

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 6 July 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.10 pm

Members Present: J Wyatt (Chairman), Mrs E Webster (Vice-Chairman), R Bassett, Mrs R Gadsby, D C Johnson, Ms Y Knight, Mrs J Lea, A Mitchell MBE, Mrs P Smith, Ms S Stavrou and A Watts

Other Councillors:

Apologies: J Collier, W Pryor and Mrs M Sartin

Officers Present: J Godden (Planning Officer), M Jenkins (Democratic Services Assistant) and A Hendry (Democratic Services Officer)

9. 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.

10. 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.

11. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 8 June 2011 be taken as read and signed by the Chairman as a correct record.

12. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Ms S Stavrou and Mrs E Webster, declared personal interests in the following items of the agenda by virtue of being members of the Lea Valley Regional Park Authority. The Councillors stated that their interests were prejudicial and that they would leave the meeting for the duration of the discussion on the items and voting thereon:

- EPF/0242/11 Rosemary and Dobbs Weir, Weir Café, Dobbs Weir Road, Roydon; and

- EPF/0917/11 Land Between Meadgate Road Nursery and Lower Lock, Roydon adj to the Nazeing Meads Lagoon, River Lee Navigation, River Lee and River Stort

(b) Pursuant to the Council's Code of Member Conduct, Councillors R Bassett and J Wyatt, declared personal interests in the following items of the agenda by virtue of being Deputy Members of the Lea Valley Regional Park Authority. The Councillors stated that their interests were prejudicial and that they would leave the meeting for the duration of the discussion on the items and voting thereon:

- EPF/0242/11 Rosemary and Dobbs, Weir Café, Dobbs Weir Road, Roydon; and
- EPF/0917/11 Land Between Meadgate Road, Nazeing and Lower Lock, Roydon adj to the Nazeing Meads lagoon, River Lee Navigation, River Lee and River Stort

13. ELECTION OF CHAIRMAN FOR ITEMS EPF/0242/11 AND EPF/0917/11

For agenda item (7) Development Control, Items (3) EPF/0242/11 Rosemary and Dobbs, Weir Café, Dobbs Weir Road, Roydon and (6) EPF/0917/11 Land Between Meadgate Road, Nazeing and Lower Lock, Roydon adj to the Nazeing Meads Lagoon, River Lee Navigation, River Lee and River Stort, the Chairman and Vice Chairman had to leave the meeting because they had prejudicial interests, therefore the Democratic Services Officer requested nominations for the role of Chairman of the Sub-Committee for these two items. Councillor Mrs P Smith was elected as Chairman for the meeting for the duration of the debate on these two items only.

RESOLVED:

That Councillor Mrs P Smith be elected as Chairman of the Sub-Committee for the duration of the discussions and voting on planning applications EPF/0242/11 Rosemary and Dobbs, Weir Café, Roydon and EPF/0917/11 Land Between Meadgate Road, Nazeing and Lower Lock, Roydon adj to the Nazeing Meads Lagoon, River Lee Navigation, River Lee and River Stort only.

14. ANY OTHER BUSINESS

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

15. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 8 be determined as set out in the annex to these minutes.

16. 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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Report Item No: 1

APPLICATION No:	EPF/0892/11
SITE ADDRESS:	Theydon Towers Theydon Road Epping Essex CM16 4EF
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	TPO/EPF/10/83 G5 (31 on plan) - Cypress - Fell G6 (10, 11 & 12 on plan) - Cypress - Fell T50 (13 on plan) - Cedar - Fell G3 (Group 3 on plan) - 2 x Spruce - Fell
DECISION:	Removed from agenda as included in wrong sub-committee (to be heard by sub-committee East on 20 July 2011).

