

# EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

## CONTINUATION OF ADJOURNED MEETING FROM 10 DECEMBER 2014

**Committee:** Area Planning Sub-Committee **Date:** 5 January 2015  
East

**Place:** Council Chamber, Civic Offices, **Time:** 7.30 - 9.12 pm  
High Street, Epping

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

**Other Councillors:**

**Apologies:** Mrs S Jones, Mrs H Brady and Mrs A Grigg

**Officers Present:** J Shingler (Principal Planning Officer), J Leither (Democratic Services Assistant) and S Mitchell (PR Website Editor)

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### 52. MEETING RECONVENED

Following the adjournment of the meeting held on the 10 December 2014 at 10.15pm, the meeting reconvened on the 5 January 2015 at 7.30pm.

### 53. 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.

### 54. 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.

### 55. VICE-CHAIRMAN OF SUB-COMMITTEE

The Chairman had tendered her apologies for the meeting, so the Vice Chairman assumed Chairmanship of the Sub-Committee, the Chairman then sought a nomination for Vice-Chairman of the meeting.

**RESOLVED:**

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

**56. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a pecuniary interest in the following item of the agenda by virtue of supplying periodicals to the applicants household as part of his business.

Having sought advice from the Monitoring Officer on the matter, the Councillor concluded that his interest did not fall within section 11.3 of the code of conduct and did not prejudice his judgement of the application in question. The Councillor stated that he proposed to remain in the meeting for the discussion and voting on thereon:.

- EPF/2285/14 Wind Hill Cottage, Wind Hill, Magdalen Laver, Ongar

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non pecuniary interest in the following item of the agenda. The Councillor had determined that his interest may be deemed as being prejudicial by members of the public and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/2358/14 Ground Floor Unit, 134 High Street, Ongar

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

- EPF/2456/14 134-136 High Street, Epping

**57. ANY OTHER BUSINESS**

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

**58. DEVELOPMENT CONTROL**

**RESOLVED:**

That the planning applications numbered 11 – 19 be determined as set out in the schedule attached to these minutes.

**CHAIRMAN**

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/2270/14
<b>SITE ADDRESS:</b>	The Old Rectory Mount Road Theydon Mount Epping Essex CM16 7PW
<b>PARISH:</b>	Theydon Mount
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Application for variation of condition 3 "drawings" for EPF/0576/14 (Minor material amendment to EPF/2155/12. (Replacement dwelling)).
<b>DECISION:</b>	Withdrawn by Applicant

**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=568672](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568672)

**Report Item No: 12**

<b>APPLICATION No:</b>	EPF/2285/14
<b>SITE ADDRESS:</b>	Wind Hill Cottage Wind Hill Magdalen Laver Ongar Essex CM5 0EX
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement dwelling and garages. Demolition of existing dwelling and outbuilding. (see EPF/0532/14 & EPF/2028/13)
<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=568713](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568713)

**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 544/1A, 2A, 3A, 4A, SK "c", SK "d", location plan.
- 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 by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 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 Class A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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, 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.

- 6 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.
- 7 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.

**Report Item No: 13**

<b>APPLICATION No:</b>	EPF/2358/14
<b>SITE ADDRESS:</b>	Ground Floor Unit, 134 High Street Ongar Essex CM5 9JH
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from retail (Use Class A1) to estate agency (Use Class A2) (Re-submission following refusal of application EPF/1141/14.)
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=569174](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569174)

The Officer reported at the outset that the Town Council had confirmed that they had no Objection to the proposal.

**REASON FOR REFUSAL**

- 1 The proposed change of use results in the loss of a retail unit within the key retail frontage where the percentage of non retail use is already in excess of 30%. The proposal is therefore harmful to the vitality and viability of the town centre, contrary to policies TC3 and TC4 of the Adopted Local Plan and Alterations.

**POSSIBLE WAY FORWARD**

Members considered that the premises should be actively marketed for A1 use for at least 6 months from this decision. A full report of this marketing exercise should be submitted giving details of when, where and how it was advertised. Only if there are no offers from any A1 use in that period, would there be potential for the policy to be overridden.

**Report Item No: 14**

<b>APPLICATION No:</b>	EPF/2386/14
<b>SITE ADDRESS:</b>	Red House Farm Little Laver Road Little Laver Harlow Essex CM5 0JH
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed rear extension.
<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=569310](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569310)

The Officer reported that the Parish Council reiterated their objection on Green Belt grounds.

**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: 15**

<b>APPLICATION No:</b>	EPF/2400/14
<b>SITE ADDRESS:</b>	Red House Farm Little Laver Road Little Laver Harlow Essex CM5 0JH
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for a proposed rear extension.
<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=569390](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569390)

**CONDITIONS**

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 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: 16**

<b>APPLICATION No:</b>	EPF/2456/14
<b>SITE ADDRESS:</b>	134 - 136 High Street Epping Essex CM16 4AG
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of existing unit to a use within class A2. Re-submission of EPF/1093/14 following refusal.
<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=569713](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569713)

**REASON FOR REFUSAL**

- 1 Change of use to A2 is inappropriate within the key retail frontage where, should the community use cease, A1 retail use should be reinstated to maintain 70% retail use and the vitality and viability of the Town Centre, in accordance with policy TC4 of the adopted Local Plan and Alterations”.

**POSSIBLE WAY FORWARD**

Members considered that given the nature of Epping Town Centre where units do not stand empty, there is no doubt that the unit could be relet for an A1 use and as such they did not consider that there was a way forward.

**Report Item No: 17**

<b>APPLICATION No:</b>	EPF/2514/14
<b>SITE ADDRESS:</b>	Tilegate Lodge High Laver Ongar Essex CM5 0EA
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of land from agricultural to residential garden land, and remodelling and extension including basement and associated landscaping. (Revised application to EPF/1970/14)
<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=570010](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570010)

**REASONS FOR REFUSAL**

- 1 The proposed extensions amount to disproportionate additions over and above the size of the original dwelling and are therefore inappropriate development, by definition harmful to the Green Belt and contrary to the National Planning Policy Framework and Policy GB2A of the adopted Local Plan.
- 2 The proposed garden area is excessive in size and constitutes a significant intrusion in this green belt location, where hardstanding parking, formal gardens and other residential paraphernalia will have an adverse impact on openness of the Green Belt and the rural character of the area, contrary to policies GB2A and GB4 of the adopted Local Plan.

**Way Forward**

Members considered that more proportionate extensions may be acceptable together with a significantly reduced area of garden, more in keeping with the scale of the original dwelling. Members requested that the matter be referred back to Enforcement for action given that the works have already largely taken place.

**Report Item No: 18**

<b>APPLICATION No:</b>	EPF/2527/14
<b>SITE ADDRESS:</b>	Misterton Kendal Avenue Epping Essex CM16 4PN
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side/rear extension with juliet balcony, single storey rear extension and loft conversion with two front and two rear dormer windows and roof lantern to front gable.
<b>RECOMMENDED 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=570073](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570073)

**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 stated in section 11 'Materials' of the submitted householder application form, unless otherwise agreed in writing by the Local Planning Authority.

**Report Item No: 19**

<b>APPLICATION No:</b>	EPF/2528/14
<b>SITE ADDRESS:</b>	10 Lower Swaines Epping Essex CM16 5ER
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	First floor side extension and garage conversion.
<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=570074](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570074)

**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.