

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee East Wednesday, 25th May, 2011

Place: Council Chamber
Civic Offices, High Street, Epping

Time: 7.30 pm

**Democratic Services
Officer** Gary Woodhall (The Office of the Chief Executive)
Tel: 01992 564470
Email: gwoodhall@eppingforestdc.gov.uk

Members:

Councillors A Boyce (Chairman), W Breare-Hall, Mrs D Collins, P Gode, Mrs A Grigg, D Jacobs, Mrs S Jones, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND
APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN
COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.**

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 20)

To confirm the minutes of the last meeting of the Sub-Committee, held on 27 April 2011 (attached).

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

7. DEVELOPMENT CONTROL (Pages 21 - 38)

(Director of Planning and Economic Development) To consider planning applications as set out in the attached schedule.

Background Papers:

(i) Applications for determination – applications listed on the schedule, letters of

representation received regarding the applications which are summarised on the schedule.

(ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS FOR THE PERIOD OCTOBER 2010 TO MARCH 2011 (Pages 39 - 46)

(Director of Planning & Economic Development) To consider the attached report (PE-001-2011/12).

9. ENFORCEMENT ACTION - GUNN LODGE, THE STREET, SHEERING (Pages 47 - 48)

(Director of Planning & Economic Development) To consider the attached report (PE-002-2011/12).

10. 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.

11. EXCLUSION OF PUBLIC AND PRESS

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.

- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers

Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Subcommittee before leaving.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the

Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

Area Planning Subcommittee East
Members of the Committee:



Cllr Boyce	Cllr Green	Cllr Breare-Hall	Cllr Collins	Cllr Edwards
------------	------------	------------------	--------------	--------------



Cllr Gode	Cllr Grigg	Cllr Hedges	Cllr Jacobs	Cllr Jones
-----------	------------	-------------	-------------	------------



Cllr Judd	Cllr McEwen	Cllr Morgan	Cllr Philip	Cllr Rolfe
-----------	-------------	-------------	-------------	------------



Cllr Stallan	Cllr Whitbread	Cllr Janet Whitehouse	Cllr Jon Whitehouse
--------------	----------------	-----------------------	---------------------

This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

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

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

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)

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

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/2252/10
SITE ADDRESS:	Badgers Fyfield Road Moreton Ongar Essex CM5 0HN
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	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.
DECISION:	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

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

APPLICATION No:	EPF/0225/11
SITE ADDRESS:	Nether Street Depot Dunmow Road Abbess Beauchamp and Berners Roding Ongar Essex CM5 0JT
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Redevelopment of heavy plant depot to provide one, five bedroom dwelling and ancillary outbuilding.
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=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

APPLICATION No:	EPF/0297/11
SITE ADDRESS:	North Weald Airfield Merlin Way North Weald Essex CM16 6HR
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Use of the Northern Event Site, for Drive in Movies including inflatable screen and hospitality bar on Friday, Saturday and Sunday 6pm to midnight.
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=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

APPLICATION No:	EPF/0454/11
SITE ADDRESS:	The Globe 18 Lindsey Street Epping Essex CM16 6RE
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	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.
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=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.

AREA PLANS SUB-COMMITTEE 'EAST'

25 MAY 2011

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

<u>ITEM</u>	<u>REFERENCE</u>	<u>SITE LOCATION</u>	<u>OFFICER RECOMMENDATION</u>	<u>PAGE</u>
1.	EPF/0792/11	Highfield Green, Epping	GRANT	23
2.	EPF/0454/11	The Globe, 18 Lindsay Road, Epping	GRANT	27
3.	EPF/0606/11	Land adj 14 Harrison Drive, North Weald	GRANT	33

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/0792/11
SITE ADDRESS:	Highfield Green Epping Essex
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Dan Morfett
DESCRIPTION OF PROPOSAL:	TPO/EPF/26/91 (G2) J - Sycamore - Fell M - Ash - Fell
RECOMMENDED 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=527391

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.

This application is before this Committee since it is an application to fell preserved trees and is recommended for approval (Pursuant to Section P4, (3) of the Council's Delegated Functions)

Description of Proposal:

J . Sycamore – Fell to ground level.

M. Ash - Fell to ground level

Description of Site:

The Sycamore labelled J is a mature specimen but stands less than 9 metres tall, in a communal area of vegetation leading to the footpath at the junction of Bury Lane with the high road into Epping. The modern residential cul-de-sac enjoys the benefits of mature tree cover, featuring a

Wellingtonia, ornamental Weeping Ash and Willows, and a strikingly large Field Maple exceeding a height of 18 metres, close to tree J.

The development is arranged in several blocks of terraced dwellings and the young Ash labelled M stands 9 metres tall at close range to a 1.8 metre partition wall and a manhole cover that serves a drain run. The tree is growing amongst a group of large Beech and Willow specimens within the residential complex and borders a secluded grassed communal area screened by a mix of evergreen and broadleaf roadside boundary trees and shrubs.

Relevant History:

Numerous records exist for pruning and removals of trees on this site over the history of the Tree Preservation Order.

Relevant Policies:

LL9 Felling of preserved trees.

SUMMARY OF REPRESENTATIONS

5 neighbours were consulted but no responses have been received.

EPPING TOWN COUNCIL made no objection provided that the works are undertaken under the supervision of the council Arborist.

Issues and Considerations:

Issues

The application is made on the basis that the Sycamore J is in poor condition. It has one dead stem and the live stem shows the early stages of infection from Sooty Bark Disease. Concerns over safety from the leaning trunks to users of the footpath were included in the reasons given for its removal

The Ash M is located close to a partition wall and drain, which gives rise to concerns about potential damage to both.

The issue, therefore, is whether or not the removal of either or both these trees is justified and necessary due, in the case of tree J to poor condition, uneven form and safety concerns or, in the case of tree M foreseeable problems of an unsuitable location.

Considerations

i) Tree condition and life expectancy.

From a ground level visual inspection, Sycamore J appears to be in poor condition, with a short life expectancy of less than 10 years. Decay lesions are present on one of the two inclined stems from around ground level and dieback of some of the branches of the other leader confirms that the tree is sickening.

Ash M is a young and healthy tree of tolerably good form with a long life expectancy and great growth potential.

ii) Amenity value

The Sycamore stands within a dense cluster of mature Laurel shrubs, Hawthorn, Field Maples and other Sycamores, which obscure it from public view. It contributes to this group but, due to its crowded location, beneath the spreading larger crown of the veteran Field Maples, its landscape value is low.

The Ash M is a small tree amongst more mature and visually impressive specimens, which collectively obscure it from public view. Its amenity value is low.

iii) Replacement trees

The proposed removal of the Sycamore will not create a significant gap but planting within the nearby grassed area may be possible with a suitable ornamental garden tree. Similarly, the Ash will not be missed but a small and colourful tree of interest could be accommodated at an agreed location in this secluded communal area.

