

Supplementary Committee Agenda



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 9th September, 2009

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services: Rebecca Perrin - The Office of the Chief Executive
Email: rperrin@eppingforestdc.gov.uk Tel: 01992 564532

7.a Additional Planning Application - Moorlands, Burt Road, Waltham Abbey (Pages 3 - 6)

To consider the planning application at Moorlands, Bury Road, Waltham Abbey.

7.b DOBBS WEIR QUARRY, NAZEING NEW ROAD, BROXBOURNE, HERTS, EN10 6TD (Pages 7 - 10)

To consider the planning application submitted to Herts. County Council.

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Report Item No: 3

APPLICATION No:	EPF/1969/08
SITE ADDRESS:	Moorlands Bury Road Waltham Abbey Essex E4 7QL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr Richard Speller
DESCRIPTION OF PROPOSAL:	TPO/EPF/11/02 T4 Oak - Fell.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted, and shall be inspected by the Local Planning Authority and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.

Description of Proposal

Felling of oak in consequence of subsidence damage to property, with replacement planting of a different species at another location.

Description of Site

The tree is situated to the front of the detached property, within a hedgerow, and in the grounds of Moorlands. It may be seen from the main road, but is set back and partially screened by other trees and hedgerow. The application is from the owners of the neighbouring property, Montal.

Relevant History

None Relevant

Policies Applied:

LL9

“The Council will not give consent to fell a tree...protected by a tree preservation order unless it is satisfied that this is necessary and justified....Any such consent will be conditional upon appropriate replacement of the tree. “

Summary of Representations

WALTHAM ABBEY TOWN COUNCIL: No objection

I property was consulted and no response was received.

Issues and Considerations

Tree Preservation Order TPO/EPF11/02 was made to protect a number of the trees in the grounds of Moorlands as a result of a claim of subsidence damage to that property, allegedly related to trees. The aim of the order was to ensure that no trees were lost without adequate information being available.

An application was received to fell T4 (Oak) as a result of damage to the neighbouring property, Montal, in June 2007. In April 2008 the felling application was withdrawn. Pollarding was carried out shortly after as an agreed exempt operation.

The current application is on the basis of recurring damage, following substantial repairs and strengthening of the building. Independent engineers have been appointed by the Council to review the case documents and advise on the following issues:

1. Does the evidence suggest an involvement of the Oak tree at Moorland with the past subsidence event?
2. Does the evidence provided ... support the case of felling of the Oak tree?
3. Is there an alternative explanation for the current cracking of the property...?
4. Assuming that the current minor cracking is not root related, would cyclical re-pollarding of the tree be a viable alternative to felling and likely to be successful in avoiding re-occurrence of root related subsidence?

The tree in question is around 60-80 years old; it has been pollarded in the past and is not a prominent tree. It has some value in the street scene and could have a long life expectancy were management to be continued.

The current application is made on the basis that, even after repairs and strengthening to the house (without deepening of the foundations), damage has continued. The Council's independent engineer suggests there may be other causal factors, however based on supporting evidence and his own inspection his opinion is that the Oak is the primary cause.

In relation to the questions above he reports as follows:

- 1 The front right hand side of the building (i.e. that closest to the tree) has been subject to a subsidence event and the Oak tree is the most likely cause. Some of the damage is

unlikely to be related to the Oak and probably results from the root activity of the hedges on either side of the property.

- 2 There is sufficient evidence to support felling of the Oak, particularly due to the limited heave that could be expected following the wet summers of 2007/2008.
- 3 The damage that occurred to the kitchen, hall/WC and some of the lounge were undoubtedly due to the Oak.
- 4 While pointing out that this question is partly an arboricultural question as well as one for himself he suggests that were the trees to remain, even with continued management, there may well be a risk of future movement and consequential damage.

The application received was supported by the original documents supplied with the 2007 application, plus a further report from the Richard Jackson Partnership, with the same conclusions.

Taken together officers believe that felling of the Oak has been demonstrated to be justified and necessary, and also reasonable. It should be noted that the owners of Montal are willing to plant another tree on their own property (which can be conditioned) adjacent to the highway where the new tree will be more publicly visible.

