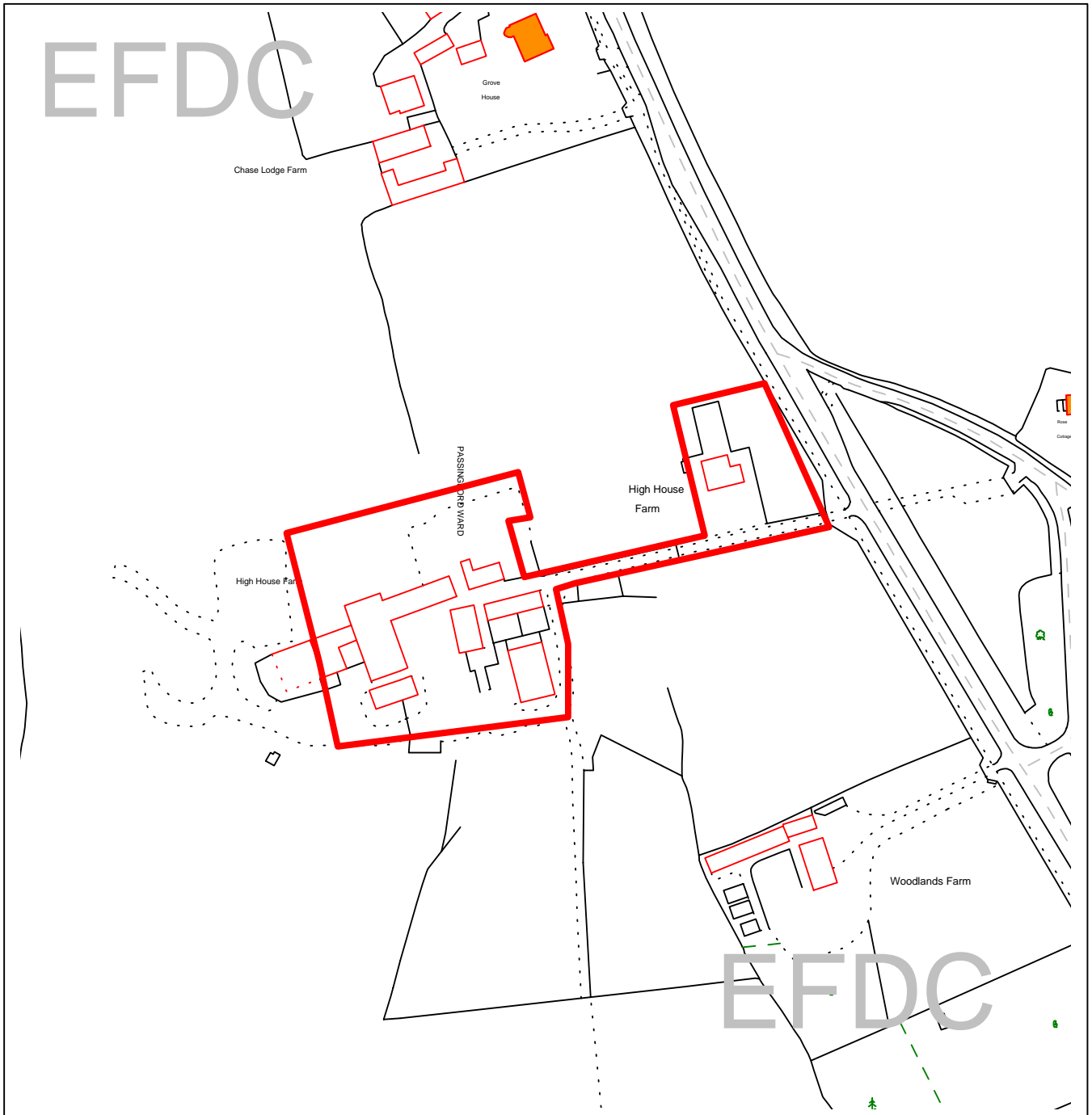
#### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – Point out that it is a beneficiary, inasmuch as a Parish Meeting Room is being offered as part of the Plan. However, the Parish Council has always supported the removal of the derelict farm buildings, and the building of appropriately designed houses. The remaining land being retained as farmland is exactly what the Parish Council has championed.



# Epping Forest District Council

## Area Planning Sub-Committee C



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<b>Agenda Item Number:</b>	<b>6</b>
<b>Application Number:</b>	EPF/1374/06
<b>Site Name:</b>	High House Farm, Stapleford Road, Stapleford Abbots
<b>Scale of Plot:</b>	1:2500