

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 23 September 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.02 pm

Members Present: M Colling (Chairman), A Green, Mrs D Collins, R Frankel, P Gode, Mrs A Grigg, Mrs M McEwen, R Morgan, J Philip and B Rolfe

Other Councillors:

Apologies: G Pritchard, A Boyce, Mrs H Harding, Ms J Hedges, D Jacobs, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Officers Present: A Hall (Director of Housing), S Solon (Principal Planning Officer), R Rose (Senior Lawyer), C Neilan (Conservation Officer), J Cordell (Senior Planning Officer), M Jenkins (Democratic Services Assistant) and R Perrin (Democratic Services Assistant)

43. 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.

44. 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.

45. MINUTES

RESOLVED:

That the minutes of the meeting held on 2 September 2009 be taken as read and signed by the Chairman as a correct record.

46. 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.

47. 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 by virtue of being a member of North Weald Parish Council. The Councillor had determined that her interest was not prejudicial and she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0081/09 Former Parade Ground, Merlin Way, North Weald;
- EPF/0291/09 Land off York Road, North Weald;
- EPF/1311/09 Land adjacent 68 York Road, Blenheim Way, North Weald;
- EPF/1400/09 Threeways, Foster Street, North Weald Bassett; and
- EPF/1242/09 Land behind Charnwood Dale, Weald Bridge Road, North Weald

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in the following items of the agenda by virtue of knowing the applicant. 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:

- EPF/0840/09 and EPF/0841/09 Nether Hall, Moreton, Ongar

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Phillip 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 would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1267/09 Indian Ocean Restaurant, Coppice Row, Theydon Bois

(d) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest in the following items of the agenda, by virtue of knowing the applicant. 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/0840/09 and EPF/0841/09 Nether Hall, Moreton, Ongar

48. ANY OTHER BUSINESS

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

49. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 - 13 be determined as set out in the schedule attached to these minutes.

50. 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/1180/09
SITE ADDRESS:	82 - 84 High Street Epping Essex CM16 4AE
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Covered access to existing front entrance to office and ground floor extension to restaurant. (Revised application)
DECISION:	Granted 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 No demolition/conversion or preliminary groundworks of any kind 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.

Report Item No: 2

APPLICATION No:	EPF/0840/09
SITE ADDRESS:	Nether Hall Moreton Ongar Essex CM5 0JA
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Retention of first floor and single storey rear extensions, roof alterations and removal of sun room.
DECISION:	Granted Permission

CONDITIONS:

None

Report Item No: 3

APPLICATION No:	EPF/0841/09
SITE ADDRESS:	Nether Hall Moreton Ongar Essex CM5 0JA
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the retention of first floor and single storey rear extensions, roof alterations and removal of sun room.
DECISION:	Granted Permission

CONDITIONS:

None

Report Item No: 4

APPLICATION No:	EPF/0081/09
SITE ADDRESS:	Former Parade Ground Merlin Way North Weald Epping Essex CM16 6HT
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Reserved matters application for the construction of 126 no. two, three and four bedroom apartments and houses with associated roads, parking, ancillary buildings and landscaping.
DECISION:	Granted Permission subject to completion of a Deed of Variation

The committee approved this application subject to the completion of a deed of variation to the S106 agreement with planning permission EPF/1655/02, requiring construction traffic to access the site from the A414 via Merlin Way only and to require the developer carries out his best reasonable endeavours to secure grant funding for additional affordable housing from the Homes and Communities Agency.