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527683

Report Item No: 2

APPLICATION No:	EPF/1024/11
SITE ADDRESS:	Beaumont Villa 4 Beaumont Park Drive Roydon Harlow Essex CM19 5HB
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	TPO/EPF/17/84 T27 (T2 on plan) - Yew - Fell T1 on plan - Not protected G1 on plan - Not protected
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528194

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 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.
- 3 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

Report Item No: 3

APPLICATION No:	EPF/0242/11
SITE ADDRESS:	Rosemary and Dobbs Weir Cafe Dobbs Weir Road Roydon Harlow Essex
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Replacement cafe and change of use of dwelling to Bed and Breakfast accommodation.
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=525338

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 hereby permitted will be completed strictly in accordance with the approved drawings nos:
947.1, 947.4A, 947.5A, 947.7A
- 3 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The cafe use hereby permitted shall not be open to customers outside the hours of 07.00 to 22:00 on Monday to Saturday from April to October, and 08:00 to 16:00 Monday to Saturday from November to March and 09:00 to 20:00 on Sundays and Bank/Public Holidays.
- 5 The garden area to the rear of the cafe shall not be used at any time for seating in connection with the cafe use and shall remain a private garden area with no public access.
- 6 Prior to commencement of development details of the proposed store and bike store shall be submitted to the Local Planning Authority and approved in writing. The development shall then be completed in accordance with the approved details.
- 7 The use of the bedrooms in the property shall be restricted to bed and breakfast holiday accommodation and shall not at any time be used as permanent residential accommodation.

- 8 Prior to the commencement of development full details of the proposed kitchen extract system shall be submitted to and agreed in writing by the Local Planning Authority. The approved system shall be fully installed prior to the first use of the kitchen and utilised whenever cooking takes place.
- 9 No external lighting shall be erected at the site without the prior written approval of the Local Planning Authority.

Report Item No: 4

APPLICATION No:	EPF/0698/11
SITE ADDRESS:	Netherhall Nursery Netherhall Road Roydon Harlow Essex
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Demolition of existing glasshouses and related nursery buildings, construction of 3.8ha of glasshouses (incorporating boiler room, irrigation room, plant room, grading area, office, toilets, despatch area and pump house), loading bay, buffer tanks, water storage tanks, lagoon, parking area, relocation of existing storage shed, associated landscaping and improvements to existing field access to form new nursery access.
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527044

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 hereby permitted will be completed strictly in accordance with the approved drawings nos: 3108/1, VE-10-3694-02Rev.H, VE-10-3694-05 and 210317-P-03
- 3 Prior to first use of Phase 2 of the development hereby approved the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 7.5 metres and shall be retained at that width for 10 metres within the site and shall be provided with an approved vehicular crossing of the highway verge. Prior to Phase 2 being completed or the new access road being completed in accordance with the above details, access shall remain from the existing access point adjacent to Oak View.
- 4 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 181/2011 by EAS dated 23/03/11 and the following mitigation measures detailed in the FRA:
 1. Limiting the surface water runoff from the site to the equivalent greenfield rate.
 2. Providing on site attenuation up to and including the 1 in 100 year plus climate change critical storm
 - 3 Provision of storage using SuDS.

- 5 The approved glasshouse shall at no point be located closer than 12.5 metres from the rear garden boundary line of the property known as Barley Croft or any closer than 13 metres from the rear garden boundaries of 1 and 2 Poplar Cottages.
- 6 The phased levelling of the site shall be carried out in accordance with the submitted Soil Movement Method Statement dated 20/05/11 and the final levels shall be those shown on the submitted Drawing number VE-10-3694-04. Should there be any excess soil remaining at the completion of the development it shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 7 The landscaping shown on the approved Landscaping Plan shall be carried out in accordance with the Soft Landscaping Method Statement and the landscaping works shall be completed prior to the commencement of work on Phase 2 of the development hereby approved.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless

otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 13 At such time as the use of the site for glasshouse horticulture ceases, (a) the glasshouses, packhouses and other buildings, and their concrete bases hereby granted permission shall be dismantled, broken up and fully removed from the site, and (b) any broken glass contamination of the soil shall be rectified and the land returned to a condition appropriate to its previous use.

