

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 23 October 2013

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

Members Present: Ms Y Knight (Chairman), A Mitchell MBE (Vice-Chairman), R Bassett, R Butler, Mrs R Gadsby, Ms H Kane, Mrs J Lea, Mrs M Sartin, Ms G Shiell, Mrs P Smith, Mrs E Webster and J Wyatt

Other Councillors:

Apologies: Ms S Stavrou and A Watts

Officers Present: J Shingler (Principal Planning Officer), M Jenkins (Democratic Services Assistant) and J Leither (Democratic Services Assistant)

38. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

39. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 25 September 2013 be taken as read and signed by the Chairman as a correct record.

40. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs E Webster and J Wyatt declared a non pecuniary interest in the following item of the agenda by virtue of being the local ward members. The Councillors had determined that they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1784/13 Knollys Nursery, Pick Hill, Waltham Abbey EN9 3LF

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Y Knight declared a non pecuniary interest in the following item of the agenda by virtue of living locally and being the local ward member. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0303/13 Former Total Service Station, Nazeing Road, Nazeing EN9

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Y Knight declared a non pecuniary interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1717/13 Brook House, Middle Street, Nazeing EN9 2LQ

41. ANY OTHER BUSINESS

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

42. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

43. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

Report Item No: 1

Revised report from the Supplementary agenda

APPLICATION No:	EPF/1784/13
SITE ADDRESS:	Knollys Nursery Pick Hill Waltham Abbey Essex EN9 3LF
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
DESCRIPTION OF PROPOSAL:	Outline application (with appearance, landscaping layout and scale reserved) for redevelopment of site to provide up to 105 residential units, 80% affordable, associated parking access road, amenity areas and community facility with shop. Access to be determined.
DECISION:	Refused Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=553090

REASON FOR REFUSAL

- 1 The proposal represents inappropriate development in the Metropolitan Green Belt which by definition is harmful to the objectives of including land in the Green Belt and is therefore at odds with Government advice contained in the NPPF and policy GB2A of the adopted Local Plan and Alterations. This includes the development of housing and community facility within the boundaries of the Green Belt for which no very special circumstances sufficient to outweigh the very significant harm to the openness of the area and any other harm have been demonstrated.
- 2 The site is considered to be unsustainable in respect of proximity to shops, services and facilities in Waltham Abbey such that the town would continue to sprawl eastwards with residential properties further detached from these services and future occupants and users of the community facility are likely to resort to the use of private motor cars. Therefore the proposal is contrary to policies CP1, CP3, ST1, ST2 and ST3 of the adopted Local Plan and Alterations and national guidance in the NPPF.
- 3 The setting for the proposal is in an identified area of high overall landscape sensitivity to change; while the proposal makes space for internal landscaping a development of the scale proposed could not be integrated successfully into the landscape context and as such would have a detrimental impact on its landscape character. As a result of the nature of the location, including its openness to views, the removal of existing vegetation and the ineffectiveness of screen planting, the development would also have an adverse visual impact on the appearance of this area of sensitive landscape and on the Waltham Abbey settlement edge. As a result the proposal is incompatible with Local Plan and Alterations policies LL1 and LL2.

Report Item No: 2

APPLICATION No:	EPF/1782/13
SITE ADDRESS:	Nazeing Heating Ltd 91 North Street Nazeing Waltham Abbey EN9 2NJ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	TPO/EPF/36/02 T1 - Oak - Fell
DECISION:	Refused 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=553071

REASON FOR REFUSAL

- 1 The application provides neither justification nor need for the proposed felling. The loss of the tree's existing and potential amenity is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

Report Item No: 3

APPLICATION No:	EPF/1904/13
SITE ADDRESS:	25 Windsor Wood Monkswood Avenue Waltham Abbey Essex EN9 1LY
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	TPO/EPF/10/90 - G4 - Sycamore - Fell TPO/EPF/10/90 - G5 - Sycamore - Fell
DECISION:	Refused Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=553772

REASON FOR REFUSAL

- 1 Although it is recognised that both trees cause inconvenience and shading these issues are not sufficient to justify the loss of their visual and other amenity. The loss of the trees' existing and potential visual amenity is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

Report Item No: 4

APPLICATION No:	EPF/0303/13
SITE ADDRESS:	Former Total Service Station Nazeing Road Nazeing Essex EN9
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Nazeing Parish Council
DESCRIPTION OF PROPOSAL:	Demolition of the existing service station and construction of 6 x 2-bed houses, with associated amenity space, off-street parking, landscaping and new vehicular access
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545814

The officer introduced this item and explained that after the agenda was produced a revised layout plan had been submitted which widened the access to the site, reduced the number of parking spaces within the site to 6 but increased their size to meet adopted standards and removed the bin store from the prominent position at the front of the site. In addition a Water Vole survey had been submitted, which indicated that there was no evidence of water voles in the brook behind the site.

The officer explained that this amended layout had been considered by the Highways Officer from Essex County Council and it was accepted that the first reason for refusal, relating to the width of the access had been overcome and that the bay size criticism in the second reason for refusal had been addressed, but that the highway objection relating to inadequate parking provision within the site and inadequate turning space remains.

The case officer explained that the revised layout had resulted in the garden sizes of the properties being reduced even further and that the fact that no water voles had been found was good to know, but that the Environment Agency objection based on the lack of adequate buffer zone to enable ecological enhancements was still valid.

The officer recommendation therefore remains to refuse for reasons 2, 3 and 4 in the report although reference to parking bay sizes, cycle storage and refuse storage could be taken out of these.

Members considered the revised proposals and felt that due to the proximity of the site to shops, doctors surgery, school, parking facilities, a children's play area and open space, the site was a sustainable location in which it was appropriate to accept lower parking provision and amenity space. They considered that the proposal which was well designed, would provide small units which could meet the needs of young couples or the elderly and was in accordance with the NPPF.

The application was therefore Granted subject to the following conditions

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 have taken place until documentary and photographic 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 The access, parking and turning areas shall be provided in accordance with the approved plans prior to the first occupation of any of the dwellings hereby approved.
- 4 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 E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 6 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]

- 7 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 in writing 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]

- 8 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 in writing 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]

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification 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 in writing. The approved monitoring and maintenance programme shall be implemented.

- 10 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.
- 11 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 an 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.
- 12 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.
- 13 Prior to commencement of development details of a scheme to enhance the biodiversity of the site shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with an agreed timetable.
- 14 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.

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The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 11230-P005-D

Report Item No: 5

APPLICATION No:	EPF/1620/13
SITE ADDRESS:	1 Powdermill Mews Waltham Abbey Essex EN9 1JG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Erection of two storey front extension and extension to front of garage.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552350

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. 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/1717/13
SITE ADDRESS:	Brook House Middle Street Nazeing Waltham Abbey Essex EN9 2LQ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Erection of single storey garage/workshop/storage to replace one that was previously destroyed in a fire.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552831

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 take place until samples 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. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
3. The proposed development shall only be used for purposes incidental to the enjoyment of the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Brook House, Middle Street, Nazeing.
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.