

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 24 June 2015
West

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.25 pm
High Street, Epping

Members Present: Y Knight (Chairman), A Mitchell MBE (Vice-Chairman), R Bassett, R Butler, D Dorrell, L Hughes, H Kane, S Kane, J Lea, M Sartin, G Shiell and E Webster

Other Councillors: D Atanassov (EF Youth Council)

Apologies: Councillors R Gadsby and S Stavrou

Officers Present: J Godden (Principal Planning Officer), J Leither (Democratic Services Assistant) and A Hendry (Democratic Services Officer)

1. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

2. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

3. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 20 May 2015 be taken as read and signed by the Chairman as a correct record.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors H Kane and S Kane declared a pecuniary interest in the following item of the agenda by virtue of living adjacent to the application. The Councillors indicated that they would leave the meeting for the consideration of the application and voting thereon:

- EPF/0505/15 – Abbey Service Centre, Sewardstone Road, Waltham Abbey, Essex EN9 1NA.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Dorrell declared a non-pecuniary interest in the following item of the agenda by virtue of being a customer for the last 15 years. The Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0505/15 – Abbey Service Centre, Sewardstone Road, Waltham Abbey, Essex EN9 1NA.

(c) Pursuant to the Council's Code of Member Conduct, Councillor E Webster declared a non-pecuniary interest in the following item of the agenda by virtue of being related to a third party who owned part of the access road. The Councillor indicated that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0787/15 – Willows Stables, Lippitts Hill, High Beach, Waltham Abbey, Essex IG10 4AL.

5. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

6. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That, Planning applications numbered 1 – 7 be determined as set out in the annex to these minutes.

7. PROBITY IN PLANNING - APPEAL DECISIONS, 1 OCTOBER 2014 TO 31 MARCH 2015

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions for the period 1 October 2014 to 31 March 2015.

In compliance with the recommendation of the District Auditor, the report on the agenda, Item 8, advises the decision-making committees of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation). The purpose was to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.

Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (GOV08) and the other which measures the performance of officer recommendations and delegated decisions (GOV07).

Over the six-month period between 1 October 2014 and 31 March 2015, the Council received 40 decisions on appeals (38 of which were planning related appeals, the other 2 were enforcement related).

GOV07 and 08 measure planning application decisions and out of a total of 38, 14 were allowed (36.8%). Broken down further, GOV07 performance was 6 out of 29

allowed (20.68%) including one part-allowed/part-dismissed and GOV08 performance was 8 out of 9 (88.88%), although out of this 8, one was part-allowed/part-dismissed.

Whilst performance in defending appeals at 36.8% appears high, there was no national comparison of authority performance. Members were reminded that in refusing planning permission there needs to be justified reasons that in each case must be not only relevant and necessary, but also sound and defensible so as to avoid paying costs. This was more important now than ever given a Planning Inspector or the Secretary of State can award costs, even if neither side has made an application for them. Whilst there is clearly pressure on Members to refuse in cases where there are objections from local residents, these views (and only when they are related to the planning issues of the case) are one of a number of relevant issues to balance out in order to understand the merits of the particular development being applied for.

RESOLVED:

That the report regarding Probity in Planning – Appeal Decisions 1 October 2014 to 31 March 2015 be noted.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0505/15
SITE ADDRESS:	Abbey Service Centre Sewardstone Road Waltham Abbey Essex EN9 1NA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Single storey rear extension and increase in height of existing rear projection.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574175

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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1095-009, 1095-010, 1095-011, 1095-012, 1095-013, 1095-014, 1095-015, 1095-016
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The extension hereby approved shall be used solely for ancillary storage purposes in connection with the existing Abbey Service Centre and shall not be used for any other purposes, including vehicle servicing or MOT's, unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 2

APPLICATION No:	EPF/0782/15
SITE ADDRESS:	Pinchtimber Farm Epping Upland Epping Essex CM16 6PG
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Change of use of existing brick barn to two bedroom residential dwelling.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574861

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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: FP15584/100, FP15584/01, FP15584/02A
- 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 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 5 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 in writing by the Planning Authority.
- 6 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]

- 7 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]
- 8 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 and remediation criteria, timetable of works and site management procedures and 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]
- 9 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.
- 10 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.

- 11 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.

Report Item No: 3

APPLICATION No:	EPF/0984/15
SITE ADDRESS:	Pinchtimber Farm Epping Upland Epping Essex CM16 6PG
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Listed Building application for change of use of existing curtilage listed brick barn to two bedroom residential dwelling.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575498

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: LB15584/100, LB15584/01, FP15584/02A
- 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 Additional drawings that show details of proposed new windows and doors, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.

