

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 17 November 2010

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.15 pm

Members Present: A Boyce (Chairman), A Green (Vice-Chairman), Mrs D Collins, Ms C Edwards, Mrs A Grigg, Ms J Hedges, D Jacobs, Mrs S Jones, B Judd, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: W Breare-Hall and P Gode

Officers Present: J Shingler (Principal Planning Officer), C Neilan (Conservation Officer), R Martin (Website Assistant) and G J Woodhall (Democratic Services Officer)

69. 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.

70. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

71. MINUTES

RESOLVED:

(1) That the minutes of the meeting held on 27 October 2010 be taken as read and signed by the Chairman as a correct record.

72. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs A Grigg and D Stallan declared a personal interest in the following item of the agenda by virtue of being members of North Weald Bassett Parish Council. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the duration of the discussion and voting thereon:

- EPF/1209/10 Weald Hall Care Home, Weald Hall Lane, North Weald Bassett

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Hedges declared a personal interest in the following items of the agenda. The Councillor had determined that her interests were not prejudicial and that she would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/1806/10 Ovenden Papers, Swordfish House, Bower Hill, Epping
- EPF/1951/10 George and Dragon Public House, 206 High Street, Epping
- EPF/2036/10 12A Hemnall Street, Epping

(c) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following item of the agenda. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1951/10 George and Dragon Public House, 206 High Street, Epping

(d) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a personal interest in the following item of the agenda. The Councillor had determined that his interest was prejudicial and that he would address the meeting as a public speaker and then leave the Chamber for the duration of the discussion and voting thereon:

- EPF/1988/10 3 Middle Boy, Lambourne

(e) Pursuant to the Council's Code of Member Conduct, Councillors Mrs D Collins and C Whitbread declared a personal interest in the following item of the agenda. The Councillors had determined that their interest was prejudicial and that they would leave the meeting for the consideration of the application and voting thereon:

- EPF/2036/10 12A Hemnall Street, Epping

(f) Pursuant to the Council's Code of Member Conduct, Councillor B Judd declared a personal interest in the following items of the agenda, by virtue of being a member of Ongar Town Council. The Councillor had determined that his interest was prejudicial and would address the meeting as a public speaker before leaving the Chamber for the consideration of the applications and voting thereon:

- Item 11 Exclusion of Public and Press

73. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/93/10 - LAND TO THE REAR OF 25 - 45 UPLAND ROAD, THORNWOOD

A report upon the confirmation of tree preservation order 93/10 at land to the rear of 25-45 Upland Road, Thornwood was presented by the Senior Arboricultural Officer.

The Sub-Committee was informed that the tree preservation order had become effective on 3 June 2010 and was served to protect woodland screening a concrete crushing plant from the rear of the properties along Upland Road. Public views of the plant from Thornwood Road were obscured by the eastern boundary of the woodland. Residents along Upland Road had become increasingly concerned with the loss of privacy they enjoyed, following the extensive removal of a large number of trees within the area. Objections had been made to the order, which had been answered by the Director of Planning & Economic Development.

The owner of the woodland in question, who had already submitted a written objection to the order, exercised her right under the planning protocol adopted by the Council to address the Sub-Committee for three minutes.

The Sub-Committee was presented with a revised site plan indicating those trees to form part of the order, and it was recommended that in the interests of public amenity the Order be confirmed, subject to the modification of the site plan to show the approximate area of remaining tree cover at the time of the service of the Order.

RESOLVED:

(1) That, subject to the modified site plan, tree preservation order 93/10 be confirmed.

74. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/99/10 - LAND ADJACENT TO THE A414, SECTION 1

A report upon the confirmation of tree preservation order 93/10 at land adjacent to the A414 was presented by the Senior Arboricultural Officer.

The Sub-Committee was informed that tree preservation order 99/10 had become effective on 29 June 2010. It was made as one of a number of strategic orders protecting trees along the A414 from Ongar to North Weald. This particular order was covering a total of 13 trees, within Choles Yard, and in adjacent properties to the east. All of the trees were Oak; most were large and mature trees but the order included a number of smaller trees close to the Talbot Roundabout and in the front of Choles Yard for their potential longer term contribution to public amenity. Objections to the order had been received from agents acting on behalf of the owners of the yard, which had been answered by the Director of Planning & Economic Development.

