

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

**Committee:** Area Planning Sub-Committee East      **Date:** Wednesday, 13 July 2022

**Place:** Council Chamber - Civic Offices      **Time:** 7.00 - 8.23 pm

**Members Present:** Councillors I Hadley (Chairman), C Amos, R Balcombe, N Bedford, P Bolton, P Keska, J McIvor, R Morgan, J Philip, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

**Apologies:** H Brady, L Burrows, C McCredie and B Rolfe

**Officers Present:** J Leither (Democratic Services Officer), J Rogers (Principal Planning Officer) and S Mitchell (PR Website Editor)

**Officers Present (Virtually):** A Marx (Development Manager Service Manager (Planning)), L Kirman (Democratic Services Officer) and M Rahman (Planning Officer)

### **13. 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.

### **14. ELECTION OF VICE-CHAIRMAN**

In the absence of the Vice Chairman, the Sub-Committee appointed Councillor P Keska as Vice-Chairman for the duration of the meeting.

### **15. 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.

### **16. DECLARATIONS OF INTEREST**

- a) Pursuant to the Council's Code of Member Conduct, Councillor C Amos declared a personal non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant and other parties to the application. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0653/22 – 21 Woburn Avenue, Theydon Bois, Epping

- b) 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 knowing the applicant. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0653/22 – 21 Woburn Avenue, Theydon Bois, Epping
- c) Pursuant to the Council's Code of Member Conduct, Councillor P Stalker declared a non-pecuniary personal interest in the following item of the agenda. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:
- EPF/0653/22 – 21 Woburn Avenue, Theydon Bois, Epping
- d) 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 knowing the applicant. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:
- EPF/0653/22 – 21 Woburn Avenue, Theydon Bois, Epping
- e) Pursuant to the Council's Code of Member Conduct, Councillor H Whitbread declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:
- EPF/0653/22 – 21 Woburn Avenue, Theydon Bois, Epping
- f) Pursuant to the Council's Code of Member Conduct, Councillor J H Whitehouse declared a non-pecuniary interest in the following item of the agenda. The Councillor had determined that she would leave the meeting for the consideration of the application and voting thereon:
- EPF/0653/22 – 21 Woburn Avenue, Theydon Bois, Epping

**17. RE-ORDER OF THE AGENDA**

Councillor C Whitbread gave apologies for lateness for Councillor J Mclvor and Councillor N Bedford.

He stated that in the absence of the Ward Councillor, Councillor H Brady, Councillor J Mclvor as the County Councillor would like to speak on item EPF/0216/20 Land at Oak Hill Road, Stapleford Abbots RM4 1JH and asked if the item could be delayed until Councillor J Mclvor arrived.

**AGREED:**

The Sub-Committee agreed to re-order the agenda.

**18. MINUTES**

**RESOLVED:**

That the minutes of the Sub-Committee held on 15 June 2022 be taken as read and signed by the Chairman as a correct record subject to Councillor C Amos not being recorded as attending. Councillor Amos advised that he had spoken to the relevant Democratic Services Officer and that this had now been resolved.

**19. ANY OTHER BUSINESS**

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

**20. EPPING FOREST DISTRICT COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)**

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)

**21. SITE VISITS**

There were no formal site visits requested by the Sub-Committee.

**22. PLANNING APPLICATION - EPF/0492/22 LAND TO SOUTH OF NINE ASHES ROAD, NINE ASHES, INGATESTONE CM4 0JY**

<b>APPLICATION No:</b>	EPF/0492/22
<b>SITE ADDRESS:</b>	Land to South of Nine Ashes Road Nine Ashes Ingatestone CM4 0JY
<b>PARISH:</b>	High Ongar
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of land: agricultural field to dog walking field (Sui Generis)
<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=663773](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=663773)

**REASONS**

1. The proposed development is inappropriate development within the Green Belt, which is by definition harmful, and to which substantial weight against the development is attached. The proposal would result in a loss of openness to the Green Belt by reason of the proposed fencing. No very special circumstances exist to outweigh all harms identified. Therefore, the proposal is contrary to Policies GB2A & GB7A of the adopted Local Plan 1998 & 2006, Policy DM4 of the Local Plan Submission Version 2017, and the NPPF 2021.
2. The proposed intensification in the use of the agricultural land under consideration together with the associated (vehicle movements) comings and goings and hours of operation as proposed is considered to be wholly unacceptable, and would lead to increased noise & general disturbance to neighbouring amenities to their detriment,

contrary to Policies CP2, ST4, DBE2 & DBE9 of the adopted Local Plan 1998 & 2006, Policies DM9 & T1 of the Local Plan Submission Version 2017, and the NPPF 2021.

