

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 17 August 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.20 pm

Members Present: Mrs S Jones (Vice-Chairman), K Avey, W Breare-Hall, Mrs D Collins, Mrs A Grigg, D Jacobs, P Keska, Mrs M McEwen, R Morgan, B Rolfe, D Stallan, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors: -

Apologies: A Boyce, P Gode and J Philip

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

26. 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.

27. 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.

28. MINUTES

Resolved:

(1) That the minutes of the meeting held on 20 July 2011 be taken as read and signed by the Chairman as a correct record.

29. ELECTION OF VICE-CHAIRMAN

The Chairman requested nominations from the Sub-Committee for the role of Vice-Chairman.

Resolved:

(1) That Councillor R Morgan be elected Vice-Chairman for the duration of the meeting.

30. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs A Grigg and D Stallan declared a personal interest in the following items of the agenda by virtue of being 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 applications and voting thereon:

- EPF/1073/11 17 Forest Grove, Woodside, Thornwood;
- EPF/1136/11 4 Vicarage Lane, North Weald Bassett; and
- EPF/1236/11 1 High Road, North Weald Bassett.

(b) 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 being acquainted with the Applicant. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/1236/11 1 High Road, North Weald Bassett.

31. ANY OTHER BUSINESS

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

32. DEVELOPMENT CONTROL

Resolved:

(1) That the planning applications numbered 1 – 10 be determined as set out in the schedule attached to these minutes.

33. 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

Minute Item 32

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

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 12 months of this Committees 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/0940/11
SITE ADDRESS:	3 Crown Close Sheering Harlow Essex CM22 7ND
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Alteration of existing bungalow to form 2 No. two storey semi-detached cottages plus construction of a single two storey detached cottage (Revised application)
DECISION:	Withdrawn by Applicant

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=527846

Report Item No: 3

APPLICATION No:	EPF/0944/11
SITE ADDRESS:	Hales Farm Nether Street Abbes Roding Essex
PARISH:	The Rodings - Abbes, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Demolition of farm buildings and erection of a single detached dwelling.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527868

REASON FOR REFUSAL

1. The proposal constitutes inappropriate development that is both harmful to the purposes of including land within the Green Belt and causes physical harm to the openness and character of the Green Belt. There are insufficient very special circumstances that clearly outweigh this, and other identified, harm, and therefore the development is contrary to PPG2 and policy GB2A, DBE1 and DBE4 of the adopted Local Plan and Alterations.
2. The proposed development, due to the removal of the historic curtilage listed buildings and the scale and overall size of the proposed new dwelling, would be detrimental to the historic setting of the adjacent Grade II listed building, contrary to PPS5 and policies HC11, HC12 and LL1 of the adopted Local Plan and Alterations.
3. Insufficient information has been provided with regards to the use of, and external works proposed to be undertaken to, the curtilage listed buildings that would be retained, and with regards to the proposed commercial livery use of the stable building. Given this lack of information the proposed development may be detrimental to the appearance and historic importance of the curtilage listed buildings, the setting of the adjacent Grade II listed building, and the character of the Green Belt. As such the development may be contrary to PPG2, PPS5, and policies GB2A, GB8A, HC10, HC12 and HC13 of the adopted Local Plan and Alterations.
4. The proposed new dwelling, due to its scale, bulk, massing, orientation, siting and design, is over-dominant, visually incongruous and harmful to the character and amenity of the rural area, contrary to policies GB7A, DBE1, DBE4, LL2 and LL11 of the adopted Local Plan and Alterations.

Report Item No: 4

APPLICATION No:	EPF/0945/11
SITE ADDRESS:	Hales Farm Nether Street Abbess Roding Essex
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the demolition of farm buildings.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527869

REASON FOR REFUSAL

1. The proposed development results in the demolition of curtilage listed buildings and no very exceptional circumstances have been provided to show that they cannot be retained and returned to an appropriate use. Their loss, in addition, would be detrimental to the historic setting of the adjacent Grade II listed building, contrary to PPS5 and policies HC11 and HC12 of the adopted Local Plan and Alterations.
2. Insufficient information has been provided with regards to the use of, and internal and external works proposed to be undertaken to, the curtilage listed buildings that would be retained. Given this lack of information the proposed development may be detrimental to the appearance and historic importance of the curtilage listed buildings and the setting of the adjacent Grade II listed building, contrary to PPS5 and policies HC10, HC12 and HC13 of the adopted Local Plan and Alterations.

