

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee D Wednesday, 3rd January, 2007

Place: Council Chamber, Civic Offices, High Street, Epping

Room: Council Chamber

Time: 7.30 pm

Democratic Services Officer Adrian Hendry, Research and Democratic Services
Tel: 01992 564246 email: ahendry@eppingforestdc.gov.uk

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If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

Members:

Councillors P McMillan (Chairman), Mrs D Borton (Vice-Chairman), Mrs P Brooks, Mrs A Cooper, J Demetriou, R D'Souza, Mrs R Gadsby, R Haines, Mrs J Lea, Mrs M Sartin, Mrs P Smith, D Spinks, Ms S Stavrou and J Wyatt

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

1. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

2. MINUTES (Pages 7 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 29 November 2006 as correct record (attached).

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

5. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

6. DEVELOPMENT CONTROL (Pages 15 - 20)

(Head of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

7. DELEGATED DECISIONS

(Head of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

8. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt

information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee D **Date:** 29 November 2006

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.37 pm
High Street, Epping

Members Present: P McMillan (Chairman), Mrs D Borton (Vice-Chairman), Mrs P Brooks,
J Demetriou, R D'Souza, Mrs R Gadsby, Mrs J Lea, Mrs M Sartin,
Mrs P Smith, Ms S Stavrou and J Wyatt

Other Councillors: D Stallan

Apologies: D Spinks

Officers Present: A Hall (Head of Housing Services), S Solon (Principal Planning Officer) and
A Hendry (Democratic Services Officer)

44. 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. He also informed those present, that this meeting was to be webcast live and would be capable of repeated viewing.

The Chairman announced that item 7(4) (EPF/1680/06 The Limes/ White Lodge, Sewardstone Road, Waltham Abbey) would be considered first, as the Head Of Housing Services, who was there to answer any questions on the Affordable Housing aspects of this application had to attend another meeting that evening.

He also announced that item 7(5) (EPF/1989/06, 2 Hollyfield Cottages, Hollyfield, Waltham Abbey) had been withdrawn from the agenda.

45. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 1 November 2006 be taken as read and signed by the Chairman as a correct record.

46. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Ms S-A Stavrou declared a personal interests in agenda items 7 (4) (EPF/1680/06 The Limes/ White Lodge, Sewardstone Road, Waltham Abbey) by virtue of being the ward councillor. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Borton declared a personal interest in agenda items 7 (1) (EPF/1843/06 64 & 66 North Street, Nazeing) and 7(2) (EPF/1908/06 Land rear of Pecks Hill/ Maplecroft Lane, Pecks Hill, Nazeing) by virtue of being a member of Nazeing Parish Council. 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.

(c) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in agenda items 7 (4) (EPF/1680/06 The Limes/ White Lodge, Sewardstone Road, Waltham Abbey) by virtue of being the Portfolio Holder for Housing. The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration of the item.

47. ANY OTHER BUSINESS

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

48. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 5 be determined as set out in the annex to these minutes.

49. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL TO SEPTEMBER 2006

The Principal Planning Officer presented a report advising of the results of all successful appeals, particularly those refused contrary to officer recommendations. The purpose was to inform the panel of the consequences of these decisions and advise on cases where an award of costs might be made against the Council. Over the six-month period between April and September 2006, the Council received 59 decisions on appeals, 54 planning and related appeals and 5 enforcement appeals. Of the 54 planning and related appeals, 13 were allowed (or part-allowed contrary to the Council's case) (24%) and none of the 5 enforcement appeals – a combined total of 22% of the Council's decisions being overturned.

Of those 13 appeals allowed, 5 were allowed following decisions by committee to refuse contrary to officer's recommendation. No awards of costs were made in this 6-month period against the Council, but the Council were successful in obtaining a partial award of costs when an appellant withdrew his enforcement appeal at a very late stage, relating to Magdalen Laver Hall.

RESOLVED:

That the Planning Appeals Decision for the period April to September 2006 be noted.

50. 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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Report Item No: 1

APPLICATION No:	EPF/1843/06
SITE ADDRESS:	64 & 66 North Street Nazeing Essex EN9 2NW
PARISH:	Nazeing
DESCRIPTION OF PROPOSAL:	Amendments to RES/EPF/2321/04 for erection of a GP surgery with reduced no. of spaces for surgery car park from ten to eight.
DECISION:	REFUSE

REASON FOR REFUSAL:

The proposed reduction in off-street car parking provision is likely to result in vehicles being parked on the Highway, leading to conflict and interference with the passage of through vehicles to the detriment of highway safety. Accordingly, the proposal is contrary to policy T7 of the Essex and Southend-on-Sea Structure plan adopted 2001 and policy ST4 of the Epping Forest District Local Plan Alterations adopted 2006.

APPLICATION No:	EPF/1908/06
SITE ADDRESS:	Land rear of Pecks Hill/Maplecroft Lane Peck's Hill Nazeing Waltham Abbey Essex
PARISH:	Nazeing
DESCRIPTION OF PROPOSAL:	Erection of two loose boxes for horse stabling. (Revised application)
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 stables hereby permitted shall only be used for the accommodation of 2 horses or ponies for private use by the owner of the stables and shall not be used in connection with any business use.

