

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 20 February 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.15 pm

Members Present: A Boyce (Chairman), Mrs S Jones (Vice-Chairman), K Avey, Mrs H Brady, W Breare-Hall, P Gode, Mrs A Grigg, D Jacobs, P Keska, Mrs M McEwen, J Philip, B Rolfe, D Stallan, Mrs J H Whitehouse and J M Whitehouse

Other Councillors: -

Apologies: T Church, R Morgan, G Waller and C Whitbread

Officers Present: J Shingler (Principal Planning Officer), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

70. 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.

71. 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.

72. MINUTES

Resolved:

(1) That the minutes of the meeting held on 23 January 2013 be taken as read and signed by the Chairman as a correct record.

73. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor K Avey declared an interest in the following items of the agenda. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2270/12 23 Chapel Road, Epping;
- EPF/2320/12 11 School Green Lane, North Weald; and
- EPF/2392/12 3 Crown Close, Sheering.

(b) Pursuant to the Council's Code of Member Conduct, Councillor A Grigg declared a personal interest in the following item of the agenda, by virtue of having previously worked with the applicant some twenty years ago. The Councillor had determined that her interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2320/12 11 School Green Lane, North Weald.

(c) Pursuant to the Council's Code of Member Conduct, Councillors S Jones and J Philip declared a personal interest in the following item of the agenda, by virtue of the applicant being known to the Councillors. The Councillors had determined that their interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2433/12 19B Forest Drive, Theydon Bois.

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

- EPF/2433/12 19B Forest Drive, Theydon Bois.

74. ANY OTHER BUSINESS

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

75. DEVELOPMENT CONTROL

Resolved:

(1) That the planning applications numbered 1 – 10 be determined as set out in the schedule attached to these minutes.

76. 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/1880/12
SITE ADDRESS:	Bumble Bee Barn Woodend Abbess Roding Ongar Essex CM5 0JJ
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Use of land and buildings for construction and agricultural vehicle driver training.
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=541992

REASONS FOR REFUSAL

1. The use, which has already commenced, involves outside working including the use of a scaffolding tower and crane and earth moving and mounding and this results in excessive harm to the rural character and visual amenity of the Green Belt, contrary to policies CP2, GB2A, GB7A and GB8A of the adopted Local Plan and Alterations.
2. The development, due to the nature of the vehicles and equipment used, including vehicles with reversing alarms causes unacceptable levels of noise and disturbance to neighbouring residents in this otherwise quiet rural location. It is not considered that this harm can be adequately mitigated by the imposition of conditions and the use is therefore contrary to policy DBE9 of the Adopted Local Plan and Alterations.
3. The site is remote from urban areas of population and is not accessible by public transport. As such the change of use is considered to be unsustainable, contrary to policies CP3, CP6 and ST1 of the adopted Local Plan and Alterations.

POSITIVE AND PROACTIVE STATEMENT

Following the refusal Members considered whether there was any way forward with this application but concluded that the nature of the use was such that the reasons for refusal could not be overcome.

Report Item No: 2

APPLICATION No:	EPF/2208/12
SITE ADDRESS:	16 The Yard Sheering Lower Road Sawbridgeworth Hertfordshire CM21 9LF
PARISH:	Sheering
WARD:	Lower Sheering
DESCRIPTION OF PROPOSAL:	Change of use to residential garden land.
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=543360

CONDITIONS

1. 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, Classes E and F shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 3

APPLICATION No:	EPF/2256/12
SITE ADDRESS:	The Railway Arms Station Approach Theydon Bois Epping Essex CM16 7HR
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Demolition of the Railway Arms Public House to be replaced by 4 No. 1 bed flats and 6 No. 2 bed flats with associated parking.
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=543541

Members deferred this item for more information with regard to financial contributions.

Report Item No: 4

APPLICATION No:	EPF/2270/12
SITE ADDRESS:	23 Chapel Road Epping Essex CM16 5DS
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Demolition of two storey side extension and erection of a single 3 bedroom dwelling. (Revised application)
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=543643

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 No's 1252:001A, 002B.
3. No construction works above ground level shall take 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. The proposed window openings 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.
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, Classes A, B and D shall be undertaken without the prior written permission of the Local Planning Authority.
6. 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 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.

7. 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.
8. The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

9. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of 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 if appropriate. The development shall be carried out in accordance with those approved details.
10. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
11. No windows other than those shown on the submitted plans shall be inserted in the rear or flank elevation walls without the prior written approval of the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/2298/12
SITE ADDRESS:	20 St. Peters Avenue Ongar Essex CM5 0BT
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Change of use to allow the premises to be used as a take away (Class A5). (Revised Application)
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=543780

REASONS FOR REFUSAL

1. The proposed use is considered to be out of character within this predominantly residential area and is likely to result in disturbance to neighbours, seriously and adversely affecting their amenities, contrary to policies DBE9 and RP5A of the Adopted Local Plan and Alterations.

