

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 12 February 2014

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.25 pm

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

Other Councillors: -

Apologies: P Gode, R Morgan and C Whitbread

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

82. 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.

83. 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.

84. MINUTES

Resolved:

(1) That the minutes of the meeting held on 15 January 2014 be taken as read and signed by the Chairman as a correct record.

85. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors J H Whitehouse and J M Whitehouse declared a personal interest in the following items of the agenda by virtue of being members of the Epping Society. 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/2417/13 30 Bower Hill, Epping; and
- EPF/2544/13 30 Bower Hill, Epping.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following item of the agenda, by virtue of having been the Chairman of a Council Overview & Scrutiny Sub-Committee which examined the construction of golf courses within the District. 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/2570/13 Blakes Golf Club & Restaurant, Epping Road, North Weald Bassett.

(c) Pursuant to the Council's Code of Member Conduct, Councillor J H Whitehouse declared a personal interest in the following item of the agenda, by virtue of being a member of Theydon Bois & District Rural Preservation Society. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2659/13 Oak Hill Farm, Coppice Row, Theydon Bois.

86. ANY OTHER BUSINESS

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

87. DEVELOPMENT CONTROL

Resolved:

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

88. 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/1683/13
SITE ADDRESS:	The Acres Bournebridge Lane Stapleford Abbots Romford Essex RM4 1LU
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Retention (with modifications) of agricultural building and erection of agricultural building. *** Revisions to building ***
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=552731

REASONS FOR REFUSAL

1. The information provided fails to adequately demonstrate that the proposed buildings are necessary for the purposes of agriculture within the unit and they are therefore considered to be inappropriate development harmful to the openness of the Green Belt, contrary to Policies GB2a and GB11 of the adopted Local Plan and Alterations.
2. Insufficient information has been submitted to show that the proposed intensification of use of the site, as a result of the development, will not result in harm to residential amenities of neighbours from increased noise and disturbance from traffic and from odours from effluent storage and or disposal and it is not considered that these factors could necessarily be controlled by condition. The development is therefore contrary to Policies GB11 and RP5 of the adopted Local Plan and Alterations.

POSSIBLE WAY FORWARD

Members considered whether there was a way forward on this application, but determined that in the light of the current extant enforcement notice requiring removal of the building that had been erected and the previous appeal decision, no further time should be allowed and the unauthorised building should be removed.

Report Item No: 2

APPLICATION No:	EPF/1967/13
SITE ADDRESS:	Fenners Farm Workers Road Threshers Bush Harlow Essex CM5 0EB
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Demolition of side and rear extensions, addition of two storey extension and internal alterations. Outbuilding removed and driveway created.
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=554233

The Officer advised that condition 2 needs to be reworded to refer to 'Farm Office' and 'Farm Boots'

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 area on the ground floor annotated as 'Farm Office', and 'Farm Boots', shall only be used for purposes associated with agriculture, and shall not be used for residential purposes.
3. 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 Class A, B, and E, of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 3

APPLICATION No:	EPF/2322/13
SITE ADDRESS:	44 Hoe Lane Abridge Essex RM4 1AU
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and erection of replacement dwelling (Revised application to EPF/0803/13)
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=556331

Members had carried out a formal site visit to the site on Saturday and considered that the visit had been helpful. They were concerned that the proposed dwelling is set forward of the front of number 46 and although the front part of the side elevation was single storey it has a substantial two storey element just 1 metre from the flank boundary with number 46 with an eaves height significantly higher. As such Members felt that the development would be overbearing and oppressive and cause significant harm to the residential amenity of the occupants of number 46. There were in addition concerns regarding the overall bulk and massing of the building.

REASON FOR REFUSAL

1. The height and bulk of the proposed building together with its proximity to the boundary with number 46 and its position significantly forward of the front elevation of number 46 would result in an oppressive and overbearing relationship with that property that would have a significantly adverse impact on the residential amenity of the occupants of that property contrary to policy DBE 9 of the Adopted Local Plan and Alterations.

POSSIBLE WAY FORWARD

Members discussed whether there was a way forward and suggested that a revised scheme which was designed similar to number 42, where the single storey element at the side extends for the full depth of the building as well as being set away from the boundary, would be more appropriate. In addition it was suggested that a reduction in the overall bulk, and height of the building and a more sympathetic design would also help.

Report Item No: 4

APPLICATION No:	EPF/2544/13
SITE ADDRESS:	30 Bower Hill Epping Essex CM16 7AD
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Change of use of shop and offices (Use Class A1 and B1) to a single five bedroom family house (Use Class C3)
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=557437

CONDITIONS

1. 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 in writing 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]

2. 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]

3. 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]

4. 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. The approved monitoring and maintenance programme shall be implemented.
5. 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.
6. No development shall take place until details of a satisfactory ground gas investigation and risk assessment has been carried out and submitted to the Local Planning Authority for approval in order to determine what if any ground gas remediation measures may be required or shall specify appropriate ground gas mitigation measures to be installed in the building(s) in lieu of any ground gas investigation.

The investigations, risk assessment and remediation methods, including remedial mitigation measures to be installed in lieu of investigation, shall be carried out or assessed in accordance with the guidance contained in BS 9485:2007 "Code of practice for the Characterisation and Remediation from Ground Gas in Affected Developments." Should the ground gas mitigation measures be installed, it is the responsibility of the developer to ensure that any mitigation measures are suitably maintained or to pass on this responsibility should ownership or responsibility for the

buildings be transferred.