Conclusion

The Sycamore tree J is in a state of decline and is not an attractive landscape feature. The loss of amenity its removal will cause is outweighed by its poor condition. The Ash appears to have set itself in an unsuitable location and will not create a great loss of visual amenity. It is, therefore, recommended to grant permission to this application on the grounds that the condition of Sycamore tree J and the difficult location of Ash tree M justify their removal. The proposal therefore accords with Local Plan Landscape Policy LL9.

It is recommended that, in the event of members granting permission to fell these trees, a condition be attached to the decision notice requiring the replanting of an agreed suitable replacement at an agreed location on the site.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

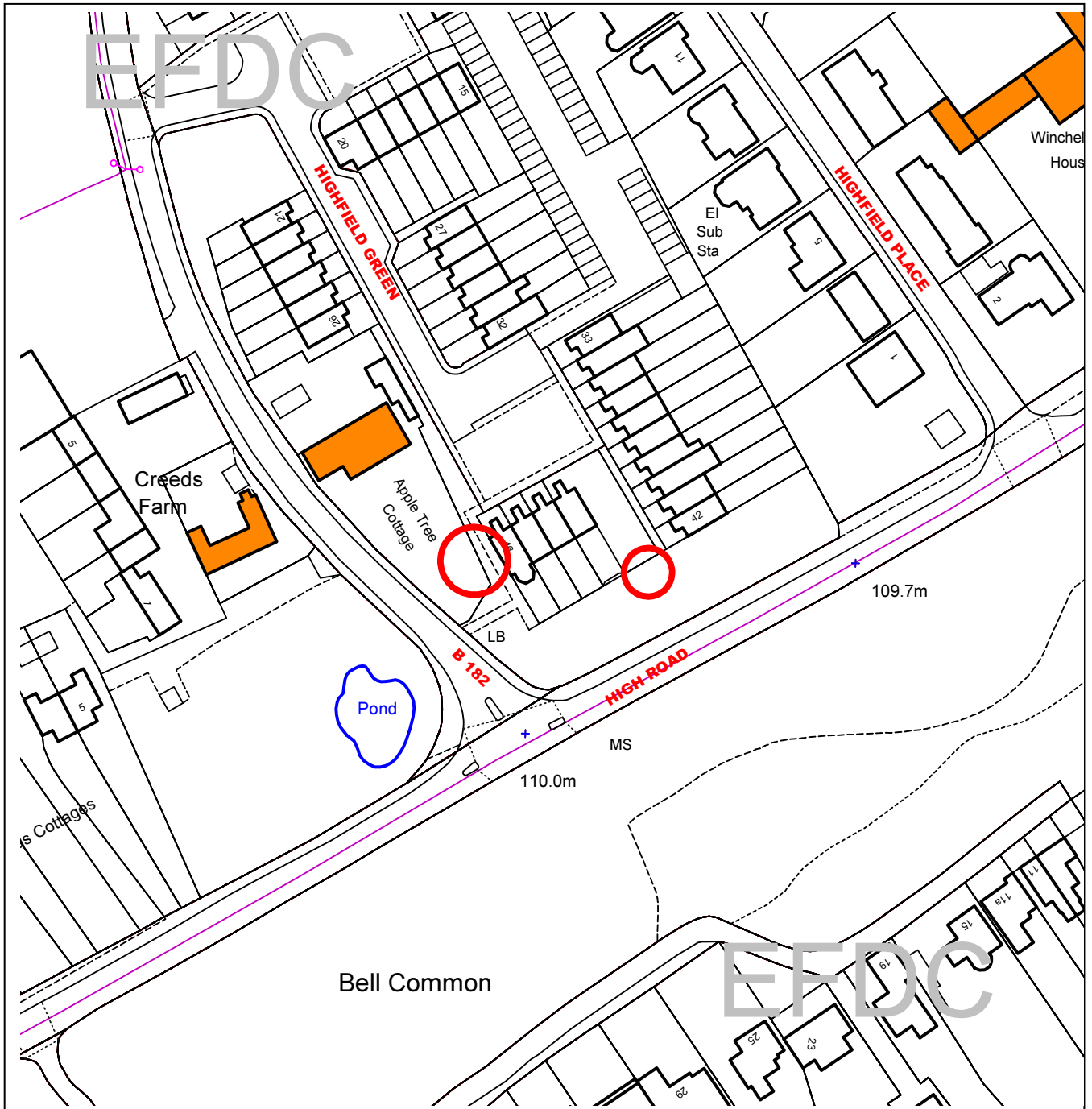
***Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	1
Application Number:	EPF/0792/11
Site Name:	Highfield Green. Epping,
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0454/11
SITE ADDRESS:	The Globe 18 Lindsey Street Epping Essex CM16 6RE
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr David Miller
DESCRIPTION OF PROPOSAL:	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.
RECOMMENDED DECISION:	Grant Permission (Subject to S106)

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

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, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. 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 in writing.
- 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 and D shall be undertaken without the prior written permission of the Local Planning Authority.

And subject to a S106 legal agreement to be completed within 6 months to secure £2,000 towards enhancement and maintenance of the Lindsey Street Community Association Hall.

This application is before this Committee as it was deferred by Members on 27th April 2011 with the request that the application return to the next meeting having reviewed the additional

information submitted and considered the need for a contribution towards community facilities. These matters are assessed below under loss of employment use and loss of community facilities.

Description of Proposal:

The applicant seeks consent to change the use of the existing Public House known as the Globe to a single dwelling house with associated alterations including provision of a front porch and window/door alterations to the rear and side adjacent number 16.

The proposed new dwelling would provide 4 bedrooms, 2 en-suites and a bathroom at first floor, with living, dining, study, kitchen, utility areas at ground floor and a TV room in the basement.

The applicant has indicated that it is the intention the new dwelling be known as Globe House.

Description of Site:

The application site is a two storey detached public house, currently trading on the northern side of Lindsay Street, close to the small parade of shops and within easy walking distance of the Town Centre. The site provided limited parking to the front and side of the property.

The site is not within the designated retail core area of the Town Centre, nor within the Conservation Area, however the site bounds number 20 a Listed Building and number 16 a locally listed building. The site is not in the Green Belt.

Relevant History:

None

SUMMARY OF REPRESENTATIONS:

10 neighbouring properties were consulted and a site notice was erected. The following responses were received:

CAMRA (CAMPAIGN FOR REAL ALE): Sent a letter of holding objection outlining issues followed by a more detailed objection. Object to the loss of Public Houses as an institution and a social asset. Loss of pubs results in loss of consumer choice, loss of a meeting place, loss of employment, loss of draw to local area and inter business trade. More specifically loss of a Public House trading more than 200 years, loss of community facility and social amenity outside of the commercialised High Street for the gain of a single dwelling. Attention is also drawn to the ownership of the Public House by Punch Taverns a chain suggested to have financial difficulties resulting in the sale of a large number of Public Houses, this financial background influences the maintenance and investment made in recent years into the facility. Were a more committed owner found then a more vibrant facility may result.

