

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee C **Date:** 29 June 2005

Place: Civic Offices, Epping **Time:** 7.30 - 8.45 pm

Members Present: K Wright (Chairman), R Morgan (Vice-Chairman), Mrs D Collins, P Gode, D Jacobs, D Kelly and Mrs M McEwen

Other Councillors: J Knapman

Apologies: (none)

Officers Present: R Bintley (Principal Planning Officer), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Assistant)

7. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

8. MINUTES

RESOLVED:

That the minutes of the meeting held on 1 June 2005 be taken as read and signed by the Chairman as a correct record.

9. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor K Wright declared a personal interest in the following item of the agenda for the meeting, by virtue of the Councillor being a Governor of Chipping Ongar County Junior School. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/310/05 – Chipping Ongar County Junior School, Greensted Road, Ongar.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M McEwen declared a personal interest in the following item of the agenda for the meeting, by virtue of her grandchild being a pupil at Chipping Ongar County Junior School. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/310/05 – Chipping Ongar County Junior School, Greensted Road, Ongar.

10. ANY OTHER BUSINESS

It was noted that there was no urgent business for consideration by the Sub-Committee.

11. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS, OCTOBER 2004 TO MARCH 2005

The Head of Planning Services presented the bi-annual Planning Appeals report and highlighted that there had been one appeal decision allowed by the Inspector following the Sub-Committee's decision to refuse permission, contrary to officer's recommendation. The Sub-Committee were further informed that the Council's performance for the period was below last year's exceptional performance but consistent with previous periods, and had exceeded the Best Value Performance Indicator as well as the national average.

RESOLVED:

That the Planning Appeal Decisions for the period October 2004 to March 2005 be noted.

12. USE AS A TRAVELLERS' CARAVAN SITE - BIRCH FIELD, EPPING LANE, STAPLEFORD TAWNEY

The Head of Planning and Economic Development presented a report regarding the use of Birch Field, Epping Lane, Stapleford Tawney as a Traveller's caravan site, which sought approval for the recommended legal proceedings in order to secure compliance with the enforcement notice. It was explained to the Sub-Committee that the occupants had changed since the Secretary of State had considered the appeal in May 2004, but there had been no material change in the planning considerations. The continued use of the site for human habitation remained unacceptable. The options to secure compliance with the varied enforcement notice were either to start proceedings in the Magistrates Court or commence Injunctive Proceedings in the High Court, which was considered the most effective course of action. The Sub-Committee were requested to give authority for officers to take either course of action.

RESOLVED:

(1) That, as varied by the Secretary of State in his decision letter dated 13 May 2004, the Head of Legal, Administration and Estates be authorised to commence criminal and/or civil proceedings to secure compliance with the enforcement notice; and

(2) That the Head of Legal, Administration and Estates be authorised to commence Injunctive Proceedings in the High Court.

13. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 5 be determined as set out in the attached schedule to these minutes.

14. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

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1. **APPLICATION NO:** EPF/2228/04 **PARISH** High Ongar

SITE ADDRESS:

The Piggeries, Woolmongers Lane, Ingatestone, High Ongar

DESCRIPTION OF PROPOSAL:

Variation of planning conditions of planning permission ref: EPF/1899/03; specifically Condition 1, to read "for the use of the site as a landscape contractor's depot only"; Conditions 7 and 8 to increase hours of operation to 07.30 to 18.00 and to vary Condition 14 (regarding bringing materials onto the site).

GRANTED SUBJECT TO:

1. This consent shall inure for the use of the site as a landscape contractors depot only and for no other industrial or commercial use.
2. The manege hereby approved shall only be used for the purpose of equestrian activity by the owners of "The Piggeries" and for no commercial activity or parking of vehicles.
3. Within three months of the date of this notice, the storage building and fencing that encloses the manege shall be painted dark green and shall permanently be retained in that condition.
4. A flood risk assessment 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 programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
5. Retention of existing trees and shrubs.
6. The rating level of noise (as defined by BS 4142: 1997) emitted from the site, other than that generated from vehicles manoeuvring on the site, shall not exceed 5dBA above the prevailing background noise level. The measurement position and assessment shall be made according to BS 4142: 1997.
7. No machinery shall be operated, no process shall be carried out and no commercial vehicles enter or exit the site, outside 07.30 hours – 18.00 hours, Monday to Friday, nor at any time on Saturdays, Sundays, Bank or Public Holidays.
8. Within three months of the date of this notice, details of refuse storage and collection facilities shall be submitted to and approved by the Local Planning Authority. The details shall be implemented within three months of approval and must be retained permanently for the storage and collection of refuse.
9. All surface water inside the curtilage of the site that may be contaminated with pollution should pass through an interceptor tank to remove any oil, petrol or other pollutants, before discharging to the surface water system. Within three months of the date of this notice, details of the installation of such a system shall be

submitted to and approved in writing by the Local Planning Authority and shall be implemented and maintained in use within three months of approval.

