

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 7 December 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.50 pm

Members Present: A Boyce (Chairman), Mrs S Jones (Vice-Chairman), K Avey, Mrs D Collins, P Gode, Mrs A Grigg, P Keska, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors: -

Apologies: W Breare-Hall and D Jacobs

Officers Present: J Shingler (Principal Planning Officer), C Neilan (Landscape Officer & Arboriculturist), G J Woodhall (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

55. 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.

56. 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.

57. MINUTES

Resolved:

(1) That the minutes of the meeting held on 9 November 2011 be taken as read and signed by the Chairman as a correct record.

58. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor P Gode declared a personal interest in the following item of the agenda, by virtue of being a member of Ongar Town 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/0207/11 Fyfield Business & Research Park, Fyfield Road, Ongar.

(b) Pursuant to the Council's Code of Member Conduct, Councillor K Avey declared a personal interest in the following items of the agenda, by virtue of being a member of Epping Town Council. 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/1603/11 St Johns C of E School, Tower Road, Epping; and
- EPF/1604/11 St Johns C of E School, Tower Road, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J H Whitehouse declared a personal interest in the following items of the agenda, by virtue of being a member of Essex County Council. 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/1603/11 St Johns C of E School, Tower Road, Epping; and
- EPF/1604/11 St Johns C of E School, Tower Road, Epping.

(d) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following items of the agenda, by virtue of his daughter being a pupil at St Johns C of E School. 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/1603/11 St Johns C of E School, Tower Road, Epping; and
- EPF/1604/11 St Johns C of E School, Tower Road, Epping.

(e) Pursuant to the Council's Code of Member Conduct, Councillor J M Whitehouse declared a personal interest in the following items of the agenda, by virtue of being a member of Epping Town Council. 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/1603/11 St Johns C of E School, Tower Road, Epping;
- EPF/1604/11 St Johns C of E School, Tower Road, Epping;
- EPF/1675/11 11 Hartland, Epping;
- EPF/2087/11 6 Buttercross Lane, Epping.

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Jones declared a personal interest in the following item of the agenda by virtue of being a customer of the Kennels. 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/1655/11 Theydon Mount Kennels, Epping Lane, Stapleford Tawney.

(g) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest in the following item of the agenda by virtue of being a member of Sheering 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/1975/11 3 Crown Close, Sheering.

(h) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Jones and J Philip declared a personal interest in the following item of the agenda, by virtue of being members 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/2033/11 2 Elizabeth Drive, Theydon Bois.

59. ANY OTHER BUSINESS

The Sub-Committee noted that there was no other urgent business for consideration.

60. CONFIRMATION OF TREE PRESERVATION ORDER EPF/21/11 - 24 CANNONS LANE, FYFIELD

The Principal Landscape Officer presented a report concerning Tree Preservation Order EPF/21/11 at 24 Cannons Lane in Fyfield.

The Principal Landscape Officer reported that a planning application had been received to demolish the existing dwelling at the site and construct a new dwelling in its stead. The plans had indicated the loss of the majority of the trees at the site with limited replanting, and the Order had sought to protect seven of the more prominent trees on the site. Three objections had been received to the Order, citing that the trees were too large for the current setting, not all the trees were native to the local area, and that the trees did not add value to the local landscape.

Subsequently, discussions had taken place with the Applicant and it had been agreed that a new screen of native trees would be planted along the rear boundary of the site. Consequently, it was felt that this Order did not need to be confirmed, as a landscaping condition for any future planning application would ensure adequate replanting at the site to replace the lost trees.

Resolved:

(1) That Tree Preservation Order EPF/21/11 at 24 Cannons Lane in Fyfield not be confirmed.

61. DEVELOPMENT CONTROL

Resolved:

(1) That the planning applications numbered 1 – 12 be determined as set out in the schedule attached to these minutes.

62. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL 2011 TO SEPTEMBER 2011

The Principal Planning Officer presented the biannual Probity in Planning Report for the appeal decisions during the period April to September 2011.

The Sub-Committee was informed that the Council received decisions on 50 appeals during the period, of which 17 were upheld (34%). There was one appeal upheld where the Sub-Committee had resolved contrary to the Planning Officer's recommendation:

(i) EPF/1097/10 – removal of agricultural occupancy condition at Oaklee Farm, Manor Road in Lambourne.

The Sub-Committee was further informed that there were three awards of costs made against the Council during this period; the costs for the Oaklee Farm appeal detailed above had amounted to £6,783.49.