EPPING TOWN COUNCIL: Committee Support this application.

TENANTS AT THE GLOBE: Following the previous Officer's recommendation the leaseholders have written to confirm they have been trying to dispose of the Lease on the property for 2 years, with details of premium reductions. They have indicated that existing clientele have or intend to frequent the Lindsey Street Social Club should the Globe cease trading. Reference is made to financial difficulties with the operation of the property, noise complaints and difficulties with leasing neighbouring units for retail purposes indicating a decline in consumers. A letter of confirmation from the Leaseholder's agent is enclosed.

Policies Applied:

CP2 – Protecting the quality of the Rural and Built Environment
CF12 – Retention of Community facilities
E4A – Protection of Employment Sites
E4B – Alternative uses for Employment sites
DBE8 – Private Amenity Space
DBE9 – Loss of amenity
LL11 – Landscaping Schemes
ST1 – Location of Development
ST6 – Vehicle Parking
I1A – Planning Obligations

Issues and Considerations:

The main issues that arise with this application are:

- Principle of development
- Loss of the employment use
- Loss of the community use
- Design, layout and impact to street scene
- Impact to neighbouring amenity
- Parking and highway matters
- Landscaping issues
- Other issues including planning obligations

Principle of development loss of employment and community use

The principle of the provision of a dwelling house in an established urban area with minimal external alterations is in keeping with sustainability and housing objectives.

Loss of the Employment use

In respect of employment policies, Policy E4A permits changes of non-designated employment sites to housing, subject to an independent appraisal demonstrating the following criteria being met;

- i) That the site is poorly located in relation to housing or access by sustainable means
- ii) There are material conflicts with adjoining land uses
- iii) Existing premises are unsuitable in relation to the operation requirements of a modern business
- iv) There is a demonstrable lack of market demand for the employment use over a long period that is likely to continue.

The applicant should also demonstrate any significant development or infrastructure constraints that make the site unsuitable or uneconomic.

The applicant supplied additional information immediately prior to the last Area Plans Committee in the form of a Business Summary, Statement of Appraisal and letter from Punch Taverns. The applicant has also provided a list of alternate community halls/venues and a list of alternate drinking establishments locally.

The application is assessed with regard to the above policy as follows:

- i) The site is well located in respect of local housing, however in terms of accessibility the site has a peripheral location on the edge of the Town Centre with limited parking. Situated on the busy Lindsey Street highway there is little scope for safe on-street parking and as a result accessibility may be viewed as restricted. The premises is a short walk from the main Town Centre and its parking and transport links, however the applicant has provided a list of alternate establishments in this area presenting a reality

- where potential clientele are likely to be drawn to more convenient facilities. In light of this additional information Officers consider criteria i) above satisfied.
- ii) The applicant has indicated that the existing use as a public house provides some noise conflict with adjacent premises. Environmental Health has provided details of 10 complaints received from 2006. No noise abatement notice has been served and only 2 noise complaints have been received since 2007, one relating to a private party at the premises. The existing use does not result in a material conflict however this may relate to the existing low level of clientele on the premises and were this to increase, particularly with new smoking legislation in place, drinking outside would likely increase with associated increases in noise and disturbance. Other employment uses such as office, nursery or retail would overcome this concern but result in conflicts with highway movements.
 - iii) The supporting documentation supplied indicates that the absence of a functional commercial scale kitchen, minimal parking and peripheral location results in unsuitable premises for modern operational needs for a public house. This would appear reasonable, not in light of the facilities available as these issues may be overcome, but when viewed in the context of the locally competing businesses which do all benefit from these facilities, it would appear difficult for the business to effectively compete. In terms of other employment uses the constraints of the existing building layout and minimal parking would remain an issue for any business on this site and the proximity to neighbouring properties would negate the viability for any use more intensive than B1 due to potential noise and disturbance. The only use which has not been identified by the applicant which would require comparable internal layout and a similar or lesser parking provision would be for care accommodation, however a number of developments are presently taking place on the southern side of the Town.
 - iv) Finally with regard to market demand the applicant has now supplied information regarding alternate drinking facilities in the locality and the leaseholders have confirmed a sustained poor income. This demonstrates a sustained and likely to continue poor demand. Due to the present economic climate there is a trend for poor demand for office space and as detailed above retail units in the area show a trend for poor uptake, therefore Officers consider this additional information shows a demonstrable lack of market demand for employment use.

Mindful of all the criteria above, Officers consider that the applicant now meets the objectives and requirements set out above and that the loss of the employment use may be justified. The freehold marketing is noted not to be for the 12 months required, however leasehold marketing exceeds this period and information has been supplied indicating a continuously poor income generation for beyond 12 months. In the present economic climate an alternate employment use is not likely to be forthcoming to successfully take over the site and residential use would appear the most appropriate alternative.

Loss of the community facility

Public Houses are known as a social meeting place and considered in policy terms to be a community facility. Policy CF12 seeks to ensure community facilities will only be lost where it is conclusively shown that:

- i) The use is no longer needed or viable
- ii) The service if needed is already met elsewhere

The applicant has provided additional information detailing alternate facilities which may be considered evidence that the facility is not needed and that the need is met elsewhere, but more importantly information has been supplied to confirm the use is no longer viable. Given changing consumer trends most public houses are heavily supported by an income from food sales and without the ability to accommodate this, the premises is unlikely to return to viable.

The leaseholder has indicated that existing clientele either already attend or are likely to attend an alternate community facility provided in Lindsey Street. Members requested that Officers

investigate the provision of a suitable community contribution to ensure the facilities are available for the increased clientele. Following discussions between Epping Town Council and the applicant, a contribution of £2000.00 for the maintenance and enhancement of the facilities at the Lindsey Street Community Association Hall has been agreed by both parties. Officers suggest that in light of the above the applicant has met the tests of policy CF12.

Design, layout and impact to street scene

The proposals result in minimal external alterations and would result in the loss of advertisements presently on site, therefore there would be a negligible improvement to street scene and no design concerns are raised.

Impact to neighbouring amenity

There have been no neighbouring letters of objection or support received with the only responses from CAMRA and the existing tenant at the Globe. There are no concerns raised from neighbours regarding the site becoming a dwelling.

Parking and Highway matters

The proposals would provide 4 off street parking spaces, this is beyond that required by policy. Access would remain unchanged from that which presently exists.

Landscaping Issues

The proposals include limited details regarding landscaping, therefore should Members wish to approve the proposals, a condition requiring a landscaping scheme may be appropriate to improve street scene.

