

Delegated Report

EPF/0350/25

Partial demolition and extension of existing stable structure to provide facilities more suitable for non-profit organisation, Chigwell Trust.

Land adjacent to Jessica Chase Lane Chigwell Essex IG7 6JW

Site and Surroundings

The application site lies to the side of Chase Lane, Chigwell and relates to an existing stable block and a small area of hardstanding. Access to the stable block is next to No. 2 Willow Lodge to the south. Some post and rail fencing can be seen on land to the east of the stable block which lies outside the application site edged in red, but in blue (Applicant's ownership).

The application site lies wholly in the Green Belt but is not within the Conservation Area or near listed buildings. The Council's Interactive Map shows that Forest Heights lies between 3km-6.2km radius of the Epping Forest Special Area of Conservation ("EFSAC").

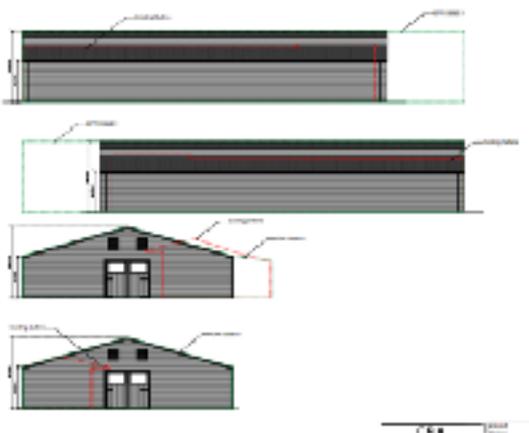
Description of Proposal

Planning permission seeks the partial demolition and extension of existing stable structure to provide facilities more suitable for non-profit organisation. The development involves:

Demolish the feed store on the end of the existing stable block as shown on the submitted plan below:



And to construct a much larger building for equestrian use in its place:



The replacement building will measure approximately 12 metres wide, 20.5 metres deep and with a roof height of about 4 metres to ridge level. The building will comprise of 2 x tack rooms, 5 x loose boxes, 1 x treatment room, 1 x store room, 1 x feed store and 2 x tool room as shown on plan: TTK_203.

Relevant Planning History

- **EPF/1554/21** - Convert existing stables into a larger barn, construct an all-weather riding arena and adjacent store. Refused – Appeal lodged and dismissed on 7 March 2023 (reference: APP/J1535/W/22/3290350)
- **EPF/2999/21** - Build additional stables to mirror the existing stable block, construct an all-weather riding arena and adjacent store. Disposed. No decisions made on this planning application.

Development Plan Context

- Epping Forest Local Plan 2011-2033 (2023)
- National Planning Policy Framework (NPPF, 2024)
- Planning Policy Guidance (PPG)

Summary of Representations

Site notice posted: Yes.

Number of neighbours consulted: 14

Whilst 8 letters of representation received at the time of writing this report these are from the Chigwell Riding Trust (CRT) and volunteers x 3 – Supporting the planning application for the Trust’s use and from the Applicants at Jessica and The Orchards supporting their own planning application x 2

Only 3 letters of representations from neighbouring properties supports the planning application.

Consultation Responses:

- Land Drainage Team – No objection subject to conditions
- Trees and Landscaping – No objection subject to conditions
- Cadent – No National Gas Transmission assets in this area

Chigwell Parish Council –This application for a proposal 20.2 x 11.6 x 4m follows on from EPF/1554/21 for a similar proposal of 24.5 x 11.6 x 4m refused at appeal and therefore objects to the current scheme.

“It was noted that according to the accompanying documentation facilities currently exist on the site that are used by Chigwell Riding Trust. It is considered the additional benefit of two further loose boxes (from the existing three to five) does not outweigh the harm that the proposal would cause to the openness of the Green Belt and fails to evidence that the proposal will guarantee an increase of availability for up to 80 additional riders a week

The proposed development is considered inappropriate development, by definition, harmful to the Green Belt. In addition, due to its excessive scale, volume and footprint it will have a significant visual, physical and spatial impact on openness. Insufficient very special circumstances have been evidenced that are sufficient to outweigh the significant harm to the Green Belt and to the purposes of including land within the Green Belt.

Bearing in mind the above and the comments of the Inspector, if officers are minded to accept the Parish ask that any approval is conditional that the entire facility would be for the sole use of the Chigwell Riding Trust in perpetuity and that no other users of the facilities, private or commercial, would be permitted”.

Planning Considerations

The main issues for consideration in this case are:

- Green Belt
- Design of Development
- Residential Amenity
- Highways

- Landscaping
- Ecology and Biodiversity Net Gain (BNG)
- Epping Forest Special Area of Conservation (EFSAC)

Green Belt

Policies SP5 and DM4 of the adopted Local Plan (2023) and Paragraph 153 of the NPPF (2024) are clear when considering planning applications in the Green Belt that substantial weight is given to any harm to the Green Belt, including harm to the openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF goes on to say that development in the Green Belt is inappropriate unless one of the exceptions listed (a-h) applies. In this instance, it is considered that the proposal could be considered under both Paragraphs 154(b) and 154(c) on the exceptions list.

Paragraph 154(b) states *"the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;"* and Paragraph 154(c) goes on to say that *"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building"*.

The Council accepts that the proposal would provide appropriate facilities in connection with the existing use of the land and in this case is equestrian-related, i.e. caring for unwell horses. The proposal would therefore meet part of the test. The latter part of the test seeks to preserve the openness of the Green Belt and ensuring that any development would not conflict with the purpose of including land within it.