7. Within three months of the date of this decision 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.
8. Within three months of the date of this decision notice details of new boundary treatment shall be submitted to the Local Planning Authority for approval. The agreed boundary treatment shall be implemented on site within three months of the date of such an agreement.

Report Item No: 5

APPLICATION No:	EPF/2417/13
SITE ADDRESS:	30 Bower Hill Epping Essex CM16 7AD
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	2x non illuminated boundary signs and 2x non illuminated fascia signs.
DECISION:	Split Decision: Locations 1 and 2 – Grant Permission Locations 3 and 4 – 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=556797

CONDITIONS – Locations 1 and 2

1. Standard Advertisement conditions only.

REASONS FOR REFUSAL – Locations 3 and 4

1. The proposed free standing signage by reason of its positioning, size and height above the fencing would appear incongruous and overly prominent having a detrimental impact on the character of the streetscene contrary to policies DBE13 and CP2 of the adopted Local Plan and Alterations.
2. The proposed fascia sign, due to its siting on a residential property, is incongruous and out of keeping with the street scene and harmful to the character and amenity of the area, contrary to policies DBE13 and CP2 of the Adopted Local Plan and Alterations.

Report Item No: 6

APPLICATION No:	EPF/2565/13
SITE ADDRESS:	54 Centre Drive Epping Essex CM16 4JF
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Demolition of commercial/industrial premises and construction of 14 no. two bedroom apartments and associated works.
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=557530

REASONS FOR REFUSAL

1. The proposed building due to its height and position just 1.8m from the flank boundary with Number 56 combined with its excessive depth beyond the rear elevation of number 56 would have an adverse visual impact on the outlook from the rear of number 56 and be overbearing and oppressive such that there would be an excessive loss of amenity to the occupants of that property contrary to Policy DBE9 of the Adopted Local Plan and Alterations.
2. The flat roofed design of the proposed development and its detailing fails to respect the character of the area, is out of keeping with the streetscene and as a result is harmful to the character and amenity of the area contrary to policies CP2, CP7 and DBE1 of the Adopted Local Plan and Alterations.

POSSIBLE WAY FORWARD

Members considered whether there was a way forward and it was clear that the principle of the redevelopment was welcomed. They suggested that a more traditional pitched roofed design would be more in keeping and that repositioning away from the boundary with Number 56 by moving the access road to that side of the building would significantly improve the scheme and reduce the adverse impact on residential amenity.

Report Item No: 7

APPLICATION No:	EPF/2570/13
SITE ADDRESS:	Blakes Golf Club and Restaurant Epping Road North Weald Bassett Epping Essex CM16 6RZ
PARISH:	North Weald Bassett Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Importation of clay in order to line existing irrigation ponds.
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=557572

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 Location Plan and Cross Section drawing.
3. Not more than 80 lorry loads of material shall be brought into the site and there shall be no more than a total of 160 lorry movements in total (80 in and 80 out).
4. Prior to the commencement of development a timetable of works shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be restricted to no more than 11 days in total, and shall be carried out in accordance with the agreed timetable.
5. The material brought in shall be blue engineering clay only and the amount brought in shall not exceed 858 cubic metres in volume, all of which shall be used for the stated purpose of lining the 3 specified lakes.
6. Prior to commencement of development details of the routing of lorries to and from the site shall be submitted to and agreed in writing by the Local Planning Authority. This routing shall ensure that all access is from the A414 only, and not through North Weald. All lorries exiting the site shall be required to turn left onto the A414. The agreed lorry routing shall be strictly adhered to.

Report Item No: 8

APPLICATION No:	EPF/2659/13
SITE ADDRESS:	Oak Hill Farm Coppice Row Theydon Bois Epping Essex CM16 7DR
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Proposed replacement perimeter fence
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=557954

REASON FOR REFUSAL

1. The proposed fence due to its height, industrial design and positioning, including adjacent to a public footpath, fails to respect or enhance the character and appearance of the landscape and would have an excessive adverse impact upon the openness, rural character and visual amenities of the Green Belt contrary to policies LL2 and GB7A of the Adopted Local Plan and Alterations

POSSIBLE WAY FORWARD

Members considered whether there was a way forward and suggested that a lower fence of a less industrial design (perhaps a narrower gauge chain link style fencing) would be more appropriate, but that such fencing should be restricted to the boundary of the approved residential curtilage of the site, which would be sufficient to ensure security of the house and garden and would not introduce an inappropriate feature into the agricultural land.

Report Item No: 9

APPLICATION No:	EPF/2660/13
SITE ADDRESS:	119 Theydon Park Road Theydon Bois Epping Essex CM5 9AR
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Removal of section 52 Agreement relating to EPF/1127/82 (Continued use of dwelling for residential purposes).
DECISION:	Refused

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=557970

Members refused to agree the removal of the Section 52 agreement, as they considered that the agreement was serving its intended purpose of preventing the permanent residential occupation of what had been a recreational chalet. No very special circumstances had been put forward that would warrant the removal of the agreement.

POSSIBLE WAY FORWARD

Members considered that the best way forward would be for an applicant to apply for recreational occupation of the building, which would be in accordance with the intention of the original development and in line with adopted policies. They did not consider that permanent residential occupation by persons other than those set out in the original agreement would be appropriate.

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