Other matters

The applicant has a sufficient frontage to store domestic refuse off street.

Conclusion:

Following the provision of the additional information Officers are now satisfied that it is demonstrated the community facility is no longer needed or viable and that need is met elsewhere. Furthermore the applicant has committed to the provision of a sum of £2000.00 towards the maintenance and enhancement of the closest alternate facility. The applicant has also provided a sufficient appraisal to demonstrate the site is not suitable for alternate employment use and accordingly the previous reasons for refusal suggested are now overcome and approval is recommended subject to completion of a S106 to secure £2000.00 for enhancement and maintenance of the Lindsey Street Community Association Hall.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

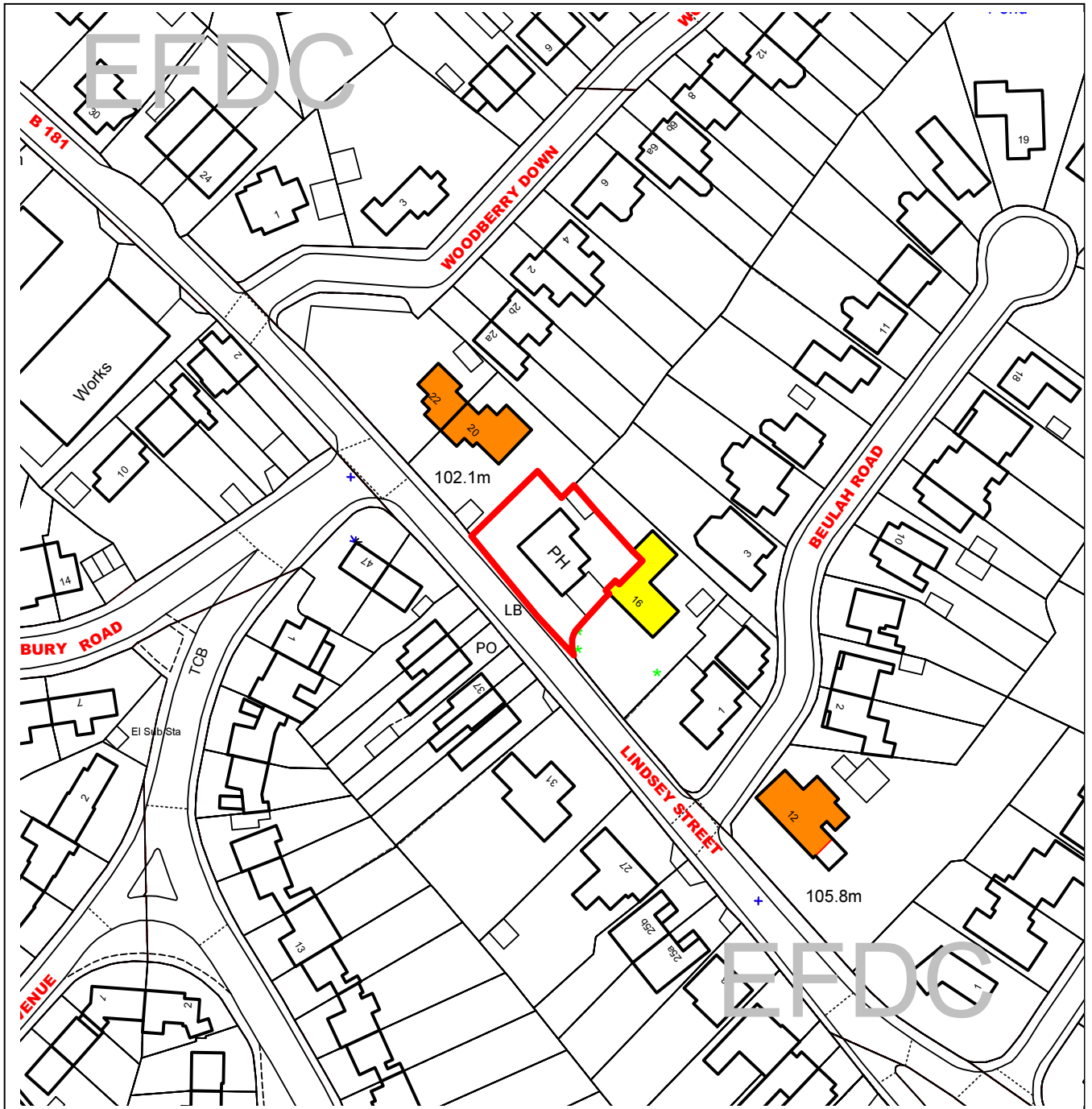
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 564294***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	2
Application Number:	EPF/0454/11
Site Name:	The Globe, 18 Lindsey Street Epping, CM16 6RE
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0606/11
SITE ADDRESS:	Land adj 14 Harrison Drive North Weald Essex CM16 6JD
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Darren Hunt
DESCRIPTION OF PROPOSAL:	Erection of a single dwelling attached to no. 14 Harrison Drive.
RECOMMENDED 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=526664

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 specified within the submitted application form (to match No. 14 Harrison Drive), 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 and 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 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out

only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.

- 5 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 and visitors vehicles.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions) and as it is an application for non-householder development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

Consent is being sought for the erection of a single dwelling attached to No. 14 Harrison Drive. The proposed dwelling would be 6.8m wide and 8.3m deep and would continue the ridged roof on No. 14 at an overall height of 8.3m. The development would involve the subdivision of the front and rear garden to provide parking and amenity space to serve each individual property, and proposes the removal of some of the side boundary vegetation.

Description of Site:

The application site is located on the north western end of Harrison Drive, which in this section contains two pairs of semi-detached dwellings. To the north of the site are the rear elevations and back gardens of Wheelers Farm Gardens, which are two storey maisonette buildings situated around a central courtyard. The existing property sits within a larger plot than neighbouring residents and contains a large front garden/parking area and a single storey attached garage, which would be removed as part of this proposal. The site is located within the built up area of North Weald and within a Flood Risk Assessment zone.

Relevant History:

None

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2B – Flood Risk Assessment zones

Summary of Representations:

18 neighbours were consulted on this application.

PARISH COUNCIL – Object as the proposal would create a terracing effect and is over development, it would be visually intrusive to neighbouring properties. Concern is also raised at flooding issues with nearby Cripsey Brook.

8 HARRISON DRIVE – Object as this would result in the loss of rear access and garaging for No. 14, will remove and cut back existing trees, the creation of a terrace would be out of keeping with the area, and as the new dwelling is wider than the existing property.

10 HARRISON DRIVE – Object as this would be out of character and ruin the appearance of the street scene.

11 HARRISON DRIVE – Object as a row of terrace properties would be out of keeping with the area, as this would set a precedent which would create an enormous strain on the cul-de-sac, as it would exacerbate existing parking problems, and concerned about drainage issues and potential flood risk.

