

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee C **Date:** 30 August 2006

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.00 pm
High Street, Epping

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

Other Councillors: None

Apologies: P Gode and Mrs H Harding

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

21. MINUTES

RESOLVED:

That the minutes of the meeting held on 2 August 2006 be taken as read and signed by the Chairman as a correct record.

22. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Collins and Councillor Kelly declared a personal interest in EPF/1164/06 (Ashlyns Organic Farm Shop). The Councillors had determined that their interest was not prejudicial and they would remain in the Chamber and take part in the vote.

(b) Pursuant to the Council's Code of Member Conduct Councillor Mrs McEwen declared a personal and prejudicial interest in EPF/1164/06 (Ashlyns Organic Farm Shop). and determined to leave the Chamber for the duration of the debate and vote on this issue.

(c) Pursuant to the Council's Code of Member Conduct, Councillors K Wright, and D Jacobs declared a personal interest in EPF/1387/06 (Ongar and District Sports Club), by virtue of being members of Ongar and District Sports Club. The Councillors had determined that their interest was prejudicial, the committee was therefore found to be inquorate on this application and it was decided to refer this application to the District Development Control Committee for determination.

23. ANY OTHER BUSINESS

There was no other business

24. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 6 be determined as set out in the attached schedule for these minutes.

25. 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

Minute Item 24

Report Item No: 1

APPLICATION No:	EPF/1164/06
SITE ADDRESS:	Ashlyns Organic Farm Shop Ashlyns Lane Bobbingworth Ongar Essex CM5 0ND
PARISH:	Moreton, Bobbingworth and the Lavers
APPLICANT:	W W J Collins
DESCRIPTION OF PROPOSAL:	Traditional style extension to provide additional shop floor space and storage. (Revised application)
DECISION:	GRANTED

CONDITIONS:

1. The development hereby permitted must begin 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 extension shall match those of the existing building.
3. The shop extension hereby approved shall be restricted to the storage and sale of organic produce only.

Reason:- For the avoidance of doubt and to ensure the extension to the existing shop is not used for the storage or sale of goods not allied to agriculture.

Report Item No: 2

APPLICATION No:	EPF/1740/05
SITE ADDRESS:	Land at Station Approach High Street Ongar Essex CM5 9BN
PARISH:	Ongar
APPLICANT:	Epping and Ongar Railway Holdings Ltd
DESCRIPTION OF PROPOSAL:	Outline application for residential development. (Revised application)
DECISION:	Permission Deemed Refused

The Sub-Committee did not determine this planning application, because the applicant had lodged an appeal with the Secretary of State. This was because as a local planning authority, the council had made a decision on this planning application in the statutory time period and the applicant was entitled to make an application against non-determination of this planning application. It was noted that officers needed to report to the Secretary of State what the Council's resolution would have been if the appeal had not been lodged. The Sub-Committee considered that had they been wished to determine the application they would have been minded to **REFUSE PLANNING PERMISSION** for the following two reasons:

- 1 Insufficient information had been submitted to satisfy the Local Planning Authority that all future operational needs of rail-based operations on the branch line between Epping - North Weald - Ongar could be met by residual land and therefore future rail operations may be prejudiced by the proposals, thus contrary to policy ST8 of the adopted Local Plan Alterations (2006).
- 2 The proposed residential development is in a non-sustainable location in relation to secondary school infrastructure and shall result in increase car-borne journeys contrary to policy CS5 of the Essex and Southend-On-Sea Replacement Structure Plan and policy CP9 and I1A of the adopted Local Plan Alterations (2006).

Report Item No: 3

APPLICATION No:	EPF/1387/06
SITE ADDRESS:	Ongar And District Sports Club Love Lane Ongar Essex CM5 9BL
PARISH:	Ongar
APPLICANT:	Ongar Sports and Social Club
DESCRIPTION OF PROPOSAL:	Extension to provide shower facilities to existing club.
DECISION:	Referred to District Development Control Committee

The Sub-Committee, due to declarations of prejudicial interest made by members were inquorate for this item and referred the matter to the District Development Control Committee for determination.

Report Item No: 4

APPLICATION No:	EPF/1206/06
SITE ADDRESS:	Stapleford Airfield Ongar Road Stapleford Abbots

	Epping Essex
PARISH:	Stapleford Abbotts
APPLICANT:	Herts and Essex Aeroclub Ltd
DESCRIPTION OF PROPOSAL:	Replace existing store building with accommodation block.
DECISION:	GRANTED

Members were made aware of 1 additional letter from a local resident raising objection.

