

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 4 April 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.00 pm

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

Other Councillors: -

Apologies: -

Officers Present: J Shingler (Principal Planning Officer), P Seager (Chairman's Secretary) and G J Woodhall (Democratic Services Officer)

86. 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.

87. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council, which permitted the public 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.

88. MINUTES

Resolved:

(1) That the minutes of the meeting held on 7 March 2012 be taken as read and signed by the Chairman as a correct record.

89. 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/2252/10 Badgers, Fyfield Road, Moreton.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in the following item of the agenda. The Councillor had determined that her interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/2547/11 Land adj Horseshoe Farm, London Road, North Weald.

(c) 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 acquainted with both the applicant and the objector. 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/2547/11 Land adj Horseshoe Farm, London Road, North Weald.

(d) 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 a member 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/2547/11 Land adj Horseshoe Farm, London Road, North Weald;
- EPF/0163/12 92 Queens Road, North Weald; and
- EPF/0255/12 Land adj 5 Bluemans, North Weald.

(e) Pursuant to the Council's Code of Member Conduct, Councillors K Avey, W Breare-Hall and 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 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/0162/12 86 The Orchards, Epping; and
- EPF/0207/12 Radio House, Lindsey Street, Epping.

(f) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a personal interest in the following item of the agenda, by virtue of being a resident of Lindsay Street, although not in the locality of the application. 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/0207/12 Radio House, Lindsey Street, Epping.

90. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

91. DEVELOPMENT CONTROL

Resolved:

(1) That the planning applications numbered 1 – 6 be determined as set out in the schedule attached to these minutes.

92. 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.

93. COUNCILLOR MRS D COLLINS

The Sub-Committee thanked the Chairman for his stewardship over the past year.

It was also the final meeting for Councillor Mrs D Collins before her retirement as a District Councillor. The Sub-Committee thanked Councillor Mrs Collins for her many years of service and offered their best wishes for the future.

CHAIRMAN

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Minute Item 91

Report Item No: 1

APPLICATION No:	EPF/2252/10
SITE ADDRESS:	Badgers Fyfield Road Moreton Ongar Essex CM5 0HN
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Change of use of existing steel framed barn to offices B1(a) with associated external alterations. Revocation of associated S52 Legal Agreement restricting use following commencement of development.
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=522643

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 shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
3. If any tree, shrub or hedge 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 of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
4. Prior to first occupation of the units hereby approved, all temporary portacabin structures shall be removed from site.
5. Subsequent to first occupation, there shall be no external storage on site at any time whatsoever.

6. The development shall be carried out in accordance with the approved plans and particulars, in particular retaining the steel frame as indicated, unless otherwise agreed in writing by the Local Planning Authority.
7. 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 41, Classes A or B shall be undertaken without the prior written permission of the Local Planning Authority.
8. The premises shall be used solely for B1(a) Office use. and for no other purpose (including any other purpose in Class B of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
9. The development shall be carried out in strict accordance with the recommendations set out in the Phase 1 Habitat Survey carried out by Southern Ecological Solutions and issued on 23rd December 2010 unless otherwise agreed in writing by the Local Planning Authority.
10. Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to first occupation and retained in accordance with the approved details.
11. The office use hereby permitted shall not operate outside the hours of 07.30 to 19.00 on Monday to Friday and 08.00 to 17.00 on Saturdays. With no working on Sundays and Bank/Public Holidays.
12. Prior to the first use of the premises for office use, the alterations to the fronting dwelling (Badgers) shown on drawing number 469.01/WVD07 received 29/02/2012 shall be carried out in full and retained for so long as the office use remains unless otherwise agreed in writing by the Local planning Authority.

Report Item No: 2

APPLICATION No:	EPF/2547/11
SITE ADDRESS:	Land adj Horseshoe Farm London Road North Weald Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Extension to existing grain storage facilities.
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=533676

REASONS FOR REFUSAL

1. The proposed development, due to its size and position within the landscape on raised land, results in a conspicuous development with an unacceptable impact on the open character and visual amenity of the Green Belt, contrary to the aims and objectives of GB11 and GB7A of the adopted Local Plan and Alterations.
2. The applicant fails to demonstrate that the proposed development would not result in an increase in heavy vehicular traffic movements to and from the site from general agricultural use and is unwilling to accept a condition restricting the use to grain storage alone. As such the proposal is likely to result in increased noise and disturbance outside usual business hours to the residence adjacent to the access, contrary to the aims and objectives of policies DBE9 and GB11 of the Adopted Local Plan and Alterations.

Report Item No: 3

APPLICATION No:	EPF/0162/12
SITE ADDRESS:	86 The Orchards Epping Essex CM16 7AT
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Ground floor side extension.
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=534646

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. No windows shall be created within the flank elevation of the extension at any time.

Reason: To prevent overlooking of neighbouring property.

Report Item No: 4

APPLICATION No:	EPF/0163/12
SITE ADDRESS:	92 Queens Road North Weald Bassett Essex CM16 6JG
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Double/single storey rear extension.
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=534647

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 flank elevation 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 08.00 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.

Report Item No: 5

APPLICATION No:	EPF/0207/12
SITE ADDRESS:	Radio House Lindsey Street Epping Essex CM16 6RD
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	East Seven Properties Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing building and construction of two residential dwellings. (Revised application)
RECOMMENDED 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=534789

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: EVZ_100 Rev A, EVZ_101 Rev C, EVZ-102 Rev A, EVZ-201 Rev D and EVZ-202 Rev D
3. No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
4. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
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) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping 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 minor artefacts and structures, including signs and lighting and functional services above

and below ground. The 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, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or 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. An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
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.
12. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
13. 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 D shall be undertaken without the prior written permission of the Local Planning Authority.
14. Prior to first occupation of the development hereby approved, the proposed window openings in the side facing dormers 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.
15. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
16. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

17. 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 08.00 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.

Report Item No: 6

APPLICATION No:	EPF/0225/12
SITE ADDRESS:	Land adjacent to 5 Bluemans North Weald Epping Essex CM16 6EU
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	New dwelling (Revised application)
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=534848

Members deferred this item to allow a site visit to take place.