

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 22 July 2015
West

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.12 pm
High Street, Epping

Members Present: Y Knight (Chairman), R Bassett, R Butler, D Dorrell, R Gadsby, L Hughes, S Kane, J Lea, M Sartin, G Shiell and E Webster

Other Councillors:

Apologies: A Mitchell MBE, H Kane and S Stavrou

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

8. 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.

9. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 24 June 2015 be taken as read and signed by the Chairman as a correct record.

10. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor M Sartin declared a non-pecuniary interest in the following items of the agenda by virtue of being a District Council representative on the Lee Valley Regional Park Authority. The Councillor indicated that she would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1058/15 Park Farm Nursery, Sewardstone Road, Waltham Abbey E4 7RG;
- EPF/1076/15 Park Farm Nursery, Sewardstone Road, Waltham Abbey E4 7RG;
- EPF/1104/15 Temple Farm, Roydon, CM19 5LW; and
- EPF/1124/15 Rosemary and Dobbs Weir Café, Dobbs Weir Road, Roydon

(b) Pursuant to the Council's Code of Member Conduct, Councillor R Gadsby declared a non-pecuniary interest in the following items of the agenda by virtue of being an Essex County Council representative on the Lee Valley Regional Park Authority. The Councillor indicated that she would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1058/15 Park Farm Nursery, Sewardstone Road, Waltham Abbey E4 7RG;
- EPF/1076/15 Park Farm Nursery, Sewardstone Road, Waltham Abbey E4 7RG;
- EPF/1104/15 Temple Farm, Roydon, CM19 5LW; and
- EPF/1124/15 Rosemary and Dobbs Weir Café, Dobbs Weir Road, Roydon

(c) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicants. The Councillor indicated that he would leave the meeting for the duration of the discussion on the item and voting thereon:

- EPF/0204/14 Land off Hoe Lane (nr Burleigh Nursery/Ridge House Nursery/Spinney Nursery, Nazeing EN9 2RJ

11. ANY OTHER BUSINESS

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

12. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/0204/14
SITE ADDRESS:	Land off Hoe Lane (nr Burleigh Nursery/Ridge House Nursery/ Spinney Nursery Nazeing Essex EN9 2RJ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Demolition of nursery glasshouses and commercial sheds and construction of 10 no. detached five bed houses with associated amenity space, off-street parking, vehicle crossovers and landscaping
DECISION:	Refused 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=559337

REASON FOR REFUSAL

- 1 The proposal constitutes inappropriate development in the Metropolitan Green Belt for which planning permission should not be granted, save in very special circumstances. In addition to the harm by reason of its inappropriateness, the proposed development would also be detrimental to the open character of the Green Belt in this location and would cause harm to the visual amenity of the area. The applicant has failed to demonstrate that other considerations clearly outweigh that identified harm to the Green Belt and, as such, the proposed development is therefore contrary to Government guidance contained within the National Planning Policy Framework and saved policies GB2A and GB7A of the adopted Local Plan and Alterations.

WAY FORWARD

Members suggested that as the scheme is clearly contrary to national and local Green Belt policy and is not a case where very special circumstances exists. National policy through the NPPF does permit the redevelopment of brownfield sites which do not have a materially greater impact on the Green Belt. Ridge House does not contain any built form which could be used as justification for housing in lieu. Spinney Nursery is only occupied by a small commercial building which would justify potentially one small dwelling of a similar volume in order not to have a materially greater impact and be policy compliant. There would be the added benefit of removing a use which has nuisance potential. A large section of Burleigh Nursery can be classed as brownfield and this site also benefits from an extant permission to redevelop with new commercial units. A number of dilapidated glasshouse structures could also be removed to justify a small housing scheme. The foregoing provides an potential way forward for a much scaled down housing scheme.

Report Item No: 2

APPLICATION No:	EPF/1058/15
SITE ADDRESS:	Park Farm Nursery Sewardstone Road Waltham Abbey Essex E4 7RG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Retrospective application for the use of land for open storage of building materials (Sui Generis use).
DECISION:	Refused 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=575715

REASONS FOR REFUSAL

- 1 The proposed use would result in an unacceptable adverse impact on the amenities of the neighbouring residential properties in Sewardstone Road immediately adjacent to the site due to disturbance by way of noise, dust and vehicle movements contrary to policies in the NPPF and CP2, GB8A and RP5A of the adopted Local Plan and Alterations

WAY FORWARD

Members suggested that a comprehensive plan to show the use of the whole site and a traffic management scheme to address the Committee's very serious concerns about highways issues would be a potential way forward.

Report Item No: 3

APPLICATION No:	EPF/1076/15
SITE ADDRESS:	Park Farm Nursery Sewardstone Road Waltham Abbey Essex E4 7RG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Retrospective application for the change of use from glasshousing to storage of building materials (Sui Generis use).
DECISION:	Refused 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=575757

REASONS FOR REFUSAL

- 1 The proposed use would result in an unacceptable adverse impact on the amenities of the neighbouring residential properties in Sewardstone Road immediately adjacent to the site due to disturbance by way of noise and vehicle movements contrary to policies in the NPPF and CP2, GB8A and RP5A of the adopted Local Plan and Alterations.

WAY FORWARD

Members suggested that a comprehensive plan to show the use of the whole site and a traffic management scheme to address the Committee's very serious concerns about highways issues would be a potential way forward.

Report Item No: 4

APPLICATION No:	EPF/1104/15
SITE ADDRESS:	Temple Farm Roydon Harlow Essex CM19 5LW
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Conversion of existing grain store into three residential dwellings.
DECISION:	Granted 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=575795

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 11631-S004, 11631 P200-B.
- 3 Materials to be used for the external finishes of the proposed development shall be as detailed on plan number 11631-P002-B, unless otherwise agreed in writing by the Local Planning Authority..
- 4 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 and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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 in writing 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]

- 6 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]
- 7 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]
- 8 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.
- 9 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.

- 10 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.
- 11 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.
- 12 Details of domestic waste collection to be agreed in writing with the LPA prior to the first occupation of the dwellings.

Report Item No: 5

APPLICATION No:	EPF/1124/15
SITE ADDRESS:	Rosemary and Dobbs Weir Cafe Dobbs Weir Road Roydon Harlow Essex
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Proposed change of use of dwelling to form shop at ground floor and one bed flat above.
DECISION:	Granted 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=575913

Members expressed their concern over the type of A1 shop to be installed and asked it to be recorded that they would prefer it to be a convenience shop.

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 use hereby permitted shall not be open to customers outside the hours of 07:00 to 20:00 on Monday to Saturday and 09:00 to 18:00 on Sundays and Bank Holidays.

Report Item No: 6

APPLICATION No:	EPF/1241/15
SITE ADDRESS:	44 Crooked Mile Waltham Abbey Essex EN9 1PS
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Existing outbuilding/garage converted into 1 bed dwelling
DECISION:	Granted 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=576456

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: 2491-15A2-01, 2491-15A2-02, 2491-15A4-03
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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.
- 5 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 extensions or outbuildings generally permitted by virtue of Class A, B or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 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 and visitors vehicles.
- 7 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 in writing 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]

- 8 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]
- 9 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]
- 10 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.
- 11 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.

- 12 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.