

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee D **Date:** 3 August 2005

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.35 pm
High Street, Epping

Members Present: Ms S Stavrou (Chairman), Mrs P Smith (Vice-Chairman), Mrs D Borton, Mrs P Brooks, R Chidley, J Demetriou, R D'Souza, Mrs R Gadsby, Mrs J Lea, L McKnight, P McMillan and D Spinks

Other Councillors: (none)

Apologies: Mrs M Sartin

Officers Present: A Hendry (Democratic Services Officer) and S Solon (Principal Planning Officer)

14. 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.

15. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 6 July 2005 be taken as read and signed by the Chairman as a correct record subject to the inclusion of a condition, raised at that meeting, relating to EPF/327/05 Crossways, 1 Middle Street, Nazeing, that the £6,000 contribution linked to the transport infrastructure be used specifically for the area of Nazeing.

16. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Borton declared a personal interest in agenda item 7 (3) (EPF/640/04 Abbey Mills, Highbridge Street, Waltham Abbey). The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Brooks declared a personal interest in agenda item 7 (3) (EPF/640/04 Abbey Mills, Highbridge Street, Waltham Abbey), by virtue of being a member of the LVRPA. The Councillor declared that her interests were prejudicial and indicated that she would leave the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Members Conduct, Councillor Mrs Lea declared a personal interest in agenda items 7 (1) (EPF/146/04 Holyfield Farm,

Holyfield, Waltham Abbey) and 7(2) (LB/EPF/ 145/04 Holyfield Farm, Holyfield, Waltham Abbey). The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

(d) Pursuant to the Council's Code of Members Conduct, Councillor D Spinks declared a personal interest in agenda items 7 (1) (EPF/146/04 Holyfield Farm, Holyfield, Waltham Abbey), 7(2) (LB/EPF/145/04 Holyfield Farm, Holyfield, Waltham Abbey) and 7 (4) (EPF/849/05 9 & 13 Arlingham Mews, Waltham Abbey). The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the items.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Stavrou declared a personal interest in agenda item 6 (Woodbine Close Caravan Park), by virtue of being the member for that ward. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Stavrou declared a personal interest in agenda item 7 (3) (EPF/640/04 Abbey Mills, Highbridge Street, Waltham Abbey), by virtue of being a member of the LVRPA. The Councillor declared that her interests were prejudicial and indicated that she would leave the meeting during the consideration and voting on the item.

17. ANY OTHER BUSINESS

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

18. WOODBINE CLOSE CARAVAN PARK

Woodbine Close Caravan Park is located on an extensive area of land to the north west of the junction of Honey Lane and Woodgreen Road. On 30/8/1962 planning permission was granted for an enlargement of the caravan site. This consent was subject to a legal agreement between the owner of the site and the Council, which

- a) reserved an area of the site to be retained as a recreational area, and
- b) restricted the total number of caravans that could be kept on the site to 205.

After a local authority property search, it has become apparent that in the last few years the recreational area, an area originally intended for children's play, has been used for the stationing of an additional 5 mobile homes i.e. plots 14-18 The Lindens. However, this children's play area is no longer required for this purpose because the whole of this site is now occupied by elderly people i.e. the site has in effect become a retirement park where children no longer reside. The Council's Environmental Health group, who manage the site through a site licence, agreed that this recreational area of land was no longer needed.

As a result of the 5 additional homes being placed on this former recreational area the number of mobile homes on the site has increased from 205 to 209, and consequently the limit of 205 homes specified in the 1962 legal agreement has also been breached. Again the Environmental Health group had no objection to 209 homes being accommodated on the site. Additionally the current site licence administered by them restricts the number of homes to 209, and to produce a new legal agreement under the Planning Acts imposing a restriction to 209 homes would be an unnecessary duplication.

In the light of the above factors there was no merit in retaining this legal agreement and it was recommended that it be removed from the local land charges register.

Recommendation:

The Committee agreed that the Section 25 agreement under the 1947 Town and Country Planning Act was no longer required, and that it be removed as an entry from the local land charges register.

19. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

20. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

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1. **APPLICATION NO:** EPF/146/04 **PARISH** Waltham Abbey

SITE ADDRESS:

Holyfield Farm, Holyfield, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Conversion of existing barn to form two dwellings. Removal of existing farm sheds and extension of adjacent barn. Conversion of farm shop to garages for dwellings and alteration to roof.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Submit programme of archaeological work.
3. The development shall be carried out in accordance with the amended plans received on 24 February 2005 unless otherwise agreed in writing with the Local Planning Authority.
4. Materials of construction to be agreed.
5. Erection of screen walls/fences.
6. 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 2, Classes A-E shall be undertaken without the prior written permission of the Local Planning Authority.
7. Submission of a landscape scheme.
8. Prior to the commencement of the development, details of the proposed surface materials for the driveway shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
9. Prior to the first occupation of the dwellings hereby approved, details of gates to be erected at the entrance to the site shall be submitted to the Local Planning Authority for approval. No gates other than those approved shall be erected unless otherwise agreed in writing by the Local Planning Authority.
10. Prior to the commencement of the works hereby approved all buildings to be demolished are to be agreed in writing by the Local Planning Authority and removed within three months of the commencement of works.

2. **APPLICATION NO:** LB/EPF/145/04 **PARISH** Waltham Abbey

SITE ADDRESS:

Holyfield Farm, Holyfield, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Grade II listed building application for the conversion of barn to form 2 dwellings.

GRANTED SUBJECT TO:

1. The works hereby permitted must be begun not later than the expiration of five years, beginning with the date on which the consent was granted.
2. The works hereby approved shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - a) Materials of construction and facing materials.
 - b) A frame survey of the barn.
 - c) The extent of original material to be removed from the barn.
 - d) The method of internal subdivision of the barn.
 - e) The connection of new internal walls and floors to the existing timber frame.
 - f) All external windows and doors, including details of the method of forming openings for such windows and doors.
3. The works hereby approved shall be carried out strictly in accordance with the details approved by the Local Planning Authority pursuant to Condition No. 2 of this consent unless otherwise agreed in writing by the Local Planning Authority.

3. **APPLICATION NO:** EPF/640/04 **PARISH** Waltham Abbey

SITE ADDRESS:

Abbey Mills, Highbridge Street, Waltham Abbey

DESCRIPTION OF PROPOSAL

Demolition of existing building and erection of 1 three storey block containing fifteen flats and 192 sq metres of B1 floorspace and 1 two storey block containing six flats with associated access, parking and amenity space.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Submit programme of archaeological work.
3. The development shall be carried out in accordance with the amended plans received on 24 December 2004 unless otherwise agreed in writing with the Local Planning Authority.
4. Materials of construction to be agreed.
5. The development, including site clearance, must not commence until a scheme of landscaping and a statement of the method of implementation have been submitted to the Local Planning Authority and are approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and number/densities where appropriate and include a

timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place unless the Local Planning Authority agrees to a variation beforehand in writing.

The statement must include details of all means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

The landscaping scheme must incorporate an 8m buffer zone of locally native plant species, alongside the River Lee.

6. Contaminated land study and remediation.
7. The finished floor levels of the development hereby approved shall be set a minimum of 19.1 AOD. Details showing how this is to be achieved shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development.
8. Details of means of fencing the site within 8 metres of the river shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development.
9. Drainage details to be agreed.
10. Prior to the first occupation of any of the units hereby approved, full details of the access road, parking spaces, disabled parking, cycle and motorcycle parking shall be submitted to and agreed in writing by the Local Planning Authority and the works shall be completed in accordance with those agreed details.
11. No gates shall be erected on the access road without the prior written agreement of the Local Planning Authority.
12. Prior to the first occupation of any of the units hereby approved, a scheme providing for adequate storage of refuse from the development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out and thereafter retained.
13. Construction of work (which includes deliveries and other commercial vehicles to and from the site) shall only take place on site between the hours of 07.30 and 18.30 Monday to Friday and 08.00 to 13.00 on Saturday and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
14. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The facilities

shall be installed prior to the commencement of any building works on site and shall be used to clean vehicles leaving the site.

15. Prior to commencement of development a full noise survey shall be carried out to establish which noise category the proposed plots fall into with regard to PPG24. Following the survey, a scheme for protecting the proposed new dwellings from noise shall be submitted to and agreed in writing by the Local Planning Authority for any dwellings, gardens and recreation areas that fall into NEC B and C or above, as detailed in PPG24. The approved works shall be completed before any of the proposed residential units are occupied.
16. Prior to the commencement of development details of external lighting of the site shall be submitted to and agreed in writing by the Local Planning Authority, the agreed scheme shall be carried out prior to the first occupation of any of the units hereby approved. No external lighting other than that approved shall be erected at the site without the prior written agreement of the Local Planning Authority.

