

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee B/C **Date:** 21 February 2007

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

Members Present: M Colling, Mrs D Collins, R Frankel, A Green, Mrs A Grigg, Mrs H Harding, D Kelly, Mrs M McEwen, S Metcalfe, Mrs S Perry, Mrs P K Rush, D Stallan, C Whitbread, Mrs J H Whitehouse, J M Whitehouse and K Wright

Other Councillors:

Apologies: P Gode, D Jacobs and R Morgan

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

1. 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.

2. 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.

3. MINUTES

The Sub-Committee noted that as this was the inaugural meeting of the Sub-Committee, there were no minutes to confirm.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs S Perry and J M Whitehouse declared a personal interest in the following items of the agenda, by virtue of being a member of Epping Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2185/06 – Purlieu House, 11 Station Road, Epping;

- EPF/2332/06 – 10 Lynceley Grange, Epping;
- EPF/2346/06 – 2 Creeds Farm Yard, Bury Lane, Epping;
- EPF/2417/06 – 6 The Elms, Fiddlers Hamlet, Epping; and
- EPF/2015/06 – 265 High Street, Epping.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in the following items of the agenda, by virtue of being a member of Epping Town Council. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2185/06 – Purlieu House, 11 Station Road, Epping;
- EPF/2346/06 – 2 Creeds Farm Yard, Bury Lane, Epping; and
- EPF/2417/06 – 6 The Elms, Fiddlers Hamlet, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in the following items of the agenda. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/2332/06 – 10 Lynceley Grange, Epping; and
- EPF/2109/06 – 265 High Street, Epping.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Perry declared a personal interest in the following item of the agenda, by virtue of being a member of the Epping 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/2332/06 – 10 Lynceley Grange, Epping.

(e) Pursuant to the Council's Code of Member Conduct, Councillor D Kelly declared a personal interest in the following items of the agenda, by virtue of the applicant being known to the Councillor. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2230/05 - Land at rear of Fyfield Hall, Willingale Road, Fyfield; and
- EPF/2231/05 – Land at rear of Fyfield Hall, Willingale Road, Fyfield.

5. ANY OTHER BUSINESS

The Principal Planning Officer presented a report regarding a possible discharge of a Section 52 Agreement at Millers Farm in Manor Road, Loughton. The owner of the holding had requested that the Council discharge the Section 52 requirement for the dwelling on the site to only be occupied by someone working in agriculture. The Section 52 agreement had been implemented in 1990 to ensure that the dwelling built on the holding, which was within the Green Belt, would only be occupied by a person in connection with the sheep farming that was occurring on the holding at the

time. However, farming activity at the holding had ceased in 1995. In March 2006, an application was made for a Certificate of Lawfulness, which would state that occupation of the dwelling by someone not employed in agriculture was a lawful planning use. The certificate was granted on 2 May 2006. Following this, the Council had been requested to discharge the Section 52 Agreement, as the holding was no longer viable for farming and the agreement no longer served a purpose following the granting of a Certificate of Lawfulness. It was confirmed that the Parish Council had not been consulted in respect of this request.

RESOLVED:

That the Section 52 Agreement, relating to the occupation of the dwelling by an agricultural worker only, at Millers Farm in Manor Road, Lambourne be discharged.

6. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 12 be determined as set out in the schedule attached to these minutes.

7. 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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Minute Item 6

Report Item No: 1

APPLICATION No:	EPF/2185/06
SITE ADDRESS:	Purlieu House 11 Station Road Epping Essex CM16 4HA
PARISH:	Epping
DESCRIPTION OF PROPOSAL:	Change of use from shop to office/reception use. (A1 to B1)
DECISION:	DEFERRED

The Committee deferred this application to enable Officers to seek clarification of the current/existing lawful use of the application site.

Report Item No: 2

APPLICATION No:	EPF/2332/06
SITE ADDRESS:	10 Lynceley Grange Epping Essex CM16 6RA
PARISH:	Epping
DESCRIPTION OF PROPOSAL:	Single storey side extension.
DECISION:	GRANT

The Committee's attention was drawn to letters of representation from Epping Town Council, The Epping Society and 9 neighbouring properties.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The existing hedge along the western boundary shall be permanently retained and maintained at a minimum height of 2.5m.
- 4 The development shall be carried out in accordance with the amended plans received on 31/01/2007 unless otherwise agreed in writing with the Local Planning Authority.

- 5 Prior to first occupation of the building hereby approved the proposed window openings in the east elevation to the en-suite and dressing room shall be fitted with obscured glass, and shall be permanently retained in that condition.

Report Item No: 3

APPLICATION No:	EPF/2346/06
SITE ADDRESS:	2 Creeds Farm Yard Bury Lane Epping Essex CM16 5HE
PARISH:	Epping
DESCRIPTION OF PROPOSAL:	Curtilage listed building application for conservation rooflight to bathroom. (Revised application)
DECISION:	GRANT

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 The rooflight shall be installed such that it is no higher than the surrounding roof tiles.

Report Item No: 4

APPLICATION No:	EPF/2417/06
SITE ADDRESS:	6 The Elms Fiddlers Hamlet Epping Essex CM16 7PY
PARISH:	Epping
DESCRIPTION OF PROPOSAL:	Two storey side extension. (Revised application)
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The windows of the extension hereby approved shall be side hung timber casement windows.

