

# EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee East    **Date:** 22 May 2013

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.30 - 10.03 pm

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

**Other Councillors:**

**Apologies:** B Rolfe

**Officers Present:** S Solon (Principal Planning Officer), S G Hill (Senior Democratic Services Officer), A Hendry (Democratic Services Officer) and J Leither (Democratic Services Assistant)

## 1. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

## 2. 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.

## 3. MINUTES

### RESOLVED:

(1) That the minutes of the meeting held on 17 April 2013 be taken as read and signed by the Chairman as a correct record subject to:

(i) the deletion of minute 89(e) and its replacement with the following wording "89(e) The subcommittee noted that Councillor B Rolfe wished to make a personal statement in relation to item 7 Development Control report item 1 (EPF/1558/09 North Barn, New Farm Drive, Abridge, Essex). This statement is reproduced under that item in the appendix to these minutes"; and

(ii) the deletion of the words "Declaration of Interest" on page 8 of the minutes and its substitution with the words "Personal statement" and deletion of the word "declaration" on pages 8 and 9 and its substitution with the words "personal statement"

(2) That an addition be made to minute item 83 (Development Control) for the meeting held on 20 March 2013, to record that Councillor Rolfe made a personal statement regarding the application at North Farm, New Farm Drive, Abridge (EPF/1558/09) and left the meeting for the consideration of that item and the voting thereon.

#### 4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor W Breare-Hall declared a non-pecuniary interest in the following item of the agenda by virtue of living close to the application site. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0382/13 – 24 Bower Vale, Epping.

(b) Pursuant to the Council's Code of Member Conduct, Councillor K Avey declared a non-pecuniary interest in the following items of the agenda. The Councillor had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0382/13 – 24 Bower Vale, Epping.
- EPF/0696/13 – Rear of 8 Margaret Road, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillors Mrs J Whitehouse and R Morgan declared a non-pecuniary interest in the following item of the agenda, by virtue of knowing the speaker. The Councillors had determined that their interest was not prejudicial and they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0696/13 – Rear of 8 Margaret Road, Epping.

(d) Pursuant to the Council's Code of Member Conduct, Councillor P Keska declared a non-pecuniary interest in the following item of the agenda, by virtue of knowing the objector. The Councillor had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0461/13 – Basons Yard, High Street, Ongar.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Jones declared a non-pecuniary interest in the following items of the agenda, by virtue of knowing the speaker for the first item and the applicant for the second. The Councillor had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0528/13 – Land adjacent to Horseshoes Farm, London Road, North Weald; and
- EPF/0696/13 – Rear of 8 Margaret Road, Epping.

**5. ANY OTHER BUSINESS**

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

**6. DEVELOPMENT CONTROL****RESOLVED:**

That the planning applications numbered 1 – 8 be determined as set out in the schedule attached to these minutes.

**7. PLANNING PROTOCOL - SITE VISITS**

The Sub-committee considered a report on guidance for undertaking planning site visits which formed part of the planning protocol. This matter had been considered by the District Development Control Committee in March 2013 who wanted further guidance for both members and public attending site visits to avoid the perception of pre-determination and to ensure that there was a consistent approach taken during each visit.

To this end, guidance was produced, split into two documents, one aimed at members and the second at other interested parties.

**RESOLVED:**

That the guidance on undertaking planning site visits be noted and that the guidance had been published on the Council's website and would be sent to members, applicants and objectors (if known) when a site visit was organised.

**8. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2012 TO MARCH 2013**

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions for the period 1 October 2012 to 31 March 2013.

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

In recent years the Council performance had 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; 30.9% in 2009/10; 36.6% in 2010/11; 28.8% in 2011/12 and 27.7% in 2012/13.

Since 2011/12, there had been two local indicators, one of which measured all planning application type appeals as a result of committee reversals of officer recommendations (KPI 55); and the other which measured the performance of officer recommendations and delegated decisions (KPI 54).

Over the six-month period between October 2012 and March 2013, the Council received 43 decisions on appeals (40 of which were planning related appeals, the other 3 were enforcement related).

KPI 54 and 55 measure planning application decisions and in total, out of this 40, 15 were allowed (37.5%). Broken down further, KPI 54 performance was 6 out of 25 allowed (24%) and KPI 55 performance was 9 out of 15 (60%).

Whilst performance in defending appeals had improved during the last couple of years, Members were reminded that in refusing planning permission there needed to be justified reasons that in each case must be relevant, necessary, but also sound and defensible so as to avoid paying costs. Whilst there was clearly pressure on Members to refuse in cases where there were objections from local residents, these views (and only when they are related to the planning issues of the case) were one of a number of the relevant issues to balance out in order to understand the merits of the particular development being applied for.

**RESOLVED:**

That the report regarding Probity in Planning – Appeal Decisions 1 October 2012 to 31 March 2013 be noted.

