

Extract From Area Planning Subcommittee B/C 21 February 2007

Report Item No: 6

APPLICATION No:	EPF/2230/05
SITE ADDRESS:	Land at rear of Fyfield Hall Willingale Road Fyfield Ongar Essex CM5 0SA
PARISH:	Fyfield
APPLICANT:	Executors of Mrs J White (deceased)
DESCRIPTION OF PROPOSAL:	Proposed conversion of buildings to 5 no. new dwellings and erection of 6 no. new dwellings following demolition of existing commercial buildings.
RECOMMENDED DECISION:	GRANT

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 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.
- 3 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development,

including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the Local Planning Authority.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

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 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 Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority 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 Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

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

6 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

7 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.

8 Prior to the commencement of the development details of the proposed surface materials for the access shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

9 Prior to the first occupation of any of the dwellings hereby approved, all the buildings shown to be demolished shall be demolished and all resulting materials shall be removed from the site.

- 10 The barn conversion shall be undertaken prior to the completion of the new dwellings hereby approved, unless the Local Planning Authority has given its written approval for any variation in the phasing of construction for this development.

FURTHER, it is recommended that the permission be subject to the prior completion of a satisfactory s106 legal agreement securing the long term maintenance of and public access to the riverside walk and meadow.

Description of Proposal:

This application is for the conversion of barns and redevelopment of buildings for residential use at Fyfield Hall. Three historic barns and a listed dovecot are to be converted to create 5 residential units (2 two bed and 3 three bed) and a range of commercial buildings are to be removed and replaced by a new development of 6 residential units (a five bed farmhouse-style dwelling, 4 semi detached cottages and a 3 bed barn style dwelling).

The development is proposed to create two distinct areas, the barn conversions and barn style dwelling to the rear of Fyfield Hall, to retain the relationship between the historic Hall and its barns; and further to the east and separated from the remainder of the site by a wildflower meadow and the public footpath, the farmhouse style dwelling and 4 cottages.

Access to all the dwellings is to be taken from an access off Willingale Road to the east of Fyfield Hall to remove vehicles from the area to the immediate rear of the Hall.

The application also includes creation of a wildflower meadow between the two areas of development and creation of a managed riverside walk to the rear.

Description of Site:

Fyfield Hall is a grade 1 listed building and is of significant historic importance. The Hall itself is set well back from Willingale Road with gardens to the front. To the rear of the house and in close proximity to it are a range of barns of historic interest, part of the farmyard setting of the Hall, including a grade II listed dovecot building. Adjacent to these buildings and sprawling to the east are a range of unattractive utilitarian agricultural buildings of over 2000 sqm in floor area, mainly metal framed and clad or of concrete blockwork. There are a variety of uses within all of these 'farm' buildings, which have grown up over the years and have become established. The uses include, scaffolding and plant hire, construction and fabrication works and a motor repair garage. Various hard surfaced areas around the site are used for external storage, parking, loading and unloading etc. The uses are not controlled by planning condition.

The site is located on the edge of Fyfield and is surrounded by open countryside. The River Roding forms the northern boundary. There are trees to the front and side of Fyfield Hall and along the line of the river but the east and west boundaries are more exposed.

Relevant History:

None Relevant

Policies Applied:

Structure plan policies:

CS2 protecting the natural and built environment
CS3 Encouraging Economic Success
CS4 Sustainable development
C2 Development in the Green Belt
NR1 landscape conservation.
NR6 Nature Conservation Sites
NR7 promoting biodiversity
HC3 Protection of listed buildings
HC4 Conversion of Listed buildings
HC6 Archaeological assessment
BE5 planning obligations
H2 housing development - a sequential approach.
H4 Development form of new residential development
H5 affordable Housing
BIW4 safeguarding employment land
LRT4 Informal countryside recreation
RE1 development in rural settlements
RE2 re use of rural buildings
T3 promoting accessibility
T6 Cycling and walking

Local plan policies;

CP1 sustainability objectives
CP2 protecting quality of environment
GB2A development in the green Belt
GB8A change of use or adaptation of buildings
GB9A residential conversions
HC10 Works to listed buildings
HC12 development affecting the setting of listed buildings
HC13 Change of use of listed buildings
H5A provision of affordable housing
E4A protection of employment sites
E4B Alternative uses of employment sites
RP4 development of contaminated land
NC5 Nature conservation
ST1 location of development
ST2 accessibility of development
ST4 road safety
ST7 new roads
I1A planning obligations

Issues and Considerations:

As can be seen from the list of relevant policies above, this is a complex application and there are many issues to be considered. The main factors are: Green Belt, impact on setting of the listed buildings, loss of employment land, sustainability, landscaping and nature conservation, access, highway safety and public footpaths and land drainage.