12 HARRISON DRIVE – Object due to the creation of a terrace out of keeping with the surrounding properties, as it will result in further traffic congestion, and due to the impact on Wheelers Farm Gardens residents.

PETITION SIGNED BY: 9, 10, 11, 12, 13, 14, 15, AND 16 WHEELERS FARM GARDENS – Object to loss of privacy if any trees are removed, impact on neighbouring residents, potential flood risk, there is no shortage of accommodation so no need for the development, and may lead to a loss of animal habitat.

Issues and Considerations:

The key issues in this consideration are the location of the development, the overall design and impact on the street scene, with regards to amenity considerations for both neighbouring residents and future occupiers, highways and parking considerations, impact on existing and future landscaping, and with regards to potential flood risk.

Location

Policies CP3 and ST1 encourage developments in sustainable locations that are well served by public transport and promote the reduction in private car use. Furthermore PPS3 states that “*using land efficiently is a key consideration in planning for housing*”. Whilst residential curtilages no longer constitute ‘Previously Developed Land’ as designated within PPS3, this does not preclude all residential curtilage from further development, provided it complies with all other Local Development policies.

The North Weald local shopping parade is within easy walking distance and, whilst not particularly frequent, there is a bus service that runs along the High Road. As such this is considered a sustainable site within an existing urban location.

Design

The proposed dwelling would predominantly match that of the existing dwellings within Harrison Drive. Whilst the new dwelling would be wider than the surrounding properties (7.3m as opposed to 5.5m) it is not felt that this would be unduly detrimental to the overall appearance of the street scene. Furthermore, although this development would create a row of three terrace properties in a

road of semi-detached houses, given the site's location at the end of this small cul-de-sac such a development would not be harmful to the character of the area. Furthermore, whilst Harrison Drive consists of semi-detached dwellings (albeit joined by single storey attached garages), the wider surrounding area consists of a mix of semi-detached, detached, terrace houses and maisonettes.

Amenity considerations

The proposed dwelling would not extend beyond the front or rear wall of No. 14 Harrison Drive, and therefore the only impact to neighbours (in terms of potential loss of amenity) would be to the residents of Wheelers Farm Gardens. At present the site is screened by a heavily vegetated boundary primarily consisting of Hawthorn trees and laurel hedging, which acts as an effective screen against loss of privacy (primarily from Wheelers Farm Gardens, who have very narrow rear gardens). Whilst it is proposed to cut back some of this boundary treatment the submitted Arboricultural Report demonstrates that the trees and hedges on site can be safely retained during construction. As such the protection of these trees can be ensured by a planning condition, and the retention can be secured as part of a landscaping scheme (also sought by condition, which can include additional landscaping). Therefore, with the retention of this screening and additional planting to supplement the existing vegetation, there would be no detrimental loss of amenity to the existing neighbours or to future occupiers of the site.

In terms of private amenity space, the existing dwelling would retain 65 sq. m. of rear garden area, with the subdivided plot allowing 75 sq. m. for use by the new dwelling. Whilst this would be less than the required 80 sq. m. as laid out within the Essex Design Guide and the supporting text to DBE8, both properties have substantial front garden areas which would compensate for that lost at the rear. As such it is considered that the level of amenity space provided is sufficient.

Highways/parking

The proposed development would provide two off-street parking spaces for the new dwelling and two spaces for No. 14 Harrison Drive. Furthermore, given the large area of hardstanding in front of the dwellings, there would be adequate room for visitor parking when required. As such this proposal complies with the requirements of the Essex County Council Vehicle Parking Standards. Whilst neighbour objections have been received stating that this would exacerbate existing parking problems, there is no justification to require more parking provision than that proposed. As such the proposed development complies with policy ST6.

Landscaping

The submitted Arboricultural Report demonstrates that the existing trees and hedges on site can be safely retained through construction and thereafter, which can be controlled by condition. Further to the retention of the existing trees and hedges, additional landscaping should be sought to supplement the existing vegetation, which can also be secured by condition.

Flood risk

The application site lies within the Council's Flood Risk Assessment zone and concern has been raised by neighbours and the parish council with regards to potential flood risk resulting from the development. The Council's Engineering, Drainage and Water Team were consulted on this application, however they consider that the proposed development would only cause a negligible increase in surface water runoff given that the site is currently occupied by garaging and hardsurfacing. As such, this proposal does not require any form of flood risk assessment.

Conclusion:

The proposed development would be located within a reasonably sustainable, urban location; would not detrimentally impact on neighbouring residents (subject to tree/hedge retention conditions); proposes sufficient off-street parking provision; and would not result in an increase of flooding. Whilst the dwellings have less than the required private amenity space to the rear this is somewhat offset by the large front gardens, and although the dwelling would be 1.8m wider than No. 14 Harrison Drive and would turn the semi-detached dwellings into a row of three terrace properties, it is not considered that this would be detrimental to the overall character or appearance of the street scene. Due to this the proposal generally complies with the relevant Local Plan policies and is therefore recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

