

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 8 April 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.17 pm

Members Present: J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), R Bassett, Mrs A Cooper, Mrs R Gadsby, Mrs J Lea, Mrs P Smith and Ms S Stavrou

Other Councillors:

Apologies: J Collier, W Pryor, Mrs M Sartin, A Watts and Mrs E Webster

Officers Present: J Shingler (Senior Planning Officer), A Hendry (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

37. 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.

38. 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.

39. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 18 March 2009 be taken as read and signed by the Chairman as a correct record.

40. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared personal interest in agenda items 7 (2) (EPF/0178/09 The Old farm, Epping Long Green, Epping Upland) by virtue of being the ward member and the member that asked for this item to be brought to the Sub-committee. The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs P Brooks and Ms S Stavrou declared a personal interest in agenda items 7 (3)

(EPF/2113/08 Roydon Mill Leisure Park, High Street, Roydon) by virtue of being members of the Lea Valley Park Association. The Councillor declared that their interests were not prejudicial and indicated that they would remain in the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Cooper declared a personal interest in agenda items 7 (2) (EPF/0196/09 St Leonards Barn, St Leonards Farm, Nazeing) by virtue of being a ward member. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in agenda items 7 (1) (EPF/0178/09 The Olf Farm, Epping Long Green, Epping Upland) by virtue of being a parish councillor and has personal third party matters in connection with the application site. The Councillor declared that her interests were prejudicial and indicated that she would leave the meeting during the consideration and voting on the item.

41. ANY OTHER BUSINESS

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

42. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes.

43. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

Minute Item 42

Report Item No: 1

APPLICATION No:	EPF/0178/09
SITE ADDRESS:	The Old Farm Epping Long Green Epping Upland Epping Essex CM16 6QN
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Proposed detached stable block to be erected in eastern part of the site close to southern boundary.
DECISION:	Deferred

This item was withdrawn from the Agenda by the Chairman to allow for additional information to be received.

Report Item No: 2

APPLICATION No:	EPF/0196/09
SITE ADDRESS:	St Leonards Barn St Leonards Farm St Leonards Road Nazeing Essex EN9 2HG
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Conversion of existing outbuildings to dwelling. Amendment to planning approval EPF/0413/07 to include demolition of rear outbuilding and two single storey extensions for rear.
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 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 any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 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, Classes A, B, C, E, F and G, or by Part 2, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.

- 7 No development shall take place until details of tree planting, including positions or density, species and planting size have been submitted to and approved in writing by the Local Planning Authority, and shall be carried out prior to the occupation of the development for its permitted use, or in accordance with a timetable agreed in writing with the Local Planning Authority. If within a period of five years from the date of planting any tree, or replacement, is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree 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.
- 8 Prior to the commencement of the development details of the proposed surface materials for the access and parking areas shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 9 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 10 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 11 Prior to occupation of the new dwelling hereby approved the existing outbuilding shown to be removed on Plans Ref: 1013/06A and 1013/05A shall be demolished and all material removed from the site, with the exception of the rear wall of the building adjacent to the walled garden to the rear which will be retained or replaced at its current height.

Report Item No: 3

APPLICATION No:	EPF/2113/08
SITE ADDRESS:	Roydon Mill Leisure Park High Street Roydon Harlow Essex CM19 5EJ
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Creation of a marina with moorings for up to 315 boats and associated facilities, including new lock with the River Stort Navigation, facilities building, workshop, fuel storage tank and 77 parking spaces.
DECISION:	Grant Permission (With Conditions)

A late consultation response from the Environment Agency was reported together with the need to add a further 9 conditions regarding flooding and biodiversity.

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 tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree 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 shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree 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.

- 3 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) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These 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 vehicle artefacts and structures, including signs and lighting and functional services above and below ground. 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.
- 4 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.
- 5 Prior to the commencement of the development details of the proposed surface materials for the pathways, parking areas and boatyard. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first use of the site as a marina.
- 6 The boat workshop hereby approved shall be used solely for the repair and maintenance of boats and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 7 Prior to commencement of development full details of all mitigation works and timing, and methods of construction to provide maximum protection to birds, water voles, reptiles and bats and other species at the site shall be submitted together with a habitat management scheme. The scheme shall include details of nest boxes, and a tern raft. All details and the management plan must be agreed in writing prior to commencement of any works on site and carried out in accordance with the agreed details and timetable.
- 8 No process or machinery shall be operated in the workshop and boatyard and no deliveries taken at or despatched from the workshop and boatyard outside the following times: 07.30am-1830pm Monday to Saturday, nor at any time on Sundays, Bank Holidays or Public Holidays.
- 9 No development 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 by the Local Planning Authority.

