

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control **Date:** 2 February 2010
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 10.16 pm
High Street, Epping

Members Present: R Bassett, K Chana, R Frankel, Mrs R Gadsby, A Green, J Hart, J Markham, R Morgan, J Philip, Mrs C Pond, J Wyatt and Mrs L Wagland

Other Councillors: Mrs A Grigg, D Stallan and C Whitbread

Apologies: M Colling, Mrs A Haigh and G Mohindra

Officers Present: N Richardson (Assistant Director (Development Control)), S G Hill (Senior Democratic Services Officer) and R Perrin (Democratic Services Assistant)

ECC: E Featherstone, M Bradley (Essex County Council Highways)

43. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

44. MINUTES

Resolved:

That the minutes of the meeting held on 1 December 2010 be taken as read and signed by the Chairman as a correct record.

45. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

Noted that Councillor Bassett was substituting for Councillor Colling and that Councillor Phillip was substituting for Councillor Mohindra.

46. DECLARATIONS OF INTEREST

The following declarations of interest were made to the meeting pursuant to the members Code of Conduct:

- (i) Councillors R Bassett, R Gadsby and J Wyatt – personal interests declared in the items 12 (Greenleaves Mobile Home Park) and item 15 (Nazeing Glass Works) by virtue being members of Area Planning Subcommittee West. The members indicated they proposed to stay in the meeting for the consideration and voting on these items and to form their opinion of the applications based upon presentations and discussions at the meeting.

(ii) Councillor R Bassett– personal interests declared in the items 12 (Greenleaves Mobile Home Park) and item 15 (Nazeing Glass Works) by virtue being the local ward member. The member indicated he proposed to stay in the meeting for the consideration and voting on these items.

(iii) Councillors A Grigg and D Stallan declared personal and prejudicial interests in item 10 (Land Adj. Blakes Golf Club) as members of the Parish Council (personal) and having submitted formal objection to the County Council on the application (prejudicial). The members indicated that they wished to speak on the application and then leave the meeting for the discussion and voting on the item.

47. ANY OTHER BUSINESS

It was noted that there were no further items for consideration at the meeting than those shown on the agenda.

48. ESSEX COUNTY COUNCIL - HIGHWAYS PRESENTATION

The Committee received a presentation from Officers from Essex County Council Highways Department. Officer from Essex explained the process that was followed when the District Council consulted them as part of the development control application process. It was noted that County policies for assessing application were under review through the supplementary planning guidance process.

Strategic applications were also subject to a traffic assessment process which looked at from a sustainability, transport and infrastructure improvement point of view.

County officer acknowledged that Councillors thought that Highways views had not been justified and commented that they were enhancing their service in the future to provide better explanations but anything they objected to had to be supportable at any appeal. What the County couldn't consider was a 'perceived' traffic impact only those issues raised by assessment. Existing safety issues could only be considered if the proposals made them worse.

Noted that, increasingly, green travel plans were being sought. The County's Green Travel team were working with Companies although there were problems with monitoring relying on the Companies concerned. Members commented that they rarely saw such plans before them.

In response to a question relating to timescales for applications, it was noted that Highways had a 21 day period in which to comment although smaller application were dealt with more quickly. It was also noted that Highways officers in Harlow had been co-located onto one site.

Members expressed the hope that County and District would be able to work more closely and thanked officers for attending.

It was agreed that the Highways presentation slides be reproduced in the Members Bulletin.

49. ESSEX COUNTY COUNCIL REVISED PARKING STANDARDS - ADOPTION AS SUPPLEMENTARY GUIDANCE

At the last meeting, the committee had received a report on revised parking standards which had been passed for adoption by the Council. Subsequent to the meeting the Head of Planning Services had received representations from GO East

raising concern at elements of the document relating to minimum parking standards. The Committee are asked to give further consideration to the adoption of the Standards taking account of the representations made.

Notwithstanding GO East's reservations, the committee remained satisfied with the approach taken by Essex County Council and therefore recommended that the Council adopts the new parking standards as supplementary guidance and to report to Council accordingly.

