

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 8 November 2017
East

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.58 pm
High Street, Epping

Members Present: P Keska (Vice-Chairman), N Avey, N Bedford, A Boyce, H Brady, W Breare-Hall, A Grigg, M McEwen, R Morgan, J Philip, P Stalker, D Stallan, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: S Jones, B Rolfe and B Surtees

Officers Present: J Shingler (Principal Planning Officer), S Kits (Social Media and Customer Services Officer) and R Perrin (Democratic Services Officer)

35. 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.

36. 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.

37. MINUTES

RESOLVED:

That the minutes of the meeting held on 11 October 2017 be taken as read and signed by the Chairman as a correct record.

38. DECLARATIONS OF INTEREST

a) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1762/17 - Land to the rear of Mountford and Bishops Bron, Oak Hill Road, Stapleford Abbots.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a pecuniary interest in the following item of the agenda by knowing the site through his business. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1926/17 - 15 Theydon Place, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillors J H Whitehouse and J M Whitehouse declared a non-pecuniary interest in the following item of the agenda. The Councillors had determined that they would leave the meeting for the consideration of the application and voting thereon:

- EPF/1990/17 – 2 Theydon Place, Epping.

(d) Pursuant to the Council's Code of Member Conduct, Councillor P Keska declared a non-pecuniary interest in the following item on the agenda by virtue of being a member of Ongar Town Council. He stated he had no connection with the application or knowledge of the applicant. The Councillor had determined he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2272/17 – 56 Longfields, Ongar.

39. ANY OTHER BUSINESS

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

40. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 7 be determined as set out in the schedule attached to these minutes.

41. PROBITY IN PLANNING - APPEAL DECISIONS, 1 APRIL 2017 TO 30 SEPTEMBER 2017

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions 1 April 2017 to 30 September 2017.

In compliance with the recommendation of the District Auditor, the report advised the Sub-Committee of the results of all successful allowed appeals and the consequences of the decisions. In addition, two local indicators were measured which included all planning application type appeals as a result of committee reversals of officer recommendations (GOV008) and the performance of officer recommendations and delegated decisions (GOV007).

Over the six-month period between 1 April 2017 and 30 September 2017, the Council received 56 decisions on appeals (48 of which were planning related appeals, the other 8 were enforcement related).

GOV07 and 08 measured planning application related appeal decisions and out of a combined total of 48, 15 were allowed (31.3%). Broken down further, GOV007

performance was 4 out of 32 allowed (12.5%) and GOV008 performance was 11 out of 16 (68.8%).

Out of the planning appeals that arose from decisions of the Plans East Sub-Committee to refuse contrary to the recommendation put to them by officers during the 6-month period, 2 appeals were allowed against decisions made and 2 were dismissed.

RESOLVED:

That the probity in Planning report covering the period April 2017 to September 2017 be noted.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0852/17
SITE ADDRESS:	Ashleam House Lyngs Farm Nupers Hatch Stapleford Abbots Essex RM4 1JR
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Change of use of approximately a hectare of land from agricultural use to a leisure use, including gymnasium and assault course, with associated parking area.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=593064

REASON FOR REFUSAL

- 1 The proposed development, including the proposed buildings constitutes inappropriate development in the Green Belt, having a significant and adverse effect on the openness and character of the Green Belt in this location and thereby contrary to policies GB2A and GB7A of the adopted Local Plan, and the NPPF
- 2 The proposal will give rise to excessive levels of noise general activity and disturbance within the site, and increased noise and disturbance from vehicular movements on a little used private road, such that the use would have a significant adverse effect on the amenities of adjoining resident, contrary to policy DBE9 of the adopted Local Plan, and the NPPF.

Way Forward

Members suggested that outdoor recreational use and small scale facilities required to support the outdoor recreational use may be acceptable.

