

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Planning Subcommittee East    **Date:** 18 September 2013

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.30 - 9.30 pm

**Members Present:** Mrs S Jones (Chairman), P Keska (Vice-Chairman), K Avey, A Boyce, Mrs H Brady, T Church, Mrs A Grigg, Mrs M McEwen, R Morgan, J Philip, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**Other Councillors:**

**Apologies:** W Breare-Hall, P Gode, D Jacobs, B Rolfe and G Waller

**Officers Present:** J Preston (Director of Planning and Economic Development), J Shingler (Principal Planning Officer), C Neilan (Landscape Officer & Arboriculturist), J Leither (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

#### **44. 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.

#### **45. 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.

#### **46. MINUTES**

**Resolved:**

(1) That the minutes of the meeting held on 14 August 2013 be taken as read and signed by the Chairman as a correct record.

#### **47. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillors A Grigg and D Stallan declared a personal interest in the following item of the agenda by virtue of being members of the North Weald & District Rural Preservation Society. 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/1630/13 Upper Clacton Rugby Football Club, Upland Road, Thornwood.

**48. ANY OTHER BUSINESS**

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

**49. DEVELOPMENT CONTROL****Resolved:**

(1)) That the planning applications numbered 1 – 9 be determined as set out in the schedule attached to these minutes.

**50. BIRCH FIELD, EPPING LANE, STAPLEFORD TAWNEY - UNAUTHORISED USE AS TRAVELLERS' CARAVAN SITE IN CONTRAVENTION OF AN EXISTING ENFORCEMENT NOTICE AND AN EXISTING INJUNCTION**

The Principal Planning Officer presented a report regarding the unauthorised use of Birch Field in Epping Lane, Stapleford Tawney as a Travellers' caravan site, in contravention of an existing Enforcement Notice and an existing injunction.

The Principal Planning Officer stated that the lawful use of the land was for agriculture and, prior to the carrying out of works in 2002 to facilitate its unauthorised use as a travellers' caravan site, it was used for grazing animals. The unauthorised use of the land was intensified to eventually form 24 pitches and a bund between 2m and 3m high built on a 10m wide base adjacent to the M25 along most of its northern boundary. The history of the site was outlined, which in the first instance culminated in the Secretary of State dismissing an appeal against the refusal of planning application EPF/1313/05, on the grounds that the proposal was harmful to the Green Belt in December 2006.

The Principal Planning Officer reported that on 24 August of this year, Travellers moved back onto the site and Officers found 16 adults and 19 children occupying 10 caravans. The adults occupying the site was identified as those named in the Injunction granted in February 2006. On 5 September, the Travellers' legal representative submitted a schedule of occupiers to the Council identifying 73 people in 12 family groups. This appeared to be more than an inspection by Enforcement Officers the previous day and appeared to be an indication of both current and anticipated occupants.

The Principal Planning Officer outlined the current Planning Policy position, and emphasised that the Council had granted permission for 47 permanent pitches between January 2008 and June 2013. Although the Planning Policy context had changed, the use of the site as a gypsy caravan site remained inappropriate development in the Green Belt. There had been no material change in the condition of the site and it had been concluded that very special circumstances to permit the present use had not been demonstrated. The occupiers had confirmed to Officers that they were aware of their breach of the Injunction, which was considered flagrant and wilful and amounted to a contempt of the High Court. Officers considered that the most effective course of action in this case would be to secure compliance with the Enforcement Notice by commencing committal proceedings in the High Court, and the Sub-Committee was requested to confirm and authorise this intended action.

The Local Ward Member for Passingford informed the Sub-Committee that local residents were disappointed legal proceedings did not begin when the site was re-occupied as the Travellers were in contempt of court, and that enforcement action should begin as soon as possible. The Principal Planning Officer responded that it was felt appropriate to submit a report to the Sub-Committee to demonstrate that all aspects of the case had been considered, especially in the light of recent changes to planning policy. If approved by the Sub-Committee, legal proceedings in respect of the site would begin as soon as was practically possible. The Sub-Committee requested that progress on the site be reported in the Council Bulletin.

**Decision:**

- (1) That the Director of Corporate Support Services be authorised to commence criminal and/or civil proceedings to secure compliance with the Enforcement Notice as varied by the Secretary of State in his decision letter dated 13 May 2004; and
- (2) That the Director of Corporate Support Services be authorised to commence committal proceedings in the High Court to secure compliance with the terms of an Injunction Order granted by the Court on 16 February 2006 requiring compliance with the Enforcement Notice.