Resolved:

That, having considered the representations made by GO East, the Committee confirms its support of the new Parking Standards issued by Essex County Council, entitled "Parking Standards Design and Good Practice for Essex", as supplementary guidance and requests that Council be asked to formally adopt the document.

50. PLANNING CONSULTATION EPF/2388/09 LAND ADJ TO BLAKES GOLF CLUB, NORTH WEALD, ESSEX - CHANGE OF USE OF AGRICULTURAL LAND, NEW GOLF COURSE, CONTOURING, RESERVOIRS AND ANCILLARY ENGINEERING WORKS

The Committee considered a planning consultation from Essex County Council relating to proposals for change of use of agricultural land adjacent Blakes Golf Club, North Weald. The proposals sought approval from Essex County Council for the importation of 65,095 cubic metres of inert waste to facilitate the construction of phase one of a second 18 hole golf course incorporating an academy, 9 hole training course and range, new water supply and storage reservoirs and associated landscaping and land recontouring plus ancillary engineering works including revised access from A414, temporary construction compound and haulage routes.

Officers had recommended that objection be raised to the proposals on a number of grounds, including that it sought permission of only the first phase of the development, namely soil importation, in excess of the level required to create a golf course on the site. Additionally officers were concerned at the harm to the landscape around the Essex Redoubt, inadequate information on traffic impact, effect on one particular property, and inadequate information about land drainage and potential flooding issues.

Local members, having declared prejudicial interests, spoke in objection to the proposals and asked that if the committee were minded to object to the proposals, they be authorised to make representations directly to County members at the county meeting where it would be considered.

Members of the committee shared officers concerns that there were no proposals submitted that would require the building of a golf course. There was no proof of the need for another course in the vicinity and would result in the loss of agricultural land. Members were also concerned at the effect on the green belt and proposed design. They therefore supported officers objections.

Resolved:

(1) That the District Planning Authority raises objections to the proposed development for the following reasons:

(i) The proposal currently under consideration is restricted to Phase 1.

This single phase does not form a logical or coherent form of development in its own right and approval would potentially enable the use of this area of land for waste importation and landraising, with no way of requiring the remaining golf course to be developed. Approval of this phase would imply that the remaining phases of the development would be acceptable, but we are not being asked to consider this. It is considered therefore that Phase 1 can not be considered in isolation as it would result in an incongruous and inappropriate area of golf course landscaping not related to any golf course and as such should be refused. A full application covering the whole site is required so that the development can be considered and controlled as a whole.

(ii) The proposed works are far in excess of those required to enable to creation of a golf course and the landraising proposed is therefore contrary to Policy W9B of the County's Waste Local Plan.

(iii) The proposed development of the site for waste disposal and subsequent golf facility will cause significant harm to the landscape and visual amenity of the area and be detrimental to the setting of the Essex Redoubt and Ongar Park Farm. Insufficient information has been provided to show that there will not be harm to other historic or archaeological aspects of the site. The proposal is therefore contrary to Policies, RST1, LL1, LL2, LL7, LL10, HC1, HC3 and HC12 of the Epping Forest District Local Plan and Local Plan Alterations.

(iv) Inadequate information has been submitted to ensure that the development will not lead to flooding and land drainage issues and /or contamination.

(v) Inadequate and or contradictory information has been submitted with regard to traffic and HGV movements during the development phase, such that the full impact of the proposal on the surrounding road network can not be fully assessed.

(vi) The proposal will result in unacceptable loss of residential amenity to the occupants of Kerr's Cottage in particular and has potential to cause harm from noise dust and disturbance to other properties in the locality throughout the waste disposal phase. As this amount of importation is not required to enable the construction of a golf course these construction impacts are clearly contrary to policies DBE9 and RP5A of the adopted Local Plan and Alterations.

(vii) The proposal is primarily an application for waste disposal and on its own is not part of a useable golf course, as such it is not an open recreational use and it is therefore inappropriate development in the Metropolitan Green Belt and is by definition harmful. It is therefore contrary to policy GB2A of the Epping Forest District Local Plan and Local Plan Alterations

(viii) The proposal would result in a loss of agricultural land to the detriment of future farmland in the locality.

