

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** Wednesday, 14 July 2010

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.40 pm
High Street, Epping

Members Present: A Green (Chairman), J Philip (Vice-Chairman), W Breare-Hall, Mrs D Collins, Mrs A Grigg, Ms J Hedges, D Jacobs, Mrs S Jones, Mrs M McEwen, R Morgan, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: A Boyce, Mrs C Edwards and P Gode

Officers Present: R Rose (Senior Lawyer), J Shingler (Principal Planning Officer), J Cordell (Senior Planning Officer), D Clifton (Principal Housing Officer [IT]) and R Perrin (Democratic Services Assistant)

20. 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.

21. 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.

22. 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 J Philip be appointed as Vice Chairman for the duration of the meeting.

23. MINUTES

RESOLVED:

That the minutes of the meeting held on 23 June 2010 be taken as read and signed by the Chairman as correct record subject to application 8 (EPF/0908/10), condition 3 being amended to the following;

3. The window and door in the side elevation of the rear extension and the agreed roof-lights shall be obscured glazed prior to the first use of the extension and permanently retained as such thereafter.

24. 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 interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0961/10 – 11 Tempest Mead, North Weald Bassett, Epping
- EPF/2107/09 – Chase Farm, Vicarage Lane, North Weald

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread 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/2107/09 – Chase Farm, Vicarage Lane, North Weald

(c) Pursuant to the Council's Code of Member Conduct, Councillors J Philip and Mrs S Jones declared a personal interest in the following item of the agenda by virtue of being a member of Theydon Bois Parish Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0888/10 – 40 Forest Drive, Theydon Bois, Epping

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Whitehouse declared a personal interest in the following item of the agenda by virtue of being a member of Theydon Bois 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/0888/10 – 40 Forest Drive, Theydon Bois, Epping.

25. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Subcommittee.

26. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 5 be determined as set out in the schedule attached to these minutes.

27. 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/0881/10
SITE ADDRESS:	40 Landview Gardens Ongar Essex CM5 9EQ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Certificate of lawful development for existing raised decking and patio. (Resubmitted application)
DECISION:	Lawful

Officer referred to Town Council comments and further letter from 5 Kettlebury Way.

REASONS FOR RECOMMENDATION

- 1 Following an examination of Council records, the information submitted with the application and inspections of the application site it is clear that:
 1. The patio is more than 4 years old and is therefore time immune from enforcement action. Even if it was not, it would be permitted development as defined in Class E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
 2. The works to the patio comprising of reconstructing pre-existing steps from it to the adjacent lawn and resurfacing are not development.
 3. The wall erected around part of the northern edge of the patio is permitted development under Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
 4. The decking is not a raised platform as it is no more than 300mm in height as measured from the highest part of the surface adjacent to it, and does amount to a distinct building that is permitted development as defined in Class E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
 5. The decking is required for a purpose incidental to the use of 40 Landview Gardens as a dwellinghouse.

Accordingly, the development the application relates to is lawful development.

Report Item No: 2

APPLICATION No:	EPF/0853/10
SITE ADDRESS:	Littlemead Bournebridge Lane Stapleford Abbots Essex RM4 1LT
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	TPO/EPF/86/10 - A1 (T1) Oak - Fell
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 2 A replacement Liquidamber tree, of a size and in a position as shall be agreed in writing by the Local Planning Authority, shall be planted, and shall be inspected by the Local Planning Authority and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Report Item No: 3

APPLICATION No:	EPF/0961/10
SITE ADDRESS:	11 Tempest Mead North Weald Bassett Epping Essex CM16 6DY
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	TPO/EPF/40/98 T70 (T2) Oak - Fell T71 (T3) Oak - Fell
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 2 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.

Report Item No: 4

APPLICATION No:	EPF/2107/09
SITE ADDRESS:	Chase Farm Vicarage Lane North Weald Essex CM16 6AL
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Retrospective application for change of use of buildings to B1, B2, B8 and Sui Generis uses.
DECISION:	Deferred

Deferred for Member site visit (to be held on a Saturday)

CONDITIONS

- 1 There shall be no open storage or open working onsite or along the access at any time.
- 2 The applicant shall submit to and have approved in writing by the Local Planning Authority full details and drawings of the proposed fencing and landscaping along the access within 3 months of the date of this notice. The agreed fencing shall be erected in accordance with these details within 6 months of the date of this notice and the agreed planting implemented in the first planting season. The fencing and planting shall be retained and maintained in accordance with the approved details thereafter.
- 3 Only units 42, 50, 6D, 4A, 2, 29, 18, 17B14, 15E and 12D may benefit from sui-generis use as a workshop as a result of this consent.
- 4 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 Parts 8 and 41 shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The units hereby permitted shall not be open, operate or accept deliveries outside the hours of 8am to 6pm on Monday to Saturday and not at all on Sundays or Bank/public holidays.

Report Item No: 5

APPLICATION No:	EPF/0888/10
SITE ADDRESS:	40 Forest Drive Theydon Bois Epping Essex CM16 7EZ
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of replacement bungalow. (Revised application)
DECISION:	Refuse Permission

Officer referred to additional letters of objection.

REASONS FOR REFUSAL

- 1 The proposed dwelling by reason of its size, bulk and inappropriate design is visually dominant and harmful to the character and visual amenity of the street scene and to the amenity of neighbours, contrary to policies DBE1 and DBE2 of the Adopted Local Plan and Alterations.
- 2 The proposal results in the loss of a bungalow in an area where there is a strong demand for such small properties to meet the needs of the ageing population. The development is therefore contrary to policy H4A of the Adopted Local Plan and Alterations.

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