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Proposal: Conversion, extension and partial demolition of outbuildings to create annex, stables and gym plus pool; manege; tennis court; change of use from agricultural use.

Location: Bushes, Wind Hill, Magdalen Laver, CM5 0DS.

Dear Ms Pepper,

This letter is a formal response to your pre-application submission for the above proposed development. It will provide you with the relevant material considerations and a general opinion on your proposal. Please note that this letter is for advisory purposes only and is not binding on the Council or its Members when assessing the merits of any planning application subsequently received.

Planning considerations

Bushes is a grade II* listed farmhouse situated within the Metropolitan Green Belt and set back from the highway Wind Hill. To the front of the property lies a moat. The property lies in a buffer zone near a Cadent Gas pipeline, meaning that Cadent Gas would be consulted on a planning application on this site. Bushes was once part of a substantial historic farm complex with a large number of agricultural and service buildings; the majority of these are considered to be curtilage listed by virtue of their age and their associated use and ownership with the listed building. Many of these outbuildings have been converted into residential use except for the range to the south-east, which remain the only outbuildings of ancillary use to Bushes Farmhouse. These are the subject of this application.

In this case, the main issues are:

- a) The impact of the proposal on the special setting of the grade II* listed building.
- b) The impact of the proposal in the Metropolitan Green Belt.
- c) The impact of the proposal on the amenity of neighbours.
- d) The design, character and appearance of the proposal.
- e) The impact of the proposal regarding biodiversity.

Impact of the proposal within the curtilage of the listed building.

EFDC conservation officers have provided advice in relation to the conversion, extension and partial demolition of outbuildings and in regard to the proposed stables, swimming pool and tennis court.

Comment from EFDC conservation officers

Grade II* listed buildings are particularly important buildings, of more than special interest, and warrant every effort being made to conserve them. The significance of a heritage asset derives not only from its physical presence and historic fabric but also from its setting; the surroundings in which it is experienced. In the case of Bushes Farmhouse, the building is inextricably linked to the former farm complex to the south and the surrounding well-established countryside.

While the best use for agricultural buildings is their original intended use, their sensitive conversion can be accepted, particularly if this is for a singular functional use. Barns are recognised for their strong unbroken and plain shape within the landscape. This distinctive appearance reflects their functional character and needs to be preserved through their conversion.

Conversion, extension and partial demolition of outbuildings.

Historic OS maps of the 19th century show that the historic layout of the outbuildings, subject to this application, was an 'L' shape, with the extension to the north being added in two stages at the end of the 19th century, this is corroborated by the Heritage Statement accompanying this application. The historic significance of the fabric of this section of the outbuildings is considered to be low, however they are positioned within the immediate setting of the grade II* listed building and therefore any changes in this location must be considered with great care.

The whole site is already under pressure due to the extent of the conversions of other agricultural outbuildings, the associated domestic paraphernalia that accompanies this, and the introduction of boundary treatments. Photographs included within the application show that these have not all been sympathetically implemented, which has led to the erosion of both the spatial and visual connections within the historic site.

While some enhancement of the outbuildings at the north end of the range would be welcomed; as proposed, the layout and form of the extension is contextually incorrect. Any conversion should utilise more of the existing building before adding to it, therefore an extension in this location cannot be supported. The porch, proposed to the northeast of the range is considered to be a domestic feature and would not traditionally have been added to an outbuilding, this cannot therefore be supported. In addition, according to the Heritage Statement, planting is proposed to screen the outbuilding from Bushes Farmhouse; this would cause further visual divisions and fragmentation of this site and would not be an acceptable approach.

The number of new openings should be kept to a minimum. The extent of glazing, particularly that proposed to the north elevation of the southern range, identified by the Heritage Statement as early 19th century construction, is of concern. Bi-fold doors also have a strong domestic character and would not be acceptable within this functional context.

Stables

We would like to question the reorientation of the building to provide stabling. The courtyard area would have provided the space for the majority of the activity associated with the outbuildings; the east and south elevations would have remained relatively blind. Therefore, opening the building to the east, even though the insertion of functional stable doors, is considered to be inappropriate within this context. Aerial maps show stabling for horses to the east of these outbuildings. It may be possible to sensitively extend this existing building to provide more stabling and a manège already appears to be associated with this existing stable.

Pool

The principle of a swimming pool at the proposed location in the site could be found to be acceptable. It should allow the pool and associated paraphernalia to be located a sufficient distance from the house, while preventing the spread of development into areas of the site that were historically unbuilt. The successful integration of the pool and associated formal surfacing, within this sensitive context, will depend on the careful choice of materials with the appropriate textures and colours. Any installation of plant housing would need to follow the same approach.