10. The height of open storage materials shall not exceed two metres above ground level.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any equivalent provisions revoking or re-enacting that Order) no additional hardstanding or hard surfacing shall be formed on the site and restricted to that area bordered pink shown on the approved drawing no. 1045/1A.
12. No external lighting shall be erected on the site unless a scheme is firstly submitted to the Local Planning Authority and agreed in writing prior to the installation. The agreed lighting shall not be illuminated outside the hours on 07.30 hours to 18.00 hours Monday to Friday or at any time on weekends and public holidays.
13. Vehicle movements shall not be materially increased above the levels detailed within the application hereby approved, without the prior written approval of the Local Planning Authority.
14. No materials, other than those used in conjunction with the business operated from the site shall be brought to or stored at the site without the prior written approval of the Local Planning Authority.

2. **APPLICATION NO:** EPF/741/05 **PARISH** Matching

SITE ADDRESS:

Barn at Hoggs Farm, Carters Green, Matching

DESCRIPTION OF PROPOSAL:

Change of use from barn to bungalow.

REFUSED:

1. The site is within the Metropolitan Green Belt. The proposal represents inappropriate development and is therefore at odds with Government advice and Policies C2 and RE2 of the adopted replacement structure plan and policies GB2 and GB8 of the adopted Local Plan. Since the Local Authority is not convinced that the buildings are not suitable for any alternative more appropriate use or that it is so desirable that they be brought back into beneficial use that residential should be considered.
2. The proposed development results in the further subdivision of the curtilage of the listed building known as Hoggs Farm leaving insufficient curtilage for the scale and historic nature of the dwelling. This is harmful to the setting of the Listed Building contrary to policy HC12 and HC13 of the adopted Local Plan.
3. The works proposed to the curtilage buildings are considered harmful to their character and integrity contrary to policy HC13 and HC10 of the adopted Local Plan.

4. The proposal would lead to a form of unsustainable development since the provision of a new dwelling in this rural location without access to community facilities and sustainable means of transport would be contrary to policies CS4 and H2 of the adopted Replacement Structure Plan.

3. **APPLICATION NO:** LB/EPF/742/05 **PARISH** Matching

SITE ADDRESS:

Barn at Hoggs Farm, Carters Green, Matching

DESCRIPTION OF PROPOSAL

Curtilage Grade II listed building application for alterations to convert from barn to bungalow.

REFUSED:

1. The proposed works including the provision of standardised openings in the elevations and the cutting of braces which are of major structural importance are harmful to both the character and integrity of the curtilage listed buildings contrary to policies HC10 and HC13 of the adopted Local Plan.
2. The proposed use, introducing a third residential unit in close proximity to the listed farmhouse is harmful to the setting of the farmhouse contrary to policy HC12 of the adopted Local Plan.

4. **APPLICATION NO:** EPF/310/05 **PARISH** Ongar

SITE ADDRESS:

Chipping Ongar County Junior School, Greensted Road, Ongar

DESCRIPTION OF PROPOSAL:

Installation of 2.4m high green steel palisade fencing and gates to all boundaries.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Notwithstanding the drawings hereby approved, before any works commence on site, a site meeting shall take place between the Council's Landscape Officer and those who are contracted to carry out the works in order to determine the exact siting of the approved fencing. The Landscape Officer can be contacted on 01992 564117.

5. **APPLICATION NO:** EPF/604/05 **PARISH** Ongar

SITE ADDRESS:

Land to rear of Smiths restaurant, former Bowling Green, Fyfield Road, Ongar

DESCRIPTION OF PROPOSAL

Renewal of Outline Planning Permission EPF/399/01 for the change of use of former bowling green to residential to provide three single storey dwellings and extension to restaurant car park.

GRANTED SUBJECT TO:

1. Submission of details within 3 years.
2. Approval of the details of the siting, design and external appearance of the buildings and the landscaping of the site (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is concerned.
3. Plans and particulars of the reserved matters referred to in condition 2 above, shall also include:
 - a) details of the provision of garaging, car parking spaces and turning areas;
 - b) details of floor slabs levels in relation to existing levels of the site and surrounding properties;
 - c) details of the line, level width and junction layout of the means of access to serve the site, including details of the disposal of surface water therefrom and the provision of visibility splays at the junction with Fyfield Road;
 - d) details of the treatment of all ground surfaces together with the means of disposal of surface water therefrom;
 - e) details of the location of a refuse collection point to serve the new dwellings;
 - f) details of the means of enclosure; and
 - g) details of the location of all service runs to serve the new dwellings.
4. The new dwellings hereby permitted shall be restricted to single storey construction only.
5. The extension to the restaurant car park hereby permitted shall not be lit or illuminated in any way.
6. The development hereby permitted shall not commence until a statement of all relevant details of tree protection has been submitted to, and approved in writing by the Local Planning Authority. The statement shall include details of fencing in accordance with the relevant British Standard (Guide for Trees in Relation to Construction BS5837: 1990). Trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given prior written approval to any variation.