

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control **Date:** 3 August 2010
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 7.45 pm
High Street, Epping

Members Present: B Sandler (Chairman), G Mohindra (Vice-Chairman), A Boyce, K Chana, C Finn, Mrs S Jones, J Markham, Mrs M McEwen, R Morgan and J M Whitehouse

Other Councillors: -

Apologies: Mrs P Brooks, D Dodeja, Mrs R Gadsby, A Green, J Hart and J Wyatt

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

9. 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.

10. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Committee noted that Councillor J M Whitehouse was substituting for Councillor P Brooks and that Councillor S Jones was substituting for Councillor A Green at the meeting.

11. DECLARATIONS OF INTEREST

No declarations of interest were made pursuant to the Council's Code of Conduct.

12. MINUTES

Resolved:

That the minutes of the meeting held on 8 June 2010 be taken as read and signed by the Chairman as correct record.

13. ANY OTHER BUSINESS

There was no further business to be considered at the meeting other than that specified on the agenda.

14. PLANNING APPLICATION EPF/0504/10 - MATTHEWS YARD, HARLOW ROAD, MORETON

The Committee considered an application referred to it by Area Planning Subcommittee East its meeting on 2 June 2010 with a recommendation that planning permission be granted. The application sought approval for demolition of existing dwellings and the erection of 7 dwellings at Matthews Yard, Moreton, currently the site of one dwellings and a commercial building.

The Subcommittee had recommended approval to the application but had asked that officers seek a view from the developer to see if a contribution towards the provision of affordable housing was possible.

The committee noted the response to the request from the developer as to the viability of the scheme and noted that they had now agreed to contribute towards proposed highways improvement works and that this would be controlled by an additional condition. The applicant had also signed a unilateral undertaking relating to the rear of the site and removal of hardstandings and buildings on that land.

The Committee concurred with the view of the Subcommittee that the scheme was acceptable given the improvement to the site and green belt land.

The Committee agreed it had been demonstrated that a requirement to make a contribution to the provision of affordable housing in connection with this particular scheme would result in the scheme becoming unviable with the consequence that its benefits for the locality would not be realised.

Resolved:

That subject to the prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the cessation of the existing transport yard use of land to the rear of the site and the removal of hardstanding and buildings and restoration to grass, planning permission 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.
2. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
3. Notwithstanding the 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, C, and E shall be undertaken without the prior written permission of the Local Planning Authority.
4. Prior to the commencement of the development details of the proposed surface materials for the access and parking areas. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

5. The carriageway of the proposed estate road shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a road. The footways commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.

6. The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.

7. 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.

8. 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.

9. 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.

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.

11. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

12. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages hereby approved shall be retained so that they are capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

13. 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.

14. Before any preparatory demolition or construction works commence on site a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.

15. The development hereby approved shall not be commenced until measures have been secured to enable the provision of highway improvements to the locality necessitated by the development.

REASON: To ensure improvements to the highway adjacent to the site to facilitate pedestrian movement in the interests of achieving sustainable development and in the interests of highway safety.

CHAIRMAN