

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 29 August 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.26 pm

Members Present: A Boyce (Chairman), Mrs S Jones (Vice-Chairman), K Avey, Mrs H Brady, T Church, Mrs A Grigg, D Jacobs, Mrs M McEwen, R Morgan, B Rolfe, D Stallan, G Waller, C Whitbread and J M Whitehouse

Other Councillors:

Apologies: W Breare-Hall, P Gode, P Keska, J Philip and Mrs J H Whitehouse

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

25. 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.

26. 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.

27. MINUTES

RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 1 August 2012 be agreed.

28. DECLARATIONS OF INTEREST

(1) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant, the Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0834/12 New House Farm, Vicarage Lane, North Weald CM16 6AP

(2) Pursuant to the Council's Code of Member Conduct, Councillor T Church declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant, the Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0836/12 Forest Gate, Bell Common, Epping CM16 4DZ

(3) Pursuant to the Council's Code of Member Conduct, Councillor T Church declared a non-pecuniary interest in the following item of the agenda by virtue of living off of Buttercross Lane where the application site was situated. The Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1221/12 3 Buttercross Lane, Epping CM16 5AA

(4) Pursuant to the Council's Code of Member Conduct, Councillor K Avey declared a non-pecuniary interest in the following item of the agenda:

- EPF/0836/12 Forest Gate, Bell Common, Epping CM16 4DZ

(5) 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 having called in the application. The Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0836/12 Forest Gate, Bell Common, Epping CM16 4DZ

29. ANY OTHER BUSINESS

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

30. DEVELOPMENT CONTROL

RESOLVED:

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

31. 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

Report Item No: 1

APPLICATION No:	EPF/1221/12
SITE ADDRESS:	3 Buttercross Lane Epping Essex CM16 5AA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	TPO/EPF/23/01 Scots Pine - Fell.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=538694

CONDITIONS

- 1 A replacement tulip tree (*Liriodendron tulipifera*) of a size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of 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: 2

APPLICATION No:	EPF/1339/12
SITE ADDRESS:	The Limes Medical Centre The Plain Epping CM16 6TL
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	TPO/EPF/05/07 T56 - Robinia - Fell
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=539297

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.

Report Item No: 3

APPLICATION No:	EPF/0864/12
SITE ADDRESS:	New House Farm Little Laver Road Moreton Ongar Essex CM5 0JE
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Retrospective application for the change of use of redundant agricultural buildings for commercial activities including brewery, carpentry workshops and commercial storage facilities.
DECISION:	Application Withdrawn

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537281

Report Item No: 4

APPLICATION No:	EPF/2517/11
SITE ADDRESS:	New House Farm Little Laver Road Moreton Ongar Essex CM5 0JE
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Erection of an agricultural steel portal framed purpose designed grain storage building.
DECISION:	Application Withdrawn

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533534

Report Item No: 5

APPLICATION No:	EPF/0991/12
SITE ADDRESS:	34 Great Stony Park High Street Ongar Essex CM5 0TH
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Single storey rear extension and extending the existing decking area. (Revised application)
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537747

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 construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the details shown on the submitted plans, additional drawings that show details of the proposed new window and door openings at scales between 1:20 and 1:1 as appropriate, shall be submitted and approved by the Local Planning Authority prior to the commencement of works.

Report Item No: 6

APPLICATION No:	EPF/2577/11
SITE ADDRESS:	Sparks Farm 185 Nine Ashes Road High Ongar Ongar Essex
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Erection of a two storey detached dwelling and Community Nature Reserve.
DECISION:	Referred to District Development Control Committee

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533837

Members, whilst being sympathetic to the scheme, were concerned that insufficient information was provided regarding the 106 agreement and were worried that a S106 agreement would not ensure the retention of a publically accessible nature reserve in the long term. They therefore referred the application to the District Development Control Committee with a recommendation to grant, subject to legal advice regarding the validity and enforceability of the proposed section 106 and that it will secure long term benefits.

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: 1268 01A, 1268 04B and 956/03, 956/04, 956/05, 956/06, 956/07, 956/08, 956/09, 956/10 and 956/11.
- 3 The development hereby approved shall not be commenced until a detailed methodology for amphibian and reptile mitigation including capture effort and removal together with a relevant plan in respect of the application site and adjoining land in the applicant's ownership as indicated on drawing number 1268 01A have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved methodology.
- 4 The development hereby approved shall not be commenced until a detailed description of "appropriate measures" that should be adopted if bats are found in trees, as referred to in section 6.8 of the ecological survey included with the application, have been submitted to and approved in writing by the Local Planning Authority in respect of the application site and adjoining land in the applicants ownership as indicated on drawing number 1268 01A . The development shall be carried out in accordance with the approved measures.

- 5 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.
- 6 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule) in respect of the application site and adjoining land in the applicants ownership as indicated on drawing number 1268 01A, have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 7 A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas within the application site and adjoining land in the applicants ownership as indicated on drawing number 1268 01A shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The landscape management plan shall be carried out as approved.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 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]

- 10 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]
- 11 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.
- 12 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.
- 13 No work to construct the house hereby approved shall take place until all the buildings shown on drawing number 956/10 have been demolished and all resulting debris removed from the application site and adjoining land in the applicants ownership, as identified on drawing number 1268 01A.
- 14 No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.

- 15 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargements, buildings and means of enclosure generally permitted by virtue of Classes A, B and E of Part 1, Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 7

APPLICATION No:	EPF/0834/12
SITE ADDRESS:	New House Farm Vicarage Lane North Weald Essex CM16 6AP
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Erection of 50kW microgeneration wind turbine with a tower height of 25m and blade diameter of 19m.
DECISION:	Deferred

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537159

Members were concerned that we do not have any tailored response from the CAA and we do not know whether the development would impact on the future of North Weald Airfield. They therefore deferred the application with a request that further consultation take place with the CAA and also with the Council's Airfield Consultants and that the impact on Microlight movements be particularly considered. It was also requested that details of the safeguarding zone be provided when the item is reported back.

Report Item No: 8

APPLICATION No:	EPF/0836/12
SITE ADDRESS:	Forest Gate Bell Common Epping Essex CM16 4DZ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Conversion and extension of existing function room and outbuildings into a restaurant area including basement and front extension and increase parking area. (Revised application)
DECISION:	Granted Permission (with Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537176

The case officer referred to a further letter received from adjacent neighbour regarding hours of use and exit from the site.

Members considered that the design of the proposal was acceptable as the proposal would bring the building into use and improve the site. They therefore determined to Grant Permission, subject to the following conditions.

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 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.
- 3 The restaurant use hereby approved shall not be open to customers outside of the opening hours of the adjacent public house.
- 4 The parking area shown on the approved plan shall be provided prior to the first use of the restaurant and shall be retained free of obstruction for the parking of customers and staff vehicles.
- 5 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be

carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

- 6 Prior to the first use of the restaurant, a suitable kitchen extraction system shall be installed, details of which shall be submitted to and agreed in writing to the Local Planning Authority before installation.