

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee C **Date:** 14 December 2005
Place: Civic Offices, Epping **Time:** 7.35 - 8.30 pm
Members Present: K Wright (Chairman), R Morgan (Vice-Chairman), Mrs D Collins, D Kelly and Mrs M McEwen
Other Councillors: (none)
Apologies: P Gode, Mrs H Harding and D Jacobs
Officers Present: R Bintley (Principal Planning Officer) and G J Woodhall (Democratic Services Assistant)

46. 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.

47. MINUTES

RESOLVED:

That the minutes of the meeting held on 16 November 2005 be taken as read and signed by the Chairman as a correct record.

48. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M McEwen declared a personal interest in the following items of the agenda, by virtue of having been kept informed of the progress of both applications as ward member. 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/1657/05 – Site at former Brass Yard, Mill Lane, High Ongar; and
- EPF/1658/05 – High Ongar Village Hall, The Street, High Ongar.

49. ANY OTHER BUSINESS

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

50. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS, APRIL 2005 TO SEPTEMBER 2005

The Principal Planning Officer presented the Planning Appeals report for the period April to September 2005 in order to comply with the recommendation of the District Auditor. It was highlighted that the three planning appeals that had been allowed within the Sub-Committee's area had been delegated decisions made by officers rather than decisions made by the Sub-Committee itself. The Sub-Committee were further informed that the Council's performance for the period had been an improvement on last year but consistent with the previous year's exceptional performance, and had again exceeded the Best Value Performance Indicator as well as the national average.

The Chairman highlighted the fact that 75% of the appeals pertaining to the Sub-Committee had been dismissed, which illustrated the validity of the decisions contrary to officer recommendation that the Sub-Committee had taken during the period.

RESOLVED:

That the Planning Appeal Decisions for the period April 2005 to September 2005 be noted.

51. REQUEST TO DISCHARGE A SECTION 52 AGREEMENT - STONEHALL FARM, DOWNHALL ROAD, MATCHING

The Principal Planning Officer presented a report concerning a request to discharge a Section 52 Agreement at Stonehall Farm, Downhall Road, in Matching. The agreement related to a grade II listed barn that was currently not in use. In 1984, planning permission had been granted for change of use for the barn from agricultural storage to storage and restoration of antique furniture, subject to a legal agreement under Section 52 of the Town and Country Planning Act 1971. This legal agreement was still in force, and prevented the barn from being disposed of separately from the rest of the application site, which at that time consisted of a Farmhouse since converted to three residential units. The agreement had been considered necessary at the time in order to prevent undue traffic generation in the area.

However, the Principal Planning Officer informed the Sub-Committee that in July 2005 permission was granted for a further change of use of the barn to a single residential unit, under delegated powers. The owners had been unable to let the barn for the approved use during the previous three years and the application had been deemed to be in accordance with the policies of the Local Plan. Thus, it was felt that the Section 52 Agreement was no longer relevant, and should be discharged in order to enable the new planning consent to be implemented.

RESOLVED:

That the discharge of the Section 52 Agreement at Stonehall Farm, Downhall Road in Matching be approved.

52. 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.

53. 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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Report Item No: 1

APPLICATION No:	EPF/1603/05
SITE ADDRESS:	King Street Farm, King Street, High Ongar
PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Change of use of barn and adjoining buildings to a mixed residential and business use.
DECISION:	GRANT

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 workspace area as identified on drawing no. 260/6 shall be limited to this area of the building only and for the purposes of Class B1 use only. There shall be no direct retailing taking place from the workspace, nor shall it be used for residential purposes unless otherwise agreed in writing by the Local Planning Authority.
- 3 No conversion or demolition or preliminary groundworks of any kind 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 by the Local Planning Authority.
- 4 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the LPA and the completed phase 1 investigation shall be submitted to the LPA upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the LPA before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the LPA prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the LPA for approval prior to first occupation of the completed development.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Classes A - H shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

- 7 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved. This includes details of a replacement hedgerow for the existing hedgerow to be removed at the front of the site.

- 8 The area within the sight splays indicated on drawing no. 260/8 shall be formed before first occupation of the residential and live/work unit hereby approved and thereafter give a clear and continuous view of traffic and shall not contain obstructions above the crown of the adjacent road.

- 9 Details of any walls, fences and entrance gates shall be submitted to and agreed in writing by the Local Planning Authority before works commences on site.

- 10 Prior to the commencement of the development details of the proposed surface materials for the entrance, drive and parking/turning area, shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

Report Item No: 2

APPLICATION No:	EPF/1604/05
SITE ADDRESS:	King Street Farm, King Street, High Ongar
PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Listed building application (Grade II) for alteration and change of use of barn and adjoining buildings to a mixed residential and business use.
DECISION:	GRANT

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 Samples of the types and details of colours of all the external finishes, shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 4 A scheme of landscaping including samples of external surfaces shall be submitted to and agreed by the local planning authority prior to commencement of the works.

Report Item No: 3

APPLICATION No:	EPF/1657/05
SITE ADDRESS:	Site at Former Braces Yard, Mill Lane, High Ongar
PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Erection of new village hall including new vehicular access.
DECISION:	REFUSE

2 Additional letters of objection were received, both concerned with access and number of parking spaces. Mentions petition but none received.

REASON:

- 1 The proposed new vehicular access would result in serious loss of amenity to the residents of houses opposite in Mill Lane, particularly to the occupants of Nos. 38 and 40 Mill Lane, by reason of noise, disturbance and light intrusion, contrary to policy DBE2 of the adopted Local Plan.

Report Item No: 4

APPLICATION No:	EPF/1658/05
SITE ADDRESS:	High Ongar Village Hall, The Street, High Ongar

PARISH:	High Ongar
DESCRIPTION OF PROPOSAL:	Outline application to demolish existing village hall and erection of two domestic dwellings.
DECISION:	GRANT

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 shall only be carried out in accordance with detailed plans and particulars, which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the siting, design and external appearance of the building(s), landscaping and the means of access thereto.
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No gates shall be erected at any new access to the site served by a new crossover over the existing footway.

Report Item No: 5

APPLICATION No:	EPF/0289/05
SITE ADDRESS:	Village Hall, The Street, Sheering
PARISH:	Sheering
DESCRIPTION OF PROPOSAL:	Single storey extension, with loft storage area, for pre-school activities.
DECISION:	GRANT

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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Details of suitable external storage locations and collection arrangements for refuse shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development.
- 4 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.

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