

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 8 December 2010

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.15 pm

Members Present: A Boyce (Chairman), A Green (Vice-Chairman), W Breare-Hall, Mrs D Collins, Ms C Edwards, P Gode, 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: -

Officers Present: J Shingler (Principal Planning Officer), R Hellier (Aboriculturual Officer), D Clifton (Principal Housing Officer [IT]) and G J Woodhall (Democratic Services Officer)

80. 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.

81. 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.

82. MINUTES

RESOLVED:

(1) That the minutes of the last meeting, held on 17 November 2010, be taken as read and signed by the Chairman as a correct record.

83. 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 items of the agenda by virtue of being members of North Weald Bassett Parish Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2260/10 Roughtalleys Wood, Kiln Road, North Weald Bassett;
- EPF/2107/10 Chase Farm, Vicarage Lane, North Weald Bassett;

- EPF/2222/10 McDonalds, London Road, Hastingwood;
- EPF/2223/10 McDonalds, London Road, Hastingwood; and
- EPF/2224/10 McDonalds, London Road, Hastingwood.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J H Whitehouse declared a personal interest in the following item of the agenda, by virtue of being well acquainted with the applicant. The Councillor had determined that her interest was prejudicial but would address the Sub-Committee as a public speaker before leaving the meeting for the consideration of the application and voting thereon:

- EPF/2356/10 10 Barn Mead, Theydon Bois.

(c) Pursuant to the Council's Code of Member Conduct, Councillor J M Whitehouse declared a personal interest in the following item of the agenda, by virtue of being a relative of the public speaker. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2356/10 10 Barn Mead, Theydon Bois.

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

- EPF/2107/10 Chase Farm, Vicarage Lane, North Weald.

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

- EPF/1112/10 Units 1 – 5, Roffey Hall Farm, Threshers Bush, Harlow.

(f) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest in the following item of the agenda, by virtue of being well acquainted with the applicant. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/1112/10 Units 1 – 5, Roffey Hall Farm, Threshers Bush, Harlow.

(g) Pursuant to the Council's Code of Member Conduct, Councillors Mrs S Jones and J Philip declared a personal interest in the following item of the agenda, by virtue of being members of Theydon Bois Parish Council and acquainted with one of the objectors. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1415/10 Frank Foster House, Loughton Lane, Theydon Bois.

(h) 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 this interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/1988/10 3 Middle Boy, Lambourne.

84. ANY OTHER BUSINESS

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

85. PROBITY IN PLANNING - APPEAL DECISIONS APRIL TO SEPTEMBER 2010

The Principal Planning Officer presented the biannual Probity in Planning Report for the appeal decisions during the period April to September 2010.

The Sub-Committee was informed that the Council received decisions on 36 appeals during the period, of which 10 were upheld (31.7%). There were two appeals upheld where the Sub-Committee had resolved contrary to the planning Officer's recommendation, these were:

- (i) EPF/1271/09 – replacement of former stables with an accommodation block and rear extension to form a conservatory and storage at the Green Man in Toot Hill; and
- (ii) EPF/0380/10 – side and rear two storey extension and two storey front extension at 3a The Weind in Theydon Bois.

The Sub-Committee was further informed that there were two awards of costs made against the Council during this period. In one instance, the Planning Inspector had awarded costs in the sum of £8,287 against the Council for an enforcement notice appeal at 53 High Street in Epping for issuing the enforcement notice too soon after being given notice of a retrospective planning application.

The Sub-Committee was reminded to only consider setting aside the Planning Officer's recommendation in cases where it was in the wider public interest to do so and a good indication of successfully defending the decision at appeal had been given.

RESOLVED:

- (1) That the Planning Appeal decisions for the period April to September 2010 be noted.

86. DEVELOPMENT CONTROL**RESOLVED:**

- (1) That the planning applications numbered 1 – 13 be determined as set out in the schedule attached to these minutes.

