

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 17 October 2018
West

Place: Council Chamber - Civic Offices **Time:** 7.30 - 8.35 pm

Members Present: D Dorrell (Chairman), M Sartin (Vice-Chairman), R Bassett, S Heather, L Hughes, H Kane, S Kane, J Lea, A Mitchell and D Stocker

Other Councillors: None.

Apologies: E Webster, R Gadsby and S Stavrou

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), V Messenger (Democratic Services Officer) and P Seager (Chairman's Secretary)

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 agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

25. APPOINTMENT OF VICE-CHAIRMAN

In the absence of the Chairman, Councillor D Dorrell, the Vice-Chairman acting as the Chairman, sought nominations for the role of Vice-Chairman.

RESOLVED:

That Councillor M Sartin be elected Vice-Chairman for the duration of the meeting.

26. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 12 September 2018 be taken as read and signed by the Chairman as a correct record.

27. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor J Lea, declared a non-pecuniary interest in the following item of the agenda by virtue of working at the Tesco store. The Councillor had determined that her interest was non-prejudicial and that she would remain in the meeting for the consideration and voting thereon:

- EPF/0937/18 – Tesco Stores Limited, Sewardstone Road, Waltham Abbey

28. ANY OTHER BUSINESS

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

29. 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

30. DEVELOPMENT CONTROL

(a) Site Visits

It was noted that there were no formal site visits requested by members prior to the consideration and determination of the following applications.

(b) Planning Applications

The Sub-Committee considered a schedule of applications for planning permission. However, the Chairman advised item 4, application EPF/1121/18 – 35 The Magpies, Epping Green, Epping, had been withdrawn from the agenda prior to the meeting. This was because the Parish Council, having submitted an objection, had reiterated its intention not to attend this meeting. Therefore, the Service Director (Planning Services) would deal with this application under delegated authority to grant permission (with conditions), as recommended.

RESOLVED:

That the planning applications numbered 1 – 3 be determined as set out in the attached schedule to these minutes.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/0741/18
SITE ADDRESS:	6 Church Street Waltham Abbey Essex EN9 1DX
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Proposed conversion of office building B1 to 12 residential apartments C3 and installation of 8 x velux windows in the roof slopes.
DECISION:	Grant Permission (Subject to Legal Agreement)

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=607019

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: 17047/12, 17047/14A, 17047/15A
- 3 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 4 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 5 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 6 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

- 7 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.
- 8 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 9 Prior to first occupation of the development, a scheme detailing the provision of bin and cycle storage to the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

Report Item No: 2

APPLICATION No:	EPF/0937/18
SITE ADDRESS:	Tesco Stores Limited Sewardstone Road Waltham Abbey Essex EN9 1NP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Erection of 52 'Retirement Living' (Category II Sheltered Housing) apartments for the elderly with associated communal facilities, car parking and landscaping.
DECISION:	Grant Permission (Subject to Legal Agreement)

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=607793

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: 17911-P011A, 17911-P012A, 17911-P014B, 17911-P015C, 17911-P016B, 17911-P017A, 17911-P018A, 17911-P019A, 17911-P020A, 17911-P021A, 9979-KC-XX-YTREE-TCP01Rev0, 9979-KC-XX-YTREE-TCP02Rev0, MCS21388-12A Sheet 1, MCS21388-12A Sheet 2
- 3 The development hereby permitted shall only be occupied by persons aged 60 years or over or, in the case of couples living together as a single household, where one occupier is aged 60 or over and the other occupier is aged 55 or over.
- 4 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.
- 5 Prior to first occupation of the development hereby approved, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

- 7 All trees, shrubs and/or hedges shown to be retained as shown on drawing numbers MCS21388-12A Sheets 1 and 2 and shall be protected in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations), as shown on drawing number 9979-KC-XX-YTREE-TCP02Rev0. Should any tree, shrub or hedge shown to be retained be removed, uprooted or destroyed, dies, or becomes severely damaged or diseased 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.
- 8 The hard and soft landscape works (including tree planting) as shown on drawing numbers MCS21388-12A Sheets 1 and 2 shall be carried out as approved prior to first occupation of the development. 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.
- 9 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 10 No preliminary ground works shall take place until 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.
- 11 No below ground works 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]

- 12 Should Land Contamination Remediation Works be identified as necessary under the above condition, a detailed remediation scheme to bring the site to a condition suitable for the intended shall be 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]
- 13 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.
- 14 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.
- 15 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.
- 16 The removal/disturbance of any potentially suitable bird breeding habitat shall not 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 shall be submitted to the local planning authority.
- 17 Prior to occupation of the development, a biodiversity enhancement plan including bird and bat boxes, native planting of trees, shrubs and wildflowers shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be undertaken on the site.
- 18 All lighting on site during and post-construction shall follow the Bat Conservation Trust Guidance regarding the impact of lighting on bats.

- 19 The construction of the development hereby approved shall be carried out in such a manner that dust created as a result is kept to a minimum and does not leave the site boundary.
- 20 Prior to first occupation of the development hereby approved 1 Electric Vehicle Charging Point for every 10 spaces shall be installed and retained thereafter for use by the occupants of the site.
- 21 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

Report Item No: 3

APPLICATION No:	EPF/1067/18
SITE ADDRESS:	The Fencing Centre Pecks Hill Nazeing Essex EN9 2NY
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Outline application for residential development for 33 dwellings all matters reserved except closure of existing access and creation of a new access point onto Pecks Hill.
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=608263

REASON FOR REFUSAL

- 1 The proposed development would constitute inappropriate development harmful to the Green Belt and would also harm the openness of the Green Belt and conflict with its fundamental purpose. The case submitted is not sufficient to constitute very special circumstances that clearly outweigh the harm from the proposal. Therefore the development is contrary to the guidance contained within the National Planning Policy Framework, policies GB2A and GB7A of the Adopted Local Plan, with policy DM4 of the Epping Forest Local Plan (Submission Version) 2017 and the Green Belt objectives of the National Planning Policy Framework.
- 2 The application does not provide sufficient information to satisfy the Council, as competent authority, that the proposed development will not adversely affect the integrity of the Epping Forest Special Area for Conservation and there are no alternative solutions or imperative reasons of overriding public interest why the proposed development should be permitted. As such, the proposed development is contrary to policy NC1 of the Epping Forest Local Plan (1998) and Alterations (2006), policies DM2 and DM22 of the Epping Forest Local Plan Submission Version 2017 and the requirements of the Habitats Regulations 2017.
- 3 The proposal fails to provide the required level of affordable housing or the reflective mix of affordable housing as required by policy H2 of the Epping Forest Local Plan (Submission Version) 2017 and no viability study has been submitted to justify that meeting the requirements of policy H2 paragraph (A) would render the development as unviable. The proposal is therefore contrary to policy H2 of the Epping Forest Local Plan (Submission Version) 2017 and with the objectives of the National Planning Policy Framework.

- 4 The proposed development is expected to increase the demands on existing early years childcare and primary education facilities in the local area and mitigation measures are required to offset the increased demand. Since the required financial contributions cannot be secured, the proposal is contrary to CF12 of the Adopted Local Plan, with D1 of the Epping Forest Local Plan (Submission Version) 2017 and with the objectives of the National Planning Policy Framework.