

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 13 May 2009

Place: Combined Committee Rooms 1 & 2 - Civic Offices **Time:** 7.30 - 8.45 pm

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

Other Councillors:

Apologies: A Boyce, R Morgan and B Rolfe

Officers Present: N Richardson (Principal Planning Officer), J Cordell (Senior Planning Officer), R Perrin (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

129. 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.

130. 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.

131. MINUTES

RESOLVED:

That the minutes of the meeting held on 22 April 2009 be taken as read and signed by the Chairman as a correct record.

132. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Hedges declared a personal interest in the following item of the agenda by virtue of being a member of Epping Town Council. The Councillor had determined that her interest was not prejudicial and she would stay in the meeting for the consideration of the application and voting thereon:

- EPF/0454/09 – 186 High Street, Epping

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following item of the agenda. The Councillor had determined that his interest was prejudicial and he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0454/09 – 186 High Street, Epping

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in the following item of the agenda. The Councillor had determined that her interest was prejudicial and she would leave the meeting for the consideration of the application and voting thereon:

- EPF/0111/09 – Land adj Horseshoe Farm, London Road, North Weald

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg and D Stallan declared personal interests on the following items of the agenda by virtue of being members of North Weald Parish Council. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/0111/09 – Land adj Horseshoe Farm, London Road, North Weald
- EPF/0448/09 – Hanger 1, North Weald Airfield, Merlin Way, North Weald

(e) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following item 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 he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/0481/09 – The Cottage, Loughton Lane, Theydon Bois

133. ANY OTHER BUSINESS

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

134. DEVELOPMENT CONTROL

RESOLVED:

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

135. CONSIDERATION OF 271 HIGH STREET, EPPING - ENF/0496/06

The Principal Planning Officer presented a report regarding ENF/0496/06 – 271 High Street, Epping. The Sub-Committee were asked whether they would like to give formal consideration to the ground floor use of 271 High Street, Epping prior to action being taken to secure compliance with the requirements of the enforcement notice issued on 12 October 2006, in respect of the unauthorised use of the premises as a mixed use for purpose within Use Class A1 (shops) and Use Class A3 (restaurants and cafes).

The Sub-Committee were informed that planning permission for Use Class A3 had been refused under powers delegated to officers, as the use had been contrary to planning policy TC4 on 15 September 2006. The use had continued and the District Council had issued an enforcement notice on 12 October 2006, which had been appealed against but dismissed and upheld with minor variation by the Secretary of State on 6 August 2007. Nero Holdings Ltd challenge in the High Court also failed on 12 March 2009. The compliance date had been 12 May 2009 and failure to comply with the notice would be an offence for which the occupier and those with an interest in the premises could be prosecuted.

The Sub-Committee were asked to consider whether officers should pursue with the enforcement notice or to request that Nero Holdings Ltd submit a planning application to be put before Members and the Sub-Committee, to consider the planning merits of the existing use.

RESOLVED:

That, officers enter into dialogue with Nero Holdings Ltd to give the opportunity of formal consideration for the ground floor use of 271 High Street, Epping, the suggestion being to submit a planning application within 4 weeks, prior to enforcement action being taken.

136. 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/0454/09
SITE ADDRESS:	186 High Street Epping Essex CM16 4AQ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	New shop front and shutters. (Revised application)
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works to the shop front including the installation of the shutter and box as hereby approved shall be carried out within 3 months of the date of this permission and carried out strictly in accordance with the plans hereby approved.

Report Item No: 2

APPLICATION No:	EPF/0111/09
SITE ADDRESS:	Land adj Horseshoe Farm London Road North Weald Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	New grain store incorporating extension to the existing grainstore at Horseshoes Farm.
DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The scale, bulk and position of the proposed grainstore, grainstore extension and hardsurface would be detrimental to the open character and appearance of the Green Belt, and therefore represents inappropriate development in the Green Belt and therefore is contrary to policies GB2A, GB7A and GB11 (ii) of the Adopted Local Plan and Alterations.
- 2 The proposed development and associated vehicular movements would result in unacceptable adverse impacts to neighbouring amenity, contrary to policies GB11 (ii) and DBE9 of the Adopted Local Plan and Local Plan Alterations.

Report Item No: 3

APPLICATION No:	EPF/0448/09
SITE ADDRESS:	Hangar 1 North Weald Airfield Merlin Way North Weald Epping Essex
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	New build canopy to existing building and replacement of existing doors with roller shutter within a new steel frame.
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 works the applicant shall submit in writing details of a method of conservation and retention of the existing doors to be removed as part of the proposals. The supplied details shall be approved in writing by the Local Planning Authority and works shall be carried out in accordance with the approved details.

Report Item No: 4

APPLICATION No:	EPF/0481/09
SITE ADDRESS:	The Cottage Loughton Lane Theydon Bois Epping Essex CM16 7JZ
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Single storey rear extension. (Revised application)
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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Report Item No:5

APPLICATION No:	EPF/0352/09
SITE ADDRESS:	The Laurels Masons Bridge Farm Theydon Garnon Epping Essex CM16 7PB
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Alan Bryce
DESCRIPTION OF PROPOSAL:	Retention of existing dwelling, curtilage and vehicular access.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 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 Schedule 2, Part 1, Class A, B, E or F and Schedule 2, Part 2 Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 2 The curtilage for the dwellinghouse shall be restricted to the area of land outlined in red on drawing no 2845/1C and shall at no time be extended.
- 3 The fence on the western site boundary separating the site from Masons Bridge Barn shall be removed from the land within 3 months of the date of this decision.
- 4 Full details of the proposed means of enclosing the site boundary with Masons Bridge Barn shall be submitted within 28 days of the date of this decision to the Local Planning Authority for approval in writing.
- 5 The means of enclosing the site boundary with Masons Bridge Barn approved pursuant to condition 4 shall be fully implemented within 2 months of its approval by the Local Planning Authority and thereafter permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 6

APPLICATION No:	EPF/0528/09
SITE ADDRESS:	Land adj. The Steers Pigstye Green Road Willingale Ongar Essex CM5
PARISH:	Willingale
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mrs Katrina Winner
DESCRIPTION OF PROPOSAL:	Change of use for stable block and hay barn for private use. (Revised application)
RECOMMENDED 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 There should be no obstruction above ground level within the area of a 0.2m parallel band visibility required across the entire site frontage.
- 3 No unbound material shall be used in the surface finish of the driveway within 6m of the highway boundary of the site.
- 4 No external lighting shall be installed without the prior written approval of the Local Planning Authority.
- 5 There shall be no commercial use of the site, including livery, whatsoever. Only private domestic stable use by the site owner is approved.
- 6 Details of the means of storage and disposal of manure shall be submitted to and approved in writing by the Local Planning Authority and works shall be carried out in accordance with the approved details prior to the first occupation of the stables.
- 7 The hedgerow on the boundary with Pigstye Green Road shall be permanently retained and details of landscaping on the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The landscaping planting as agreed shall be carried out prior to first use of the building hereby approved, and not be removed thereafter.