**51. DELEGATED DECISIONS**

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

**CHAIRMAN**

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## Report Item No: 1

<b>APPLICATION No:</b>	EPF/1567/13
<b>SITE ADDRESS:</b>	Burwyns The Street Sheering Harlow Essex CM22 7LY
<b>PARISH:</b>	Sheering
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/48/08 G2 - Sycamore - Fell
<b>DECISION:</b>	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=552054](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552054)

### REASON FOR REFUSAL

- 1 Although it is recognised that G2 sycamore is growing closely with other trees this is not sufficient to justify the loss of its visual and other amenity. The loss of the tree's existing and potential visual amenity is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1634/13
<b>SITE ADDRESS:</b>	52 Tempest Mead North Weald Bassett Epping Essex CM16 6DY

**This Application was withdrawn from the Agenda**

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0868/13
<b>SITE ADDRESS:</b>	Marlow High Road Thornwood Epping Essex CM16 6LU
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for the change of use of land for storage, sorting, distribution, recycling (crushing and screening) of concrete, hardcore, tarmac and screen waste together with stationing of related plant and machinery.
<b>DECISION:</b>	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=548777](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548777)

Members requested that enforcement action be taken to rectify the breach as soon as possible.

**REASON FOR REFUSAL**

- 1 The proposed development would have a greater impact on the openness of the Green Belt than the authorised use of the site and therefore constitute inappropriate development within the Green Belt. No very special circumstances exist that clearly outweigh the harm from the development and therefore the proposed change of use is contrary to the guidance contained within the National Planning Policy Framework and policies GB2A and CP2 of the adopted Local Plan and Alterations.
- 2 The proposed development, due to the intensification of the use of the site, would increase the existing nuisance suffered by neighbouring residents that results in a loss of amenity, contrary to policies DBE9 and RP5A of the adopted Local Plan and Alterations.
- 3 The proposed development, due to the nature of the use proposed, increases the visual harm that results from the site, detrimental to the appearance and character of the area and contrary to the guidance contained within the National Planning Policy Framework and policies CP2 and GB7A of the adopted Local Plan and Alterations.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0877/13
<b>SITE ADDRESS:</b>	Marlow High Road Thornwood North Weald Bassett Epping Essex CM16 6LU
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for the change of use of existing manege for the parking/storage of vehicles and plant machinery in connection with established recycling business.
<b>DECISION:</b>	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=548833](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548833)

Members requested that enforcement action be taken to rectify the breach as soon as possible.

**REASON FOR REFUSAL**

- 1 The proposed development would have a greater impact on the openness of the Green Belt than the authorised use of the site and therefore constitute inappropriate development within the Green Belt. No very special circumstances exist that clearly outweigh the harm from the development and therefore the proposed change of use is contrary to the guidance contained within the National Planning Policy Framework and policies GB2A and CP2 of the adopted Local Plan and Alterations.
- 2 The proposed development, due to the intensification of the use of the site, would increase the existing nuisance suffered by neighbouring residents that results in a loss of amenity, contrary to policies DBE9 and RP5A of the adopted Local Plan and Alterations.
- 3 The proposed development, due to the nature of the use proposed, increases the visual harm that results from the site, detrimental to the appearance and character of the area and contrary to the guidance contained within the National Planning Policy and policies CP2 and GB7A of the adopted Local Plan and Alterations.



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1226/13
<b>SITE ADDRESS:</b>	Great Gregories Farm Gregories Lane Theydon Bois Epping Essex CM16 4EJ
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Provision of out-wintering cattle facility including shelter.
<b>DECISION:</b>	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=550555](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550555)

Members carried out a site visit to view the site on Saturday 14<sup>th</sup> September.

The Officer reported that the Parish Council have withdrawn their objection following the amendment removing the slurry lagoon.