Report Item No: 2

APPLICATION No:	EPF/1762/17
SITE ADDRESS:	Land to the rear of Mountford and Bishops Bron Oak Hill Road Stapleford Abbotts Essex RM4 1JL
PARISH:	Stapleford Abbotts
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Application for eight new build houses (six semi-detached, two detached), with associated parking and amenity.
DECISION:	Grant Permission (with Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=596534

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: FQB_100, 100A, 150A, 200RevC, 201, 202, 203 and 204,
- 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 by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed rooflight windows serving the second floor in the north facing rear elevation(s) 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 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.

- 6 A flood risk assessment and management and maintenance plan shall be submitted to and approved 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.
- 7 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.
- 8 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 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.
- 9 No development shall take place, including any ground works or demolition, until a construction management plan has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for the following all clear of the highway:
- Safe access into the site
 - The parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - Wheel and underbody washing facilities
- 10 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

- 11 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 12 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.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 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.
- 14 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.
- 15 Prior to first occupation, details and construction on site of boundary walls/fences, including provision for a solid wall along the flank boundary adjacent to the rear garden of no.4 Kensington Park, Stapleford Abbots, shall be submitted and agreed in writing by the local planning authority.
- 16 The removal of trees, scrub or hedgerows shall be undertaken outside of the bird breeding season (commonly between 1st March and 31st August). If this is not possible, habitat removal shall be supervised by an ecologist.
- 17 Prior to the occupation of the development hereby approved two bird boxes shall be installed/constructed on site in accordance with details submitted to and approved in writing by the Local Planning Authority.

- 18 Prior to the commencement of any development including site clearance a plan indicating the position and height of all existing boundary trees shall be submitted to the Local Planning Authority. The boundary trees shall be retained and maintained at a height of not less than 7.62 metres (25 feet). Any boundary tree which at any time, dies or is removed or fails to thrive, shall be replaced with a tree of a size and species to be agreed in writing with the Local Planning Authority and thereafter maintained.

Report Item No: 3

APPLICATION No:	EPF/1926/17
SITE ADDRESS:	15 Theydon Place Epping Essex CM16 4NH
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Single storey rear extension.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=597237

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 development shall match those of the proposed plans, unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 4

APPLICATION No:	EPF/1990/17
SITE ADDRESS:	2 Theydon Place Epping Essex CM16 4NH
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Loft conversion including raising the height of the dwelling and erection of new roof with two side dormer windows and first floor front and rear windows
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=597520

REASON FOR REFUSAL

- 1 The development, due to the size and position and design of the proposed side dormer windows, will appear incongruous and out of keeping with the established street scene, to the detriment of the visual amenity and character of the local area, contrary to policies CP2 and DBE9 of the adopted Local Plan and Alterations.

Members considered the proposal and felt that the change to the roof line, combined with the introduction of dormer windows would be at odds with the established, distinctive and attractive street scene and draw attention to the change from a bungalow to a one and a half storey building to the detriment of the character and visual amenity of the area, and contrary to policies CP2 and DBE9 of the Adopted Local Plan.

Way Forward

It was suggested that a revised application omitting the side dormer windows would be more likely to be considered favourably.

Report Item No: 5

APPLICATION No:	EPF/2265/17
SITE ADDRESS:	2 Creeds Cottages High Road Epping Essex CM16 4DE
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Proposed new vehicular access, entrance gates and hardstanding
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598678

REASON FOR REFUSAL

- 1 The site has inadequate space for cars and particularly delivery vehicles to turn easily within the site, such that vehicles are likely to reverse out of the site onto the High Road. Such movements would be detrimental to the safety of all road users and harmful to the free flow of traffic, contrary policy ST4 of the adopted Local Plan and Alterations.
- 2 The introduction of an access and hardstanding and parked vehicles in this location, prevents establishment of any soft landscaping, making the access and parking visually intrusive and detrimental to the character and appearance of the street scene and this part of the Conservation Area, a strong feature of which is the extensive hedging and trees and long, undeveloped front gardens. In addition inadequate information has been provided to show that the development will not adversely impact on adjacent trees. The development is therefore contrary to policies CP2, CP7, LL3, and LL10 of the Adopted Local Plan and Alterations.