Report Item No: 5

APPLICATION No:	EPF/0861/11
SITE ADDRESS:	St Leonards Farm St Leonards Road Nazeing Waltham Abbey Essex EN9 2HG
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Relocation of vehicle access.
DECISION:	Refused Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527622

Members suggested that the proposal was also contrary to a policy in the Essex Transport Plan relating to new accesses onto a distributor road. However, this document has not yet been adopted by this Council (It is due to be considered by full Council) and as such it was not appropriate to rely on this policy in the reason for refusal.

REASON FOR REFUSAL

- 1 The proposed new access would result in unacceptable highway danger to road users by reason of its location and use, contrary to policy ST4 of the adopted Local Plan and Alterations.
- 2 The scheme would cause unacceptable flooding on the site contrary to policy U2A of the Local Plan and Alterations.

Report Item No: 6

APPLICATION No:	EPF/0917/11
SITE ADDRESS:	Land Between Meadgate Road, Nazeing and Lower Lock, Roydon Adj to the Nazeing Meads Lagoons, River Lee Navigation, River Lee and River Stort.
PARISH:	Nazeing Roydon
WARD:	Lower Nazeing Roydon
DESCRIPTION OF PROPOSAL:	Creation of 3.2km long section of Lee Valley Pathway between Meadgate Road, Nazeing and Lower Lock, Roydon, including new fencing, gates, seating bays and cycle stands.
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527780

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 hereby permitted will be completed strictly in accordance with the approved drawings nos: Submitted Ordnance Survey Location Plan; 3018P/00_01; 3018P/00_02; 3018_01; 3018_02; 3018_03; 3018_04; 3018_05; 3018_06; 3018_07; 3018_08; 3018_09; 3018_010; 3018_011; 3018_012; 3018_013; 3018_014; 3018P/04_01; 3018P/04_02; 3018P/04_04; 3018P/04_05; 3018P/04_06; 3018P/04_07; 3018P/04_08
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted planning application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to commencement of works within the proximity of Fields Pit, a Method Statement for working close to Water Vole habitat shall be submitted to and agreed in writing by the Local Planning Authority, unless the commissioned survey show no presence of Water Voles, as agreed in writing by the Local Planning Authority.
- 5 The development shall be carried out in accordance with the submitted Flood Risk Assessment produced by Andrew Wright, and the following mitigation measures (as details within the FRA):
 - Provision of compensatory flood storage on or in the vicinity of the site to a 1 in 100 year plus climate change standard.

- 6 The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels (and no deposit or storage of spoil or materials) in the part of the site lying within the 1 in 100 year defended floodplain (including the required allowance for climate change), has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and subsequently maintained as such thereafter.
- 7 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 8 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 9 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 10 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

Report Item No: 7

APPLICATION No:	EPF/0935/11
SITE ADDRESS:	Roydon Mill Leisure Park High Street Roydon Harlow Essex CM19 5EJ
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Variation of condition 13 (Re Access road improvements) of planning approval EPF/2113/08. (Creation of a marina with moorings for up to 315 boats and associated facilities, including new lock with the River Stort Navigation, facilities building, workshop, fuel storage tank and 77 parking spaces)
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527841

CONDITIONS

- 1 The works to the access to the site shown on drawing number S81902-D-002RevB (Proposed Site Access Arrangement) shall be completed within 2 months of the date of this decision and the approved passing bays, lighting, reflective bollards and signage shall be retained and maintained hereafter unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 8

APPLICATION No:	EPF/1040/11
SITE ADDRESS:	10 Hamlet Hill Roydon Harlow Essex CM19 5LA
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Keith Brown
DESCRIPTION OF PROPOSAL:	Conversion of existing double garage to annexe.
RECOMMENDED DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528236

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 proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 10 Hamlet Hill.
- 3 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.

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