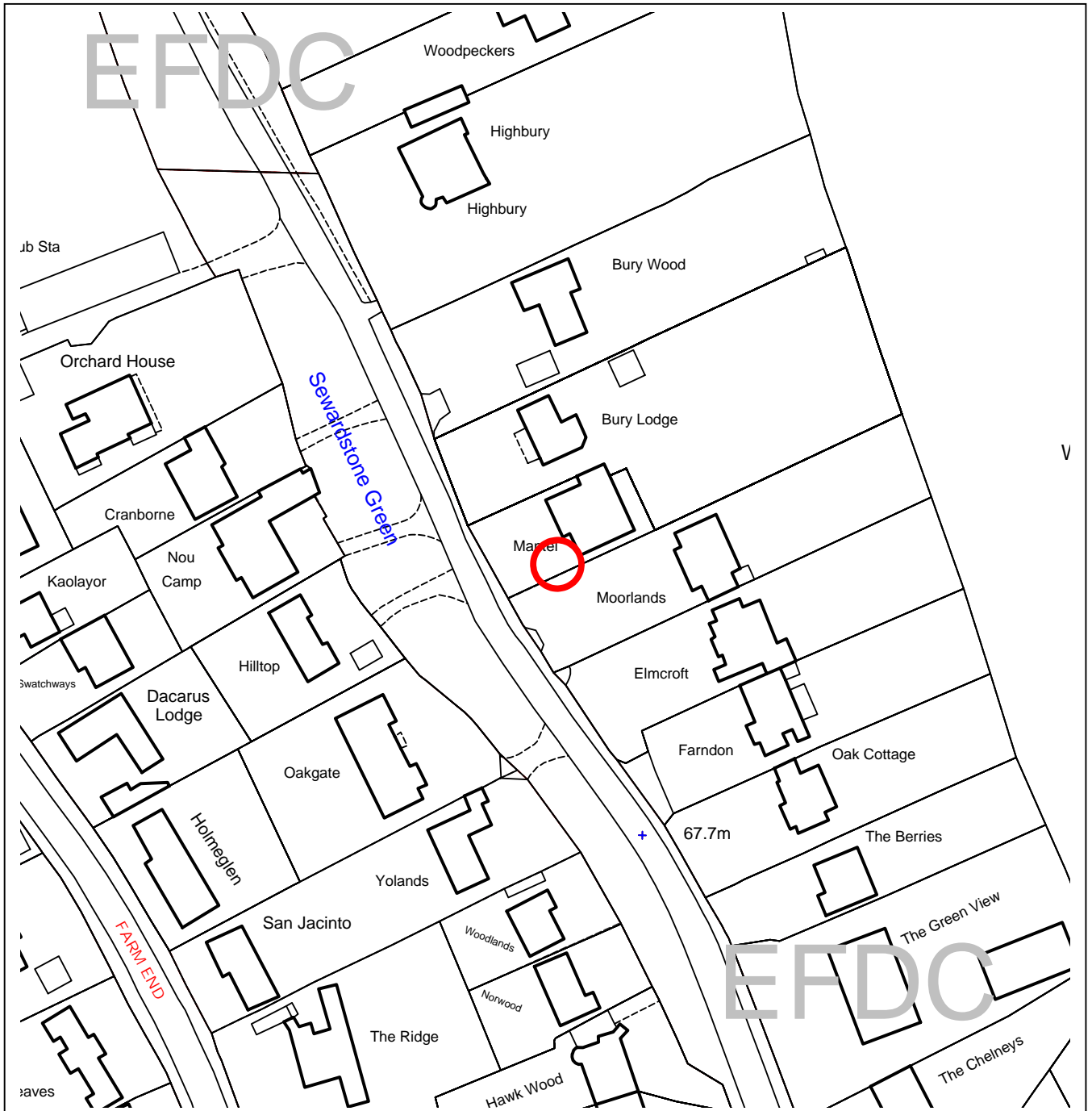
Conclusion:

It is recommended that felling of the TPO Oak should be allowed subject to a condition requiring replacement with an alternative species to be planted adjacent to the front edge of the property.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/1969/08
Site Name:	Moorlands, Bury Road, Waltham Abbey, E4 7QL
Scale of Plot:	1/1250



Report to Area Plans Sub-Committee West

Date of meeting: 9 September 2009

**Subject: DOBBS WEIR QUARRY, NAZEING NEW ROAD, BROXBOURNE,
HERTS, EN10 6TD.**

Officer contact for further information: Nigel Richardson

Planning application submitted to Hertfordshire County Council for Proposed Mineral Extraction and Processing Including a North-Eastern Extension with Restoration to Flood Plain Habitats using Suitable Inert Materials and the Retention of a Concrete Batching Plant.