Report Item No: 5

APPLICATION No:	EPF/2109/06
SITE ADDRESS:	265 High Street Epping Essex CM16 4BS
PARISH:	Epping
DESCRIPTION OF PROPOSAL:	Change of use from B1 office to A3 restaurant/cafe.
DECISION:	REFUSE

The Committee's attention was drawn to letters of representation from The Epping Society and 263 High Street.

REASONS FOR REFUSAL

- 1 The proposed change of use from B1 to A3 would result in the loss of an existing office use and the loss of such sites would have a negative impact on the mix of uses within the town centre and increasing pressure for employment in less sustainable locations. The proposal is therefore contrary to the aims of Policies TCR3, CS1 and BIW4 of the Essex and Southend on Sea Replacement Structure Plan and Policy TC3 of the Adopted Local Plan and Alterations.
- 2 The proposed change of use would give rise to excessive disturbance and associated activity that would give rise to situations detrimental to neighbouring residential amenity. The proposal is therefore contrary to Policy DBE9 of the Adopted Local Plan and Alterations.

Report Item No: 6

APPLICATION No:	EPF/2230/05
SITE ADDRESS:	Land at rear of Fyfield Hall Willingale Road Fyfield Ongar Essex CM5 0SA
PARISH:	Fyfield

DESCRIPTION OF PROPOSAL:	Proposed conversion of buildings to 5 no. new dwellings and erection of 6 no. new dwellings following demolition of existing commercial buildings.
DECISION:	REFER TO DISTRICT DEVELOPMENT CONTROL COMMITTEE WITH RECOMMENDATION TO GRANT

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, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These 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 vehicle artefacts and structures, including signs and lighting and functional services above and below ground. 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.

- 3 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the Local Planning Authority.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 4 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.

- 5 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.
- 6 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- 7 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 8 Prior to the commencement of the development details of the proposed surface materials for the access shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 9 Prior to the first occupation of any of the dwellings hereby approved, all the buildings shown to be demolished shall be demolished and all resulting materials shall be removed from the site.
- 10 The barn conversion shall be undertaken prior to the completion of the new dwellings hereby approved, unless the Local Planning Authority has given its written approval for any variation in the phasing of construction for this development.
- 11 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 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.

FURTHER, it is recommended that the permission be subject to the prior completion of a satisfactory s106 legal agreement securing the long term maintenance of and public access to the riverside walk and meadow.

The Committee requested that Offices explore the possibility of including the provision of affordable housing contribution in the s106, and to seek clarification of whether the management of the meadow and footpath, and who will manage it, can be included in the agreement.

Report Item No: 7

APPLICATION No:	EPF/2231/05
SITE ADDRESS:	Land at rear of Fyfield Hall Willingale Road Fyfield Ongar Essex CM5 0SA
PARISH:	Fyfield
DESCRIPTION OF PROPOSAL:	Listed building application for removal of 20th Century agricultural buildings and conversion of buildings for residential use within curtilage of Grade I listed building.
DECISION:	REFER TO DISTRICT DEVELOPMENT CONTROL COMMITTEE WITH RECOMMENDATION TO GRANT

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.

Report Item No: 8

APPLICATION No:	EPF/2217/06
SITE ADDRESS:	River Cottage 13 Ongar Road

	Lambourne Essex RM4 1UB
PARISH:	Lambourne
DESCRIPTION OF PROPOSAL:	TPO/EPF/12/96 - Sycamore: Fell.
DECISION:	GRANT

CONDITIONS

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree 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.

Report Item No: 9

APPLICATION No:	EPF/0109/07
SITE ADDRESS:	Land to the rear of 12 New Farm Drive Lambourne Romford Essex RM4 1BT
PARISH:	Lambourne
DESCRIPTION OF PROPOSAL:	Retention of shed for agricultural purposes.
DECISION:	DEFERRED

The Committee deferred this application to await comments from the Parish Council and for them to be considered and reported, with the application, to the next Committee.

Report Item No: 10

APPLICATION No:	EPF/2452/06
SITE ADDRESS:	12 Great Stony Park High Street Ongar Essex CM5 0TH

PARISH:	Ongar
DESCRIPTION OF PROPOSAL:	Retention of 0.6m trellis on top of existing 1.8m fence.
DECISION:	GRANT

CONDITIONS

- 1 Materials to be used for the external finishes of the proposed trellis, shall match in colour those of the existing fence.

Report Item No: 11

APPLICATION No:	EPF/2363/06
SITE ADDRESS:	33 Morgan Crescent Theydon Bois Epping Essex CM16 7DU
PARISH:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Loft conversion with side dormer windows and single storey side extension.
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Report Item No: 12

APPLICATION No:	EPF/2388/06
SITE ADDRESS:	Rear Yard of 12 Forest Drive Theydon Bois Essex CM16
PARISH:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Retention of stand alone refrigeration unit and covering roof, on permanent basis.

DECISION:	GRANT

CONDITIONS

- 1 This consent shall inure for a limited period expiring 6 months from the date of this Notice, at which time the development permitted by this Notice shall be discontinued and the structure shall be demolished and the materials removed from the site.
- 2 The rating level of noise (as defined by BS4142:1997) emitted from the refrigeration unit shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.

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