87. EXTENSION OF FOOTPATH 51 LINKING NORTON HEATH ROAD TO SPAINS HALL ROAD, WILLINGALE

The Principal Planning Officer presented a report concerning the extension of Footpath 51, linking Norton Heath Road with Spains Hall Road in Willingale.

The Sub-Committee was informed that Essex County Council had consulted the District Council, under the Wildlife and Countryside Act 1981, of their intention to extend a footpath that ran north off Norton Heath Road to meet a track running south towards it off Spains Hall Road. There had been no objections received to the proposal and it would be in the public interest to have Footpath 51 extended, which could be done without any undue harm being caused to either the countryside or the amenities of any local resident.

RESOLVED:

(1) That Essex County Council be notified that no objection had been raised to the order proposing the extension of Footpath 51 in Willingale.

88. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Director of Planning and Economic Development under delegated authority since the last meeting, had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2236/10
SITE ADDRESS:	44 Ash Groves Sheering Harlow Essex CM21 9LN
PARISH:	Sheering
WARD:	Lower Sheering
DESCRIPTION OF PROPOSAL:	TPO/EPF/43/01 T4 - Weeping Willow - Fell
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=522599

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. A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree 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.

Report Item No: 2

APPLICATION No:	EPF/2260/10
SITE ADDRESS:	Roughtalleys Wood Kiln Road North Weald Bassett Epping
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	TPO/EPF/58/10 Works outlined in Management Plan 2008-2012
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=522718

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.

Report Item No: 3

APPLICATION No:	EPF/2356/10
SITE ADDRESS:	10 Barn Mead Theydon Bois Epping Essex CM16 7ET
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	TPO/EPF/08/84 T4 - Ash - Fell (leaning heavily)
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=523063

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.

Report Item No: 4

APPLICATION No:	EPF/2107/09
SITE ADDRESS:	Chase Farm Vicarage Lane North Weald Essex CM16 6AL
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Retrospective application for change of use of buildings to B1, B2, B8 and car repairers.
DECISION:	Refuse Permission

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=508490

Reason for Refusal

1. The development results in an over intensification of the use of the site, resulting in increased traffic movements and parking, harm to the amenity of neighbours and the visual amenity of the rural area contrary to policies CP2, GB8A, ST1 and ST2 of the adopted Local Plan and Alterations.

Report Item No: 5

APPLICATION No:	EPF/1112/10
SITE ADDRESS:	Units 1-5 Roffey Hall Farm Threshers Bush Harlow Essex CM17 0NP
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Change of use from agricultural to B1, B2 and B8 (Business, general industrial and storage and distribution).
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=518746

CONDITIONS

1. 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 staff and visitors vehicles.
2. The rating level of noise (as defined by BS4142:1997) emitted from the commercial units shall not exceed 5dB(A) above the prevailing background noise level when measured from the edge of the site outlined in blue on the submitted Local Plan date stamped 9 June 2010.
3. No deliveries shall be made to or from the site outside the hours of 07:30 to 19:30 on Monday to Friday, 08:00 to 13:00 on Saturdays, and at no times on Sundays and Bank/public holidays.
4. No outdoor storage shall be implemented within the site in connection with the B1, B2 or B8 uses hereby approved.

Report Item No: 6

APPLICATION No:	EPF/1415/10
SITE ADDRESS:	Frank Foster House Loughton Lane Theydon Bois Epping Essex CM16 7LD
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Two storey and single storey extension on the north east corner to provide 7 bedroom addition to the existing care home.
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=519711

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. 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 and 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.

4. The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

5. No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree 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.

6. 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 17.00 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.
7. 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.
8. No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

9. Prior to the commencement of development, details of replacement and additional external lighting for the whole site shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented and existing wall mounted lights shown to be removed shall be removed prior to the first occupation of the extension hereby approved. No further external lighting shall be erected without the prior approval of the Local Planning Authority.