And subject to the applicant first entering into a Legal Agreement under Section 106 of the Town and Country Planning Act (within 12 months) to:

1. Investigate the ability of the existing sewerage system to dispose of the foul and surface water for this development and in the event that these investigations show that there is insufficient capacity available to secure the provision of adequate foul and surface water drainage in consultation with the sewerage undertaker for the whole of the development prior to the commencement of development. Such drainage shall be secured where appropriate by means of a public sewer requisition pursuant to Section 98 to 101 of the Water Industry Act 1991.
2. Provide for, at no cost to the Highway Authority, (a) the removal of the existing access and layby/parking area to the front of the existing building and the formation of a new bell-mouth access to include 2 kerbed radii each with a dropped kerb/tactile paving crossing point and a 90m x 2.4m x 90m visibility splay; (b) the upgrading to current Essex County Council standards of the westbound bus stop located to the west of the proposal site immediately before the A121 Highbridge Street/Bypass/Beaulieu Drive traffic signal controlled junction; (c) a bus promotion and marketing campaign, which shall include among other issues free season ticket and timetable information, as well as publicity by, for example, poster and leaflet.
3. Provide an education contribution of £25, 809, index linked to April 2005 costs using the PUBSEC Index, towards the cost of 3 additional primary school places needed as a result of the development of 21 flats.
4. Carry out a safety audit and traffic impact assessment on the impact of traffic turning right out of the site. Should it be demonstrated to be necessary, submit for approval to the Local Planning Authority proposals for restricting vehicles from turning right out of the site onto Highbridge Street and provide for the implementation of the approved scheme at no cost to the Highway Authority prior to the first occupation of the flats.

4. **APPLICATION NO:** EPF/849/05

PARISH

Waltham Abbey

SITE ADDRESS:

9 and 13 Arlingham Mews, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Change of use of Unit 9 (A1 retail) and Unit 13 (B1 office) to residential to form 5 x one bedroom flats. (Resubmitted application).

REFUSED:

1. The proposal would result in the loss of existing retail units that could harm the vitality and viability of Waltham Abbey Town Centre. As such the proposal is contrary to the provisions of Policy TCR3 of the Essex and Southend-on-Sea Replacement Structure Plan. It has not been demonstrated that the units are not capable of being re-let and therefore the proposed conversion of the units into residential units would be contrary to the provisions Policy H10 of the Epping Forest District Local Plan.
2. The proposed flats, by reason of their internal arrangement, would lead to excessive overlooking of neighbouring flats within the development and excessive transmission of noise to bedrooms from adjoining flats and communal areas. They would therefore result in poor living conditions for their occupants contrary to Policy DBE9 of the Epping Forest District Local Plan.

5. **APPLICATION NO:** A/EPF/453/05 **PARISH** Waltham Abbey

SITE ADDRESS:

Sainsburys Distribution Centre, Waltham Point, Sewardstone Road, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Illuminated gable hoarding.

REFUSED:

1. The proposed display, by reason of its size, siting and illumination would appear as an over-dominant and inappropriate feature on the building. It would therefore be harmful to the visual amenities of the locality and as such would be contrary to Policy DBE13 of the Epping Forest District Local Plan.

6. **APPLICATION NO:** EPF/942/05 **PARISH** Waltham Abbey

SITE ADDRESS:

Land rear of 150A Honey Lane, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Erection of 3 No. two bedroom bungalow. (Revised application).

REFUSED:

1. The proposal would represent a form of development out of character with the area and its setting detracting from the general appearance of the area, its open aspect

and the existing properties on Honey Lane in which respect it is contrary to Policy BE1 of the Replacement Structure Plan and Policy DBE1 of the adopted Local Plan (1998).

2. The access arrangements on to Honey Lane and the narrowness of the entrance road, the proximity to the adjoining school would give rise to conditions prejudicial to both highway and pedestrian safety contrary to Policy T3 of the Replacement Structure Plan and Policy T8 of the adopted Local Plan (1998).
3. The proposal would result in the unjustified loss of urban open space identified as a playing field in the Epping Forest District Local Plan. It is therefore contrary to Policies BE3 and BE4 of the Essex and Southend-on-Sea Replacement Structure Plan and Policies RST14, LL5 and LL6 of the Epping Forest District Local Plan.