

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 6 June 2007

Place: Council Chamber, Civic Offices, **Time:** 7.35 - 9.00 pm
High Street, Epping

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

Other Councillors:

Apologies: Mrs A Cooper, J Demetriou, Ms S Stavrou, A Watts and Mrs E Webster

Officers Present: S Solon (Principal Planning Officer), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

1. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

2. 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.

3. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks declared personal interest in agenda items 7 (5) (EPF/0425/07 -Claverhambury Manor, Claverhambury Road, Galley Hill, Waltham Abbey), 7(6) (EPF/0439/07 - Former Garage Block, Homefield, Waltham Abbey), 7(7) (EPF/0448/07 - 92 Crooked Mile, Waltham Abbey), 7(8) (EPF/0544/07 - 111 Monkswood Avenue, Waltham Abbey), 7(9) (EPF/0581/07 - Monkshams Farm, Hollyfield Road, Waltham Abbey) and 7(10) (EPF/0603/07 – Gilwell Park, Bury Road), by virtue of being a members of the Waltham Abbey Town Council, Planning Committee. 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 R Gadsby declared a personal interest in agenda item 7 (7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) by virtue of being a colleague of the applicant. 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 Mrs M Sartin declared a personal interest in agenda item 7 (7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) by virtue of being a colleague of the applicant. 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.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Lea declared a personal interest in agenda item 7 (7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) by virtue of being a colleague of the applicant. 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. She also declared a personal interest in item 7(8) (EPF/0544/07 – 111 Monkswood Avenue, Waltham Abbey) by virtue of living in that road. She declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(e) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in agenda items 7 (2) (EPF/0232/07 – Langridge Barn, Paynes Lane, Nazeing) and 7(7) (EPF/0448/07 – 92 Crooked Mile, 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 item.

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in agenda item 7 (7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) by virtue of being a colleague of the applicant. 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.

(g) Pursuant to the Council's Code of Member Conduct, Councillor R D'Souza declared a personal interest in agenda item 7 (7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) by virtue of being a colleague of the applicant. 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 item.

(h) Pursuant to the Council's Code of Member Conduct, Councillor J Wyatt declared a personal interest in agenda item 7 (7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) by virtue of being a colleague of the applicant. 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 item.

(i) Pursuant to the Council's Code of Member Conduct, Councillor P McMillan declared a personal interest in agenda items 7(5) (EPF/0425/07 – Claverhambury Manor, Claverhambury Road, Galley Hill, Waltham Abbey) and 7 (7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) by virtue of being a colleague of the applicant. 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 item.

4. ANY OTHER BUSINESS

That Chairman proposed that item 7(7) (EPF/0448/07 – 92 Crooked Mile, Waltham Abbey) be referred up to its parent committee, the District Development Committee. This was seconded by Councillor Wyatt and agreed unanimously by the committee.

RESOLVED:

That application EPF/0448/07 – 92 Crooked Mile, Waltham Abbey be referred to the District Development Committee for consideration.

5. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2006 TO MARCH 2007

The Principal Planning Officer presented a report advising of the results of all the successful appeals, particularly those refused by committee contrary to officer recommendations. The purpose was to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupported on planning grounds, an award of costs may be made against the Council.

Over the six-month period between October 2006 and March 2007, the Council received 74 decisions on appeals – 71 planning and related appeals and 3 enforcement appeals. Of the 71 planning and related appeals 22 were allowed (31%) and none of the 3 enforcements – a combined total of 29.7% of the Council's decisions being overturned.

On this occasion, the proportion of appeals that arose from decisions of the committees to refuse contrary to the recommendation of officers was much higher than on previous occasions. Of the 71 appeal decisions, 18 arose in such circumstances and the Council lost 12 of those cases. If those 18 cases were entirely discounted from the statistics, the Council's performance figure would have been 19%, which is well within the top quartile performance nationally.

There were two cases where costs were awarded during this period – one for the Council and one against.

RESOLVED:

That the Planning Appeals decision for the period October 2006 and March 2007 be noted.

6. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 10 be determined as set out in the annex to these minutes.

7. 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.

Minute Item 6

Report Item No: 1

APPLICATION No:	EPF/0106/07
SITE ADDRESS:	4 The Heights Bumbles Green Lane Nazeing Essex EN9 2SG
PARISH:	Nazeing
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Erection of a storage building for garden furniture and maintenance machinery (retention of existing but with reduced ridge height).
DECISION:	REFUSE

REASON FOR REFUSAL

- 1 The application site forms part of the Metropolitan Green Belt, the most important attribute of which is its openness. Because of its excessive height and bulk, the building appears unduly prominent and fails to preserve the openness of the Green Belt. No very special circumstances exist, sufficient to override the harm caused. It therefore conflicts with the purposes of including the land in the Green Belt and is contrary to Policy C2 of the Essex and Southend-on-Sea Replacement Structure Plan (2001) and Policies GB2A and GB7A of the Epping Forest District Local Plan Alterations (2006)..