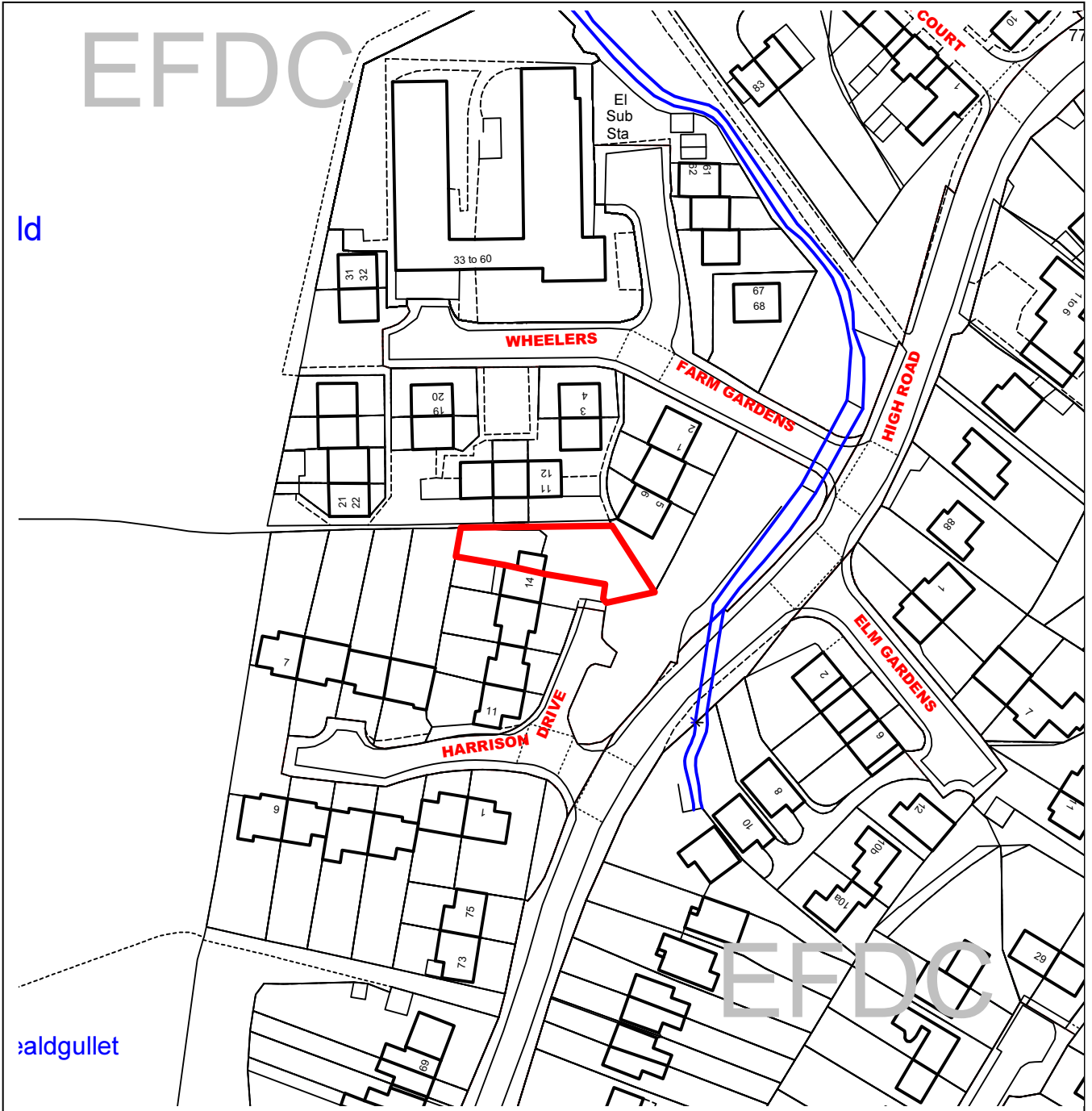
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	3
Application Number:	EPF/0606/11
Site Name:	14 Harrison Drive, North Weald CM16 6JD
Scale of Plot:	1/1250

Report to Area Planning Sub-Committee East



**Epping Forest
District Council**

Report Reference: PE-001-2011/12

Date of meeting: 25 May 2011

**Subject: Probity in Planning – Planning Appeal Decisions for the period
October 2010 to March 2011.**

Responsible Officer: Nigel Richardson (01992 564110).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation:

**(1) That the Planning Appeal Decisions for the period October 2010 to
March 2011 be noted.**

Reasons for Proposed Decision:

In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.

Other Options for Action:

None.

Report:

Background

1. To set the context, a Best Value Performance Indicator (BVPI) for district councils was to aim to have less than 40% of their decisions overturned on appeal. The last available figure for the national average for District Councils was 30.9%. That BVPI was scrapped but replaced by one which records planning appeals only (not advertisement, listed buildings, enforcements, telecommunications or tree related appeals). That too has been dropped as a National Indicator but the Council has created a Local Performance Indicator (LPI 45). In previous years, this target has been to not exceed 25% of allowed decisions. In recent years the Council performance has been:

- 18% in 2003/04;
- 29% in 2004/05;
- 22% in 2005/06;
- 30% in 2006/07;
- 29% in 2007/08;
- 40.3% for 2008/09; and
- 30.9% in 2009/10.

2. For 2010/11, a more realistic achievable target was set to not exceed 28%, however, once again, this was exceeded (36.6%). For 2011/12, LPI 45 has been split into two, one of which will measure the performance of committee reversals of officer recommendations, which generally is the main factor why the performance has not been achieved.

Performance

3. Over the six-month period between October 2010 and March 2011, the Council received 65 decisions on appeals (56 of which were planning related appeals and 9 were enforcement related). Of these, 24 were allowed (36.9%).

4. For LPI 45, which only considers appeals against the refusal of planning permission (so does not include advertisement, listed building, enforcement, Certificate of Lawful Development's, telecommunications or tree-related appeals, nor appeals against conditions), the 6-month performance figure is 42% allowed (21 of 50 appeals).

Planning Appeals

5. Out of the 22 planning appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6-month period, 14 were allowed and 8 dismissed. 63.6% of appeals resulting from committee reversals were therefore not supported on appeal. The Council was not successful in sustaining the committee's objection in the following 14 cases:

(a) Area Plans Sub-Committee South (4 Allowed):

- EPF/0310/10 – Redevelopment involving demolition of 1 house and replace with 12 apartments at 118 High Road, Chigwell;
- EPF/0924/10 - New fence, wall and gates at 36 Stradbroke Drive, Chigwell;
- EPF/2175/10 - Extension of existing patio at 7 Chigwell Park, Chigwell; and
- EPF/0294/10 - Erection of four storey, 6 bedroom house at 13 Eleven Acre Rise, Loughton.

(b) Area Plans Sub-Committee East (4 Allowed):

- EPF/1177/10 - Two-storey rear extension, conservatory and replacement dormers to front at 11 Beulah Road, Epping;
- EPF/0917/10 - Two storey side extension with new vehicular access and crossover at 64 Morgan Crescent, Theydon Bois;
- EPF/1183/10 - Front extension with first floor addition to alter existing bungalow into a two storey dwelling at 44 Theydon Park Road, Theydon Bois; and
- EPF/1409/10 - Use of part of land and the building within for equine use for 2 ponies for personal use and retention of stable doors to outbuilding at 30/30a Piercing Hill, Theydon Bois.

(c) Area Plans Sub-Committee West (5 Allowed):

- EPF/0697/10 - Two storey side extension at 22 Palmers Grove, Nazeing.
- EPF/0971/10 - Retention of single storey side and rear extension at Oakview, Netherhall Road, Roydon.

- EPF/2278/09 - Five bedroom house with new access and driveway, alterations to dormer and single storey protrusion on existing dwelling at Woodbury, Harlow Road, Roydon.
- EPF/0002/10 - Single storey rear extension - 1a Honey Lane, Waltham Abbey.
- EPF/2376/09 - Change of use of house to multi-occupancy - 35 Denny Avenue, Waltham Abbey.

(d) District Development Control (1 Allowed):

- EPF/1448/09 - Two further pitches with additional hard standing at 5 Moores Estate off Church Road/Harlow Road, Roydon.

6. Therefore, the Sub-Committees are urged to continue to heed the advice that if they are considering setting aside the officer's recommendation it should only be in cases where members are certain they are acting in the wider public interest and where the committee officer can give a good indication of some success at defending the decision. This will come under more scrutiny and be reported upon with the separation of the LPI 45 performance figure over the coming year.