Tennis Court

The area proposed to become a tennis court is historically unbuilt and part of the well-established rural and unspoilt setting of Bushes Farmhouse. The topography of the land, rising from the road, also makes this area particularly visible from long range views; it is considered that any development within the setting of the historic site will be read in relation to it. The installation of a tennis court and its associated hardstanding and equipment would therefore be strongly resisted in this location.

In line with the above, we would not support this scheme at formal application stage due to the harm it would cause to character and appearance of the curtilage listed outbuilding and the significance of the setting of the listed building.

This is supported by policy HC10 and HC12 of our Local Plan and Alterations (1998 and 2006), policy DM7 of our Submission Version Local Plan (2017), and paragraphs 184, 189, 190, 192, 193 and 194 of the NPPF (2019).

Impact of the proposal on the Metropolitan Green Belt

This proposal incorporates the extension and conversion of a cluster of outbuildings at the north-east of the site to create a residential annexe with a kitchen, lounge and a single bedroom. Conservation officers have already outlined that the proposed layout and form of the extension would not be supported based on heritage conservation policy.

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. One of the exceptions by which construction in the Green Belt could be deemed appropriate is exception (c). This states that the extension or alteration of a building could be appropriate, provided that it does not result in disproportionate additions over and above the size of the original building.

Drawing number 2239.2 shows a site plan featuring a cluster of conjoined outbuildings. Based on this site plan, officers have measured the existing footprint area of these conjoined outbuildings as one form. This measures approximately 203 square metres. Based on drawing 2239.5A officers have also measured the footprint area of the proposed extended cluster of conjoined outbuildings. This measures approximately 211 square metres. No site visit has been conducted. However, provided these outbuildings are all conjoined, this proposed extension would not be a disproportionate addition in the Green Belt, over and above the original building. A stable, a tennis court and a swimming pool all provide appropriate facilities for outdoor sport and recreation and thus these uses are consistent with NPPF paragraph 145 (b). Of course, it is noted that conservation officers could not support the suggested location of the tennis court.

Paragraph 133 of the NPPF states that, 'the essential characteristics of Green Belts are their openness and their permanence'. The question is posed as to whether this proposal may harm to the openness of the Green Belt. In answer, the existing elevations shown in drawing 2239.3 and 2239.4 are of similar height and mass to the proposed elevations shown in drawings 2239.6A and drawings 2239.7A. An impact on openness is best judged on site and a site-visit should be conducted were a planning application to be submitted on this site. However, based on the logic presented in the submitted plans, this proposal to partially demolish, convert and extend these outbuildings should not be substantially detrimental to the openness of the Green Belt in this location.

Officers do not have an 'in principle' objection to the proposed swimming pool, based on Green Belt policy. In order to fully assess the impact of the proposed tennis court the applicants would need to provide more detail as to precisely where it would be located and how it would be designed in order to sit most comfortably and unobtrusively in its rural setting. The tennis court area indicated on drawing 2239.1 is substantially more open than the courtyard area where the swimming pool is situated.

Amenity and living conditions of neighbours

These proposals are not considered to result in excessive harm to the amenity of neighbours in relation to visual impact, loss of light or loss of privacy.

Character and appearance

This pre-application submission is primarily focussed on heritage and the context of the outbuildings in the curtilage of a grade II* listed building. It is stated that works would all be carried out based on traditional design principles, but very limited further information is provided with regard to materiality, detailing and specification of finish. Local and national design policy carries significant weight. It is recommended that a comprehensive Design and Access statement is submitted with any planning application on this site. Precedent images should be presented detailing proposed finishes for all built components to be considered, including the accommodation, the stables, the swimming pool, and the surfacing and form of enclosure of any tennis court. EFDC Local Plan Submission Version Policy (LPSV) DM 9 requires that all new development must achieve a high specification of design and that it must contribute to the distinctive character and amenity of the local area. The Council requires that all development is design-led and that proposals actively make a positive contribution to place. Given the significance of this site within the curtilage of a building of significant architectural value, also set amid beautiful open countryside, it is important to demonstrate a degree of architectural design merit in the planning submission. That is not to say that this proposal is without merit, but rather that much more could be done to demonstrate and highlight the qualities of the designs proposed. Furthermore, this application does not engage sufficiently with the subject of sustainability. LPSV policy DM 9 also states that proposals should, where appropriate, incorporate sustainable design and construction principles that consider adaptation and mitigation approaches to address

climate change. EFDC have recently published a 'Sustainability Guidance: Minor Developments' document that outlines some principles that the applicants may want to engage with further. These include a focus on the use of low carbon embodied materials, the use of renewable energy sources, and principles for reduced and sustainable water consumption and water management. This document is available to read here:

https://www.eppingforestdc.gov.uk/wp-content/uploads/2020/10/EFDC-Sustainability-Guidance_minor-dev_draft-04.pdf

It is recommended that the applicants display a greater engagement with sustainable development principles in any submitted planning application.