CONDITIONS

- 1 Prior to the commencement of construction the applicant shall submit and have approved in writing by the Local Planning Authority a Construction Method Statement. This statement shall include detail of the phased order of construction, site storage compound, contractor and visitor parking and location of wheel washing facilities. This statement shall set out working hours for contractors operating on site and detail of any Membership to a Considerate Constructors Scheme. Work shall then be carried out in accordance with the approved statement.
- 2 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 3 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 4 The development, including site clearance shall be carried out in accordance with the details submitted as part of the application comprising:
- Revised Arboricultural Report dated 16th June 2009
 - EA-982-1900 Rev H Planting Plan
 - EA-982-1903 Rev C Landscape Master Plan
 - GR15 Tree Pits System Installation
 - 6325-001 Rev C - Tree Constraints Plan
 - 1111-001 Rev I - Tree Removal and Protection Plan
- The approved details shall be implemented within the first planting season following the completion of the development hereby approved.
- 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 landscaping shall be carried out in accordance with the above details, unless the Local Planning Authority has given its prior written consent to any variation.
- 5 The methods of refuse storage and disposal shall be carried out in accordance with the approved details contained within:
- Drawing 7239/87 Rev A - Bin Store
 - Drawing 7239/88 Rev C - Bike and Bin Stores to flats
 - Drawing 7239/90 Rev F - Site Plan - Bin Collection diagram
- No departure shall be made from the approved detail unless otherwise agreed in writing by the Local Planning Authority.
- 6 The developer shall provide a schedule of tenure of the occupied units onsite at the end of March 2011 and upon the occupation of the last unit onsite.
- 7 Prior to the commencement of construction details are to be agreed showing accurate dimensions of the size 3 turning heads in accordance with the Essex Design Guide: one to the front of plots 30/31 and one by the parking for plots 21 and 10, and the works shall be carried out in accordance with the agreed details.
- 8 Prior to commencement of construction, details of traffic calming features within the site shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be completed in accordance with the approved details.
- 9 No unbound material shall be used in the surface finish of any driveway within 6m of the highway boundary to the individual properties.

- 10 The carriageway of the proposed estate road shall be constructed up to and including at least base level, prior to the erection of any dwelling intended to use the access. The carriageway and footpaths shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months from occupation of the dwelling.
- 11 The principal access to serve the development shall be constructed as shown on the approved plans prior to the construction of any dwelling.
- 12 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 13 Prior to further demolition and the clearance or groundworks in the area of the former Operations Centre to the North-East of the Parade Ground the developer shall secure a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/0291/09
SITE ADDRESS:	Land off York Road North Weald Essex CM16 6HT
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Erection of electrical substation and construction of hard-standings for car parking.
DECISION:	Granted 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 The development, including site clearance shall be carried out in accordance with the details submitted as part of the application comprising:
 - Revised Arboricultural Report dated 16th June 2009
 - EA-982-1900 Rev H Planting Plan
 - EA-982-1903 Rev C Landscape Master Plan
 - GR15 Tree Pits System Installation
 - 6325-001 Rev C - Tree Constraints Plan
 - 1111-001 Rev I - Tree removal and Protection PlanThe approved details shall be implemented within the first planting season following the completion of the development hereby approved.

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 landscaping must be carried out in accordance with the above details, unless the Local Planning Authority has given its prior written consent to any variation.

- 3 Prior to the commencement of works the applicant shall submit and have approved in writing by the Local Planning Authority a Construction Method Statement. This statement shall include detail of the phased order of construction, site storage compound, contractor and visitor parking and location of wheel washing facilities. This statement shall set out working hours for contractors operating onsite and detail of any Membership to a Considerate Constructors Scheme.

- 4 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

- 5 Prior to the demolition of the Stand by Set house/substation structure, the developer shall secure 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.

Report Item No: 6

APPLICATION No:	EPF/1311/09
SITE ADDRESS:	Land adjacent 68 York Road Blenheim Way North Weald Essex CM16 6HT
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	The construction of hardstanding for car parking
DECISION:	Deferred

The Committee deferred a decision on this proposal to seek a revised proposal that secures the retention of a tree on the land.

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 the commencement of works the applicant shall submit and have approved in writing by the Local Planning Authority a Construction Method Statement. This statement shall include detail of the phased order of construction, site storage compound, contractor and visitor parking and location of wheel washing facilities. This statement shall set out working hours for contractors operating onsite and detail of any Membership to a Considerate Constructors Scheme.
- 3 Prior to the commencement of the development details of the proposed surface materials for the parking area 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.

Report Item No: 7

APPLICATION No:	EPF/1400/09
SITE ADDRESS:	Threeways Foster Street North Weald Bassett Epping Essex CM17 9HR
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Change of use of land from agricultural to residential curtilage.
DECISION:	Granted 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 Part 1, Class E shall be undertaken without the prior written permission of the Local Planning Authority.
- 2 Within 28 days of the date of this permission, the triangular area of land to the southwest of the application site shown outlined in blue on the block plan of drawing number 1023/01 shall be separated from the curtilage of Threeways by a fence between 1 metre and 2 metres high. The fence shall thereafter be permanently retained and the triangular area of land shall not be used for any purpose ancillary to the use of Threeways as a dwellinghouse including as a garden or for open storage. No structures shall be stationed and no buildings shall be erected on the triangular area of land.