The development involves partial demolition of the existing and to construct a building that doubles the floor area of the existing stable block. The width, depth, height, mass, and scale of the development proposed therefore fails to preserve the openness of the Green Belt and the land within it. Furthermore, as the development seeks to extend the existing stable block, it is considered that the extensions and alterations of the building are excessive and disproportionate additions over and above the size of the original building thus resulting in harm to the openness of the Green Belt. The development as stands would be contrary to Paragraphs 154(b) and 154(c) of the NPPF and Policies SP5 and DM4 of the adopted Local Plan.

In relation to Paragraph 155 of the NPPF, the definition of Grey Belt is clear that this excludes land where the application of the policies relating to the areas or assets in Footnote 7 would provide a strong reason for refusing or restricting development. This has been assessed, and the development proposal does not meet the exceptions listed under Paragraph 155 and therefore does not constitute Grey Belt land.

Consequently, the proposed development does not meet any of the exceptions listed in Paragraphs 154 and 155 of the NPPF. The proposal is therefore inappropriate development in the Green Belt, which would by definition be harmful and should not be approved except in very special circumstances in accordance with Paragraph 153 of the NPPF. No very special circumstances have been submitted to outweigh the harm.

The proposed development would be inappropriate development in the Green Belt having regard to development plan policies and would result in a substantial harm to the openness of the Green Belt and would be contrary to Policies SP5 and DM4 of the adopted Local Plan (2023) and the NPPF (2024) which seek to protect the Green Belt land.



The Council notes the very special circumstances in the Planning Statement but fails to see the connection and how the site would work together considering the distance between the application site and Chigwell Riding Trust. Therefore, the very special circumstances would not outweigh the harm on the openness of the Green Belt.

Design of Development

Whilst the development appears satisfactory in terms of design and appearance for equestrian use. However, due to its location, it is considered that the development, by reason of its height, scale, mass, depth, width and bulk is considered excessive and would result in disproportionate additions over and above the size of the original building. The proposed development, if approved, would fail to preserve the openness of the Green Belt and also the land within it. For this reason, the development would be contrary to Paragraph 154(b) of the NPPF (2024) and Policies DM4 and DM9 of the adopted Local Plan.

Residential Amenity

Having considered the position of the building and its relationship to neighbouring residential properties along Chase Lane to the south of the site, it is not considered the development would have an adverse impact on the existing occupiers of these properties. Should planning permission be granted, conditions regarding to lighting, waste disposal, surface and foul drainage etc. would be imposed to protect the residential amenity of these properties in accordance with Policy DM9 of the adopted Local Plan.

Highways and Parking

The submitted drawings shows that the existing access point off Chase Lane would be utilised and appears to have sufficient area for parking and the stationing of horseboxes. Although it is noted that there will be no visitors to the site, no details have been provided regarding to traffic movements, the number of horses to be kept for recovery / recuperation etc. staff, deliveries, vet, farriers etc.

Landscaping

No hard and soft landscaping plans have been submitted to the Council; therefore, the Council is unable to make an assessment in this respect. The Tree Officer has noted the submitted Arboricultural Report and recommended planning conditions to be imposed should the application be approved in accordance with Policies DM5 and DM9 of the adopted Local Plan.

Habitat and Biodiversity Net Gain (BNG)

Biodiversity Net Gain (BNG) is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The legislation states that developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before

development.

The Planning Application states that the proposed footprint of the building is entirely on existing concrete hard-standing and is therefore considered de minimis exemption (development below the threshold).

Epping Forest Special Area of Conservation (EFSAC)

The application site is located within 3km-6.2km radius of the Epping Forest Special Area of Conservation (EFSAC). No details have been provided regarding to vehicle movements etc. except that there will be no visitors visiting the site.

The EFSAC was not referred to in the appeal decision APP/J1535/W/22/3290350 in March 2023 despite it being a larger scheme in comparison to the current scheme. However, as the previous application was designated for family use as confirmed in Paragraph 18 where *“Appellant’s family include a successful show-jumper and that some members of the appellant’s family currently travel 8 miles to a riding school to ride their horses on a daily basis. The proposal would result in benefits for the well-being of the appellant’s family as a result of the proposed stabling allowing them to keep additional horses at home. There would also be a reduction in car journeys and associated emissions. Furthermore, the riding arena would be likely to provide a safe riding environment off the highway. I attach some positive weight in favour of these matters.”*

Since the appeal decision APP/J1535/W/22/3290350, it appears that the Applicant’s family no longer wishes to use the proposed building but be solely used for CRT. The use of the building by a trust is therefore different to family use and therefore could potentially attract more traffic movement to and from the site. Therefore in the absence of AADT etc. the Council is unable to determine of the development hereby proposed would impact on the EFSAC or not.

Conclusion

Recommendation – Refusal for the following reason:

Green Belt

The application site is located within land designated as Metropolitan Green Belt where there is presumption against inappropriate development. The proposal falls outside of the list of exceptions contained within Paragraphs 154 and 155 of the National Planning Policy Framework. Furthermore, no very special circumstances or other considerations have been submitted to justify that the development proposal would outweigh the harm caused by the inappropriateness and any other harm resulting from the proposal. The development therefore conflicts with Chapter 13 of the National Planning Policy Framework (2024), and Policies SP5, DM4 and DM9 of the adopted Local Plan (2023).

EFSAC

Insufficient details have been submitted to demonstrate that the development would not result in adverse impact to the Epping Forest Special Area of Conservation (EFSAC) in terms of atmospheric pollution. The proposal would therefore be contrary to Policies DM2 and DM22 of the Epping Forest District Local Plan (2011-2033) (2023), the National Planning Policy Framework (2024), and the requirements of the Habitats Regulations 2017.