(ix) Detail is lacking on how the imported material is to be screened and controlled and distributed in the site, demonstrating the inappropriate methodology and design of the proposed scheme.

(x) Inadequate information has been submitted to demonstrate minimising

harm to or enhancement of wildlife habitats and biodiversity, contrary to policy NC2 of the adopted Local Plan and alterations; and

(2) That Councillors Stallan and Grigg be authorised to make representations to the County Council Development and Regulation Committee on this matter.

51. PARKING PROVISION AT MARKS & SPENCER SIMPLY FOOD STORE, 161 HIGH ROAD, LOUGHTON

The Committee were asked to consider a proposal relating to the car park at the rear of the Simply Food store in Loughton. The applicants sought approval to revise the Car Park Management Plan for the site, agreed as part of a Section 106 agreement, to reduce the public parking capacity to 89 rather than the previously approved 94 spaces to allow five spaces to be leased to an adjoining company.

Resolved:

That the revision to the Car Park Management Statement for the car park at 161 High Road, Loughton proposing a car park capacity of 89 spaces be agreed.

52. PLANNING APPLICATION EPF/2254/09 - GREENLEAVES MOBILE HOME PARK, HOE LANE, NAZEING, ESSEX - CHANGE OF USE TO INCLUDE THE STATIONING OF CARAVANS FOR 5 NO. FAMILY GYPSY PITCHES WITH UTILITY/DAY ROOM BUILDINGS AND ANCILLARY HARD-STANDING

The Committee considered an application for the change of use of land at Greenleaves Mobile Home Park to form an extension to the existing park to allow for 5 family gypsy pitches. Each pitch would site 1 mobile home and 1 touring caravan together with an ancillary utility/day room building and hardstanding.

The proposal brought the total number of pitches on the site up to 15. The application was brought before committee as the proposal was of major importance and affected by the current consultation process for the Gypsy and Traveller DPD.

The Committee heard from the Local Parish Council, an objector and the applicant.

Members considered that there were special circumstances that outweighed the potential harm as the current application had named family members as the proposed occupiers of these sites, and had given details regarding their personal circumstances, the site was well run, screened site and had sufficient space to accommodate the additional sites.

Resolved:

That planning application EPF/2254/09 at Greenleaves Mobile Home Park, Hoe Lane, Nazeing be granted subject to the following conditions.

(1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

(2) The additional pitches hereby approved shall be occupied only by the following named occupants and their immediate dependents (below the age

of majority), and by no other persons: 1. William Claydon, Jade Claydon 2. Mary Marshall 3. Robert Kennedy, Tawny Kennedy 4. Joseph Gaskin, Montanna Marshall 5. Charles Botten, Amber Marshall Reason:- The site is located within the Metropolitan Green Belt and the proposed occupiers relate to the very special circumstances that outweigh the harm from the development.

(3) When the land ceases to be occupied by those persons listed in Condition 2 above and their immediate dependents (below the age of majority), the use hereby permitted shall be discontinued and the caravans, vehicles, trailers, utility/day room buildings and structures (including the sheds and fences) shall be permanently removed from the site. Reason: The site is within the Green Belt and permission is granted only on the basis of the particular circumstances. The Council wishes to ensure that should the site become vacant, the openness of the Green Belt can be restored.

(4) Prior to any additional caravans being brought on site, details of means of disposal of sewage from the site shall be submitted to and agreed in writing by the Local Planning Authority and the agreed scheme shall be implemented accordingly. Reason:- To ensure adequate sewage disposal is installed on site.

(5) The site shall be used for residential purposes only. No commercial, Industrial or retail activity shall be carried out at the site, including the storage of goods, materials or other items (other than household/domestic effects relating to the specific pitch on which they are stored).

Reason:- To protect against inappropriate uses of the site and to protect the amenities of surrounding residents.

(6) There shall be no more than 1 static caravan and 1 touring caravan stationed on each pitch at any one time (a total of 5 static caravans and 5 tourers on the site as a whole). No more than 2 vehicles shall be parked on each pitch at any one time.

Reason:- To protect against the intensification of use of the site.

(7) 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. Reason:- To ensure satisfactory disposal in accordance with current drainage requirements.