**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: 200-01 Rev A, 200-02, 200-04 Rev A, 200-05 Rev A, 200-10 Rev A, 200-15 and 200-20 Rev A
- 3 Materials to be used for the external finishes of the proposed development, shall match those as outlined on the planning application forms and submitted plans, unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 5 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be

carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

- 6 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 7 Prior to the occupation by livestock of the development hereby approved, a management plan shall be submitted to and agreed in writing by the Local Planning Authority. The management plan shall include details relating to the protection of water, soil and air, including odour control and management techniques and means of assessment and review. The out-wintering facility shall thereafter be operated in accordance with the approved plan.
- 8 Prior to commencement of development a reptile mitigate strategy shall be submitted to and agreed in writing by the Local Planning Authority and any mitigation carried out in accordance with such agreed details.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1270/13
<b>SITE ADDRESS:</b>	Auction House Market Place Lambourne Romford Essex RM4 1UA
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>DESCRIPTION OF PROPOSAL:</b>	Infilling of remaining 'covered space' below existing first floor offices to create additional office floor area, overall car parking spaces maintained within forecourt area/space.
<b>DECISION:</b>	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=550655](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550655)

**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 Prior to commencement of development a parking scheme, including adequate space for vehicles to turn within the site, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first use of the office space hereby approved and shall be retained thereafter free of obstruction for the parking of staff and visitors vehicles.
- 4 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: AH/MP/20

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1290/13
<b>SITE ADDRESS:</b>	46 London Road Lambourne Romford Essex RM4 1UX
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a single storey side/rear extension, part single, part two-storey rear extension, pitched roof over existing flat roofed two-storey extension, formation of loft conversion in resulting enlarged roofspace and partial demolition to the front of existing outbuilding and extension to the rear.
<b>DECISION:</b>	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=550756](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550756)

**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: 46/LR/01, 46/LR/02B, 46/LR/03 (Revision B) and 46/LR/04.
- 3 The development hereby approved shall not be commenced until the southern 1.5m of the outbuilding on the site boundary with 44 London Road has been demolished as indicated on drawing nos 46/LR/02B and 46/LR/03 (revision B). No building or roof shall subsequently be erected on the land between the outbuilding and the rear elevation of the single-storey side/rear extension hereby approved.
- 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.
- 5 Prior to first occupation of the development hereby approved, the proposed window openings in the flank roofslopes shall be entirely fitted with obscured glass to a height of 1.7 metres above the floor of the room in which the windows are installed and shall be permanently retained in that condition.
- 6 Access to the flat roofs of the extensions hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a seating area, roof garden, terrace, patio or similar amenity area. No furniture, including tables and chairs, shall be placed on the flat roofs.

- 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 outbuilding generally permitted by virtue of Class E of Part 1, Schedule 2 to the Order shall be undertaken within 10m of the rear elevations of the enlarged house without the prior written permission of the Local Planning Authority.
- 8 Prior to commencement of development, details of the proposed alterations to the outbuilding, including provision of flat roofed addition to the rear, shall be submitted to and agreed in writing by the Local Planning Authority and the works shall be completed in accordance with the approved plans.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1417/13
<b>SITE ADDRESS:</b>	17a Hemnall Street Epping Essex CM16 4LS
<b>PARISH:</b>	Epping
<b>WARD:</b>	
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use, extension and conversion of commercial premises to four flats including ancillary works.
<b>DECISION:</b>	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=551410](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551410)

**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: 2873/1, 2873/2, the Location Plan, the Survey Drawing (Ground Floor Plan) and the Survey Drawing (First Floor Plan and Elevations).
- 3 Materials to be used for the external finishes of the proposed development shall match those specified on the planning application form, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor flank elevation of the rear section of building 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 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 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of

contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/1630/13
<b>SITE ADDRESS:</b>	Upper Clapton Rugby Football Club Upland Road Thornwood Epping Essex CM16 6NL
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Reserved matters application for 8 semi - detached houses.
<b>DECISION:</b>	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=552413](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552413)

The case officer reported an objection had been received from North Weald Rural Preservation Society.

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 22/1, 22/2, 22/3, 22/4, 22/5, 22/6, 22/7, 22/8, 22/9, 22/10, 22/11, 22/12, 22/13, 22/14, 22/15, Tree Constraints Plan 343.12.1A Tree Removal and Protection Plan 343.12.2A and Landscape Proposals 343.12.3 and in accordance with the details set out in the submitted Flood Risk assessment from Ellis & Moore dated 3.07.13 and the soft landscaping specification and maintenance plan by Elizabeth Greenwood Dated June 2013 and the Tree Survey, Arboricultural Impact Assessment and Method Statement by Elizabeth Greenwood as amended 2013