Report Item No: 5

APPLICATION No:	EPF/1008/11
SITE ADDRESS:	Millrite Engineering 151 - 153 London Road Stanford Rivers Ongar Essex CM5
PARISH:	Stanford Rivers
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Redevelopment of site to provide 4 detached chalet bungalows and garages.
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=528155

This item was deferred to allow Members to see a copy of the viability appraisal.

Report Item No: 6

APPLICATION No:	EPF/1052/11
SITE ADDRESS:	Gypsy Mead Works Ongar Road Fyfield Ongar Essex CM5 0RB
PARISH:	Fyfield
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Rebuilding of existing warehouse with some additional first floor office space.
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=528274

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. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1191/02A, 1191/03A, 1191/05B, 1191/07B, 1191/08B
3. No construction works above ground level shall have taken place until documentary and photographic 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. Prior to first occupation of the development hereby approved, the proposed first floor window openings in the western flank elevation shall be entirely fitted with fixed frames to a height of 1.7 metres above the floor of the room in which the windows are installed and the southernmost western first floor window shall be fitted with obscured glass, and shall be permanently retained in that condition.
5. The premises shall be used solely for B8 with ancillary office space 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.
6. No deliveries shall be made to or from the site outside the hours of 08:00 to 18:00 on Monday to Friday, 08:00 to 13:00 on Saturdays, and not at all on Sundays and Bank/Public Holidays.

7. There shall be no outdoor working on the site outside the hours of 08:00 to 18:00 on Monday to Saturday and not at all on Sundays and Bank/Public Holidays.
8. The parking area shown on the approved plan shall be retained free of obstruction for the parking of staff and visitors vehicles.
9. 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]

10. 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]

11. 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]

12. 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.
13. 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.
14. All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
15. No outdoor storage shall take place on the site.

Report Item No: 7

APPLICATION No:	EPF/1073/11
SITE ADDRESS:	17 Forest Grove Woodside Thornwood Epping Essex CM16 6NS
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Proposed first floor rear extension and internal alterations.
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=528345

CONDITIONS

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 8

APPLICATION No:	EPF/1136/11
SITE ADDRESS:	4 Vicarage Lane North Weald Bassett Epping Essex CM16 6ET
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Single storey rear and side extensions and loft conversion.
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=528551

This item was deferred to allow a Member site visit to be carried out on a Saturday.

Report Item No: 9

APPLICATION No:	EPF/1164/11
SITE ADDRESS:	OS 3528 Land at North Farm Mount Road Theydon Mount Epping Essex CM16 7QA
PARISH:	Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Change of use of pasture land to horse keeping, erection of post and wire boundary fencing. Erection of private stables with ancillary hardstanding , accessed from existing road servicing North Farm and neighbouring properties. (Revised application)
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528662

Members considered the above development unacceptable due to the large scale of the proposed stable block to accommodate two horses, and small size of the application site that fails to meet with the guidance set by the British Horse Society. It was considered that this proposal is detrimental to the character and setting of the Registered Parkland, the Grade I listed building (Hill Hall), the Green Belt, and would be unsustainable as all trips would be generated by private motor vehicles, including the delivery of feed.

REASONS FOR REFUSAL

1. The proposed development, due to the size and location of the stable building, would be detrimental to the Registered Parkland and the setting of the Grade I listed building, contrary to policies HC3 and HC12 of the adopted Local Plan and Alterations.
2. The proposed stable building, due to its size in relation to the application site, fails to comply with policies GB2A, RST4 and RST5 of the adopted Local Plan and Alterations.
3. The proposed development is located within an unsustainable location where there would be a reliance on private motor vehicles, and the inadequate size of the site would result in increased vehicle movements related to feed delivery. As such the proposal is contrary to policies CP3, CP5 and ST4 of the adopted Local Plan and Alterations.

Report Item No: 10

APPLICATION No:	EPF/1236/11
SITE ADDRESS:	1 High Road North Weald Bassett Epping Essex CM16 6HN
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	New end of terrace dwelling house. (Revised Application)
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=528943

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. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: NW.01.01, NW.01.02A and NW.01.04
3. Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
4. 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, C and E shall be undertaken without the prior written permission of the Local Planning Authority.
5. An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
6. 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.

7. Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of the dwelling hereby approved and maintained in the agreed positions.