Report Item No: 4

APPLICATION No:	EPF/0787/15
SITE ADDRESS:	Willows Stables Lippitts Hill High Beach Waltham Abbey Essex IG10 4AL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Erection of ten stable looseboxes, a tack room and outdoor manege and associated landscaping
DECISION:	Grant Permission (with conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574874

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 The site shall only be accessed by horseboxes (both towed and purpose built) between the hours of 0800 - 2100 Monday to Sundays inclusive.
- 3 No more than 10 horses shall be accommodated within the approved stable block at any one time.
- 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 No lighting shall be installed at the site, including on the stables or at the ménage until a plan has been submitted to, and approved in writing by, the Local Planning Authority, showing the location and types of all lights. The ménage area shall not be illuminated by such approved lights before 0800 or after 2100 Monday - Sunday inclusive.
- 6 There shall be no other commercial activity whatsoever on the site other than equestrian uses.
- 7 The ménage area shall not be used before 0800 or after 2100 Monday - Sunday inclusive.

Report Item No: 5

APPLICATION No:	EPF/0950/15
SITE ADDRESS:	The Farmhouse Warlies Park Farm Woodgreen Road Waltham Abbey Essex EN9 3SD
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Loft conversion incorporating increase in ridge height, rear dormer providing staircase headroom, and 4 no. velux type roof windows in rear slopes (Revision to EPF/2677/14)
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575355

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 The development shall be finished in the materials indicated on the submitted plans and application form unless otherwise agreed by the local Planning authority.

Report Item No: 6

APPLICATION No:	EPF/0978/15
SITE ADDRESS:	1 Pynest Green Lane Waltham Abbey Essex EN9 3QL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Retrospective application for the erection of gates and brick pillars and proposed new front iron fence.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575473

CONDITIONS

- 1 The colour and materials of the proposed new boundary fencing shall match that specified within the submitted application form, being black coloured iron railings, unless otherwise agreed in writing by the Local Planning Authority.
- 2 A landscaping scheme to provide a hedge behind the railings shall be submitted to, and approved in writing by, the Local Planning Authority showing details of the species and density of the proposed planting within 3 months of the date of the planning permission. Once such a plan is approved the scheme shall be implemented within 6 months of the date of the permission and thereafter retained.

Report Item No: 7

APPLICATION No:	EPF/0995/15
SITE ADDRESS:	Sons Nursery Hamlet Hill Roydon Harlow Essex CM19 5JZ
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing Roydon
DESCRIPTION OF PROPOSAL:	Change of use of part of the site to a residential Gypsy and Traveller site for a temporary period of four years, involving the siting of two static caravans and two touring caravans, and an extension to, and the change of use of, the office/store building to a utility block.
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575573

REASONS FOR REFUSAL

- 1 The proposal constitutes inappropriate development in the Metropolitan Green Belt which erodes openness and by definition causes harm to the Green Belt. Planning permission should not be granted for inappropriate development in the Green Belt, save in very special circumstances. The applicant has failed to demonstrate that other considerations clearly outweigh the identified harm to the Green Belt and, as such, the proposed development is therefore contrary to Government guidance contained within the National Planning Policy Framework, Planning Policy for Travellers Sites and saved policies GB2A, GB5, GB7A and H10A of the adopted Local Plan and Alterations.
- 2 The proposed material change in the use of the land as a residential traveller site would involve the adaptation and reuse of the existing building on the land and the stationing of four additional caravans for residential use. The use of the land as a traveller site would exacerbate the over-concentration of existing traveller site uses in the Parish of Roydon and the adjacent Parish of Nazeing, when compared with the rest of Epping Forest District. As such, the proposal represents an unsustainable form of development that will result in an adverse impact on the environment and infrastructure of these parishes and is therefore contrary to Government guidance contained within the National Planning Policy Framework, 'Planning Policy for Travellers Sites' and saved policies CP1, CP2, CP3 and H10A of the adopted Local Plan and Alterations.

WAY FORWARD

The Council acknowledges that the specific health needs of the Applicant, Mrs Kathleen O'Driscoll, are material planning considerations weighing in favour of an application for temporary planning permission for the adaptation and reuse of the existing building on the site for residential use by the applicant. The Council also acknowledges that the adaptation and reuse of the existing building on the land to provide temporary residential accommodation for the Application would not constitute inappropriate development in the Green Belt.

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