- 10 Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to commencement of development. The lighting shall be installed maintained and operated in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
- 11 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 12 Prior to commencement of development, full details of the proposed lock, including all engineering details, shall be submitted to the Local Planning Authority for approval in consultation with British Waterways. The works shall then be carried out in accordance with the approved details.
- 13 No part of the development hereby authorised shall be brought into use until the highway improvement works shown on drawing number 5166G(PI) 201 R and set out in JNP Groups Summary of Safety Improvements to the Existing Accessway (the Approved Details) have been completed in accordance with the Approved Details.
- 14 The marina hereby approved shall be used only for recreational purposes and a maximum of 315 boats shall be moored at the site at any one time. None of the boats shall be residentially occupied. Full details of the management of the site including restrictions on length of stay of users of the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the first use of the site for mooring boats. The agreed restrictions on occupation of the boats at the site shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.
- 15 Prior to commencement of development details of the proposed pontoons and their fixings shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 16 Prior to the first use of the site for the purpose hereby approved a scheme providing for the adequate storage and disposal of refuse from the use shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details and thereafter retained.
- 17 There shall be no powered watersports carried out within the lake.
- 18 Should the use of the lake for mooring of boats cease, all moorings, pontoons, stages etc within the lake shall be removed from the site within 6 months.
- 19 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be

fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

20 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

- 21 The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels (and no deposit or storage of spoil or materials) in that part of the site lying within Flood Zone 3a as defined in Table D1 of PPS25 (2006), including the required allowance for climate change, has been submitted to, and approved in writing, by the Local Planning Authority.

The development shall be carried out in accordance with the approved scheme and subsequently maintained.

- 22 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (August 2008) and PBA's *Technical Note on entitled 'Flood Risk Management of car park areas'*, dated 15th Oct 2008 as well as the following mitigation measures detailed within the FRA:

1. To construct the Facilities Building on stilts where the underside of the beam is at least 300mm above the modelled 1 in 100 year flood level including an allowance made for the impact of climate change (i.e., at a level of 29.73mAOD or higher).
2. To construct the Boat House to be permeable to floodwater through the incorporation of grilles around the buildings to allow for the ingress of flood water.
3. To construct barriers around the perimeter of the car parking areas (permeable to flood flows) to prevent cars from being washed into the watercourse, up to the 1 in 100 year flood event, including an allowance made for the impact of climate change.

- 23 The development hereby permitted shall not be commenced until such time as a scheme to ensure that the void space beneath the Facilities Building will be maintained as a flood storage area for the lifetime of the development, has been submitted to, and approved in writing by the Local Planning Authority.

Such a scheme must ensure that the void space beneath the Facilities Building will not be in filled or used for the storage of any materials and that there is no obstruction to flood flows, with photographic evidence provided to the local authority on an annual basis.

- 24 The development hereby permitted shall not be commenced until such time as a scheme to ensure that the grills on the Workshop Building will remain open to the passage of floodwater for the lifetime of the development, which shall be submitted to, and approved in writing by the Local Planning Authority on an annual basis.

Such a scheme must ensure that the grills remain open and are not blocked by the storage of materials, with photographic evidence provided to the Local Planning Authority on an annual basis.

- 25 No development approved by this permission shall be commenced until a Flood Management Plan has been submitted to and approved in writing by the Local Planning Authority. This document will set out the procedures to be followed in advance of, during and following a flood event.

- 26 The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
- 27 Prior to the commencement of development a species protection plan for protection and mitigation of Water Vole and their associated habitat during construction works, including management responsibilities, shall be submitted to and approved in writing by the Local Planning Authority. The species protection plan shall be carried out in accordance with a timetable for implementation as approved.
- 28 Prior to the commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.
- 29 Prior to the commencement of development a fish survey, removal and management plan for Roydon Lake Fishery should be carried out in accordance with the Fisheries Management Proposal for Roydon Lake dated October 2008 as submitted to the Local Planning Authority.

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