

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Planning Sub-Committee **Date:** 30 October 2019  
East

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

**Members Present:** P Keska (Chairman), B Rolfe (Vice-Chairman), P Bolton, H Brady, L Burrows, I Hadley, C McCredie, M McEwen, J McIvor, R Morgan, J Philip, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

**Other Councillors:**

**Apologies:** N Bedford and S Jones

**Officers Present:** M Johnson (Development Management Manager), A Marx (Service Manager (Development Management)) and A Hendry (Senior Democratic Services Officer)

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### **45. WEBCASTING INTRODUCTION**

The Chairman announced that due to technical issues this meeting could not be webcast this evening.

### **46. 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.

### **47. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 02 October 2016 be taken as read and signed by the Chairman as a correct record subject to Councillor L Burrows' name being added to the declarations of interest given at that meeting on applications EPF/0921/19 and EPF/0922/19 by virtue of knowing the Trustees of the Epping Theydon Trust Limited.

### **48. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Conduct, Councillors B Rolfe, C Whitbread, H Whitbread, J Philip and J H Whitehouse, L Burrows and C McCredie declared a non-pecuniary interest in the following items of the agenda by virtue of knowing Trustees of the Epping Theydon Trust Limited. The Councillors had determined that they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0921/19 – 1-7 Margaret Road, Epping CM16 5BP; and
- EPF/0922/19 – Land adjacent to 7 Margaret Road, Epping CM16 5BP.

(b) Pursuant to the Council's Code of Conduct, Councillor H Brady declared a non-pecuniary interest in the following items of the agenda by virtue of her husband acting as a consultant to the Trustees of the Epping Theydon Trust Limited. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0921/19 – 1-7 Margaret Road, Epping CM16 5BP; and
- EPF/0922/19 – Land adjacent to 7 Margaret Road, Epping CM16 5BP.

(c) Pursuant to the Council's Code of Conduct, Councillor M McEwen declared a non-pecuniary interest in the following items of the agenda by virtue of being on the Abridge Hall Management Committee. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1703/19 – Abridge Village Hall, Abridge RM4 1UU

#### 49. ANY OTHER BUSINESS

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

#### 50. 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](http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf)

#### 51. SITE VISITS

No site visits were called for.

#### 52. PLANNING APPLICATION - EPF/0921/19 - 1-7 MARGARET ROAD, EPPING, ESSEX, CM16 5BP

<b>APPLICATION No:</b>	EPF/0921/19
<b>SITE ADDRESS:</b>	1-7 Margaret Road Epping Essex CM16 5BP
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed x 2 no. new dwellings to land rear of 1-7 Margaret Road.
<b>DECISION:</b>	Refused

**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=622715](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=622715)

**REASON FOR REFUSAL**

- 1 The proposals represent overdevelopment of the site resulting in a cramped appearance in this backland of nos. 1 to 7 Margret Road, which would be out of keeping and character with the locality and the surrounding area, contrary to National Planning Policy Framework 2019, Policies CP2 and DBE1 of the Adopted Local Plan 1998 and 2006, and policy DM 9 of the Local Plan Submission Version 2017.
- 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 CP1 (i), 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 would result in an unacceptable loss of amenity and be overbearing to the occupants of neighbouring residential properties that adjoin the site, by reason of increase activity in this former rear garden area and its position next to their short depth rear gardens of 1-7 Margaret Road as well as unacceptably overlook towards the rear garden of 20 Shaftesbury Road, contrary to the National Planning Policy Framework 2019 , Policies DBE2 and DBE9 of the Adopted Local Plan 1998 and 2006 and policy DM 9 of the Local Plan Submission Version 2017.
- 4 The proposal, by reason of its proximity to the motor vehicle body repair business to its north east would be negatively affected by excessive levels of noise from the air intake vents attached to that building to the detriment of amenities of future occupiers of the proposed dwelling houses. The proposal would therefore be contrary to the National Planning Policy Framework 2019, Policies DBE2 and DBE9 of the Adopted Local Plan 1998 and 2006, and policy DM 9 of the Local Plan Submission Version 2017

53. **PLANNING APPLICATION - EPF/0922/19 - LAND ADJACENT TO 7 MARGARET ROAD, EPPING, ESSEX, CM16 5BP**

<b>APPLICATION No:</b>	EPF/0922/19
<b>SITE ADDRESS:</b>	Land adjacent to 7 Margaret Road Epping Essex CM16 5BP
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed new dwelling to land adjacent to no.7 Margaret Road.
<b>DECISION:</b>	Grant Permission (With Conditions) Subject to S106 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=622716](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=622716)

**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 numbers: Location/Block Plan S.E.2, S.E.1, Design and Access Supporting Statement.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B and E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 Prior to the commencement of development, including any ground works or demolition, details of a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for the following clear of the highway:
  - safe access into the site
  - the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - wheel and underbody washing facilities

The approved Statement shall be adhered to throughout the construction period.