POSITIVE AND PROACTIVE STATEMENT

Following the refusal Members considered whether there was any way forward with this application but concluded that the nature of the use was such that the reasons for refusal could not be overcome.

Report Item No: 6

APPLICATION No:	EPF/2320/12
SITE ADDRESS:	11 School Green Lane North Weald Epping Essex CM16 6EH
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mrs S Cooke
DESCRIPTION OF PROPOSAL:	Demolition of existing garage, erection of detached three bedroomed dwelling and formation of new vehicular access off School Green Lane.
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=543881

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: BRD/11/052/001, BRD/11/052/002, BRD/11/052/003
3. Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application forms, unless otherwise agreed in writing by the Local Planning Authority.
4. The access and parking areas shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
5. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
6. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

7. 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 09.00 to 18.30 Monday to Friday and 09.00 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: 7

APPLICATION No:	EPF/2347/12
SITE ADDRESS:	47 Moreton Road Ongar Essex CM5 0AP
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of 3 no. replacement detached two storey houses including formation of new vehicular access.
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=543986

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 construction works above ground level shall take 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.
3. Prior to first occupation of the development hereby approved, the proposed window opening(s) on the first floor on both flank elevations of all three dwellings 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. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
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 and B shall be undertaken without the prior written permission of the Local Planning Authority.
6. 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.

7. 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.
8. Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
9. Prior to the commencement of the development, details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted and approved in writing by the Local Planning Authority. The approved scheme shall be carried out entirety prior to the access becoming operational and shall be retained at all times.
10. No development shall take place until details of the proposed surface materials for the hard standing area towards the front of the dwellings have been submitted and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
11. The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
12. Prior to the first occupation of the development, the proposed private drive shall be constructed to a width of 5 metres for at least the first 6 metres from the back of the carriageway and be provided with an appropriate dropped kerb crossing of the footway.
13. Prior to the occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council.

Report Item No: 8

APPLICATION No:	EPF/2392/12
SITE ADDRESS:	3 Crown Close Sheering Essex CM22 7ND
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Partial demolition of existing bungalow and erection of new detached dwelling.
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=544146

REASON FOR REFUSAL

1. The proposal, due to the bulk and design of the new dwelling, 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.

POSITIVE AND PROACTIVE STATEMENT:

Following the refusal Members considered whether there was a way forward for the applicant and it was suggested that changing the design to a hipped roof and/or narrowing the house to enable parking to be moved to the side of the property rather than the front, would be more likely to be considered favourably.

Report Item No: 9

APPLICATION No:	EPF/2393/12
SITE ADDRESS:	3 Crown Close Sheering Essex CM22 7ND
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Partial demolition of bungalow and erection of first floor extension with pitched roof with habitable loft. New vehicle access to highway with crossover. Subdivision of site for proposed new dwelling under separate application.
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=544147

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 works shall take 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.
3. Prior to first occupation of the development hereby approved, the proposed window openings in the first floor flank elevations and second floor roofslope 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. 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.

5. The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
6. 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: 10

APPLICATION No:	EPF/2433/12
SITE ADDRESS:	19B Forest Drive Theydon Bois Epping Essex CM16 7EX
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Change of use from purposes within Use Class A1 (shops) to use as a restaurant (Use Class A3) and non-material amendment to planning permission EPF/1792/12 (Addition of second floor flat above existing first floor, together with rear first floor extension, provision of side entrance to Buxton Road and alterations to elevations) comprising of the insertion of an additional ground floor window to the Buxton Road elevation.
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=544320

The Planning Officer reported that 1 additional letter had been received from 75 Theydon Park Road, in favour of the development.

Members asked that when the details with regard to condition 4 are submitted, care should be taken over the design and visual impact.

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: 2, 5 and submitted block and location plan
3. The use hereby permitted shall not be open to customers outside the hours of 08:00 and 23:00.
4. Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment, including full details of extract ducting, shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
5. The rating level of noise (as defined by BS4142:1997) emitted from mechanical plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.

6. The ceiling/party floor insulation between the commercial and residential premises should be checked to ensure it complies with the current Approved Document E of the Building Regulations 1984 and, to ensure that the occupiers are provided with reasonable resting/sleeping conditions with reference to British Standard BS8233: 1999 - Sound insulation and noise reduction for buildings - Code of practice.

If it is found that the partition does not comply with the regulations, it should be upgraded to comply with the regulations, as a minimum. The details of any works should be submitted and approved in writing by the Local Authority before the premises are occupied.

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