The Principal Planning Officer stated that, although the Council's performance in defending appeals had improved, there should be justifiable reasons in each case

where Members refused planning permission contrary to Officer recommendation which were relevant, necessary, sound and defensible.

The Committee felt that the report should also be submitted to the next available meeting of the Planning Services Scrutiny Panel, where it would receive wider consideration.

Resolved:

(1) That the Planning Appeal decisions for the period April to September 2011 be noted; and

(2) That the report be submitted to the next available meeting of the Planning Services Scrutiny Panel for consideration.

63. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Director of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/1949/11
SITE ADDRESS:	St. Mary's Church Tawney Lane Stapleford Tawney Romford RM4 1DQ
PARISH:	Stapleford Tawney
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	TPO/EPF/25/98 T1 - Lime - Fell
DECISION:	Grant 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=531435

CONDITIONS

1. A replacement tree, of a species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted 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: 2

APPLICATION No:	EPF/1967/11
SITE ADDRESS:	22 Hill Hall Mount Road Theydon Mount Epping Essex CM16 7QQ
PARISH:	Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	TPO/EPF/17/11 T1 - Oak - Fell
DECISION:	Grant 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=531537

CONDITIONS

1. A replacement Wellingtonia tree, container grown, min. 3-5m height size at planting, and in the position at the head of the drive as agreed shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby granted, 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.
2. The Local Planning Authority shall receive, in writing, 5 working days notice of the dates of implementation of the works authorised by this consent including the replacement planting.
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/2076/11
SITE ADDRESS:	7 Elmbridge Hall Fyfield Ongar Essex CM5 0TN
PARISH:	Fyfield
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	TPO/EPF/05/98 T2 (T17 on TPO) - Pine - Fell
DECISION:	Grant 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=531925

Officer reported that an objection had been received from the Parish Council

CONDITIONS

1. A replacement tree, of a species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected 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.
2. The work authorised by this consent shall not be carried out unless the Local Planning Authority shall have received in writing, 5 working days notice of both the replacement planting and the felling.
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: 4

APPLICATION No:	EPF/0207/11
SITE ADDRESS:	Fyfield Business And Research Park Fyfield Road Ongar Essex CM5 0GN
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Outline planning application for the redevelopment (in 3 phases) of Fyfield Business Park comprising the removal of all existing buildings except 2 no. office buildings, a Grade II stable block and a crèche building and existing hardcourt recreation area and changing facilities. Erection of 12 no. one and two storey office buildings equating to a gross external area of 17,071m ² . Construction of new site access, including a roundabout off Fyfield Road. Provision of a new cricket pitch and additional amenity space. Comprehensive landscaping scheme including new trees, shrubs and hedges. Provision of a total of 521 car parking spaces and 234 cycle parking spaces.
DECISION:	Refuse Permission

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=525177

REASONS FOR REFUSAL

1. The proposed development is inappropriate development, by definition harmful to the Green Belt. Whilst it is accepted that some redevelopment may be justified due to the history and circumstances of the site, the case put forward by the applicant is not sufficient to outweigh the very real harm to openness that would result from the significant intensification of development proposed within the site. The proposal is therefore contrary to policy GB2A of the adopted Local Plan and Alterations and to Government Guidance.
2. The applicant has failed to show that the amount of floorspace envisaged could be achieved without the construction of two storey buildings in a position that would be visually prominent and intrusive when viewed from Fyfield Road. The development would therefore be harmful to the rural character, openness and visual amenity of the area contrary to policies GB7A and LL2 of the Adopted Local Plan and Alterations.

Report Item No: 5

APPLICATION No:	EPF/1603/11
SITE ADDRESS:	St Johns C of E School Tower Road Epping Essex CM16 5EN
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Variation of condition 12 of planning permission EPF/1400/04.(For the demolition of existing school, construction of new secondary school and residential development.) To allow an increase in the gross floorspace of the approved school from 7,880m2 to 8,080m2 (specifically to enable provision of a biomass boiler plant building and associated storage on site)
DECISION:	Deferred

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=530241

This item was deferred to a later meeting for more information regarding the environmental impacts of the Biomass boilers and a request that an Environmental Health Officer attend.

Report Item No: 6

APPLICATION No:	EPF/1604/11
SITE ADDRESS:	St Johns C of E Secondary School Tower Road Epping Essex CM16 5EN
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Variation of condition 1 of planning permission EPF/1225/11. (Non material amendment to EPF/0585/09. Reserved matters application (siting, design, external appearance and landscaping) for the demolition of existing school, construction of new secondary school and residential development of 149 dwellings including 38 affordable dwellings) to enable minor material amendments to this approved secondary school including provision of biomass boiler plant building and alterations to elevations fencing and layout.
DECISION:	Deferred

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=530242

This item was deferred to a later meeting for more information regarding the environmental impacts of the Biomass boilers and a request that an Environmental Health Officer attend.