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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.

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No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

**And subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure a financial and/or other contribution towards mitigation of the impact of the development on visitor pressure and air quality in the Epping Forest Special Area of Conservation.**

**54. PLANNING APPLICATION - EPF/1703/19 ABRIDGE VILLAGE HALL, 39 ONGAR ROAD, ABRIDGE, LAMBOURNE, ESSEX, RM4 1UU**

<b>APPLICATION No:</b>	EPF/1703/19
<b>SITE ADDRESS:</b>	Abridge Village Hall 39 Ongar Road Abridge Lambourne Essex RM4 1UU
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 4 floodlights for occasional evening use, lights to be switched off by 8.30 pm
<b>DECISION:</b>	Approved (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=626093](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=626093)

**CONDITIONS**

- 1 The floodlights hereby approved shall be angled 30 degrees from the horizontal at the base of the lighting head.
- 2 The floodlights hereby approved shall be switched off by 20:30 when in use
- 3 The maximum luminance of the floodlights granted consent by this Notice shall not exceed 20,000 lumens
- 4 The development hereby permitted in accordance with the approved drawings numbers: Proposed site plan, LEDVANCE-PRODUCT DATASHEET date 21 December 2018 and photographs submitted.

**55. PLANNING APPLICATION - EPF/0803/19 - FOSTER STREET FARM, FOSTER STREET, HASTINGWOOD, CM17 9HS**

<b>APPLICATION No:</b>	EPF/0803/19
<b>SITE ADDRESS:</b>	Foster Street Farm Foster Street Hastingwood Essex CM17 9HS
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed erection of 10 x detached houses, with new vehicular access and a new road, provision of parking with hard and soft landscaping
<b>DECISION:</b>	Grant Permission (with Conditions) Subject to S106 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=622254](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=622254)

**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 numbers:  
  
2356.2C (Proposed Site Plan ) Dated 27/08/19, 3754/1A (Site Location Plan) Dated 21/02/2019, SK01REV G (Access Arrangement and Visibility Splay) Dated 27/06/2019, 2356.7, 2356.6, 2356.4, 2356.5,

2356.3, 2356.2, SK02REVA, 2356.8, Landscaping Tree report, PR121748-11E, Phase 1 Contaminated Land Report GB505-P1DSR-FEB-2019-REV1 (Feb 2019); Geo-environmental and Geotechnical Interpretative Report GB505-GGIR-FEB-2019-REV2 (Feb 2019); Extended Phase 1 Habitat Survey Report DFCP 3054-04 (9 April 2019); Arboricultural Report PRI21748amsA (14 March 2019); Tree Report PRI21748tr (15 March 2019); Materials details; EAS Access Appraisal Report (27 June 2019); Protected Species Report (28 June 2019); EAS SUDS Drainage Report (July 2019); EAS Trip Rate Assessment (2 September 2019);

- 3 Materials to be used for the external finishes of the proposed development shall match those submitted with the application , 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 ,B and E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, 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.
- 6 No preliminary ground works shall take place until driveway details have been submitted to the Local Planning Authority and approved in writing. These shall consist of an above ground, no dig construction with a porous finish and included an Arboricultural supervision timetable. 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.
- 7 Prior to first occupation of the development the developer shall implement the access arrangements and visibility splays, as shown in principle on EAS drawing no SK01 Rev G. The visibility splays shall have no obstruction above 600mm in height within them.
- 8 Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport. These are to be provided at no cost to the occupier
- 9 There shall be no discharge of private surface water onto the Highway

- 10 The development shall be carried out in accordance with the flood risk assessment (SuDS Strategy Report, Revision C, Ref: 1956/2019, July 2019) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority
- 11 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 12 The recommendations within the Phase 1 Habitat Survey DFCP 3054-04 dated 9 April 2019, submitted by DF Clark Bionomique Ltd, as stated within section 1, Summary, items i - ix concerning birds, great crested newts, bats and recommendations for future lighting and landscaping, shall be followed.
- 13 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 14 Prior to the commencement of development, including any ground works or demolition, details of a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for the following clear of the highway:
- safe access into the site
  - the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - wheel and underbody washing facilities



The approved Statement shall be adhered to throughout the construction period.

- 15 Prior to first occupation of the development the developer shall implement and retain in perpetuity the access arrangements for the proposed development, as shown in principle on drawing nos.2356.2C, and SK01/REV G to include but not limited to:
- 2.4m x 120m visibility splays.
- 16 All turning heads required for refuse and fire tender use shall comply with the dimensions within the Essex Design Guide for a Size 3 Turning Head.
- 17 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.
- 18 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 19 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,

ground waters 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]

- 20 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]

- 21 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.
- 22 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.
- 23 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.

**CHAIRMAN**