- 3 Prior to commencement of the development hereby permitted, adequate provision for drainage shall be provided in accordance with details previously submitted to and approved by the Local Planning Authority. Such details shall include details of the design and location of manure stores. The approved drainage details shall be retained unless otherwise agreed in writing by the Local Planning Authority.
- 4 The development shall not be commenced until details of the means of access to the development from Maplecroft Lane has been submitted to and approved in writing by the Local Planning Authority. The building shall not be used until the approved details have been implemented. The details of the access including its surface shall not vary from the details approved unless otherwise agreed in writing by the Local Planning Authority.
- 5 The building hereby approved shall not be used for keeping animals until details of a walled manure store have been submitted to and approved in writing by the Local Planning Authority and the approved store constructed. Manure shall not be stored on the land other than in the approved manure store. The approved manure store shall be retained on the land unless otherwise agreed in writing by the Local Planning Authority.
- 6 Notwithstanding the details submitted, the development shall not be commenced until details of the siting of the stables and materials of the access way and car park/turning area have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such details and thereafter be permanently retained as such unless otherwise agreed in writing by the Local Planning Authority

Report Item No: 3

APPLICATION No:	EPF/1451/06
SITE ADDRESS:	Tower Nursery Netherhall Road Roydon Essex CM19 5JP
PARISH:	Roydon
DESCRIPTION OF PROPOSAL:	Extension to existing glasshouses.
RECOMMENDED DECISION:	GRANT (subject to the prior completion of a section 106 agreement)

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 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 commencement of the development hereby approved and shall be adequately maintained.
- 3 The development shall be carried out in accordance with the amended plans received on 27/10/2006 unless otherwise agreed in writing with the Local Planning Authority.

INFORMATIVE: The building should be removed when no longer required and the land restored to its former condition in accordance with policy E13C of the Adopted Local Plan Alterations adopted 2006.

It is further recommended that this application is also subject to the prior completion of a **Section 106 Agreement** to secure landscaping on land owned by the Lee Valley Park Authority to the north of the access road and the landscaping on the application site to details and specifications to be set out in the Agreement.

Report Item No: 4

APPLICATION No:	EPF/1680/06
SITE ADDRESS:	The Limes/White Lodge Sewardstone Road Waltham Abbey Essex E4 7SA
PARISH:	Waltham Abbey
DESCRIPTION OF PROPOSAL:	Outline planning application for redevelopment of site to provide 119 dwellings, car parking, community use, shop, means of access and other works ancillary to the development.
DECISION:	The application be referred to the District Development Control Committee with a recommendation that planning permission be granted subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990.

Report Item No: 5

APPLICATION No:	EPF/1989/06
SITE ADDRESS:	2 Holyfield Cottages, Holyfield, Waltham Abbey EN9 2EL
PARISH:	Waltham Abbey
DESCRIPTION OF PROPOSAL:	Removal of dilapidated former chapel and construction of similar replacement building for ancillary living accommodation. (Revised application)
DECISION:	WITHDRAWN

AREA PLANS SUB-COMMITTEE 'D'

Date: 3 January 2007

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1929/06	Glyn Hopkin, 1 Chartersfield Road, Waltham Abbey	GRANT	17

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Report Item No: 1

APPLICATION No:	EPF/1929/06
SITE ADDRESS:	Glyn Hopkin 1 Cartersfield Road Waltham Abbey Essex EN9 1JD
PARISH:	Waltham Abbey
APPLICANT:	Glyn Hopkin Ltd.
DESCRIPTION OF PROPOSAL:	Erection of 3m vertical banner on 6m high pole.
RECOMMENDED DECISION:	GRANT

NO CONDITIONS

Description of Proposal:

Display of vertical banner (flag type) sign measuring 3m high x 1.5m wide attached to 6m high pole.

Description of Site:

Nissan dealership garage located on the corner of Cartersfield Road and Sewardstone Road. The proposed vertical banner sign is to be located on the Cartersfield Road frontage about 35m from the Sewardstone Road junction.

The site is in the urban area of Waltham Abbey and within an industrial area identified in the Local Plan. In accordance with its designation, the locality has a strong commercial character. The site does not form part of a Conservation Area.

The lawful use of the site is as a car dealership. It comprises open displays of cars around a modern showroom building together with associated advertising including an internally illuminated pylon sign, 6m high and 2m wide, situated at the junction of Cartersfield Road and Sewardstone Road.

Relevant History:

A/EPF/1541/04 - Erection of free standing signage and various internally illuminated and non-illuminated fascia signs. Approved 20.9.04.

Policies Applied:

Local Plan Policy:
DBE13 – Display of advertisements

Issues and Considerations:

In considering applications for signage the only considerations are amenity and public safety.

Amenity: The proposed sign is located well back from Sewardstone Road within an industrial estate and opposite a currently disused site. The proposed pole is no higher than an existing internally illuminated pylon sign at the entrance to the site and it is not considered that in this location it will be visually intrusive.