1. Green Belt.

The site is within the Metropolitan Green Belt wherein residential development is inappropriate and by definition harmful. The applicant therefore needs to demonstrate very special circumstances sufficient to outweigh the harm to the green belt that would result from the development. The applicants argue that improvement of the setting of the grade 1 listed building is of paramount importance and amounts to very special circumstances. English Heritage have confirmed that the current situation is significantly harmful to the setting of this important building which is among the oldest surviving timber framed houses, and they broadly welcome the proposals which will see the removal of unattractive and dominant buildings, parked cars and open storage, and the sensitive conversion of the historic elements of the farmyard setting.

Clearly this is an important factor which certainly does not apply to other sites within the District - therefore a judgement needs to be made as to whether this is sufficient to outweigh the harm from the development.

The scheme has been negotiated over a number of years and the number of dwellings now proposed has been reduced and the location and design of the development has been amended to achieve an overall increase in openness of the site, with a considerable drop in building footprint over the existing situation and the incorporation of a wildflower meadow and public access to land. Additionally the scheme will result in a significant reduction in traffic movements in the rural area and the removal of open storage and parking that are harmful to the character and amenity of the area. Whilst the policies of the Local Plan seek to find alternative uses for agricultural buildings in the Green Belt and avoid change of use to residential wherever possible, in this instance the alternative uses have already taken place and are causing harm to the setting of the listed building and to the character and amenity of the area. In this case therefore it is accepted that sensitive residential conversion and limited residential redevelopment is a suitable option. On balance it is considered that these factors taken together do amount to very special circumstances sufficient to outweigh the harm to the green belt.

2. Listed Building Issues.

As stated above, English Heritage have confirmed that the proposals will enhance the setting of the listed building. The proposed barn conversions have been sensitively designed to retain the character of the buildings as agricultural buildings within the grounds of the listed farmhouse. The listed dovecot is to be restored and retained predominantly unchanged. English Heritage have however raised concern about the barn style house (unit 6) which is to be placed beside the historic barns and has been designed to resemble a historic barn, and are concerned that this will dilute the historic character of the farmyard. It was suggested to the applicant that this building be removed from the scheme but they were unwilling to do this stating that it would not be financially viable. It should be noted that the Historic Buildings

Adviser from Essex County Council did not share the views of English Heritage on this matter. Bearing in mind that the building is to replace a huge and unattractive silo/hopper structure it is not considered reasonable to refuse the application on this basis.

The proposed new houses are of traditional design and are well located away from the main farmyard area. The arrangement of the five in a group to the east of the Hall is consistent with the dispersed character of many settlements in the region and is considered appropriate.

Overall it is considered that the scheme is in accordance with policies HC10, HC12 and HC13 which seek to protect the character and historic interest of Listed buildings and their setting.

3. Employment land.

The site is currently in employment use, providing premises and land for a wide variety of business uses and the policies of both the structure plan and the local plan seek to protect employment sites, safeguarding them from redevelopment. However the site is poorly located with regard to sustainability issues and the current uses have an adverse impact on the setting of the Grade 1 listed building and it is considered on balance that the environmental advantages of the removal of the buildings and uses outweighs the harm. The employment uses have grown up over the years unregulated and without planning consent and are inappropriate to this location.

4. Sustainability

National guidance and local policies seek to ensure that new development is accommodated in sustainable locations, accessible by sustainable means of transport and close to jobs, shops and services, as such this site is far from ideal. It is a rural location where residents are likely to be heavily reliant on private transport as there are few facilities within walking distance, although it must be recognised that Fyfield does have a pub, shop, church and primary school. However balanced against this is the fact that the site is currently very intensively used by businesses and generates a large volume of traffic, which would otherwise not be within the rural area. It is considered in this instance that the low level residential use proposed is more sustainable than the existing intensive employment use. Additionally the proposals include re-use and refurbishment of several existing buildings, which is more sustainable than building new dwellings.

5. Landscaping and Nature Conservation.

The proposals include the removal of a significant amount of buildings and external storage and the redevelopment includes landscaping of the area, creation of a wildlife meadow and a managed riverside walk. The proposals provide an opportunity to improve the landscape and provide habitats, which will be of benefit to the ecology of the area.

An s106 agreement will be necessary to secure the long term maintenance of the riverside walk and the meadow, together with public access.

6. Access, Highway Safety, Public Rights of Way and Parking.

One of the main benefits of this proposal is the fact that it will result in a significant decrease in traffic movements and in particular movements of commercial vehicles. At present all traffic to the site utilises the access to the west of the Hall. The proposed scheme will mean that only traffic to Fyfield Hall itself will utilise this access. All the new residences will be accessed from a realigned access to the east of the Hall. The proposals include the retention of the existing public footpath that runs through the site north to south and also includes the provision of a 2m wide footpath between the east and west accesses along the road frontage, which will enable residents to walk safely from the site and into the village without walking on the road. Adequate parking, garaging and turning facilities are provided to meet the needs of the new dwellings and the conversions, and parking is retained for the Hall. The realigned access has been designed to meet the requirements of the highway authority, who have raised no objection to the proposals.