7. Of the 28 planning application decisions made by the Director of Planning & Economic Development under delegated powers or recommended to the Committee for refusal, 7 were allowed (25%).

8. Out of 9 enforcement notice appeals decided, 1 was allowed:

- ENF/0546/09 - Use of house in multi-occupancy - 35 Denny Avenue, Waltham Abbey.

Costs

9. During this period, there was a partial award of costs (£1200.00) made against the council, in respect of a planning application refusal at 5 Moores Estate off Church Road, Roydon (EPF/1448/09). The Inspector in allowing the appeal, concluded that the highway reason for refusal was not substantiated by firm evidence and failed to give thorough consideration to the advice of the highway authority, who had raised no objection.

10. There was also one award of full costs (£2,326.16) in respect of an enforcement notice at Burrs Farm, Foster Street, Harlow. Because of inaccuracies in the notice, due to further issues that came to light as a result of further investigation that needed to be rectified, the enforcement notice was withdrawn, but it was after expense had been incurred by the appellant in producing evidence to challenge the appeal.

Conclusions

11. The Council's total performance for this 6-month period and the previous 6 months shows a slight overall worsening of performance for LPI 45 compared with 2009/10 from 34% to 36%, despite there being fewer appeals submitted (102 in 2009/10 and 81 in 2010/11). This is still unsatisfactorily above the performance target. The greater proportion though remain written representation appeals, which the Planning Inspectorate dictate the process on how appeals are being dealt with. Fewer public inquiries and hearings have helped to safeguard against using the

budget set aside for employing consultants to defend appeals, but it only takes a committee reversal, with a number of specialist grounds for refusal to defend, for these appeals to become quite costly to defend and, judging by performance, this is with a less than 50% chance of the appeal being dismissed, given recent years performance. We have been generally successfully fighting off major costs sought against the council, though the 3 award of costs for the year as a whole have been carefully noted, in particular, care needed in serving enforcement notices, whilst Members should think very carefully when considering refusing planning permission on highway grounds where there is no firm evidence of highway harm and where no objection has been raised by ECC Highway Officers.

12. A full list of decisions over this six month period appears in the Appendix below.

Planning Appeals Allowed

Chigwell:

1. EPF/0310/10 – Redevelopment involving demolition of 1 house and replace with 12 apartments at 118 High Road, Chigwell.
2. EPF/0924/10 - New fence, wall and gates at 36 Stradbroke Drive, Chigwell.
3. EPF/2175/10 - Extension of existing patio at 7 Chigwell Park, Chigwell.
4. EPF/1244/10 – Crossover to front and new hard standing for car parking at 26 Warren Court, Chigwell.
5. EPF/1805/10 – Single storey rear extension at 57 Tomswood Road, Chigwell

Epping:

6. EPF/1177/10 – Two-storey rear extension, conservatory and replacement dormers to front at 11 Beulah Road, Epping.
7. EPF/1474/10 – Illuminated sign at Billie Jeans, 26 High Street, Epping

Loughton:

8. EPF/0294/10 - Erection of four storey, 6 bedroom house at 13 Eleven Acre Rise, Loughton.
9. EPF/0184/10 – Second floor side extension at 82 Tycehurst Hill, Loughton.
10. EPF/1522/10 – New fence and railings to boundary of Nursery Road at 1 Longfield, Loughton.
11. EPF2096/10 – First floor rear extension at 26 Queens Road, Loughton.
12. EPF/0131/10 – Non illuminated fascia sign x 4, 2 x first floor window manifestations and 1 x entrance door manifestations at 106-108 High Road, Loughton.

Ongar:

13. EPF/0457/10 – Development of 60 assisted living apartments for the frail and elderly at Land at Ongar Station, Ongar.

Nazeing:

14. EPF/0697/10 - Two storey side extension at 22 Palmers Grove, Nazeing.

Roydon:

15. EPF/0971/10 - Retention of single storey side and rear extension at Oakview, Netherhall Road, Roydon.
16. EPF/2278/09 - Five bedroom house with new access and driveway, alterations to dormer and single storey protrusion on existing dwelling at Woodbury, Harlow Road, Roydon.
17. EPF/1448/09 - Two further pitches with additional hard standing at 5 Moores Estate off Church Road/Harlow Road, Roydon.

Theydon Bois:

18. EPF/0917/10 - Two storey side extension with new vehicular access and crossover at 64 Morgan Crescent, Theydon Bois.
19. EPF/1183/10 - Front extension with first floor addition to alter existing bungalow into a two storey dwelling at 44 Theydon Park Road, Theydon Bois.
20. EPF/1409/10 - Use of part of land and the building within for equine use for 2 ponies for personal use and retention of stable doors to outbuilding at 30/30a Piercing Hill, Theydon Bois.
21. EPF/1707/09 – Retention of dwelling built not accordance with approved plans at Greenview adj 2 Blackacre Road, Theydon Bois.

Waltham Abbey:

22. EPF/0002/10 - Single storey rear extension - 1a Honey Lane, Waltham Abbey.
23. EPF/2376/09 - Change of use of house to multi-occupancy - 35 Denny Avenue, Waltham Abbey.

Planning Appeals Dismissed**Buckhurst Hill:**

1. EPF/0488/10 – Artificial playing surface and surround fence at Loyola Prep School, 103 Palmerston Road.

Chigwell:

2. EPF/400/10 – Brick piers, walls and metal entrance gates to paddock entrance at Magnolia House, Vicarage Lane.
3. EPF/0401/10 – Access road at Magnolia House, Vicarage Lane.

Epping:

4. EPF/0631/10 – Removal of cond. 10 “Removal of Barn” on EPF/2451/07 at The Dairy, Home Farm, Copped all Estate, Epping.

Fyfield:

5. EPF/1820/10 – Two storey front/side extension, front dormer, single storey rear extension and garage/cart-lodge at front at 29 Cannons Lane.

Loughton:

6. EPF/0733/10 – 3 bedroom, two-storey dwelling with walk-out basement at rear at 12-18 Pump Hill.
7. EPF/1040/10 – single storey front extension, with new pitched roof at 5 High Beech Road.
8. EPF/1833/10 – rear and side extensions, new dormers to flanks at 45 The Crescent.
9. EPF/1945/10 – part single part double storey side and rear extension at 18 Harwater Drive.
10. EPF/2015/10 – retention of double storey side and rear extension, single storey front, side and rear extensions, loft conversion with dormer in roof at 1 Marjorams Avenue.
11. EPF/2142/10 – Two storey side extension at 15 Goldings Rise.
12. EPF/2513/09 – Demolition of existing buildings and construction of single dwelling at r/o 186 Forest Road.
13. EPF/0182/10 – Crown lift of tree to 4.5m above ground level at 16 Upper Park.
14. EPF/0900/10 – Display of halo illuminated advert, non-illuminated projecting sign, internally illuminated signage and menu box at Zizzi, 2 Church Hill.
15. EPF/1808/09 – Retention of non-illuminated fascia, box and swing at 257a High Road.