(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.

Reason:- Since the site is located within a PPS25 Flood Risk Assessment Zone and is of a size where it is necessary to avoid generating any additional flood risk downstream of the storm drainage outfall.

(9) The roadway and turning area shown on the approved plans shall be completed prior to any caravans or mobile homes being stationed on the site.

Reason:- In the interest of Highway safety.

(10) 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.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development.

(11) There shall be no stationing, parking, or storage of vehicles over 1.5 tonnes or the maintenance or repair of vehicles on the entire site. Reason:- To protect against inappropriate use of this Green Belt site.

53. PLANNING APPLICATION EPF/1994/09 - PLOTS 3 TO 6 KINGS WOOD PARK, ST. MARGARET'S HOSPITAL, THE PLAIN, EPPING, ESSEX - ERECTION OF FOUR DETACHED HOUSES (RE-DESIGN OF THE APPROVED TYPE A HOUSE)

The committee considered and approved an application to vary the design of a number of plots on the development at the St Margaret's Hospital site.

Resolved:

That planning application EPF/1994/09 – Plots 3 to 6 Kings Wood Park, St. Margaret's Hospital, The Plain, Epping, Essex be granted subject to the following conditions:

(1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

(2) The materials used in the development shall be those set out in the application forms unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity.

54. PLANNING APPLICATION EPF/1995/09 - PLOTS 57 TO 61, 64 AND 65 KINGS WOOD PARK, ST. MARGARET'S HOSPITAL, THE PLAIN, EPPING, ESSEX - ERECTION OF SEVEN DETACHED HOUSES (RE-DESIGN OF THE APPROVED TYPE A HOUSE)

The committee considered and approved an application to vary the design of a number of plots on the development at the St Margaret's Hospital site.

Resolved:

EPF/1995/09 – Plots 57 to 61, 64 and 65 Kings Wood Park, St. Margaret's Hospital, The Plain, Epping be granted subject to the following conditions:

(1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

(2) The materials used in the development shall be those set out in the application forms unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity.

55. PLANNING APPLICATION EPF/1622/09 - NAZEING GLASS WORKS LTD., NAZEING NEW ROAD, NAZEING, ESSEX - CHANGE OF USE OF PART OF MAIN FACTORY (B2) TO GYMNASIUM (D2).

The Committee considered an application referred by Area Plans Subcommittee West on 2 December 2009 with a recommendation for approval.

The application sought the change of part of the main factory glass factory from B2 (general industry) to a D2 (assembly and leisure), for use as a gymnasium.

Members heard from the Parish Council and the applicant.

Members noted that the debate at the sub-committee meeting had centred on the recommended reasons for refusal and the potential community benefit of the intended D2 use. The sub-committee had considered that, given the proximity of the application site to Broxbourne Train Station and existing shops, the site was in a reasonably sustainable location and therefore disagreed with the second recommended grounds for refusal.

Additionally, the sub-committee considered that, on balance, the merits of this case would outweigh any harm resulting from the proposal, despite that the approval would be contrary to Local Plan policy. Of particular merit would be the community benefit of the proposed gym to residents of Nazeing, and as the use of this unit as a gym would have less impact on neighbouring residents than the existing industrial use.

The Committee concurred with the view of the Subcommittee and noted the support of the local Parish Council and members and asked that an additional condition should be placed on the consent restricting the proposed D2 use to a Gymnasium.

Resolved:

(1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

(2) The development hereby permitted shall not be open to customers/ members outside the hours of 06:00 to 22:00 on Monday to Friday, 08:00 to 17:00 on Saturday, and 09:00 to 15:00 on Sundays and public holidays.

Reason:- In order to minimise disturbance to local residents.

(3) Prior to occupation of the development hereby approved, details regarding the layout and intended use of the parking area shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the parking area shall be retained free of obstruction for the parking of staff and visitors vehicles.

Reason:- In the interests of highway safety.

(4) The premises shall be used solely for a Gymnasium and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

Reason:- To safeguard against an alternative D2 use which is likely to be an inappropriate use on this industrial estate.

CHAIRMAN