

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee D **Date:** 28 September 2005

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.45 pm
High Street, Epping

Members Present: Ms S Stavrou (Chairman), Mrs P Smith (Vice-Chairman), Mrs D Borton, Mrs P Brooks, R Chidley, J Demetriou, R D'Souza, Mrs R Gadsby, Mrs J Lea, L McKnight, P McMillan, Mrs M Sartin and D Spinks

Other Councillors: (none)

Apologies: (none)

Officers Present: S Solon (Principal Planning Officer) and A Hendry (Democratic Services Officer)

27. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

28. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 31 August 2005 be taken as read and signed by the Chairman as a correct record.

29. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs P Brooks, Mrs R Gadsby, and D Spinks declared personal interests in agenda items 8 (4) (EPF/120/05 Land between Brookmeadow Wood and Fernhall Wood, Upshire, Waltham Abbey). The Councillors declared that their interests were prejudicial and indicated that they would leave the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Borton declared a personal interest in agenda items 8 (1) (EPF/582/05 Hill View, St Leonard's, Nazeing), 8(2) (EPF/1261/05 Land Adjacent to 16 Western Road, Nazeing) and 8 (3) (EPF/1279/05 83 Old Nazeing Road, Nazeing) by virtue of being a Parish Councillor. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Ms S Stavrou declared a personal interest in agenda items 6 (EPF/01/05 Confirmation of Tree Preservation Order, Lower Cottage, Daws Hill, Sewardstone), and 8(4) (EPF/120/05

Land between Brookmeadow Wood and Fernhall Wood, Upshire, Waltham Abbey). The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

30. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

31. CONFIRMATION OF TREE PRESERVATION ORDER EPF/01/05 - LOWER COTTAGE, DAWS HILL, SEWARDSTONE.

A Tree Preservation Order (EPF/01/05) was made to protect 6 trees at Lower Cottage, Daws Hill, Sewardstone. However one of the trees (T3- Pine) was removed before service, therefore the TPO was never applied.

Members were asked to confirm the amended TPO to omit the removed tree.

RESOLVED:

That Tree Preservation Order EPF/01/05 is confirmed subject to the amendment of the Plan to omit T3-Pine.

32. HOURS OF MOVEMENTS FOR HGV FROM STUBBINS NURSERY, STUBBINS HALL, HOLYFIELD, WALTHAM ABBEY

In the early 1990's, the Stubbins Nursery, Stubbins Hall, Holyfield was granted permission on the hours of movement for the HGV's that went to and from their premises. This was limited to the hours of 07:30 and 21:00 on Mondays to Fridays inclusive, and between the hours of 07:30 and 16:00 on Saturdays and Sundays.

Complaints were first received in January 2003 that the hours were not being observed. In March 2004 the operators applied to have this condition removed altogether. This was refused under delegated powers. A subsequent application was submitted in October 2004 seeking permission for a two year period to extend the operating hours. Area Plans Subcommittee D considered this application and refused permission for the extension of hours. However the committee had sympathy with the predicament the operators found themselves in, largely due to the demands of the supermarket chains, about which they could do nothing. The committee asked officers not to proceed immediately with enforcement action but to try to work with the operator to find a solution.

Currently the operator is trying to find alternative sites but this is proving very difficult. He emphasises that he continues to employ over 500 local people plus the future of many small, local nurseries depend on his continued operation. He pleads that he must be able to use his current facilities until they are able to relocate. However, there is no timetable for this at the present time.

Members were asked to consider 4 options and resolve which option they wished to pursue.

RESOLVED:

To serve an Enforcement Notice seeking compliance and prosecuting if compliance is not achieved within a three month limit.

33. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 4 be determined as set out in the annex to these minutes.

34. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

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1. APPLICATION No: EPF/0582/05

PARISH: Nazeing

SITE ADDRESS:

HILL VIEW, ST LEONARDS ROAD, NAZEING

DECIPTION OF PROPOSAL:

Two storey rear extension, raised roof ridge with two dormer windows to front and new garage to rear.

GRANTED SUBJECT TO:

1. To be commenced within 3 years.
2. The development shall be carried out in accordance with the amended plans received on 22 June and 05 August 2005 unless otherwise agreed in writing with the Local Planning Authority.
3. Materials of construction to be agreed.
4. No further side windows without approval
5. Retention of existing trees and shrubs
6. Prior to the commencement of the development, details of the proposed surface materials for the driveway shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
7. Prior to first occupation of the building hereby approved the proposed window openings in the south facing elevation at first floor shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.