**9. 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 6

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/2460/11
<b>SITE ADDRESS:</b>	Red Cottage New Farm Drive Abridge Essex RM4 1BUU
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of building for agricultural storage and for keeping of animals for the purpose of agriculture.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=533311](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533311)

### CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings no: RC/OUT/P/11/001 A
- 2 All the dormer windows in the roof of the building hereby approved shall be removed within 6 months of the date of this permission.
- 3 The building hereby approved shall only be used for the purpose of agriculture. If within a period of 15 years from the date of this permission the building ceases to be used for the purposes of agriculture it shall be completely demolished and all associated demolition waste removed from the identified land, unless otherwise agreed in writing by the Local Planning Authority. (For the purposes of this condition, cessation of use means no use, or an alternative use for a period of one year or more).

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0478/12
<b>SITE ADDRESS:</b>	Red Cottage New Farm Drive Abridge Essex RM4 1BU
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>DESCRIPTION OF PROPOSAL:</b>	Formation of hardstand and erection of agricultural store.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=535759](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535759)

**CONDITIONS**

- 1 Works to erect the agricultural store building 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: RC/OUT/P/12/001A and RC/OUT/P/12/002.
- 3 All shipping containers, storage containers and movable buildings, including any caravan, stationed on the application site that exceed a height of 2.5 metres above ground level shall be permanently removed from the site within 28 days of the substantial completion of the agricultural store building hereby approved and shall not be stationed on the land outlined in blue on drawing number RC/OUT/P/12/001A.
- 4 No open storage in excess of a height of 2.5 meters above ground level shall take place on the application site.
- 5 The agricultural store building hereby approved shall only be used for the purpose of agriculture. If within a period of 15 years from the date of this permission the building ceases to be used for the purposes of agriculture on land included within the area outlined in blue on drawing no. RC/OUT/P/12/001A, it shall be completely demolished and all associated demolition waste removed from the identified land, unless otherwise agreed in writing by the Local Planning Authority (for the purposes of this condition, cessation of use means no use or an alternative use for a period of one year or more).
- 6 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no building or extension to a building generally permitted by virtue of Class A of Part 6, Schedule 2 to the Order shall be erected on the application site or the land outlined in blue as indicated on drawing number RC/OUT/P/12/001A without the express consent of the Local Planning Authority.

- 7 No shipping container, storage container or movable building, including a caravan, shall be stationed on the application site or on the land outlined in blue on drawing number RC/OUT/P/12/001A without the express consent of the Local Planning Authority.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2190/12
<b>SITE ADDRESS:</b>	26 Fyfield Road Ongar Essex CM5 0AJ
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Shelley
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from A1 to A3 and A5 with extension flue and changes to shop front.
<b>DECISION:</b>	Referred to District Development Control Committee

**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=543285](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543285)

Members referred this item to the District Development Control Committee with a recommendation to refuse permission.

**RECOMMENDED REASONS FOR REFUSAL**

- 1 By reason of the emission of cooking odours and the site's proximity to neighbouring dwellings, the proposed use would cause excessive harm to the living conditions of local residents. Planning conditions could not adequately mitigate the harm, therefore the proposal is contrary to policies DBE9 and RP5A of the Adopted Local Plan and Alterations, which are consistent with the National Planning Policy Framework.
- 2 The proposed use would be likely to generate additional traffic and on-street parking in the locality that is far in excess of that likely to be generated by the lawful use of the shop premises. That would be harmful to the interests of highway safety and the amenities of the locality contrary to Policy ST4 of the Adopted Local Plan and Alterations, which are consistent with the National Planning Policy Framework.
- 3 The application fails to demonstrate there is no market demand for a retail use on the site and consequently would be likely to undermine the vitality and viability of the local centre within which the site is situated. Accordingly the proposal is contrary to policy TC6 of the Adopted Local Plan and Alterations, which is consistent with the National Planning Policy Framework.



**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0366/13
<b>SITE ADDRESS:</b>	11 Woodland Way Theydon Bois Essex CM16 7DY
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear and side extensions.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=546230](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546230)

**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 as outlined in the submitted planning application form, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed window openings in the ground floor flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No development, including works of demolition or site clearance, shall take place until fencing has been installed to protect the oak in the rear garden which is protected by a Tree Preservation Order. This shall consist of 'heras' fencing panels secured across the garden at a distance of 15m from the rear boundary. Prior to building works commencing on site this shall be inspected by the Local Planning Authority. The fencing shall be retained in place until such time as the development is completed.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0382/13
<b>SITE ADDRESS:</b>	24 Bower Vale Epping Essex CM16 7AS
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of 1 no. two bedroom house.
<b>DECISION:</b>	Referred to District Development Control Committee

**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=546330](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546330)

Members referred this item to District Development Control Committee with a recommendation that permission be granted as recommended by Officers.