7. Land Drainage

A drainage ditch runs along the front of the site adjacent to the highway and in order to provide the necessary footway along the road this ditch needs to be culverted, this would not normally be acceptable for such a long stretch of ditch but in this instance the applicants have proposed that an additional ditch be constructed behind the trees to the front of the site and it is considered that this will remove the risk of water being unable to drain from the site. Land Drainage officers have raised no objection to this proposal.

Conclusion.

In conclusion although the development is inappropriate in the Green Belt, it is considered that there are very special circumstances sufficient to outweigh the harm to the Green Belt that would result. The proposals will improve the openness of the Green Belt and greatly improve the setting of the grade 1 listed Hall, while reducing traffic within the rural area and improving the landscape and ecology of the area.

The proposals have the potential to form a very attractive and beneficial scheme and the application is therefore recommended for approval, subject to the prior completion of a suitable s106 agreement.

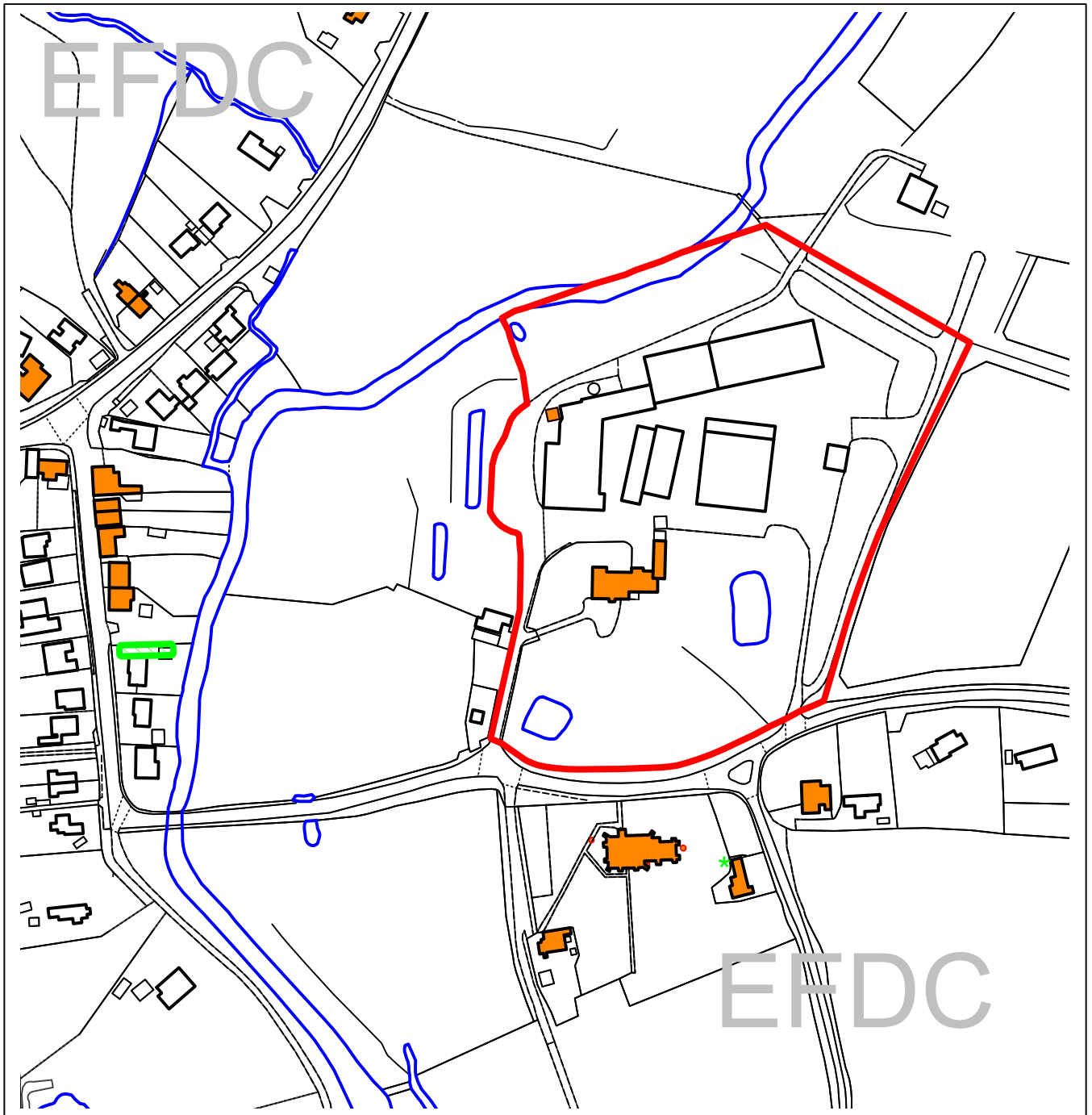
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - The Council held a special meeting on 7th June 2006 which was open to the public for their questions and comments. The land agent and planning consultant were in attendance. The proposal was unanimously supported by residents and council members.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	6 and 7
Application Number:	EPF/2230 & 2231/05
Site Name:	Fyfield Hall, Willingale Road, Fyfield
Scale of Plot:	1/2500