EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee Date: 10 October 2018

East

Place: Council Chamber, Civic Offices, Time: 7.00 - 10.00 pm

High Street, Epping

Members P Keska (Chairman), B Rolfe (Vice-Chairman), N Avey, N Bedford, P Bolton, **Present:** H Brady, L Burrows, A Grigg, S Jones, R Morgan, J Philip, P Stalker, B Vaz,

C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

Other

Councillors:

Apologies: I Hadley and M McEwen

Officers J Shingler (Principal Planning Officer), P Seager (Chairman's Secretary) and

Present: R Perrin (Senior Democratic Services Officer)

23. 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.

24. 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.

25. MINUTES

RESOLVED:

- (a) That the minutes of the meeting held on 8 August 2018 had been corrected to included a declaration of interest for Councillor C Whitbread in relation to planning application EPF/0712/18; and
- (b) That the minutes of the meeting held on 5 September 2018 be taken as read and signed by the Chairman as a correct record.

26. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor L Burrows declared a non-pecuniary interest in the following items of the agenda. The Councillor had determined that his interests were non-prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0282/18 12 Station Road, Epping
- EPF/1406/18 1 Mount End, Mount End Road, Theydon Mount
- (b) Pursuant to the Council's Code of Member Conduct, Councillor N Avey declared a non-pecuniary interest in the following items of the agenda by virtue of being Chairman of Epping Town Council's Planning Committee. The Councillor had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/0282/18 12 Station Road, Epping
 - EPF/1583/18 1 Buttercross Lane, Epping
 - EPF/1847/18 55 High Street, Epping
- (c) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a non-pecuniary interest in the following item of the agenda. The Councillor had determined that his interests were non-prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:
 - EPF/1583/18 1 Buttercross Lane, Epping
- (d) Pursuant to the Council's Code of Member Conduct, Councillor S Jones declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that her interest was non-prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:
 - EPF/1583/18 1 Buttercross Lane, Epping
- (e) Pursuant to the Council's Code of Member Conduct, Councillor A Grigg declared a non-pecuniary interest in the following item of the agenda by virtue knowing the objector in professional capacity. The Councillor had determined that her interest was non-prejudicial but would leave the meeting for the consideration of the application and voting thereon:
 - EPF/1556/18 Site at Bansons Lane, Ongar
- (f) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda by virtue of the applicant and objectors being known to him. The Councillor had determined that his interest was non-prejudicial but would leave the meeting for the consideration of the application and voting thereon:
 - EPF/1583/18 1 Buttercross Lane, Epping
 - EPF/1406/18 1 Mount End, Mount End Road, Theydon Mount
- (g) Pursuant to the Council's Code of Member Conduct, Councillor S Jones declared a non-pecuniary interest in the following item of the agenda by virtue of knowing both the applicant and objector. The Councillor had determined that her interest was non-prejudicial but would leave the meeting for the consideration of the application and voting thereon:
 - EPF/1406/18 1 Mount End, Mount End Road, Theydon Mount
- (h) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a non-pecuniary interest in the following item of the agenda by virtue of the objector being known to him. The Councillor had determined that his interest was

non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1406/18 1 Mount End, Mount End Road, Theydon Mount
- (i) Pursuant to the Council's Code of Member Conduct, Councillor N Avey declared a non-pecuniary interest in the following item of the agenda. The Councillor had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/1406/18 1 Mount End, Mount End Road, Theydon Mount
- (j) Pursuant to the Council's Code of Member Conduct, Councillor H Brady declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the objector and Parish Council speaker. The Councillor had determined that her interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/1406/18 1 Mount End, Mount End Road, Theydon Mount
- (k) 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 his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/2212/18 15 Vicarage Lane, North Weald
- (I) Pursuant to the Council's Code of Member Conduct, Councillor N Bedford declared a non-pecuniary interest in the following item of the agenda by virtue of knowing one of the speakers. The Councillor had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/2212/18 15 Vicarage Lane, North Weald.