**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: 730-01A.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 5 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 and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 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 08.00 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.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0461/13
<b>SITE ADDRESS:</b>	Bansons Yard High Street Ongar Essex CM5 9AA
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>DESCRIPTION OF PROPOSAL:</b>	Redevelopment of hand car wash site including demolition of existing structures and hard standing and erection of 14 no. dwellings, including garages, parking, roadway, drainage and all ancillary works.
<b>DECISION:</b>	Deferred

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=546793](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546793)

Members deferred this item in order that a site visit could take place.

**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: S240-/Sk205 Rev A, SU-0011-12-MAS.04, S240-01 Rev D, 2415-GMP-01 Rev B, Topographical Survey, SU-0011-12-Gar.01, SU-0011-12-Gar.02, SU-0011-12-Gar.03, SU-0011-12-Will.01 Rev A, SU-0011-12-Will.02, SU-0011-12-350/352.01 Rev A, SU-0011-12-350/352.02 Rev B, SU-0011-12-350/352.03 Rev B, SU-0011-12-350/352.04 Rev A, SU-0011-12-350/352.05 Rev B, SU-0011-12MAS.COL.01 Rev F, SU-0011-12-MAS.01 Rev F, SU-0011-12-MAS.02 Rev B, SU-0011-12-MAS.03 Rev C, SU-0011-12-Pres.01 Rev C and PA518/Sk05 Rev A
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition

and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 6 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.
- 7 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. Suitable access arrangements to the application site in connection with the demolition/construction operations to include a one way system to prevent vehicles conflicting at the access points onto the High Street
  2. Wheel washing facilities for the duration of the development to prevent the deposition of mud and debris onto the public highway
  3. Turning and off loading facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site.
  4. Storage of plant and materials used in constructing the development within the site.
  5. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
  6. Measures to control the emission of dust and dirt during construction.
  7. A scheme for recycling/disposing of waste resulting from demolition and construction works.

8. A routing agreement detailing proposed routes of vehicles making deliveries to the site.
9. Details for the method of constructing the biodiversity lagoon and means of protecting the Protected Horse Chestnut Tree on the adjacent land.
- 9 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 08.00 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.
- 10 No development or preliminary groundwork's of any kind 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.
- 11 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 porches at all, no extensions/enlargements to the houses hereby approved that are more than 4m high and no outbuildings within their curtilage, generally permitted by virtue of Classes A, B, D, E of Part 1, Schedule 2 to the Order and installation of microgeneration equipment generally permitted by Classes A, B, H and I of Part 40, Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 12 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]
- 13 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 in writing 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]

- 14 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 in writing 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]
- 15 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification 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 in writing. The approved monitoring and maintenance programme shall be implemented.
- 16 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.
- 17 No development shall take place, including any works of demolition, until a lighting scheme for all outside lighting for the development is submitted to, and agreed in writing by the Local Planning Authority and the development shall be implemented in accordance with such agreed details.
- 18 Before any preparatory, demolition or construction works commence on site a full survey and mitigation strategy for the whole site shall be carried out and submitted to the Local Planning Authority, with a working methodology for site clearance and construction work to minimise impact to any protected species. Development shall be undertaken only in accordance with the agreed methodology and strategy.
- 19 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 garages hereby approved shall be retained so that they are 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.

- 20 No development shall take place, including any works of demolition, until additional details of the proposed crib wall together with details of landscaping and its implementation within 3m of the wall are submitted to, and agreed in writing by the Local Planning Authority and the development shall be implemented in accordance with such agreed details.
- 21 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
- 22 No development hereby approved shall take place until measures to enable the provision of education improvements to the local area, necessitated by this development, are secured.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0528/13
<b>SITE ADDRESS:</b>	Land adjacent to Horseshoes Farm London Road North Weald Essex CM17 9LH
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>DESCRIPTION OF PROPOSAL:</b>	Additional grain storage facilities and extension to existing area of hardstanding..
<b>DECISION:</b>	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=547070](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547070)

**REASON FOR REFUSAL**

- 1 By reason of its bulk, scale and the cumulative visual impact of the proposed extension and existing building, the proposal would have an excessive adverse impact on the openness of the Green Belt, which outweighs the agricultural need for the development. Accordingly, the proposal is contrary to policies GB7A and GB11 of the adopted Local Plan and Alterations, which are consistent with the National Planning Policy Framework.

Members found that the proposal did not properly deal with the concerns raised in the appeal decision letter in respect of the refusal of application ref EPF/2547/11 (PINS ref APP/J1535A/12/2177254)



**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0696/13
<b>SITE ADDRESS:</b>	Rear of 8 Margaret Road Epping Essex CM16 5BP
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of single storey affordable dwelling and ancillary works including vehicle access and crossing. (Resubmitted application)
<b>DECISION:</b>	Referred to District Development Control Committee

**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=547831](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547831)

Members referred this item to District Development Control Committee with no Member's recommendation.

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