

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control Committee **Date:** 5 October 2010

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.10 pm

Members Present: B Sandler (Chairman), K Chana, Mrs R Gadsby, Mrs A Grigg, J Hart, J Markham, Mrs M McEwen, R Morgan, J Philip and H Uikun

Other Councillors: D Stallan

Apologies: Mrs P Brooks, D Dodeja, C Finn and J Wyatt

Officers Present: N Richardson (Assistant Director (Development Control)), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

15. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone present that the meeting would be broadcast live to the Internet, and available as an archive for repeated viewings.

16. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Committee noted that Councillor Grigg was substituting for Councillor Mohindra and Councillor Philip was substituting for Councillor Wyatt.

17. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Member Conduct, Councillor A Grigg declared a personal interests in item 9 of the agenda (EPF/1370/10 – Land at Brent House Farm, Harlow Common) by virtue of being local Parish Councillor and from personal contact with a local resident. The Councillor had determined that their interest was not prejudicial and would stay in the meeting for the consideration of the application and voting thereon.

Pursuant to the Council's Code of Member Conduct, a non member of the Committee, Councillor D Stallan declared a personal interest in item 9 of the agenda (EPF/1370/10 – Land at Brent House Farm, Harlow Common) by virtue of being local Parish Councillor and the Housing Portfolio Holder. The Councillor had determined that their interest was not prejudicial and would stay in the meeting for the consideration of the application and voting thereon.

18. MINUTES

Resolved:

That the minutes of the meeting held on 3 August 2010 were taken as read and signed as a correct record.

19. ANY OTHER BUSINESS

There was no further business to be considered at the meeting other than that specified on the agenda.

20. PLANNING APPLICATION EPF/1237/10 - 41 LONDON ROAD, STANFORD RIVERS - SIDE EXTENSION TO BUNGALOW AND LOFT CONVERSION INCLUDING 3 REAR DORMER WINDOWS (AMENDED APPLICATION)

The Committee considered an application referred to it Area Planning Subcommittee East on 4 August 2010.

The application sought planning permission for a side extension and loft conversion to the application property (a bungalow) which, although having some material changes, was very similar to a application approved in April 2009. The original permission had been partially implemented insofar as the applicant had demolished garages at the site that had been taken into account in the previous permission.

The Committee received the views of the Parish Council and hear from the applicants agent.

The Committee were of the view that the revised application contained only minor revisions and should therefore be granted.

Resolved:

That planning permission EPF/1237/10 be granted subject to the following 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.
- (3) A line of ridge tiles shall remain across the full width of the roof of the main dwelling. As shown on the approved plan (50210/03 rev.D) the rear dormer windows shall be located below the ridge tiles.

21. PLANNING APPLICATION EPF/1370/10 - LAND AT BRENT HOUSE FARM, HARLOW COMMON, NORTH WEALD - DEMOLITION OF BUILDINGS AND RELATED USES AND CONSTRUCTION OF EIGHT RESIDENTIAL DWELLINGS.

The Committee considered an application referred to it by Area Planning Subcommittee East on 15 September 2010.

The application sought the demolition of commercial buildings and associated structures and cessation of uses at a site at Brent Farm, Harlow Common together with the construction of eight residential dwellings.

The Committee heard from the local parish council, who supported the application and the applicant.

The Committee noted that the site currently had no planning restrictions and a Certificate of Lawful Development for service, repair, maintenance and storage of motor vehicles. Local residents were in favour of the scheme. The sites was well screened and had less impact on the green belt. The Committee considered that, given local support, the sites history and current applicable planning uses, that these amounted to very special circumstances to overcome green belt policy.

The committee also concurred with the view of the Parish Council as to the application of the proposed Section 106 contributions, which the Committee felt should be used to facilitate improvements to local roadside footways and for the renovation works to the Hastingwood Village Hall.

Resolved:

That planning permission EPF/1370/10 at Land at Brent House Farm, Harlow Common, North Weald be granted subject to:

(a) a planning obligation through Section 106 of the Town and Country Planning Act 1990 to secure the following contributions, to be completed within 6 months of the date of this decision:

- £100,000 contribution to be transferred to North Weald Parish Council to be spent on community benefit in the local area,

(b) the following 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 development or preliminary groundworks of any kind shall take place until the applicant/developer 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.

Reason:- The site lies a short distance from previous archaeological findings where any remains are irreplaceable and are an interest of acknowledged importance which may be highly vulnerable to damage or destruction. Unless the Local Authority is satisfied that a proper scheme for investigation has been agreed the remains should be left undisturbed.

(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.

Reason:- To ensure a satisfactory appearance in the interests of visual amenity.

- (4) 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.

Reason:- To avoid the deposit of material on the public highway in the interests of highway safety.

- (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, Class A, B, C and E shall be undertaken without the prior written permission of the Local Planning Authority.

Reason:- The site is within the Metropolitan Green Belt and permission is only granted due to very special circumstances. Additions and outbuildings may have an adverse impact on the openness of the this part of the Green Belt and/or the character of the area and therefore the specific circumstances of this site warrant the Local Planning Authority having control over any further development.

- (6) Prior to the commencement of the development details of the proposed surface materials for the access, turning 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.

Reason:- To ensure that a satisfactory surface treatment is provided in the interests of highway safety and visual amenity.

- (7) A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of 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.

Reason:- The development is of a size where it is necessary to avoid generating any additional flood risk downstream of the storm drainage outfall.

- (8) 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.

Reason:- Since the site has been identified as being potentially contaminated and to protect human health, the environment, surface water, groundwater and the amenity of the area.

- (9) 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.

Reason: To enable appropriate consideration to be given to the impact of the intended development upon adjacent properties.

- (10) Prior to occupation of the proposed development, the applicant/developer shall be responsible for the provision of a Travel Information and Marketing Pack for sustainable transport to be approved by the Local Planning Authority in liaison with Essex County Council.

Reason: In the interests of promoting sustainable development and transport in accordance with policy in F.32 in the Essex Road Passenger Transport strategy 2006/11.

- (11) 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.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development.

- (12) 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.

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.

Reason:- To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure that the amenity value of the existing tree is potentially maintained by the provision of an adequate replacement tree.

- (13) Before any preparatory demolition or construction works commence on site, a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.

Reason: The submitted initial ecology assessment dated July 2009 as submitted by ELMAW Consulting , reveals no protected species present, but all new development should minimise damage to biodiversity to accord with PPS9: Biodiversity and Geological Conservation.

- (14) Details of trees, shrub and hedges present around the perimeter of the site to be retained shall be submitted to and agreed in writing to the Local planning Authority, prior to work commencing on site, inclusive of site clearance. No tree, shrub, or hedge which are shown as being retained on the agreed details/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.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, to ensure a satisfactory appearance to the development, reduce its visual impact on the openness of the surrounding countryside and safeguard the amenities of the adjacent occupants of the neighbouring house to the immediate east of the site.

CHAIRMAN