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 proposed extension shall only be used as ancillary accommodation for a maximum of 14 bedrooms for the existing airfield pilot training use and shall not be occupied as a unit separately from this use.
- 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.

Report Item No: 5

APPLICATION No:	EPF/1243/06
SITE ADDRESS:	Stapleford Airfield Ongar Road Stapleford Abbots Epping Essex
PARISH:	Stapleford Abbots
APPLICANT:	Herts and Essex Aeroclub Ltd
DESCRIPTION OF PROPOSAL:	Replace existing hangar and store with wider hangar.
RECOMMENDED DECISION:	GRANTED

Members were made aware of 1 additional letter from Lambourne Parish Council stating no objection to this proposal.

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 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.

- 4 The hangar hereby approved shall be used solely for the hangarage and maintenance of aircraft based on Stapleford Airfield and for no other use.

Report Item No: 6

APPLICATION No:	EPF/1374/06
SITE ADDRESS:	High House Farm Stapleford Road Stapleford Abbots Essex
PARISH:	Stapleford Abbots
APPLICANT:	Five Star Properties
DESCRIPTION OF PROPOSAL:	Outline application for the demolition of agricultural /industrial complex and the erection of 6 new dwellings and 1 replacement dwelling. (Revised application)
DECISION:	Application forwarded to District Development Control Committee with the recommendation that planning permission be granted subject to the following conditions

CONDITIONS:

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 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, landscaping and external appearance of the building(s) thereto.
- 3 The final layout of the proposed development shall adhere to the principles of the illustrative layout plan (ama dwg. ref 02.159/5) as submitted with this outline application.
- 4 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.
- 5 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.

- 6 Before the commencement of the development, or of any works on the site and concurrently with the detailed design plans, a full tree and site survey shall be submitted to the Local Planning Authority. The submitted details shall include, as appropriate, the following information at a legible scale:
- (a) Reference number, species, location, girth or stem diameter and accurately planned crown spread, of all trees with a stem diameter with 100mm or greater on of adjacent to the site.
 - (b) An assessment of their condition and value.
 - (c) Details of existing levels, including contours where appropriate, and any proposed changes of level across the site.
 - (d) Location, spread and other relevant details of relevant hedgerows, hedges and other significant areas of vegetation.
 - (e) Location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate.
 - (f) Trees, or other features to be removed which shall be clearly and separately identified on the plans.
 - (g) Existing boundary treatments and forms of enclosure.
 - (h) Existing structures, services and other artefacts, including hard surfaces.
 - (i) Indication of land use, roads or other means of access, structures and natural features on land adjoining the development site.
 - (j) Route of existing footpaths and public rights of way on and adjoining the site.
- 7 Before any works commence on site, and concurrently with the detailed design plans, an Ecological Survey of the site, or any part thereof identified by the Local Planning Authority, shall be carried out and submitted to the Local Planning Authority with an assessment of the impact of the proposed development and any appropriate measures of alleviation. Development shall be undertaken only in accordance with the agreed measures.
- 8 The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable

person, approved by the local planning authority but instructed by the applicant.

- 9 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.

- 10 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.

- 11 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the

removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision, which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

- 12 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five-year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long-term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA. Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 13 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.

- 14 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.
- 15 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 E shall be undertaken without the prior written permission of the Local Planning Authority.
- 16 Details of sustainable buildings construction, drainage, water storage/recycling and energy efficient services shall be submitted to and approved in writing by the Local Planning Authority before work commences on site. The details as agreed shall be carried out thereafter.
- 17 This permission is subject to a unilateral undertaking, which has been submitted by the applicant as part of this planning application, and no development shall take place until measures to enable the provision of an affordable housing contribution, improvements to Footpaths and landscaping of the site area including that marked blue on drawing no. 02.159/04, provision of a Parish Room building and associated car parking area and village green, necessitated by this development are secured with the local planning authority.
- 18 Before work commences on the site, details of existing and proposed site levels shall be submitted and agree in writing by the Local Planning authority. The details as agreed shall be carried out thereafter and include removal from the site of all existing hardstanding areas associated with the current former agricultural buildings on the site, as shown on drawing no. 02.159/7, and re-grading of that part of the site used formerly for unauthorised tipping. This work shall be carried out before first construction of the residential development hereby approved.

Reason: To repair and enhance the visual quality of the landscape.

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