2. APPLICATION No: EPF/1261/05

PARISH: Nazeing

SITE ADDRESS:

LAND ADJACENT TO 16, WESTERN ROAD, NAZEING

DESCRIPTION OF PROPOSAL:

Revisions to new dwelling approved under EPF/1954/04 to include additional rear conservatory and additional windows.

GRANTED SUBJECT TO:

1. To be commenced within 3 years.
2. Materials of construction to be agreed.
3. The lower non-opening windows in the eastern elevation of the conservatory facing No. 20 Western Road shall be glazed in obscured glass in fixed frames to the reasonable satisfaction of the Local Planning Authority and shall be so maintained.

3. APPLICATION No: EPF/1279/05

PARISH: Nazeing

SITE ADDRESS:

83 OLD NAZEING ROAD, NAZEING

DESCRIPTION OF PROPOSAL:

Extension to existing detached garage and conversion to "granny annexe", demolition of existing piggery building.

GRANTED SUBJECT TO:

1. To be commenced within 3 years.
2. Materials shall match existing.
3. The proposed conversion shall only be used as ancillary accommodation for the existing dwelling house and shall not be occupied as a unit separately from the dwelling known as 83 Old Nazeing Road, Nazeing.
4. There shall be no further enlargement of the build without the prior written consent of the Local Planning Authority.

4. APPLICATION No: EPF/0120/05
Abbey

PARISH: Waltham

SITE ADDRESS:

LAND BETWEEN BROOKMEADOW WOOD AND FERNHALL WOOD, UPSHIRE,
WALTHAM ABBEY

GRANTED SUBJECT TO:

1. To be commenced within 3 years.
2. Submission of tree protection statement
3. Retention of existing trees and shrubs
4. Replacement tree or trees.
5. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the completion of the development unless otherwise agreed in writing by the Local Planning Authority. These details shall include, as appropriate and in addition to, details of existing features to be retained; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hardsurfacing materials; other minor artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants,

including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, shrub or plant or any replacement is removed, uprooted, destroyed, dies or becomes seriously damaged or defective another tree, shrub or plant 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.

6. Submission of tree planting details
7. No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the Local Planning Authority, and the development shall not commence until the Landscape Method Statement has been approved by the Local Planning Authority in writing. All landscape works shall be undertaken in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The details of the Landscape Method Statement shall include soil handling; the sequence of operations for impaction and spreading of materials, and any ancillary operations; designated storage and handling zones and details of site supervision and liaison with the Local Planning Authority.

The Landscape Method Statement shall also include details of soft landscape proposals, including as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding watering and formative pruning and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, uprooted or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the Local Planning Authority has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the Local Planning Authority has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable. The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

8. The development shall proceed in accordance with the archaeological mitigation strategy detailed at 4.10.4 of the Environmental Impact Assessment submitted with the planning application. Any archaeological

finds made during the course of the development shall be reported to Essex County Council within 14 days of the date of the find and within 3 months of the completion of the development a report of all archaeological finds shall be reported to Essex County Council.

9. Any construction or other work that is audible beyond the site boundaries shall take place between the hours of 8.00am and 6.00pm Monday to Friday only excluding public and bank holidays unless otherwise previously agreed in writing by the Local Planning Authority.
10. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - 1) The location and function of any aggregate processing areas, associated plant and buildings
 - 2) A method statement of soil handling, to include separation of topsoil and sub soil, the location and total heights of temporary mounds, depth replacement topsoil and sub soil.
 - 3) Details of the proposed method to suppress dust from the site throughout the period of implementation works.
 - 4) Measures to protect the safe use of rights of way on the land during and after the implementation works.
 - 5) Details of all permanent fencing and gates.
 - 6) Details of the proposed replacement bridge over Cobbins Brook.
 - 7) Details of the works to the bank of Cobbins Brook.

IN ADDITION, permission shall be subject to the prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 in respect of the following matters:

1. The implementation of an approved landscape management plan.
2. The implementation of an approved traffic management scheme for the duration of construction works.
3. Implementation of a one-way system of traffic movement on Fernhall Lane and Long Street for all traffic using the roads for the duration of construction works.
4. The reinstatement of Long Street and Fernhall Lane to their condition prior to the commencement of the development within 6 months of its completion.
5. HGV's and tipper lorries shall not access any part of the site via Woodgreen Road, Upshire Road, Galley Hill or Breach Barns Lane and access to the construction site for the embankment shall only be via Fernhall Lane.

IN ADDITION, in respect of the applications for the diversion of public footpaths 42 and 81 in connection with the proposed flood alleviation scheme, consents for the diversion be granted.