Officers felt that all six Oaks contributed to the setting of the entrance to the village, with five of the trees having particular significance as a result of their proximity to the major transport route. Taking this together with the importance of safeguarding them in respect of any future development of Coles Yard or road realignment the Order was therefore fully justified. The Sub-Committee was requested to confirm the order without modification.

RESOLVED:

(1) That tree preservation order 99/10 be confirmed without modification.

75. DEVELOPMENT CONTROL

RESOLVED:

(1) That the planning applications numbered 1 - 6 be determined as set out in the schedule attached to these minutes.

76. ANY OTHER URGENT BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

77. 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.

78. EXCLUSION OF PUBLIC AND PRESS**RESOLVED:**

(1) That the public and press be excluded from the meeting for the items of business set out below on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
11	Planning Appeal – Land at Ongar Station, High Street, Ongar	5

79. PLANNING APPEAL - LAND AT ONGAR STATION, HIGH STREET, ONGAR

The Principal Planning Officer presented a report regarding the forthcoming Planning Appeal in respect of the land at Ongar Station in the High Street, Ongar.

The Principal Planning Officer reported that planning application EPF/0457/10 proposed the erection of a large building for the frail elderly at Land at Ongar Station, facing directly onto the High Street. The Applicant had appealed against the non-determination of the application, but this Sub-Committee had decided that it would have refused to grant planning permission for the following reasons:

(i) *The applicants failure to provide an adequate affordable housing contribution in lieu of on-site affordable housing provision for a development of this size results in this proposal failing to comply with the aims of this Council's Adopted Local Plan policies H5A, H6A, H7A and I1A;*

(ii) *The design of the development, including its density, site coverage, bulk, massing and detailing, is out of character with the surrounding area and harmful to the character and usual amenity of the locality and the High Street in particular, contrary to policies CP2, CP7, H3A and DBE1 of the adopted Local Plan and Alterations;*

(iii) *The proposed development due to its size, scale and design, and also due to the loss of the curtilage listed building (355 High Street) would have an adverse impact on the setting of the adjacent grade II station building contrary to Policy HC12 of the adopted Local Plan and Alterations; and*

(iv) *The proposal would introduce a significant number of frail elderly people into the locality in close proximity to Ongar High Street. A contribution should therefore be provided (via a Legal Agreement under Section 106) to secure the provision of a pedestrian crossing on the High Street in the vicinity of the development in the interests of accessibility and safety and in accordance with policies ST2, ST4 and I1A of the Adopted Local Plan Alterations.*

The Principal Planning Officer advised the Sub-Committee that there was no evidence to support the fourth reason for refusal and that Officers would not be able to defend that reason at the appeal hearing on 8 February 2011. Consequently, it was very likely that an award of costs would be made against the Council if this reason for refusal was pursued, even if the Council won the appeal. The Sub-Committee was requested to either agree that the fourth reason for refusal should not be pursued or that individual members of the Sub-Committee be nominated to support the second reason for refusal at the appeal hearing.

One of the local Members for Chipping Ongar, Greensted and Marden Ash stated that there were bus stops either side of road at the position of the proposed crossing, Theatre Resource could offer facilities to residents on the other side of the road if the Crossing was in situ, and the Highways Agency had already surveyed the site and recommended it as a suitable position for a crossing. The Member advised the Sub-Committee of his willingness to attend the appeal to defend the reason for refusal.

The Sub-Committee was informed that the Highways Agency did not realise that the embankment was in private ownership when they conducted the survey at the site, and this was the reason why the construction of the crossing was not pursued. It was acknowledged that the provision of a crossing at the site had been a problem for some time, but it was not worth risking the success of the planning appeal on this issue. A possible site visit was suggested, but the Sub-Committee was reminded of the time constraints involved. The Sub-Committee duly resolved to defend the appeal on the first three reasons for refusal only.