Public Safety: The proposed pole is set back from the public footpath and between metal safety barriers and will not obstruct sight lines. The position of the bottom of the banner at 3m high is clearly above the height at which its flapping could cause any injury to pedestrians.

The Town Council have raised concern that the non-rigid banner may cause noise and disturbance to the occupants of Nobel Villas, which are situated on the opposite side of Sewardstone Road. Although it is acknowledged that flags can sometimes cause noise nuisance, in this instance given the vertical design of the banner, the distance from Nobel Villas (about 50m) and the fact that there is a main road between the proposal and the dwellings it is not considered that undue harm to residential amenity will arise.

Conclusion:

In conclusion it is considered that the proposed sign will not cause harm to amenity or public safety and the application is therefore recommended for approval.

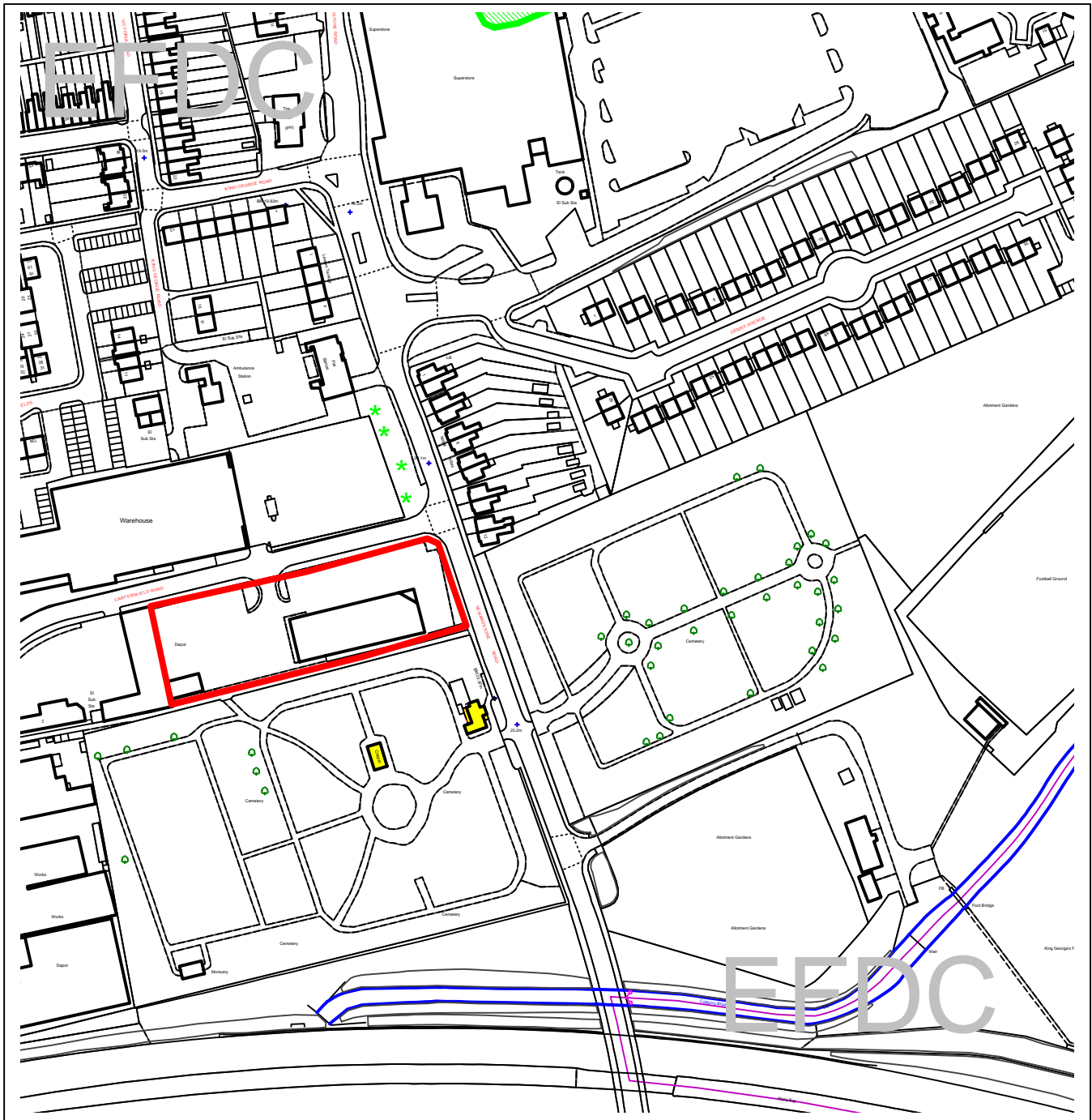
SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL – No objection subject to the banner being of rigid construction.
NEIGHBOURS – No response received.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	1
Application Number:	EPF/1929/06 A
Site Name:	Glyn Hopkin Showroom, Cartersfield Road, Waltham Abbey
Scale of Plot:	1/2500

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