

**Report to District Development  
Management Committee**

**Report Reference: DEV-025-2016/17  
Date of meeting: 5 April 2017**



**Epping Forest  
District Council**

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**Subject: Planning application EPF/0671/17 - Pine Lodge Riding Centre, Lippitts Hill, Waltham Abbey Essex, IG10 4AL**

**Variation of Condition 2 "Plan Numbers" on EPF/2853/14 (Demolition of existing buildings, improvements to existing vehicular access, erection of 5 detached houses, associated garages and boundary fences and landscaping) to amend the site boundary and redesign the parking layout and access track.**

**Responsible Officer: Jill Shingler (01992 564106)**

**Democratic Services: Gary Woodhall (01992 564470)**

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**Recommendation:**

**(1)) That Planning Permission be Granted subject to the following conditions:**

- 1. The development hereby permitted must be begun not later than 11.02.2017 (This being the expiration of three years beginning with the date of the original consent).**
- 2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1435/1, 2, 3, 4, 5A, 6, 7, 8, 9, 10A, 11, 12 and 3382/1A.**
- 3. No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.**
- 4. 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) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping 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 minor artefacts and structures, including signs and lighting and functional services above and below ground. The 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.

5. **A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.**
6. **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.**
7. **All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.**
8. **No development shall take place, including any works of demolition, 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:**
  - **The parking of vehicles of site operatives and visitors**
  - **Loading and unloading of plant and materials**
  - **Storage of plant and materials used in constructing the development**
  - **The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate**
  - **. Measures to control the emission of dust and dirt during construction, including wheel washing.**
  - **A scheme for recycling/disposing of waste resulting from demolition and construction works.**
9. **No bonfires shall be permitted on site throughout the demolition and construction phase of the development.**
10. **Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a**

**Residential Travel Information Pack for sustainable transport, to be approved by Essex County Council.**

- 11. The remaining stables and outbuildings and the open manege within the blue lined area on drawing number 3382/1 shall not at any time be used for any livery or commercial purpose whatsoever.**
- 12. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.**
- 13. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.**
- 14. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.**
- 15. A flood risk assessment and management and maintenance plan 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 best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.**
- 16. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.**

**[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows.]**

- 17. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The**

completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

18. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

19. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
20. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

21. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.**

### **Report Detail**

1. This application is before this Committee since it is an application that is submitted by or on behalf of Councillor Syd Stavrou (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(j))

### **Description of Site:**

2. The application site is located on the south western side of Lippitts Hill and comprises an area that is currently a riding centre with stabling and a covered riding arena. To the east of the site lie the residential properties of Springfield farmhouse which is a grade II listed building, and Pine Lodge which is within the applicant's ownership. To the south west and north are equestrian facilities in different ownership

### **Description of Proposal:**

3. Planning permission was granted at this Committee in 2015 to remove all the existing buildings (with a volume of 6,907 cubic metres) from the site and to build 5 detached houses and associated garaging. This current application seeks to make minor material amendments to the approved scheme. The changes are required as there is a dispute over the ownership of a small part of the original application site. As a result it is requested to amend the boundary of the application site slightly to exclude the disputed strip of land that is along the boundary with Springfield Farmhouse. This slight amendment means that a previously approved block of 4 garages is now reduced to two, as they were sited partially on the disputed area of land. The proposed houses and their siting remain unchanged, arranged around a central courtyard, with plots 1, 2 and 3 facing plots 4 and 5. Plots 1, 2 and 3 are proposed to be 5 bedroom, wide gable fronted 2 storey houses with a master bedroom within the roofspace and plots 4 and 5 are three bedroom cottage style dwellings. Each of the 5 bedroom houses would have a double garage and two parking spaces so a total of 4 parking spaces per unit, and the two 3 bedroom properties would now have 1 garage space each plus 1 parking space. In addition 5 visitor spaces are proposed.
4. Access is, as previously, to be taken via an existing access track to the east of the main access to the farmhouse and Pine Lodge, and there is a small amendment to the configuration of the access road within the site, resulting from the proposed change in the site area.

### **Relevant History:**

5. The site has a long history of stable and equestrian use. The steel framed building for horse exercise use was originally approved in 1969 under ref WHX/0157/69A and the use has been operating since that date.

6. EPF/2853/14- Demolition of existing buildings, improvements to existing vehicular access, erection of 5 detached houses, associated garages and boundary fences and provision of landscaping - Approved 11.02.15

### **Summary of Representations:**

7. 5 Neighbouring properties were written to and a site notice was erected. At the time of writing the report no responses have been received: but the consultation period had not expired. Any consultation responses received will be reported orally at Committee.

### **Policies Applied:**

CP1 - Achieving sustainable development objectives  
CP2 - Quality of rural and built environment  
CP3 - New development  
GB2A - Development in the Green Belt  
H2A Previously Developed Land  
H3A - Housing density  
H4A - Dwelling mix  
DBE1 Design of new Buildings  
DBE2 - Effect on neighbouring properties  
DBE8 - Private amenity space  
DBE9 - Loss of amenity  
HC12 Development affecting the setting of Listed Buildings  
LL2 Inappropriate rural development  
LL10 Landscape retention  
LL11 Landscaping schemes  
ST1 - Location of development  
ST4 - Road safety  
ST6 - Vehicle parking

8. The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.
9. At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows

#### Draft Policies:

SP1 Presumption in favour of sustainable development  
SP5 Green Belt and District Open Land  
H1 Housing Mix and Accommodation Types  
DM7 Heritage Assets  
DM9 High Quality Design  
DM10 Housing Design and Quality  
DM15 Managing and Reducing Flood Risk  
DM16 Sustainable Drainage Systems  
DM21 Local Environmental Impacts, Pollution and Land Contamination

### **Issues and Considerations:**

10. The main consideration is whether the small changes proposed to the approved scheme would make the development unacceptable.

### **Green Belt:**

11. The site is within the Green Belt, but it has been accepted that the approved development is not inappropriate development as the site is previously developed land and the development would not have a greater impact on openness than the existing. This remains the case with the revised scheme, indeed the loss of a double garage from the proposal reduces further the impact on openness.

### **Design and Impact on the Setting of the Listed Building**

12. There is no change to the design and appearance of the proposed development. There is a small reduction in the amount of space available for tree planting along the boundary with Springfield Farmhouse, but, given the distance of the parking area from the listed house, it is not considered that this will have an adverse impact on the setting of the listed building.

### **Highway issues:**

13. As before, the existing access track which is to be utilised is to be improved and the development is likely to result in a reduction in traffic movements over the existing livery and riding school use. The revised plans result in parking for 21 cars for the 5 houses, whilst this is a reduction of 4 spaces from the previously approved scheme it still exceeds the 12 required for a development of this size. (2 per unit plus 25% visitor spaces) and is sufficient to ensure that there will not be a problem with on street parking.

### **Other Issues:**

14. The amendments proposed will not have any adverse impact on the visual amenity of the area or on the living conditions of neighbours. Whilst there is a small reduction in the space available for landscaping within the site, this is in an area that is already well vegetated and this loss will not have an adverse impact on the overall scheme.

### **Conclusion:**

15. In conclusion the proposed changes are minor and will not cause any material harm. The proposed development is in accordance with the adopted policies of the Local Plan and Alterations and the NPPF and is therefore recommended for approval subject to the conditions set out under the recommendation to grant permission.