

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Planning Subcommittee East    **Date:** 27 April 2011

**Place:** Council Chamber, Civic Offices,    **Time:** 7.30 - 9.10 pm  
High Street, Epping

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

**Other Councillors:** -

**Apologies:** P Gode and J Philip

**Officers Present:** J Shingler (Principal Planning Officer), G J Woodhall (Democratic Services Officer) and P Sewell (Democratic Services Assistant)

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### **125. 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.

### **126. 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.

### **127. MINUTES**

#### **RESOLVED:**

(1) That the minutes of the meeting held on 6 April 2011 be taken as read and signed by the Chairman as a correct record.

### **128. DECLARATIONS OF INTEREST**

(a) 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 acquainted with the applicant. 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/0225/11 Nether Street Depot, Dunmow Road, Abbess Beauchamp & Berners Roding.

(b) 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 a member 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 application and voting thereon:

- EPF/0297/11 North Weald Airfield, Merlin Way, North Weald.

(c) Pursuant to the Council's Code of Member Conduct, Councillor A Green declared a personal interest in the following item of the agenda, by virtue of having been a patron of the public house and being a resident of Lindsay Street. 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/0454/11 The Globe, 18 Lindsay Street, Epping.

(d) Pursuant to the Council's Code of Member Conduct, Councillor W Breare Hall declared a personal interest in the following item of the agenda, by virtue of having been a patron of the public house and was acquainted with the lessee. 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/0454/11 The Globe, 18 Lindsay Street, Epping.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Hedges declared a personal interest in the following item of the agenda, by virtue of being a member of Epping Town Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0454/11 The Globe, 18 Lindsay Street, Epping.

(f) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a personal interest in the following item of the agenda, by virtue of being a resident of Lindsay Street. 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/0454/11 The Globe, 18 Lindsay Street, Epping.

(g) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in the following item of the agenda, by virtue of having been acquainted with the applicant in the past but with no current personal or business connection. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0454/11 The Globe, 18 Lindsay Street, Epping.

## **129. DEVELOPMENT CONTROL**

### **RESOLVED:**

(1) That the planning applications numbered 1 – 4 be determined as set out in the schedule attached to these minutes.

## **130. ANY OTHER BUSINESS**

The Sub-Committee noted that consideration of Tree Preservation Order EPF/118/10 had been agreed by the Chairman as an urgent item of business for the meeting. However, the land had been purchased by the Corporation of London and would be

incorporated into the Epping Forest. Therefore, the land would be protected under the Epping Forest Act and the Order was no longer necessary.

**131. 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.

**CHAIRMAN**

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**Report Item No: 1**

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|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/2252/10   |
| <b>SITE ADDRESS:</b>            | Badgers<br>Fyfield Road<br>Moreton<br>Ongar<br>Essex<br>CM5 0HN   |
| <b>PARISH:</b>                  | Ongar   |
| <b>WARD:</b>                    | Shelley   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Change of use of existing steel framed barn to offices B1(a) with associated external alterations and revocation of associated S52 Legal Agreement restricting use. |
| <b>DECISION:</b>                | Grant Permission (Subject to S106)  |

**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=522643](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522643)

Members agreed to grant consent and revoke the section 52 agreement subject to the applicant entering into a legal agreement under Section 106 within 9 months, to restrict occupation of the dwelling known as Badgers, to the owner of the adjacent office units or a person employed in the units.

**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 types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
3. If any tree, shrub or hedge 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 of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
4. Prior to first occupation of the units hereby approved, all temporary portacabin structures shall be removed from site.

5. Subsequent to first occupation, there shall be no external storage on site at any time whatsoever.
6. The development shall be carried out in accordance with the approved plans and particulars, in particular retaining the steel frame as indicated, unless otherwise agreed in writing by the Local Planning Authority.
7. 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 41, Classes A or B shall be undertaken without the prior written permission of the Local Planning Authority.
8. The premises shall be used solely for B1(a) Office use. and for no other purpose (including any other purpose in Class B of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
9. The development shall be carried out in strict accordance with the recommendations set out in the Phase 1 Habitat Survey carried out by Southern Ecological Solutions and issued on 23rd December 2010 unless otherwise agreed in writing by the Local Planning Authority.
10. Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to first occupation and retained in accordance with the approved details.