27. ANY OTHER BUSINESS

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

28. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

It was noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

29. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 - 8 be determined as set out in the schedule attached to these minutes.

CHAIRMAN



APPLICATION No:	EPF/0282/18
SITE ADDRESS:	12 Station Road
	Epping
	Essex
	CM16 4HN
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF	Demolition of existing dwelling, erection of a detached building
PROPOSAL:	comprising 9 self contained apartments incorporating revisions to
	vehicular access, associated car parking and on-site amenities
	parining and on one amount
DECISION:	Refuse

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=605301

REASONS

- 1. Due to its excessive height and in particular the depth and bulk to the rear and the design facing on to Nicholl Road the proposed development would result in a prominent and incongruous feature in the street scene, entirely out of scale and keeping with the prevailing pattern of development in the locality and harmful to the character and visual amenity of the area. The proposal is therefore contrary to policies DBE1, CP2(iv) and CP7 of the Adopted Local Plan and Alterations and to paragraph 130 of the National Planning Policy Framework that seeks to secure high quality design.
- 2. The development due to its scale and massing would be overbearing and visually intrusive, to adjacent neighbouring properties, particularly number 14 Station Road and number 1 Nicholl Road, such that it would cause excessive harm to amenity, contrary to policy DBE9 of the Adopted Local Plan and Alterations.

Way Forward

Members considered that the way forward would be to reduce the height and scale of the development particularly to the rear in order to improve the relationship with neighbouring properties and to ensure that the design maintained the character of the area, by appearing as a single dwelling rather than so obviously as flats. A less intensive use of the site with fewer flats would be considered more appropriate.

APPLICATION No:	EPF/1583/18
SITE ADDRESS:	1 Buttercross Lane Epping Essex CM16 5AA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Demolish existing house and replace with 9 apartments
DECISION:	Deferred

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=610515

Deferred to District Development Management Committee with no recommendation

The Committee voted on the recommendation to grant permission and this was tied. 4 members then stood to exercise the right to defer the application to the District Development Management Committee for decision.

APPLICATION No:	EPF/1847/18
SITE ADDRESS:	55 High Street Epping Essex CM16 4BA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Redevelopment of existing shop (including new shopfront) with flat above, involving alteration and refurbishment of existing building plus new two storey building to the rear containing two flats.
RECOMMENDED DECISION:	Refuse

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=611717

REASONS

1. The proposed detached building to the rear incorporating two flats would result in a cramped form of development of unsuitable design and layout within this very restricted site, which would provide unsuitable living conditions for future residents and would be excessively overbearing in relation to the fronting and adjacent properties. The development would therefore be contrary to polices CP7, DBE2, DBE3 and DBE5 of the Adopted Local Plan and Alterations.

APPLICATION No:	EPF/1556/18
SITE ADDRESS:	Site at Bansons Lane Ongar Essex CM5 9AR
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Erection of 7 no. 2 bedroom units with associated car parking, cycle store, bin store and landscaping.
DECISION:	Grant Permission (Subject to Legal Agreement)

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

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 8673/001, 002 rev A, 010, 020, 021, 022, 023, 024, 025, and 100 rev A
- 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 in writing by the planning authority.
- 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]

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]

- 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.
- 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.
- Prior to the commencement of the development, an invasive species management plan, incorporating measures to manage the extent and future spread of Himalayan balsam within the site shall be submitted to and approved by the Local Planning Authority. All works required pursuant to the said management plan shall be completed in accordance with the agreed details, and on completion of report of the outcome prepared by the specialist contractor shall be submitted to the Local planning Authority.
- 9 No development shall take place until details of 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.
- 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.