Report Item No: 8

APPLICATION No:	EPF/1242/09
SITE ADDRESS:	Land behind Charnwood Dale Weald Bridge Road North Weald Essex CM16 6AU
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Removal of existing dwelling and erection of replacement including ancillary works.
DECISION:	Granted Permission (with conditions)

The Committee considered the location of the site in a built up enclave in the Green Belt, the need to provide accommodation facilitating modern living standards, the restricted visibility of the site and the removal of the existing house together with outbuildings, when taken together amounted to very special circumstances that outweighed the harm caused by the development being inappropriate in the Green Belt.

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 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.

- 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.
- 4 Within 6 months of substantial completion or occupation of the house hereby approved, whichever happens first, the existing house shown to be demolished on drawing number 2774/1 together with all but one outbuilding on the site shall be demolished and all resulting materials, including materials of their foundations, shall be removed from the site. The outbuilding to be retained shall be agreed in writing prior to the commencement of the development.
- 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 Classes A, B & E of Part 1, Schedule 2 shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 9

APPLICATION No:	EPF/0976/09
SITE ADDRESS:	Land at The Maltings Waterside Place Sheering Lower Road Sheering Essex CM21 9RF
PARISH:	Sheering
WARD:	Lower Sheering
DESCRIPTION OF PROPOSAL:	Erection of detached block containing nine, two bedroom apartments and ancillary works.
DECISION:	Granted 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 The development shall be carried out in accordance with the amended plans received on 11/08/09 unless otherwise agreed in writing with the Local Planning Authority.
- 3 Prior to occupation of the building hereby approved:
 1. The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.
 2. Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.
 3. A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref; 2 shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 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. This shall include the bricks to be used to mark out the car park area.
- 5 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 Planning Authority.

- 6 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.

- 7 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (Waterco, May 2009).

- 8 Prior to commencement of the development details of the proposed refuse and bicycle store shall be submitted to and agreed in writing by the Local planning Authority, and shall be carried out and retained in accordance with the agreed details.

- 9 The development, including site clearance, must not commence until a tree protection plan to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing. This shall include the trees located within the blue line indicated on Plan Ref: 2.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 10 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.

- 11 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 10

APPLICATION No:	EPF/1267/09
SITE ADDRESS:	Indian Ocean Restaurant Coppice Row Theydon Bois Epping Essex CM16 7ES
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Installation of raised patio with balustrade and awning. (Revised application)
DECISION:	Granted 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 shall be a minimum distance of 1.85m between the patio and bollards adjacent to the highway.
- 3 No part of the awning hereby approved shall project beyond the approved patio area, and the awning shall be maintained at a minimum height of 2.2m above ground level.
- 4 No food or drink shall be served on the patio and no tables or chairs shall be placed on the patio between 23.00 and 08.00 the following day.

Report Items Nos: 11 & 12

ITEM 11 APPLICATION No:	EPF/1007/09
SITE ADDRESS:	Gaynes Park Mansion Banks Lane Theydon Garnon Epping Essex CM16 7RJ
PARISH:	Theydon Garnon
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Conversion of existing Grade II* Mansion into 7 no. flats, new rear garage block,. 4 no. new build houses as enabling works and associated landscape works and restoration.
DECISION:	Granted Permission (Subject to S106 agreement, conditions, and the views of the Secretary of State)

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 At least 48 hours prior notice shall be given to the Archaeological Advisory Group of Essex County Council of the date works will be commenced on this site or any part thereof, and persons authorised shall be afforded access for inspection of the site, and for carrying out works of excavation for the purpose of recording any features thereon of historical or archaeological significance.
- 3 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 Planning Authority.
- 4 The enabling development hereby permitted shall only be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the existing and proposed site levels, layout, scale and appearance of the buildings, access details for the development and landscaping.
- 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 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.
- 7 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 Classes A, B, C, D and E of Part 1 of Schedule 2 to the Order, and Class A of Part 2 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 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.

- 9 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, 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.
- 10 Within 3 months of the grant of this permission details of earthworks shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.
- 11 Within 3 months of the grant of this permission a tree protection plan, to include all the relevant details of tree protection shall have been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-

Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 12 Within 3 months of the grant of this permission 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.