RESOLVED:

(1) That the fourth reason for refusing planning application EPF/0457/10, which proposed the erection of a large building on land at Ongar Station in the High Street, Chipping Ongar, be not pursued by Officers at the planning appeal on 8 February 2011.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/1209/10
SITE ADDRESS:	Weald Hall Care Home Weald Hall Lane North Weald Epping Essex CM16 6ND
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common North Weald Bassett
DESCRIPTION OF PROPOSAL:	Single and one and a half storey extensions to existing care home to provide 9 additional bedrooms and improved facilities. (EMI) (Revised application)
DECISION:	Grant Permission (subject to conditions and s106 agreement)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519120

Members agreed to grant permission subject to the applicant first entering into a legal agreement under section 105 to provide a contribution of £5,000 towards the provision of healthcare in the locality and subject to the following 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 development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 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) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping 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 minor artefacts and structures, including signs and lighting and functional services above and below ground. The 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.

- 4 Details of a travel plan indicating how reliance on public transport to the site will be minimised shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented in full.

Report Item No: 2

APPLICATION No:	EPF/1806/10
SITE ADDRESS:	Ovenden Papers Swordfish House Bower Hill Epping Essex CM16 7AQ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Change of use and subdivision of buildings A, B and C to 12 B1 (Office), B2 (General Industry) and B8 (Storage) units and material changes to elevations.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521079

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 development shall match those of the existing buildings, unless where otherwise noted within the submitted planning application or agreed in writing by the Local Planning Authority.
- 3 The premises shall be used solely for B1, B2 and/or B8 use and for no other purpose.
- 4 Outside the hours of 07:30 to 19:30 on Monday to Friday, 08:00 to 13:00 on Saturdays, the B2 and B8 units hereby approved shall not be occupied other than by ancillary office staff, nor shall any industrial use deliveries or servicing take place at any of the units outside these specified hours.

The units shall not be open at any time for any purpose on Sundays and Bank/public holidays.
- 5 The parking areas shown on plan ref: 2292_PL15 shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of staff and visitors vehicles.

- 6 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: 3

APPLICATION No:	EPF/1889/10
SITE ADDRESS:	Glanmire Oak Hill Road Stapleford Abbots Romford Essex RM4 1EH
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Conversion of detached garage to summer house.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521413

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 building shall be as detailed on the submitted plan No10/09/PL1.

Report Item No: 4

APPLICATION No:	EPF/1951/10
SITE ADDRESS:	George and Dragon Public House 206 High Street Epping Essex CM16 4AQ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Externally illuminated signage, 2 no. single sided signs fitted to walls, 1 no. double sided hanging sign and 1 no. single sided freestanding sign on posts by entrance car park.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521570

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 Additional drawings that show details of the proposed signage by section and elevation, detailing the frames at an appropriate scale shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 3 The existing metal bracket shall be retained and re-used for the hanging sign.

Report Item No: 5

APPLICATION No:	EPF/1988/10
SITE ADDRESS:	3 Middle Boy Lambourne Romford Essex RM4 1DT
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Installation of trellis on top of 1 metre high boundary fence.
DECISION:	Deferred

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521682

The Officer advised Members that the Parish Council's comments have been received and they raised no objections.

Members deferred this item for consideration at a later meeting.

Report Item No: 6

APPLICATION No:	EPF/2036/10
SITE ADDRESS:	Land adjacent to 12 and 12A Hemnall Street Epping Essex CM16 4LW
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Demolition of existing metalwork shop and erection of a new building comprising 6 self-contained apartments and 900 Sq ft self contained office accommodation.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521855

Further letters of objection from owners of 178-182 High Street were brought to the attention of Members, with six additional signatories on the petition in favour of the development. The owners of 12 and 12A Hemnall Street have written to withdraw their earlier 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 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- 3 Details of the types and colours of the external finishes and surface materials 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 Prior to first occupation of the building hereby approved the proposed window openings in the south western flank wall shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed and shall be permanently retained in that condition or shall have a cill no lower than 1.5m in height.

6 The ground floor office shall be used solely for B1 and for no other purpose (including any other purpose in Class B 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.

7 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.

8 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.

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