The case officer made it clear to members at the start of the presentation that the description of development needed to be amended to remove the reference to entrance gates which were no longer proposed.

Report

As the application is a householder application and in such cases Councils do not have any opportunity to explain and justify the reasons for refusal in the event that the decision is appealed, the following report has been produced by the planning officer. In relation to the reasons for refusal.

Members considered the officer's report which recommended on balance approval, but felt that there was insufficient space within the site for vehicles to manoeuvre properly and turn to enable them to exit the site in a forward gear. Given the location of the site, on the busy high road, where there are very heavy traffic flows, and the fact that this is a route well used by pedestrians including schoolchildren going to the nearby St Johns School, they felt that the introduction of an access here would be likely to cause harm to both highway safety and the flow of traffic.

Whilst a case has been put forward and accepted by the Highway Authority that there is nowhere to the rear of the site for vehicles to park, the case for the access which has been put forward by the applicant to justify the need for the access, is that it is required to make the delivery of medical equipment to the site easier. Members were not convinced that this was the case, as there is an access to the rear, which whilst not apparently available for parking, would not preclude access to delivery vehicles. In addition if the access is for delivery vehicles these may well be of significant size, such that there will be insufficient space to turn within the site, although it is accepted that if the full (albeit limited) width of the garden is hardsurfaced there may be sufficient space for a car to turn.

Large vehicles reversing out of the site on to the High Road would be harmful to highway safety and the free flow of traffic. In addition given the extensive hedging and trees adjacent to the site, pedestrian sight lines will be limited, meaning that even vehicles existing in a forward gear may pose a hazard to pedestrian safety.

The distance from the proposed hardstanding to the front door is some 40 metres, most of which is over rough garden, whereas, if a delivery vehicle accesses via the existing access track between numbers 3 and 4, they can get to within about 10 metres of the rear of the house and the pedestrian access is over a hard surface. In addition via this access there is then sufficient space for such a vehicle to turn and exit in a forward gear. It is therefore not accepted that the proposal would be an improvement over the existing situation with regard to ease of delivery.

In any case personal circumstances are seldom sufficient to outweigh normal planning restrictions and therefore the need for medical deliveries carries little or no weight.

The council has consistently resisted the introduction of vehicular accesses along this part of the High road, due to the adverse impact that such accesses have on the green character and visual amenity of this part of the conservation area. Whilst in this instance, there is currently no front boundary vegetation, to allow the introduction of a vehicular crossover would remove the possibility of the reintroduction of hedging here and the creation of an area of hardstanding close to the front boundary (which would be used for parking) would clearly impact on the visual amenity of the area, creating a hard and urban visual intrusion in this otherwise green road frontage.

The applicant has not provided any details with regard to the impact of the development on adjacent trees and vegetation and these are a vital element in the character of the area which should be protected.

Were the council to grant permission for this crossover it may set a dangerous precedent which if repeated by others would significantly change the character of the Conservation Area.

Whilst the applicant does have permitted development rights to introduce permeable hardsurfacing, in his front garden it is unlikely that he would do so unless permission is granted for the crossover. In addition without the crossover such a hard surface could not be used for the parking of vehicles so the visual impact of such works would be less intrusive.

The development is contrary to the adopted policies of the Local Plan and Alterations and to guidance within the NPPF.

Jill Shingler
Principal Planning Officer

Report Item No: 6

APPLICATION No:	EPF/2272/17
SITE ADDRESS:	56 Longfields Ongar Essex CM5 9BZ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Proposed concrete panelled store to the side of existing garage
DECISION:	Grant Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598734

CONDITIONS

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

Report Item No: 7

APPLICATION No:	EPF/2378/17
SITE ADDRESS:	Newford Barn Tysea Hill Stapleford Abbots Essex RM4 1JS
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Construction of new agricultural building to house tractors, grass cutting equipment and use as a haystore.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=599213

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: 1912/02, 1912/01C

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