**And subject to the applicant first entering into a legal agreement under section 106 (within 9 months of this decision) to restrict occupation of the dwelling known as Badgers, to either the owner of the adjacent office units or a person employed in one of the office units.**

**Report Item No: 2**

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|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/0225/11  |
| <b>SITE ADDRESS:</b>            | Nether Street Depot<br>Dunmow Road<br>Abbess Beauchamp and Berners Roding<br>Ongar<br>Essex<br>CM5 0JT |
| <b>PARISH:</b>                  | The Rodings - Abbess, Beauchamp and Berners  |
| <b>WARD:</b>                    | High Ongar, Willingale and the Rodings   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Redevelopment of heavy plant depot to provide one, five bedroom dwelling and ancillary outbuilding.    |
| <b>DECISION:</b>                | 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=525238](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=525238)

**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 in writing by the Planning Authority.
3. No development shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
4. No development shall take place until details of foul and 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.
5. 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 garage hereby approved shall be retained so that it is 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.

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, Class 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) 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, 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.
8. Prior to occupation of the site the access arrangements as shown on drawing Ref: 946/5 shall be implemented and maintained thereafter.
9. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
10. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
11. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The



report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

12. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

13. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

14. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

15. Prior to commencement of development, the buildings shown to be demolished on plan 946/1 shall be demolished and all materials removed from the site.

**Report Item No: 3**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/0297/11   |
| <b>SITE ADDRESS:</b>            | North Weald Airfield<br>Merlin Way<br>North Weald<br>Essex<br>CM16 6HR  |
| <b>PARISH:</b>                  | North Weald Bassett   |
| <b>WARD:</b>                    | North Weald Bassett   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Use of the Northern Event Site, for Drive in Movies including inflatable screen and hospitality bar on Friday, Saturday and Sunday 6pm to midnight. |
| <b>DECISION:</b>                | 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=525502](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=525502)

Members agreed to grant consent subject to a condition further clarifying the days on which the events can take place and subject to details of waste management at the site to prevent harm to visual amenity and to aircraft safety on the airfield, from litter. It was left to the officer to consider the final method of achieving this.

Subsequent to the Committee, but prior to the production of the decision notice, a waste management strategy document was submitted and agreed with officers and the condition applied therefore refers to this document.

**CONDITIONS**

1. This permission shall endure for a temporary period from 6th May 2011 to the 16th October 2011 and for Friday, Saturday and Sunday evenings only between 6pm and midnight.
2. The proposed inflatable screen shall be fully deflated after each screening.
3. Visitor vehicular exit from the site shall be restricted to that in close proximity to the Golf Club (Gate E) in Rayleigh Lane as indicated on the application drawing OS sitemap only with no other exit being used by visitors at any time whatsoever.
4. The use hereby permitted shall be restricted to permit a single showing per evening only.
5. No loud speaker equipment shall be used onsite at any time for entertainment or cinematic purposes. Any such equipment shall be used for Emergency Public Announcements only.

6. Directional lighting only shall be used onsite for the illumination of public areas only and this shall be switched off after the exit of the last visitor.
7. There shall be no external storage on the site in connection with this use unless otherwise agreed in writing by the Local Planning Authority.
8. All litter generated by the use hereby approved shall be managed and removed in accordance with the submitted waste management strategy document received by email on 28/04/11, unless otherwise agreed in writing by the Local Planning Authority.

**Report Item No: 4**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/0454/11   |
| <b>SITE ADDRESS:</b>            | The Globe<br>18 Lindsey Street<br>Epping<br>Essex<br>CM16 6RE   |
| <b>PARISH:</b>                  | Epping  |
| <b>WARD:</b>                    | Epping Lindsey and Thornwood Common   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Change of use from Public House to a single family home adding front porch and window/door alterations to rear and side adjacent number 16. |
| <b>DECISION:</b>                | 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=526094](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526094)

The officer explained that additional supporting information had been received at a late stage and copied to members. Members deferred the application to the next meeting of Plans Sub Committee East to enable officers to consider and report on the additional information, and to consider whether there is a need for a financial contribution under section 106 towards provision of community facilities elsewhere if permission were to be granted.