As an adjoining local planning authority, The Director of Planning & Economic Development has been consulted on the above planning application, which has been submitted to Herts. County Council by Lafarge Aggregates Ltd. The site adjoins this districts boundary and any comments need to be sent within 21 days to Broxbourne by 17 September 2009. Given the interest expressed already by Councillors Bassett and Mrs Sartin to the proposal, it is considered appropriate that the matter is reported to the Area Plans Sub-Committee before any comments are made on behalf of this council.

A brief summary of the application is appended to this agenda item together with a map of the site and the areas of development. Fuller details of the proposal can be viewed on-line at:

<https://hertsdirect.org/ePlanningOPS/searchPageLoad.do> using keywords search "Dobbs Weir".

Given that Officers have only received this notification on 1 September 2009, more detail will be provided by the presenting officer at the meeting. However, the possible concerns for our authority is the traffic movement associated with this proposal, which is stated to be 112 HGV movements per day (56 in and 56 out of the site) and therefore whether this would be detrimental or not to the highway and/or the amenities of local residents.

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Notification of Planning Application received by Hertfordshire County Council

The following information comprises a summary of a planning application received by Hertfordshire County Council. This summary is wholly based on information submitted by the applicant. In no way does it express a view of the County Council. The purpose of the summary is to provide you with some of the information that has been submitted, to help you decide whether you wish to inspect the application in full at your District Council Office or at County Hall, Hertford, in order to make representations on it.

APPLICATION FOR PROPOSED MINERAL EXTRACTION AND PROCESSING INCLUDING A NORTH-EASTERN EXTENSION WITH RESTORATION TO FLOOD PLAIN HABITATS USING SUITABLE INERT MATERIALS AND THE RETENTION OF A CONCRETE BATCHING PLANT AT DOBBS WEIR QUARRY, NAZEING NEW ROAD, BROXBOURNE, HERTFORDSHIRE, EN10 6TD.

Application Number: 7/**-09**

Grid Ref: TL 381 075

This application seeks planning permission for mineral extraction and processing at Dobbs Weir Quarry including a north-eastern extension with restoration to flood plain habitats using suitable inert materials and the retention of a concrete batching plant.

The proposal would involve the recovery of 585,000 tonnes of sand and gravel from land to the west of the River Lee and the importation of suitable restoration material to achieve the desired flood plain habitats. The southern sector of the application site consists of the existing Dobbs Weir Quarry that currently has planning permission with a restoration date of 2042. The northern sector of the site between the Rivers Lee and Lynch is land which was previously occupied by a caravan site.

The proposal would also involve the retention of a concrete batching plant which was established within the existing Dobbs Weir site in the mid 1980's on a time limited planning permission, which has been subject to several extensions in time. Accordingly a planning consent is also being sought to keep this plant operation until mineral extraction and processing stops in 2016 and then the concrete batching plant would be dismantled and removed off site.