Report Item No: 7

APPLICATION No:	EPF/1786/10
SITE ADDRESS:	Gallmans End Farm Manor Road Lambourne Romford Essex RM4 1NA
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Retrospective application for placing of two portakabin buildings on land for staff facilities ancillary to the use of buildings G2, G3 and G4 for class B8 use. (Revised application)
DECISION:	Refuse Permission

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=521010

Reason for refusal

1. The proposed development is inappropriate development in the Green Belt, by definition harmful, and there are no very special circumstances sufficient to outweigh this harm. The development is therefore contrary to policy GB2A of the Adopted Local Plan and Alterations.

Report Item No: 8

APPLICATION No:	EPF/1988/10
SITE ADDRESS:	3 Middle Boy Lambourne Romford Essex RM4 1DT
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Erection of 1.7m high boundary fence.
DECISION:	Refuse Permission (Householder)

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=521682

REASON FOR REFUSAL

1. The proposed fence by reason of its height and prominent position on a corner site would be harmful to the character and appearance of the area and provide a means of enclosure which would be visually intrusive to the local streetscene, contrary to Policy DBE1 of the Adopted Local Plan and Alterations.

Report Item No: 9

APPLICATION No:	EPF/2053/10
SITE ADDRESS:	Colemans Farm Theydon Mount Epping Essex CM16 7PP
PARISH:	Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, conversion and change of use of 2 no. agricultural listed buildings to single dwellings, conversion of existing stables to garages and storage for the ancillary use of one of the listed barns identified as south barn, construction of ancillary structure to the listed building identified as north barn (1 no garage), replacement of semi detached houses with 1 no single dwelling of same volume and similar appearance, erection of single storey cottage to residential use.
DECISION:	Deferred

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=521936

Members deferred this item for the applicant to consider retaining the existing pair of cottages and to provide financial justification for the additional cottage.

Report Item No: 10

APPLICATION No:	EPF/2072/10
SITE ADDRESS:	Colemans Farm Theydon Mount Epping Essex CM16 7PP
PARISH:	Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, conversion and change of use of 2 no. agricultural listed buildings to single dwellings, conversion of existing stables to garages and storage for the ancillary use of one of the listed barns identified as south barn, construction of ancillary structure to the listed building identified as north barn (1 no garage).
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=522015

Members deferred this item to enable the planning and listed building aspects to be dealt with together.

Report Item No: 11

APPLICATION No:	EPF/2222/10
SITE ADDRESS:	McDonalds London Road Hastingwood North Weald Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	New signage, 1 no. height restricter, 8 no. free standing signs and 2 no. barrier units.
DECISION:	Split Decision

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=522513

Grant Permission for 1 no. height restricter, 7 no. free standing signs and 2 no. barrier units

CONDITIONS

1. The maximum luminance of the illuminated signs granted consent by this Notice shall not exceed 600 candelas per square metre.

Refuse Permission for 1 no. free standing sign (banner sign)

REASON FOR REFUSAL

1. The proposed banner sign adjacent to the site entrance detailed on drawing McD/109/2010 D is unacceptable due to its size and location in the context of the signage maintained on site resulting in a proliferation of signage to the detriment of visual amenities and contrary to the aims and objectives of policy DBE13 of the Adopted Local Plan and Alterations.

Report Item No: 12

APPLICATION No:	EPF/2223/10
SITE ADDRESS:	McDonalds London Road Hastingwood North Weald Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Refurbishment of restaurant and patio area. Changes to elevations including removal of booth two and the painting of the external walls. New fully automated entrance. Installation of a customer order display with canopy. Creation of additional parking.
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=522514

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 have taken place until details of the materials and external finishes have been submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be implemented and maintained thereafter in accordance with such approved details.

Report Item No: 13

APPLICATION No:	EPF/2224/10
SITE ADDRESS:	McDonalds London Road Hastingwood North Weald Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Replacement and new signage.
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=522515

CONDITIONS

1. The maximum luminance of the signs granted consent by this Notice shall not exceed 600 candelas per square metre.

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