- 13 Prior to the commencement of the development details of the proposed surface materials for the parking areas, driveways and access roads 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.

- 14 Within 3 months of the grant of this permission details of levels shall be submitted to and approved in writing by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 15 No occupation of the development shall take place until such time as the following has been completed to the satisfaction of the Highway Authority: Access to the development site is to be provided in principle with the submitted plan drawing no. TSP/AWC/P1898/02 Option 2 Double Access

- 16 Provision and implementation of a Transport Information and Marketing Scheme for sustainable transport, approved by Essex County Council, to include vouchers for 12 months free bus travel within an applicable zone (covering the relevant zone as set out by the local operator and Essex County Council) for each eligible member of

every residential household, valid for exchange during the first 6 months following occupation of the individual dwelling. Details of the uptake of the vouchers to be provided to Essex County Council's Travel Plan Team on a 6 monthly basis as indicated in Policy F32 Essex Road Passenger Transport Strategy 2006-2011.

- 17 The public rights of way in the vicinity of the site (Bridleway No. 4 and Footpath No. 5) shall not be obstructed or restricted by the development hereby approved or by construction works and activity for the development hereby approved. Details of any changes to the start of the bridleway, at the access to the site, will need to be agreed by the relevant PROW officer at the ECC Highways Office, Harlow.
- 18 Prior to commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.
- 19 No unbound material shall be used in the surface finish of the driveway within 20 metres of the highway boundary of the site.
- 20 Measures shall be provided to ensure that no mud and/or debris are deposited in the public highway by any vehicle associated with the proposal. Details are to be agreed with the County Planning Authority and Highway Authority.
- 21 Prior to commencement of development of the enabling 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.

- 22 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development of the enabling 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.

- 23 Construction work, including groundworks and site preparation works for the houses hereby approved, shall not be commenced until details of the extent of curtilage of the houses is submitted to and approved in writing by the Local Planning Authority. The curtilage of the houses shall be as approved and no land outside the curtilage shall be used as garden for the houses.

Report Item No 12

ITEM 12 APPLICATION No:	EPF/1008/09
SITE ADDRESS:	Gaynes Park Mansion Banks Lane Theydon Garnon Epping Essex CM16 7RJ
PARISH:	Theydon Garnon
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Grade II* listed building application for the conversion of existing Grade II* Mansion into 7 no. flats, new rear garage block, 4 no. new build houses as enabling works and associated landscape works and restoration.
DECISION:	Granted Permission (Subject to S106 agreement, conditions, and the views of the Secretary of State)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes, shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 4 No part of the fabric of the building, including any timber framing, infill panels and external brickwork shall be removed, cut cleaned or coated without the prior written approval of the Local Planning Authority, unless specified on the approved plans.
- 5 Samples of all new rainwater goods and soil and vent pipes shall be submitted to and approved in writing by the Local Planning Authority.

Report Item No: 13

APPLICATION No:	EPF/1297/09
SITE ADDRESS:	Nether Street Depot Dunmow Road Abbess Beauchamp And Berners Roding Ongar Essex CM5 0JT
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Redevelopment of heavy plant depot to provide 4 no. detached houses.
DECISION:	Refused Permission

REASON FOR REFUSAL

- 1 The proposal represents inappropriate development within the Metropolitan Green Belt, which by definition is harmful to the objectives of including land within it, and would be detrimental to the openness and character of the Green Belt. Furthermore very special circumstances sufficient to outweigh this harm do not exist. As such the development is contrary to Government guidance in PPG2 and policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed development is in an unsustainable location not well served by public transport or local services. As such the development would result in an increase in vehicle commuting contrary to policies CP1, CP3, CP6 and ST1 of the adopted Local Plan and Alterations.
- 3 The proposed development makes inadequate provision for affordable housing and does not contain an acceptable housing mix, contrary to policies H4A, H5A, H6A and H7A of the adopted Local Plan and Alterations.
- 4 The proposed development would result in the loss of an established employment site. The site has not been marketed for a sufficient period to prove that there is no further need for employment uses on this site and no consideration has been given for reuse for community purposes. Due to this the proposed development is contrary to policies E4A and E4B of the adopted Local Plan and Alterations.