

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Plans Subcommittee C                      **Date:** 13 April 2005

**Place:** Shelley County Primary School,                      **Time:** 7.32 - 7.48 pm  
Shelley, Ongar

**Members Present:** K Wright (Chairman), R Morgan (Vice-Chairman), P Gode, J Harrington,  
D Jacobs and D Kelly

**Other Councillors:** (none)

**Apologies:** Mrs D Collins and Mrs M McEwen

**Officers Present:** R Bintley (Principal Planning Officer) and G Woodhall (Democratic Services Assistant)

---

### **68. 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.

### **69. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 16 March 2005 be taken as read and signed by the Chairman as a correct record.

### **70. DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

### **71. ANY OTHER BUSINESS**

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

### **72. CARISBROOKE FARM, KILN ROAD, NORTH WEALD - PL/131**

The Head of Planning and Economic Development presented a report to the Sub-Committee regarding the possibility of taking enforcement action at Carisbrooke Farm, Kiln Road, North Weald for the unauthorised occupation of the site. At the meeting of the Sub-Committee held on 21 July 2004, consideration of this matter was deferred pending the receipt of legal advice. Counsel had now considered the matter and concluded that, because of the delay in taking action:

- A prosecution would be unlikely to succeed, or if successful, would be unlikely to result in a large fine or the recovery of significant costs.
- Injunction proceedings would be likely to be either unsuccessful, or result in a stay pending the submission of a planning application and/or appeal.
- Further enforcement action could be envisaged if the case was considered afresh, thus the Council should invite the occupiers to make a planning application and determine this before proceeding further.

The Head of Planning and Economic Development further stated that the site had been occupied for many years and were now considered part of the village. Indeed, no objections had been received from any of the local residents. It was considered that the prospect of a successful prosecution or injunction was poor, due to the lengthy delay in taking any action, and a pragmatic approach might be to take no action whilst the current occupiers were on the site. This would not result in the development becoming lawful, and further action could be taken if the current residents left the site and others occupied it.

The Head of Planning and Economic Development reassured the Sub-Committee that each case was treated upon merit and that a precedent would not be set for other sites within the District. The Sub-Committee concurred with the pragmatic approach taken in this instance and supported the recommendation to take no further action.

**RESOLVED:**

That, whilst the current occupiers continue to occupy the site, no further action be taken in respect of the outstanding enforcement notices.

**73. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That the planning applications numbered 1 – 2 be determined as set out in the attached schedule to these minutes.

**74. DEVELOPMENT CONTROL - APPLICATIONS DETERMINED BY THE HEAD OF PLANNING AND ECONOMIC DEVELOPMENT**

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**

1. **APPLICATION NO:** EPF/217/05 **PARISH** Ongar

**SITE ADDRESS:**

Land adj. to Greensted Hall, Greensted Road, Ongar

**DESCRIPTION OF PROPOSAL:**

Erection of stables and associated facilities.

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Erection of screen walls /fences.
4. Prior to the commencement of the development, details of the proposed surface materials for the arena shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first use of the development.
5. The stables and arena hereby permitted shall only be used for the accommodation and riding of horses for private and domestic purposes and not for any commercial purposes including a livery stables or riding school.

---

2. **APPLICATION NO:** EPF/291/05 **PARISH** Stapleford Tawney

**SITE ADDRESS:**

Little Tawney Hall Farm, Stapleford Tawney

**DESCRIPTION OF PROPOSAL:**

Extension to existing barn to be used for hay and straw storage.

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.

This page is intentionally left blank