

# **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Plans Subcommittee C                      **Date:** 7 June 2006

**Place:** Council Chamber, Civic Offices,                      **Time:** 7.30 - 10.05 pm  
Epping

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

**Other Councillors:** Mrs P Smith

**Apologies:** (none)

**Officers Present:** R Bintley (Principal Planning Officer) and G J Woodhall (Democratic Services Officer)

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## **1. 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.

## **2. MINUTES**

### **RESOLVED:**

That the minutes of the meeting held on 12 April 2006 be taken as read and signed by the Chairman as a correct record.

## **3. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillors K Wright, P Gode and D Jacobs declared a personal interest in the following items of the agenda, by virtue of being a member of Ongar Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0546/06 – Brickyards, Dunmow Road, Fyfield, Ongar;
- EPF/0523/06 – Central House, High Street, Ongar;
- EPF/0633/06 – 11 Great Stony Park, High Street, Ongar;
- EPF/0322/06 – Land to the East of Willow Mount, Epping Road, Ongar;

- EPF/0468/06 – Land opposite Golf Course, School Road, Stanford Rivers, Ongar; and
- EPF/0530/06 – 1 & 2 Warden Hall Cottages, Fyfield Road, Willingale, Ongar.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs H Harding declared a personal interest in the following item of the agenda. 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/0199/06 – The yard rear of 16 Sheering Lower Road, Sheering, Harlow.

**4. ANY OTHER BUSINESS**

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

**5. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2005 TO MARCH 2006**

The Principal Planning Officer presented the bi-annual Planning Appeals report and highlighted that there had been only one appeal decision allowed by the Inspector following the Sub-Committee's decision to refuse permission, contrary to the Planning Officer's recommendation. The Sub-Committee were further informed that the Council's performance for the period had exceeded the Best Value Performance Indicator as well as the national average. The Sub-Committee felt that the planning appeals could be further analysed to highlight those appeals allowed by the Planning Inspector following a decision to refuse planning permission by the Head of Planning and Economic Development, acting under delegated authority.

**RESOLVED:**

- (1) That the Planning Appeal Decisions for the period October 2005 to March 2006 be noted; and
- (2) That consideration be given to providing further analysis of planning appeals allowed following a planning decision made by the Head of Planning and Economic Development under delegated authority.

**6. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That the planning applications numbered 1 – 11 be determined as set out in the attached schedule to these minutes.

**7. 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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# Minute Item 6

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/0546/06
<b>SITE ADDRESS:</b>	Brickyards Dunmow Road Fyfield Ongar Essex CM5 0NW
<b>PARISH:</b>	Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/20/00 - Yew (x3) - fell.
<b>DECISION:</b>	<b>GRANT</b>

### 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 within one month of the implementation of the felling hereby agreed, unless varied with the 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, dies or becomes seriously damaged or defective another tree 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.

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## Report Item No: 2

<b>APPLICATION No:</b>	EPF/0350/06
<b>SITE ADDRESS:</b>	Woodlands Mill Street North Weald Bassett Epping Essex CM17 9JG
<b>PARISH:</b>	North Weald – Hastingwood
<b>DESCRIPTION OF PROPOSAL:</b>	TPO 32/82: Pine - fell
<b>DECISION:</b>	<b>REFUSE</b>

### REASONS:

- 1 Insufficient justification has been provided to justify the felling of this significant protected tree, which would require a more thorough investigation to reveal a full body of evidence showing the extent of stem decay. Felling on the evidence now

provided would be contrary to policy LL9 of the adopted Local Plan.

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**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0408/06
<b>SITE ADDRESS:</b>	Dorrington Farm Rye Hill Road North Weald Epping Essex CM18 7JF
<b>PARISH:</b>	North Weald – Hastingwood
<b>DESCRIPTION OF PROPOSAL:</b>	Application to amend operational hours to between 07.30 hours and 18.30 hours Monday to Friday.
<b>DECISION:</b>	<b>GRANT</b>

**CONDITIONS:**

1	No machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or despatched from the site outside of the following times between 7.30 am and 18.30 pm Mondays to Fridays and 9.00 am to 13.00pm on Saturdays and at no time on Sundays, Bank or Public Holidays.
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**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0523/06
<b>SITE ADDRESS:</b>	Central House High Street Ongar Essex CM5 9AA
<b>PARISH:</b>	Ongar
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of outbuilding and construction of new building consisting of five flats and restaurant with parking spaces (Revised application).
<b>DECISION:</b>	<b>GRANT</b>

**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 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 (staff) and visitors vehicles.
- 4 The existing access to the site shall be permanently closed and the existing footway continued across the site frontage in a manner and at a time to be agreed with the Local Planning Authority after consultation with the Highway Authority.
- 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 by the Planning Authority.
- 6 Arrangements shall be made whereby surface water run-off from the access is intercepted within the site.
- 7 Before the building is occupied, a suitably surfaced area shall be provided, and thereafter maintained to the satisfaction of the Local Planning Authority, within the curtilage of the site to enable a vehicle to turn and leave the property in forward gear. Details of this should be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.

8	Equipment shall be installed to suppress and disperse cooking / food preparation fumes and smells to a minimum. The equipment shall be effectively operated and maintained so long as the restaurant use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Authority prior to the commencement of the restaurant use.
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**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0633/06
<b>SITE ADDRESS:</b>	11 Great Stony Park High Street Ongar Essex CM5 0TH
<b>PARISH:</b>	Ongar
<b>DESCRIPTION OF PROPOSAL:</b>	Rear conservatory.
<b>DECISION:</b>	

Deferred for members site visit.