Biodiversity

Local Plan Submission Version policy DM1 A states, 'All development should seek to deliver biodiversity net gain in addition to protecting existing habitat and species.' The images submitted with the heritage statement suggest that the existing outbuildings may well provide habitat for nesting birds and possibly roosting bats. A Preliminary Ecological Assessment should be conducted at this site. Where a Preliminary Ecological Assessment recommends follow-up surveys these should be submitted along with the planning application. Where any surveys recommend prevention, mitigation, compensation, enhancement, or a biodiversity or construction method statement, then these can usually be addressed in conditions. Preliminary Ecological Assessments should be prepared in accordance with the Chartered Institute of Ecology and Environmental Management's Technical Guidance Series. Developments should conform with BS42020 code of practice. Furthermore, the applicants should give greater consideration to appropriate and sympathetic landscaping and planting as part of a planning application. This would be beneficial in demonstrating a desire to deliver appropriate biodiversity net gain.

Trees

The proposed tennis court is currently situated somewhere behind an orchard. Thus, if trees are to be impacted by development the applicants should expect to submit arboricultural / tree reports:

We have a statutory duty to consider the preservation and planting of trees when granting planning permission and our Local Plan Policies support this duty. The potential effect of development on all trees is a material consideration irrespective of whether they are protected by TPO / conservation area status, or not.

At Planning Application stage (irrespective of whether it is a 'full' or 'householder' application) the feasibility of the proposal in relation to trees needs to be demonstrated. Lack of the necessary information is grounds for refusal. The following tree related information should be submitted:

- Arboricultural Impact Assessment to include - full tree survey and tree retention / removal plan.
- Evaluation of tree constraints.
- Retained trees and Root Protection Areas (RPAs) to be shown on proposed layout plans.
- Strategic hard and soft landscape design, including species and location of new tree planting.
- Arboricultural method statement to demonstrate feasibility, without causing harm to the tree, particularly when construction is said to be necessary within the RPAs.
- Tree protection plan.
- Additional information e.g. a daylight / sunlight assessment, may also be required depending on the site conditions, retained trees and development proposal.

The default position is that structures (i.e. building, road, driveway, path, wall or service run) are located outside the Root Protection Area (RPA) of trees shown to be retained. Where there is an overriding justification for construction within the RPA, technical solutions to prevent damage may be explored, subject to additional provision elsewhere and other mitigation measures (e.g. to improve soil conditions). No construction, including the installation of hard surfacing should be allowed within the RPA of any veteran tree. All of the above should take into account the trees outside the site boundary and be produced in accordance with the British Standards publication 'BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations.'

Lack of the required information will be grounds for refusal, in that it has not been demonstrated that the proposal could be implemented without a detrimental impact on trees on or adjacent to the site (ie is contrary to Policy LL10 – Adequacy for the provision of landscape retention).

If an acceptable level of information has been provided and the trees have been fully considered and accounted for and there are no other tree or landscape related concerns, a recommendation for approval will follow subject to the inclusion of tree / landscape conditions.

It is not appropriate or acceptable to condition the provision of the above information. Tree surveys etc should always be submitted and considered as part of a planning application. To condition it is too late, as tree report findings may not be capable of influencing design, potentially resulting in loss or damage to important tree assets.

Land Drainage

Details of foul and surface water disposal should be submitted at validation stage, although these could be dealt with by condition.

Conclusion

Based on the information submitted with this application, this proposal is not in accordance with national and local heritage and conservation policy. However, based on the information received, most aspects of the proposal are sufficiently appropriate development in the Green Belt. The tennis courts and manege are queried in this regard as very limited information about these elements has been provided. In any case, the currently proposed location of the tennis court is strongly resisted on conservation grounds. Overall, the applicants need to give more consideration to achieving and demonstrating sufficiently high-quality design as well as engaging further with subjects including on-site sustainability and biodiversity.

Should you wish to submit an application, I suggest that you state on the application form that you have obtained pre-application advice. I would also advise, prior to submitting an application that you look at our validation checklist and submit all the relevant documents to avoid any delay in registering the application. I hope the above comments are useful, however, please note that these views are purely officer opinion and are given without prejudice to the final decision of the Council on any planning application received, particularly as no consultation has been carried out with the Parish/Town Council, residents living within close proximity to the site.

Yours sincerely,

David Maguire

Development Management

Epping Forest District Council