Report Item No: 7

APPLICATION No:	EPF/1655/11
SITE ADDRESS:	Theydon Mount Kennels Epping Lane Stapleford Tawney Romford Essex RM4 1ST
PARISH:	Theydon Garnon Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Demolition of buildings and erection of five additional kennels and two, two storey, 3 bedroom house with ancillary car parking and landscaped open space.
DECISION:	Refuse 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=530383

REASON FOR REFUSAL

1. The addition of two dwellings within the site would be inappropriate within the Green Belt, causing harm by definition. The case for very special circumstances presented by the Applicant is insufficient to outweigh the harm caused, contrary to Policy GB2A of the adopted Local Plan and Alterations.
2. The application site is poorly located in terms of accessibility to public transport and local services. The proposed addition of two dwellings within the site would, therefore, constitute an unsustainable development, contrary to policy ST1 of the adopted Local Plan and Alterations.

Report Item No: 8

APPLICATION No:	EPF/1675/11
SITE ADDRESS:	11 Hartland Road Epping Essex CM16 4PH
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Erection of brick wall with wrought iron railing and installation of wrought iron gates to front boundary.
DECISION:	Grant 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=530440

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 must be begun not later than the expiration of three years beginning with the date of this notice.
3. The brickwork of the proposed development, shall match that of the dwelling within the application site in terms of the brick type, colour and bonding, unless otherwise agreed in writing by the Local Planning Authority.
4. 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.

Report Item No: 9

APPLICATION No:	EPF/1925/11
SITE ADDRESS:	Birchfield Mount Road Theydon Mount Epping Essex CM16 7PW
PARISH:	Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	First floor extension over existing ground floor garage and utility room.
DECISION:	Refuse Permission (Householder)

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=531360

REASON FOR REFUSAL

1. The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The proposed extensions would represent disproportionate additions over and above the size of the original dwelling. As such, the proposal is inappropriate development and as no very special circumstances have been advanced of sufficient weight to set aside Green Belt policies of restraint, It is considered that the proposal would conflict with policy GB2A of the adopted Local Plan and alterations and are contrary to the advice contained in Planning Policy Guidance Note 2.

Report Item No: 10

APPLICATION No:	EPF/1975/11
SITE ADDRESS:	3 Crown Close Sheering Harlow Essex CM22 7NE
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Alteration of existing bungalow to form 2 no. two storey semi-detached cottages and construction of a single two storey detached cottage.
DECISION:	Refuse Permission

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=531579

The Officer reported that an objection had been received from the Parish Council.

REASONS FOR REFUSAL

1. The proposal, due to the bulk, design and location of the dwellings and over-dominance of car parking, would result in an incongruous and unacceptable development, detrimental to the character and appearance of the street scene, contrary to policies CP2, CP7, DBE1, DBE6, DBE10, and ST6 of the adopted Local Plan and Alterations.
2. The proposal, due to the inability to provide adequate parking, convenient cycle and bin storage, manoeuvring space and front landscaping, amounts to overdevelopment of the site contrary to policies CP7 and DBE3 of the adopted Local Plan and Alterations.

Report Item No: 11

APPLICATION No:	EPF/2033/11
SITE ADDRESS:	2 Elizabeth Drive Theydon Bois Epping Essex CM16 7HJ
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Proposed ground floor/side extension to replace existing garage and front porch.
DECISION:	Grant 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=531749

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 external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
3. A gap of at least 150mm shall be retained between the top of the lead flashing of the approved extension and the cill height of the first floor window above, as shown on the front elevation of the approved plan DRG. No.1 6FF 4.

Report Item No: 12

APPLICATION No:	EPF/2087/11
SITE ADDRESS:	6 Buttercross Lane Epping Essex CM16 5AA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Demolition of existing garage store and erection of two storey side extension with integral garage.
DECISION:	Grant 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=531987

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 development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
3. Prior to first occupation of the development hereby approved, the proposed window opening in the north flank elevation facing No. 8 Buttercross Lane shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
4. All construction/demolition works and ancillary operations, including vehicle movement on 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.
5. Prior to commencement of development details shall be submitted setting out where contractors vehicles will park and materials deposited throughout the construction process to ensure that Buttercross Lane will not be unduly disrupted. The agreed plan will then be complied with throughout the construction period.