

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 28 January 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.35 - 9.40 pm

Members Present: G Pritchard (Chairman), R Morgan (Vice-Chairman), A Boyce, M Colling, Mrs D Collins, R Frankel, P Gode, Mrs A Grigg, Mrs H Harding, D Jacobs, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: A Green, Ms J Hedges and Mrs M McEwen

Officers Present: S Solon (Principal Planning Officer), G J Woodhall (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

90. 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.

91. 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.

92. APPOINTMENT OF VICE-CHAIRMAN

The Chairman invited nominations from the Sub-Committee for the appointment of a Vice-Chairman for the duration of the meeting.

RESOLVED:

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

93. MINUTES

RESOLVED:

That the minutes of the meeting held on 7 January 2009 be taken as read and signed by the Chairman as a correct record.

94. 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 members of North Weald Parish 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:

- EPF/2316/08 End House, London Road, North Weald; and
- EPF/2318/08 Homeleigh, High Road, Thornwood.

(b) Pursuant to the Council's Code of Member Conduct, Councillor G Pritchard declared a personal interest in the following item of the agenda, by virtue of being acquainted with the Applicant's Agent. 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/2291/08 38 Piercing Hill, Theydon Bois.

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Phillip declared a personal interest in the following items of the agenda, by virtue of being a member of Theydon Bois Parish Council. 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/2291/08 38 Piercing Hill, Theydon Bois; and
- EPF/2298/08 43 Forest Drive, Theydon Bois.

(d) Pursuant to the Council's Code of Member Conduct, Councillor R Frankel declared a personal interest in the following item of the agenda, by virtue of having fettered his discretion in correspondence with Planning Officers. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/2298/08 43 Forest Drive, Theydon Bois.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J H Whitehouse declared a personal interest in the following item of the agenda, by virtue of being a member of the Theydon Bois and District Rural Preservation Society. 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/2298/08 43 Forest Drive, Theydon Bois.

95. ANY OTHER BUSINESS

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

96. TREE PRESERVATION ORDER EPF/32/08

The Principal Planning Officer presented a report regarding the confirmation of tree preservation order EPF/32/08 at 55-69 Hemnall Street and 19 Theydon Place in Epping. The order had originally been served and administered by Essex County Council in 1953, but the County Council had recently announced that it would no

longer seek to reconfirm any of its existing tree preservation orders. Accordingly, those within the District were being reviewed by the District Council and replacement tree preservation orders were being issued where appropriate. This replacement order had contained additional trees, including an Atlas Cedar tree. The inclusion of that tree had been the subject of an objection by the owner of 57 Hemnall Street on the grounds that it was in an inappropriate position and causing damage to the property. It was felt that although this tree was a fine young specimen tree, it had outgrown its position and would cause further damage to the property. Two new trees had been planted at the property and it was felt that this particular tree preservation order could be confirmed with the deletion of the Atlas Cedar tree in question.

RESOLVED:

That tree preservation order EPF/32/08 be confirmed subject to the deletion of tree T8, an Atlas Cedar tree at 57 Hemnall Street.

97. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 6 be determined as set out in the schedule attached to these minutes.

98. 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

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Report Item No: 1

APPLICATION No:	EPF/2197/08
SITE ADDRESS:	Tannerwhites Norwood End Fyfield Ongar Essex CM5 0RL
PARISH:	Fyfield
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Demolition of existing barn, and extension to garage building, erection of detached reception/office building and cat pens building for proposed cattery use.
DECISION:	Grant Permission (with conditions)

The Committee came to the opinion that the use was not harmful to the openness of the green belt and that very special circumstances sufficient to override the harm caused by the development existed. The Committee also took the view that the development was a sustainable form of development in the countryside and the potential for harm to be caused by the development could be adequately controlled through the imposition of suitable conditions on a planning permission.

CONDITIONS & REASONS

1. The cattery use hereby approved shall only be carried out by an occupant of the adjacent dwellinghouse known as Tannerwhites and the site as shown on the approved location plan shall not be subdivided.
2. The cattery use hereby approved shall not be accessed by customers out side the following times:

1200 to 1900 Mondays to Fridays
0800 to 1300 Saturdays

The cattery use shall not be accessed by customers on Sundays, public and bank holidays.
3. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.

Report Item No: 2

APPLICATION No:	EPF/2316/08
SITE ADDRESS:	End House London Road North Weald Essex CM17 9NG
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Erection of a detached garage
DECISION:	Grant Permission (With Conditions)

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. A sample of the roof tile shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
3. The garage hereby approved shall be constructed in black feather edged boarding and red stock bricks as shown on the approved plans.

Report Item No: 3

APPLICATION No:	EPF/2318/08
SITE ADDRESS:	Homeleigh High Road Thornwood Epping Essex CM16 6LU
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Installation of hardstanding and change of use of land (30m) for use as new hardstanding for storage of plant (dry plant) for use on 2012 Olympic site.
DECISION:	Grant Permission (With Conditions)

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. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
3. Stored vehicles, machinery or materials on the approved hard surface shall not exceed a height of 4 metres.
4. This consent shall inure for a limited period expiring on 31 December 2012, at which time the development permitted by this Notice shall be discontinued, the hardstanding taken up, its materials removed from the site and the site reinstated as a grassed field.
5. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
6. The hedgerow on the northern, southern and western boundaries of Homeleigh marked red and blue on the approved location plan shall be maintained at a height of not less than 4m above the adjacent ground level of Homeleigh throughout the life of this permission.

Report Item No: 4

APPLICATION No:	EPF/2291/08
SITE ADDRESS:	38 Piercing Hill Theydon Bois Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Two storey side and rear extension without complying with condition 5 of approved application EPF/886/08 (regarding demolition of outbuilding and part of the existing building).
DECISION:	Grant Permission (With Conditions)

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. Prior to first occupation of the building hereby approved the proposed window openings in the first floor side elevation shall be fitted with obscured glass and have fixed frames up to a height of 1.7 metres above floor level, and shall be permanently retained in that condition.
3. Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) 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 [E] shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/2298/08
SITE ADDRESS:	43 Forest Drive Theydon Bois Essex CM16 7HB
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Erection of a pair of new semi-detached houses to replace an existing bungalow.
DECISION:	Grant Permission (With Conditions)

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. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
3. Prior to commencement of the development hereby permitted, a turning space of a design to be agreed in writing by the Local Planning Authority enabling a motor car to enter and leave the highway in a forward gear shall be constructed, surfaced and made available for use and shall be retained for that sole purpose.
4. The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. 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, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

5. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
6. The development shall be carried out in accordance with the amended plans received on 14/01/09 unless otherwise agreed in writing with the Local Planning Authority.
7. Prior to first occupation of the building hereby approved the proposed window openings in the North side elevation at first floor level shall be fitted with obscured glass and shall be permanently retained in that condition.
8. 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 B shall be undertaken without the prior written permission of the Local Planning Authority.
9. 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(s) 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.

Report Item No: 6

APPLICATION No:	EPF/2340/08
SITE ADDRESS:	The Old School House The Street Willingale Ongar Essex CM5 0SN
PARISH:	Willingale
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Proposed two storey rear extension. (Revised application)
DECISION:	Refuse Permission

REASON FOR REFUSAL

1. The two-storey rear extension, when combined with the existing additions, would result in extensions over and above what is considered a reasonable extension in the Green Belt. This therefore represents inappropriate development at odds with PPG2 and contrary to policies GB2A and GB14A of the adopted Local Plan and Alterations.

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