Report Item No: 2

APPLICATION No:	EPF/0232/07
SITE ADDRESS:	Langridge Barn Paynes Lane Nazeing Essex EN9 2EY
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Change of use of granny annexe to separate dwelling with garden.
DECISION:	REFUSE

REASONS FOR REFUSAL

- 1 The proposal would result in an intensification of the use of this part of the Metropolitan Green Belt for residential purposes. This would have a materially greater impact than the present use on the Green Belt and would have a significantly detrimental impact on the character of the countryside. Moreover, the Council is not satisfied that works to the building within the last 10 years were not completed with a view to securing a use other than that for which they were ostensibly carried out. Accordingly, the proposal is contrary to policies GB2A and GB8A of the Epping forest District Local Plan Alterations and Policy RE2 of the Essex and Southend-on-Sea Replacement Structure Plan.
- 2 The proposal would result in the creation of a dwelling-house that is remote from public services and is not accessible by existing, committed or planned sustainable means of transport. This is contrary to the Council's sustainable development objectives. Accordingly, the proposal is contrary to Local Plan Alteration policies CP1 and CP3 and to Replacement Structure Plan policy CS4.

Report Item No: 3

APPLICATION No:	EPF/0552/07
SITE ADDRESS:	Willow Lodge Old House Lane Nazeing Essex EN9 2LJ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Front and rear dormer windows and alterations to elevations. Erection of front porch. Demolition of existing rear extension and erection of new single storey rear extension.
DECISION:	GRANT (with conditions)

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 extension, shall match those of the existing building.
- 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 that Order) no enclosure or balcony shall be formed at any time on the roof of the extension hereby approved without the prior written approval of the Local Planning Authority.

Report Item No: 4

APPLICATION No:	EPF/0302/07
SITE ADDRESS:	Greenacres Hamlet Hill Roydon Harlow Essex CM19 5LD
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Proposed front, side and rear dormers.
DECISION:	GRANT (with conditions)

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 extension, shall match those of the existing building.
- 3 The proposed dormer windows on the south-east and north-east roofslopes shall be fitted with obscured glass and shall have fixed frames and shall be permanently retained in that condition.
- 4 The development shall be carried out in accordance with the amended floor plans received on 31st March 2007 and the amended elevation drawing received on 21st May 2007 unless otherwise agreed in writing with the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/0425/07
SITE ADDRESS:	Claverhambury Manor Claverhambury Road Galley Hill Waltham Abbey Essex EN9 2BL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Conversion of domestic storage barn to dwelling.
DECISION:	GRANT (with conditions)

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 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.
- 3 The two remaining outbuildings within this site, shaded black on the approved block plan (drawing G.H.5), shall be used only for garaging and domestic storage ancillary to the main use of the dwelling hereby approved and shall not at any time be converted to habitable floorspace or used for any other purpose.
- 4 Details of the types and colours of the external finish of the roof of the building 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 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 Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority 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 Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

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

Report Item No: 6

APPLICATION No:	EPF/0439/07
SITE ADDRESS:	Former Garage Block Homefield Waltham Abbey Essex EN9 3LS
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
DESCRIPTION OF PROPOSAL:	Erection of 1 no. three bedroom and 2 no. two bedroom residential houses with parking. (Revised application)
DECISION:	GRANT (with conditions)

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 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.
- 4 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 plans 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.
- 5 Prior to first occupation of the building hereby approved the proposed window openings in southern flank of the semi-detached dwelling facing No. 17 Harries Court shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 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 1 Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.

- 7 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.
- 8 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 in accordance with a management plan to be submitted concurrently with the assessment.
- 9 The parking spaces shown on plan number 0549(PL)01 Revision B shall be provided prior to the first occupation of the development and shall be permanently retained free of obstruction for the parking of residents and visitors vehicles.
- 10 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

Report Item No: 7

APPLICATION No:	EPF/0448/07
SITE ADDRESS:	92 Crooked Mile Waltham Abbey Essex EN9 1QN
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Two storey side extension and change of use from residential to mixed use of residential and learning disability home.
DECISION:	REFERRED TO DISTRICT DEVELOPMENT CONTROL COMMITTEE

Report Item No: 8

APPLICATION No:	EPF/0544/07
SITE ADDRESS:	111 Monkswood Avenue Waltham Abbey Essex EN9 1LJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Erection of a detached dwelling with garage and access and revised access to no. 111 Monkswood Avenue.
DECISION:	GRANT (with conditions)

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 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.
- 4 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.
- 5 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 and visitors vehicles.
- 6 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 in accordance with a management plan to be submitted concurrently with the assessment..

Report Item No: 9

APPLICATION No:	EPF/0581/07
SITE ADDRESS:	Monkhams Farm Holyfield Road Waltham Abbey Essex
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Demolition of buttery and Dairy Cottage and erection of one new replacement detached dwelling.
DECISION:	GRANT (with conditions)

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 construction of the dwelling hereby approved shall not be commenced until the buildings identified on the approved plans as to be demolished (The Buttery and the Dairy) have been entirely demolished above ground level.
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 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.
- 5 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.
- 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 Classes A, B, and E of Part 1 of Schedule 2 shall be undertaken without the prior written permission of the Local Planning Authority.
- 7 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 between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no

time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 8 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 approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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.

- 9 Prior to the site being used for residential occupation, adequate provision for drainage shall be submitted to and approved by the Local Authority. The approved drainage shall be retained while the site is in use.

Report Item no. 10

APPLICATION No:	EPF/0813/07
SITE ADDRESS:	Gilwell Park Bury Road E4
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	TPO/EPF/21/06 - 1x Horse Chestnut, 3 x Lime, 2 x Oak - fell. 5 x Oak - crown lift to 5m on trackside only. 1x Lime, 1x Hornbeam - remove overhanging branches.
DECISION:	GRANT

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days' notice of such works.
- 2 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 3 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

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