Moreton, Bobbingworth and the Lavers:

16. EPF/2311/10 – Link porch between dwelling and outbuilding at Irenic Orchard, Ashlyns Lane.

Nazeing:

17. EPF0309/10 – Retention of existing storage containers for a temp period not exceeding 2 years at Nazeing Park House, Betts Lane.

18. EPF/0439/10 – Erection of day room in connection with residential mobile home site at Stoneshott View, Hoe Lane.
19. EPF/1950/10 – two bedroom house in rear garden at 49 Old Nazeing Road, Broxbourne.

North Weald:

20. EPF/1969/10 – Hand car wash with new tiled canopy roof at Pace Petrol Station, High Road.
21. EPF/0447/10 – retention of internally illuminate projection box sign at Carpenters Arms PH, High Road, Thornwood.

Roydon:

22. EPF/0524/10 – 4 bedroom house to rear with new driveway and access onto Harlow Road at Woodbury, Harlow Road.
23. EPF/2270/10 – First floor rear extension and conversion of loft space to provide 2nd floor accommodation at The Mount, Epping Road.

Sheering:

24. EPF/0399/10 – Alterations to form a two storey dwelling and new chalet bungalow at Gunn Lodge, The Street.

Stanford Rivers:

25. EPF/2399/10 – Replacement of 2 storey dwelling and redevelopment of site to provide 3 additional 2 storey dwellings (4 in total) (Scheme 2) at Millrite Engineering Site, 151-156 London Road.
26. EPF/2400/10 – Replacement of 2 storey dwelling and redevelopment of site to provide 3 additional 2 storey dwellings (4 in total) (Scheme 1) at Millrite Engineering Site, 151-156 London Road.

Stapleford Abbots:

27. EPF/0332/10 – Change of use of existing office building to residential at Woodside Farm, Stapleford Road.

Theydon Bois:

28. EPF/0250/10 – Demolition of bungalow and reception of replacement bungalow at 40 Forest Drive.
29. EPF/0423/10 – Single storey building containing 4 loose boxes/stables, feed and machinery store, manage at Grazing land adj Broadlawn, Coopersale Lane.
30. EPF0888/10 – Demolition of existing bungalow and erection of replacement bungalow at 40 Forest Drive.

Waltham Abbey:

31. EPF/0449/10 – Wind turbine at Powder Mill, Powder Mill Way.
32. EPF/0716/10 – Variation of condition 3 on EPF/1305/08 to remove restrictions on newspapers, magazines etc at Lidl, 1 Cartersfield Road.
33. EPF/1148/10 – Use of land for car parking in connection with Breach Barns, Galleyhill Road.

Enforcement Appeals Allowed

1. Use of house in multi-occupancy - 35 Denny Avenue, Waltham Abbey.

Enforcement Appeals Dismissed

1. Stationing of metal container and storage building materials at land adjacent a residential caravan park at Honey Lane, Waltham Abbey.
2. Erection of wall and piers over 1m high at field entrance and construction of roadway, north of Magnolia House, Vicarage Lane, Chigwell.
3. Stationing of 6 storage containers at Land at Nazeing Park House, Betts Lane, Nazeing.
4. Use of land for car wash and placing of large metal container and plastic structure at Winston Churchill Pub, The Broadway, Loughton.
5. Floodlit car park and access road at Ivy Cottage, Bournebridge Lane, Stapleford Abbots.
6. Roof terrace and associated works at 84 Russell Road, Buckhurst Hill.
7. Stationing of Caravan at Land at Abridge Road, Theydon Bois.

Enforcement Notices No Further Action/Withdrawn

1. Change of use from agriculture to retail use and non-agriculture at Burrs Farm, Foster Street, Harlow.

Report to Area Planning Sub-Committee East



**Epping Forest
District Council**

Report Reference: PE-002-2011/12

Date of meeting: 25 May 2011

Subject: Gunn Lodge, The Street, Sheering.

Responsible Officer: Graham Courtney (01992 564228).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation:

(1) That an enforcement notice not be served with regard to Gunn Lodge, Sheering Lower Road as the property had now been reduced in size and was very close to the design that was approved under EPF/1437/09.

Report:

1. On 21 September 2009 permission was granted on EPF/1437/09 for:

"...alterations to Gunn lodge bungalow to create a two story dwelling and partial demolition to provide a site for a new chalet bungalow(revised application)"

2. On 11 January 2011 a site visit by an Enforcement Officer confirmed that the new chalet bungalow had not been built according to plan, in that it was higher and built to a different plan.

3 A subsequent application to retain the alterations went to Committee on 6th April 2011 and was refused. The reasons for refusal were:

(a) The development, due to its height, design and overall bulk appears overly dominant and cramped within this plot to the detriment of the character and appearance of the street scene. As such the development is contrary to policies CP2 and DBE1 of the Adopted Local Plan and Amendments; and

(b) The members indicated that enforcement action should be taken to ensure that the building is returned to that originally approved.

Proposal

4. Following information from the owner that the height of the chalet bungalow had been reduced, a site visit took place on 10 May 2011 with the Enforcement Officer and a Senior Planning Officer. Measurements were taken on-site and are as follows:

(a) From apex of roof to damp course - 7.6 metres
(the measurement shown on EPF/1437/09 was 7.3 metres); and

(b) From eaves to damp course - 3.7 metres
(the measurement shown on EPF/1437/09 was 3.4 metres).

5. The owner has also inserted two windows to the front and rear elevation of the property instead of one. He has also transposed the ground floor rear window and door.

Assessment of the Proposals

6. As can be seen from the above measurements, the new dwelling is within 300 millimetres of the approved height. A variation of this amount would not, in normal circumstances, prompt the issue of an Enforcement Notice unless specific harm from the variation can be shown.

7. The insertion of an extra window to the front and rear would be classed as a minor amendment as they do not affect the visual amenity of the property nor do they affect any neighbouring properties by reason of overlooking. The transposition of the window and door on ground floor level to the rear would also be classed as a minor amendment which causes no harm to amenity.

8. The appearance of the property is now once again that of a chalet bungalow as originally envisaged and approved. Officers consider that the dwelling as now built does not cause any undue harm to the character of the area, nor cause any harm to the amenities of neighbouring properties.

Conclusion

9. It is considered that, the property is now very close to the design that was approved under EPF/1437/09, and there is no obvious harm from the development. Therefore it is no longer considered expedient to serve an enforcement notice that would be open to appeal.