

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Area Plans Sub-Committee 'B'	Date:	9 March 2005
Place:	Council Chamber, Civic Offices, Epping.	Time:	7.35 p.m. – 10.33 p.m.
Members Present:	Councillors M Colling (Chairman), Mrs A Grigg, Mrs S Perry, Mrs K Rush, D Stallan, Mrs J H Whitehouse, J M Whitehouse.		
Other Councillors:	-		
Apologies:	Councillors A Green (Vice-Chairman), R Glozier, S Metcalfe, C Whitbread.		
Officers Present:	B Land, C Neilan (Planning & Economic Development), G Woodhall (Research & Democratic Services).		

53. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

54. MINUTES

RESOLVED:

That the minutes of the meeting held on 9 February 2005 be taken as read and signed by the Chairman as a correct record.

55. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following items of the agenda for the meeting, by virtue of the Councillor also being a member of North Weald Parish Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- (i) EPF/365/04 – Queens Head Public House, 87 High Road, North Weald; and
- (ii) EPF/93/05 – 224 High Road, North Weald.

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs S Perry and J M Whitehouse declared a personal interest in the following items of the agenda for the meeting, by virtue of the Councillors also being members of Epping Town Council. The Councillors had determined that their interests were not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- (i) EPF/1777/04 - 5 Coopersale Common, Coopersale, Epping;
- (ii) EPF/2071/04 – The Old Rectory, Coopersale Common, Coopersale, Epping;

- (iii) LB/EPF/2072/04 – The Old Rectory, Coopersale Common, Coopersale, Epping;
- (iv) EPF/2297/04 – St Margarets Hospital, The Plain, Epping;
- (v) EPF/2350/04 – St Margarets Hospital, The Plain, Epping;
- (vi) TRE/EPF/2322/04 – The Gables, The Plain, Epping;
- (vii) EPF/2362/04 – 25 Church Hill, Epping;
- (viii) EPF/2398/04 – 109 Lindsey Street, Epping;
- (ix) EPF/2407/04 – 19 Lincoln Fields, Epping; and
- (x) EPF/178/05 – 64A Bower Hill, Epping.

56. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

57. BREACH OF PLANNING CONTROL – IMPORTATION OF RUBBLE AND MATERIAL TO RAISE THE LAND WITHOUT PLANNING PERMISSION AT OLD SEWERAGE WORKS, LONDON ROAD, ABRIDGE

The Head of Planning and Economic Development presented a report to the Sub-Committee regarding the breach of planning control that had taken place at the Old Sewerage Works in London Road, Abridge. It was explained to the Sub-Committee that five years ago, the previous owner had built a small stable on the land and had wanted to import some hardcore to provide a small parking area. However, the person entrusted to perform the importation had delivered 300 lorry loads of hardcore without the owner's knowledge. The Council had served an Enforcement Notice to have the hardcore removed, but the owner sold the land on, which had led to problems in establishing the identity of the new owner or even that the purported owner actually existed.

The Hardcore was still onsite but had now been greened over. The only issue was that the land had been a flood plain, but the raising of the ground had meant that the natural flooding would now occur on the opposite bank of the river. The Environment Agency had investigated the site but had decided to take no further action themselves and leave the matter to the Council.

The Council could remove the deposited material and place a charge upon the land to recoup the cost when it was sold on. However, the land was only worth approximately £20,000 and therefore it would not be possible to recoup the cost of the works in this way since the cost of removing the deposited material had been estimated at £70,000. The site itself was not visible from the road and the Head of Planning and Economic Development informed the Sub-Committee that officers had felt that a more pragmatic approach would be to take no further action. The Sub-Committee agreed with the Head of Planning and Economic Development and felt that this would be the most sensible course of action for the Council to take.

RESOLVED:

That no further action be taken to seek compliance with the Enforcement Notice to remove imported material from the Old Sewerage Works at London Road in Abridge.

58. BREACH OF PLANNING CONTROL – IMPORTATION OF RUBBLE AND MATERIAL TO RAISE THE LAND WITHOUT PLANNING PERMISSION AT BLUNTS FARM GOLF COURSE, THEYDON BOIS

The Head of Planning and Economic Development presented a report concerning the breach of planning control that had taken place at the Blunts Farm Golf Course in Theydon Bois. The golf course at Blunts Farm had been constructed in a similar manner to that at Ongar Park, i.e. material had been imported to create the contours of the course, which in turn had necessitated the level of the land to be raised in various different places around the development. The plan approved by the Council had envisaged 300,000 cubic metres of material to be imported, which equated to approximately 60,000 lorry movements.

The Sub-Committee were reminded that the issue in this case was that the material should only be deposited in the agreed areas and the levels raised as per the plans. The Sub-Committee were shown a plan that illustrated the agreed changes in ground level, whereby the maximum rise agreed had been two metres. The Sub-Committee were then shown a further plan illustrating what had actually happened on the site up to now, including the extra rises in grounds levels not previously agreed and the extra shaping of the land that had taken place. The Sub-Committee were reassured that officers from Planning and Economic Development had undertaken regular inspections of the site.

Officers had received a letter from the developer stating that the extra materials would be removed and that the finished course would look as per the agreed plans. However, officers wanted the developer to understand that the Council expected the development to proceed as per the submitted and approved plans, and thus were requesting that the Sub-Committee authorise Enforcement Action to rectify any deviations from the authorized plans.

The Sub-Committee felt that it was important to be consistent with the earlier decision it had made to authorise Enforcement Action at the Ongar Park Golf Course, especially as the same developer had been involved with both courses. The authorisation of Enforcement Action would also warn the developer that only the agreed amount of material should be imported onto the site.

RESOLVED:

- (1) That the Head of Legal Services be authorised to issue an Enforcement Notice in respect of the unauthorised works at the Blunts Farm Golf Course;
- (2) That, in the event of non-compliance with the Notice, the Head of Legal Services be authorised to commence criminal and/or civil proceedings to remedy the breaches of the Enforcement Notice; and
- (3) That the Head of Legal Services be authorised to commence a criminal prosecution in respect of the unauthorised works.

59. DEVELOPMENT CONTROL - APPLICATIONS FOR DETERMINATION

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That planning applications numbered 1-16 be determined as set out in Annex 1 to these minutes.

60. DEVELOPMENT CONTROL - APPLICATIONS DETERMINED BY THE HEAD OF PLANNING SERVICES

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