- No development shall have taken 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.
- Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, and cills, to be used 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, other than groundworks. The works shall thereafter be completed only in accordance with the agreed details.
- 13 Prior to the commencement of development, other than groundworks, 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; fences gates and other 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.
- Prior to the commencement of development other than groundworks, , a lighting design strategy for bats shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites or foraging routes
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) that demonstrates that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places, and
 - c) All external lighting shall be installed in accordance with the Bat Conservation Trust's 'Bats And Lighting in the UK'
- Prior to the commencement of development, other than groundworks, an ecological enhancement plan incorporating details of the type and location of 2 bat bricks (incorporated into the new building), the type and location of 2 bat boxes and 2 bird boxes (installed on existing trees), and locations of hedgehog gaps in any new fencing shall be submitted to and approved by the Local Planning Authority. The

works as agreed shall be fully implemented prior to first occupation of any residential unit.

- Prior to the commencement of the development other than groundworks, full details of the cycle store incorporating details of cycle stands or enclosures shall be submitted to and approved in writing by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of any residential unit, and shall thereafter be retained for use by residents of the development.
- 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.
- No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- The development shall be carried out in accordance with the flood risk assessment (Waterman, Ref WIE12994-100-R-1-5-2-FRA Project No. WIE12994, August 2017) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.
- If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 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, to include six one day travel vouchers for use with the relevant local public transport operator.
- Any open trenches formed within the development construction phase shall be covered over with wooden sheeting and all construction compounds fenced securely at night.

- All rainwater goods installed externally on the building shall be of black painted metal or aluminium, unless otherwise agreed by the Local Planning Authority. No vents, grilles or ducting shall be fixed to the external fabric of the building without the prior written approval of the Local Planning Authority.
- All plant, pipes and other equipment installed on the flat roof area shall be installed so as not to project above the ridge line of the western part of the building is hereby permitted, unless otherwise agreed by the Local Planning Authority.
- Prior to first occupation of the dwellings hereby permitted, charging points for electric vehicles shall be fitted for use in all parking bays and shall thereafter be retained in working order.

APPLICATION No:	EPF/0429/18
SITE ADDRESS:	Hydes Riding School Abridge Road Theydon Bois Essex CM16 7NS
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Removal of existing caravan and removal of stable building. Erection of security hut to be used as ancillary 24-hour security for the riding school.
DECISION:	Refuse

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=605834

REASONS

1. The proposed development is inappropriate development within the Green Belt, by definition harmful. No very special circumstances exist sufficient to outweigh the harm to the Green Belt from the development and the proposal is therefore contrary to Policy GB2A of the Adopted Local Plan and Alterations.

APPLICATION No:	EPF/1121/18
SITE ADDRESS:	35 The Magpies Epping Green Epping Essex CM16 6QG
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Conversion of garage into living accommodation .
DECISION:	Withdrawn from Agenda

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=608513

Withdrawn from Agenda

APPLICATION No:	EPF/1406/18
SITE ADDRESS:	1 Mount End Mount End Road Theydon Mount Epping Essex CM16 7PS
PARISH:	Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Demolition of barn and erection of two detached houses (Revised application to EPF/2248/17)
DECISION:	Refuse

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=609733

REASONS

- 1. The proposed built development would extend significantly beyond the footprint of the existing building and this together with the use of currently open land, agricultural in character, as garden, would have a significantly greater impact on the openness of the Green Belt than the existing building and use. As such the development would be inappropriate in the Green belt and contrary to policy GB2A of the Adopted Local Plan.
- 2. The proposed new dwellings due to their siting and design would result in an excessive visual impact and loss of amenity to the neighbouring properties contrary to policy DBE9 of the Adopted Local Plan and Alterations.

Way Forward. Members considered that a reduced scheme kept wholly within the footprint of the existing building with much more limited garden area and with a better relationship to the adjacent properties would be more suitable.

APPLICATION No:	EPF/2212/18
SITE ADDRESS:	15 Vicarage Lane North Weald Essex CM16 6ET
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Single storey outbuilding.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case: http://olanpub.epoingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.asox?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=613334

CONDITIONS

- The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan, Proposed Block Plan, H.8.A
- Materials to be used for the external finishes of the proposed development shall match those as shown on the proposed plans and application form, unless otherwise agreed in writing by the Local Planning Authority.
- 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.