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**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0199/06
<b>SITE ADDRESS:</b>	The Yard Rear Of 16 Sheering Lower Road Sheering Harlow Essex CM21 9LF
<b>PARISH:</b>	Sheering
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing dwelling and erection of replacement dwelling and associated landscaping (Revised application).
<b>DECISION:</b>	<b>GRANT</b>

**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 The development shall be carried out in accordance with the amended plans received on 3 March 2006 unless otherwise agreed in writing with the Local Planning Authority.
- 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 Classes A, B or E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The residential curtilage of the dwelling hereby approved is restricted to that area outlined in red on drawing no 2456/10 received on 3 March 2006. The remaining land outlined in blue and the outbuilding shown within that area have only agricultural use and shall not be used for any non agricultural purpose.
- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/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, and in writing.

The statement must include details of all the 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.

- 7 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 compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.
- 8 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.

9	Prior to first occupation of the dwelling house hereby approved the existing building with lawful use as a dwelling shall be demolished and all materials therefrom removed from the land.
10	No construction work or deliveries of materials to the site shall occur outside the hours of 07.30 am and 18.30 pm Monday to Friday and 08.00 hours and 13.00 pm hours on Saturdays. No work shall take place at all on Sundays or Bank/Public Holidays.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0322/06
<b>SITE ADDRESS:</b>	Land to the east of Willow Mount Epping Road Ongar Essex CM5
<b>PARISH:</b>	Stanford Rivers
<b>DESCRIPTION OF PROPOSAL:</b>	New stable block.
<b>DECISION:</b>	

Deferred for officers to negotiate smaller scheme.

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**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0468/06
<b>SITE ADDRESS:</b>	Land opposite Golf Course School Road Stanford Rivers Ongar Essex CM5 9PU
<b>PARISH:</b>	Stanford Rivers
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of new village hall, with parking, children's play area and football pitch.
<b>DECISION:</b>	<b>GRANT</b>

**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 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.

- 4 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by 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 or defective another tree 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 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/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, and in writing.

The statement must include details of all the 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.

- 7 The access should be laid to a gradient not exceeding 4% for the first 6.0m and 8% thereafter and should be suitably paved to avoid the displacement of loose materials onto the highway and to allow easy access to wheelchair users.
  - 8 The car park to be constructed and marked out in permanent materials and used only for the parking of cars not the storage of cars and not the storage of materials.
  - 9 Provision so secure parking for powered two wheeled vehicles to accord with the Essex Planning Officers Associated Parking Standards `01.
  - 10 Arrangements should be made whereby surface water run-off from the accessway is intercepted within the site thereby avoiding water entering the highway.
  - 11 The developer shall ensure that the speed limit is legally altered and the signing and order in place prior to the commencement of works on the site.
  - 12 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
  - 13 All surface water serving the car parks store should pass through a petrol interceptor before discharging to the surface water system. The installation of such a system should be confirmed in writing with the Local Planning Authority.
- Before development commences, a written proposal detailing the provision for drainage of the site should be submitted to the Local Authority.
- 14 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0730 to 1830 Monday to Friday & 0800 to 1300 hours on Saturday, and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
  - 15 No bonfires shall be permitted on site throughout the demolition and construction phase of the development.
  - 16 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 and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
  - 17 The village hall and facilities hereby permitted shall not be open to customers / members outside the hours of 9.30 to 00.00 hrs on Mondays to Saturdays and 9.30 to 23.00, and not at all on Sundays or public holidays.

- 18 There shall be no external lighting of the building, car part of playing fields without the prior written consent having been obtained in writing from the Local Planning Authority.
- 19 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.
- 20 A noise control device shall be installed in the main auditorium, which shall control the volume of music and other amplified sound so that it is not audible on the boundaries of nearby residential properties.

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/0248/06
<b>SITE ADDRESS:</b>	Spindrift Bournebridge Lane Stapleford Abbots Epping Essex RM4 1LT
<b>PARISH:</b>	Stapleford Abbots
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of use of existing building and site for residential purposes on a permanent basis.
<b>DECISION:</b>	

Members were concerned about the lapse of time between the service of the enforcement notice and the consideration of this application. They felt such enforcement inactivity by the authority could be considered to have created very special circumstances in this case, which could overcome the policy objection to the proposal.

Referred to District Development Committee with recommendation to approve.

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/0585/06
<b>SITE ADDRESS:</b>	Five Trees Oak Hill Road Stapleford Abbots
<b>PARISH:</b>	Stapleford Abbots

<b>DESCRIPTION OF PROPOSAL:</b>	Renewal of planning permission EPF/387/01 for the erection of double garage/workshop with storage space over.
<b>DECISION:</b>	<b>GRANT</b>

**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 Materials to be used for the external finishes of the proposed garage shall match those of the existing dwelling.
- 3 No part of the proposed building shall be constructed closer than 1.0m from the top of the bank of the adjoining open watercourse.
- 4 The garage building hereby approved shall be used solely for domestic garaging and / or ancillary residential purposes and at no time shall the building be used as a separate dwelling or at any time sold away from the main dwelling know as Five Trees.
- 5 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 compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.

6	The existing buildings on the site of the approved new garage and store shall be removed and all materials therefrom removed from the site prior to the first use of the new building.
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**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/0530/06
<b>SITE ADDRESS:</b>	1 & 2 Warden Hall Cottages Fyfield Road Willingale Ongar Essex CM5 0QB
<b>PARISH:</b>	Willingale
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of 2 no. semi-detached dwellings, outbuildings and garages and erection of 2 no. link-detached dwellings with garages.
<b>DECISION:</b>	<b>GRANT</b>

## 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 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 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, Classes A, B and C shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/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, and in writing.

The statement must include details of all the 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.

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