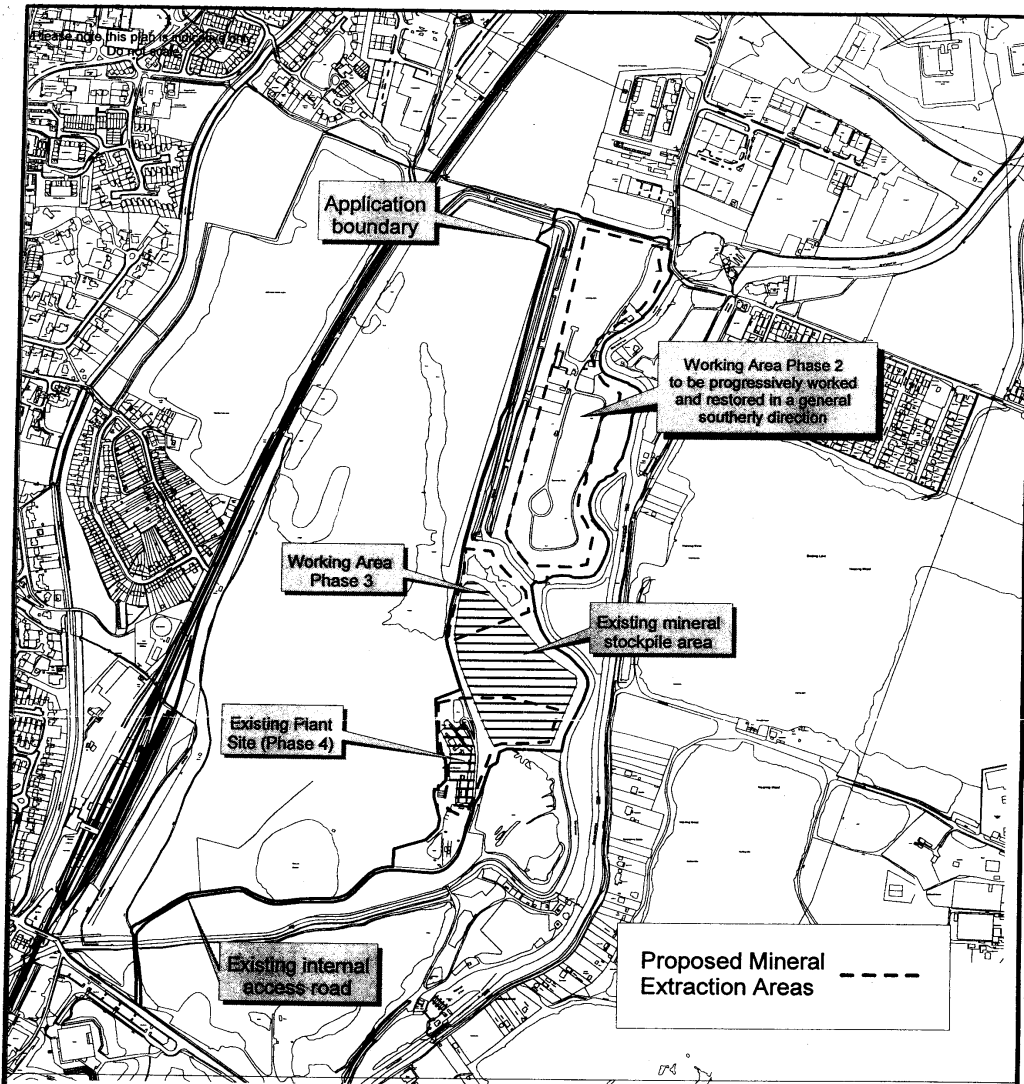
It is proposed to operate the site between 0700-1800 Mondays to Fridays and 0700-1300 on Saturdays with no working on Sundays or Public/Bank Holidays. It is proposed that no soil stripping or soil baffle mound construction would take place within 200m of any occupied residential property before 0800 hours Monday to Saturday, and no such activity would take place on Sundays or Public/Bank Holidays. It is estimated that there would be 112 HGV movements per day (56 in and 56 out).

Please note this application proposes development in the Green Belt.

Applicant:
Mr Mike Pendock
Lafarge Aggregates Ltd
Mineral Resources
Panshanger Park
Hertford
Hertfordshire, SG14 2NA

Agent:
Mr John Gough
David L Walker Ltd
Albion House, 89 Station Road
Eckington
Sheffield
South Yorkshire, S21 4FW

A copy of the application can be inspected during normal office hours (9 am to 5 pm) at: Broxbourne Borough Council, Planning Department, ☎ 01992 785555 (It is advisable to contact your Borough Council in advance, as opening hours may vary) or: Environment Department, County Hall, Hertford ☎ 01992 556252, or via email to cdu@hertscc.gov.uk The case officer dealing with this application is: Felicity Hart ☎ 01992 556256



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Application for proposed:
 i) mineral extraction and processing including a north-eastern extension with restoration to flood plain habitats using suitable inert materials;
 ii) retention of concrete batching plant;
 at Dotb's Weir Quarry Nazeing New Road, Broxbourne, Hertfordshire, EN10 6TD



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