**23. PLANNING APPLICATION - EPF/0216/20 LAND AT OAK HILL ROAD, STAPLEFORD ABBOTTS RM4 1JH**

<b>APPLICATION No:</b>	EPF/0216/20
<b>SITE ADDRESS:</b>	Land at Oak Hill Road Stapleford Abbots RM4 1JH
<b>PARISH:</b>	Stapleford Abbots
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed erection of x 42 no. residential units (including 1 no. caretakers home) together with associated landscaping; car parking & highway works.
<b>DECISION:</b>	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=633034](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=633034)

**CONDITIONS**

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 048-GA-Loc, 048- GA-RF-P2, 048-GE-Extg, 048-GE-P2, 048-GS-Extg, 048-GS-P2, 048-Caretakers, 048-Type A, 048-TypeB, 048-Type C, 048-Type C (wch), 048-Type D, GA02, GP01 and 14017-100-WIE-ZZ-XX-DR-V-95006 rev A12
3. No development or preliminary groundworks can commence until, a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

No development or demolition shall take place other than in accordance with the Written Scheme of Investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured. Confirmation of compliance with the requirements of this condition shall be submitted in writing to the Local Planning Authority prior to occupation of the development hereby approved.

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction, including wheel washing.
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
5. A) No work on any phase of the development (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation), shall commence until an assessment of the risks posed by any contamination within that phase shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites - Code of Practice and the Environment Agency's Guidelines for the Land Contamination: Risk Management (LCRM 2020) (or equivalent if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation. The assessment shall include: (1) A survey of the extent, scale and nature of contamination and (2) An assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes; adjoining land; groundwater and surface waters; ecological systems; and archaeological sites and ancient monuments.
- B) If following the risk assessment unacceptable risks are identified from land affected by contamination in that phase, no work on any phase of the development shall take place, until a detailed land remediation scheme has been completed. The scheme will be submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. (The remediation scheme shall be sufficiently detailed and thorough to ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990). The development shall only be carried out in accordance with the approved scheme. Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.
6. 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.
  7. Prior to preliminary ground works taking place, details of surface water disposal including details of the proposed discharge location) shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

8. Prior to any above ground works, details of levels shall have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
9. Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA). The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:
  - Location of active and passive charging infrastructure;
  - Specification of charging equipment; and
  - Operation/management strategy.

The council will expect that a management plan for the charging points is set out clearly. This will address:

- a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
  - b) How charging point usage will be charged amongst users;
  - c) The process and the triggers for identifying when additional passive charging points will become activated; and
  - d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.
10. Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the LPA that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.
  11. Prior to any above ground works, 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.

12. Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
13. Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. 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. The details shall further include all works to the public open space fronting Oak Hill Road, including layout and equipment to the play area and street and other related site furniture. 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.
14. Prior to any above ground works, a plan indicating the position, design, materials and type of boundary treatment to be erected, shall have been submitted to and approved by the Local Planning Authority. The approved boundary treatment shall be implemented prior to the occupation of the development and thereafter permanently retained.
15. Prior to commencement of any above ground works, details of all external lighting shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. No additional external lighting, including any lighting within the curtilage of any dwelling within the development shall thereafter be installed without prior consent from the local planning authority.
16. No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.
17. 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.

18. No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared, provided a written report of confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site, and that written confirmation has been approved by the Local Planning Authority
19. All material excavated from the below ground works hereby approved shall be removed from the site unless retention and re-use is agreed as part of any landscaping scheme approved for the site.
20. 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.
21. 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. 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.
22. Prior to completion of the development hereby permitted, details of boilers shall be submitted to and approved in writing to the Local Planning Authority. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%). The development shall be carried out in accordance with the approved details
23. Prior to the first occupation of the development the access arrangements, as shown in principle on drawings no. 14107-WIE-ZZ-XX-DR-V-95018-A01 & 14107-WIE-ZZXX-DR-V-95012-A02, including, but not limited to the following:
  - 2.4m x 90m visibility splays clear to ground level in either direction;
  - A bell-mouth access with minimum radii of 6m, with a 5.5m carriageway and 2 x 2m footways into the site with an appropriate pedestrian dropped kerb crossing and tactile paving across the access;
  - The provision of three pedestrian dropped kerb crossing points with tactile paving:
    - i. Across Oak Hill Road between the access and Tysea Hill;
    - ii. Across Tysea Hill at the junction with Oak Hill Road;
    - iii. Across Oak Hill Road between Tysea Hill and the existing eastbound bus stop.
  - The removal and full reinstatement of the dropped kerb access opposite the existing bus stop on Oak Hill Road;
  - The relocation of the existing westbound bus stop and the provision of a new stop with raised kerbs, shelter, pole and flag as necessary.



shall be fully implemented, with all details being agreed with the Highway Authority. The approved details shall be retained as such in perpetuity.

24. Prior to the first occupation of the development the vehicle/cycle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
25. Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution 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. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.
26. The public open space area to the northern end of the site shall be retained in perpetuity for general public use and shall be enclosed nor access restricted without prior consent from the local planning authority through a planning application.
27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes A, B, E and F of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

### **INFORMATIVE**

*The applicants are advised that the Council would seek the provision within the affordable housing element of 'Parish Homes' whereby nominations from existing residents within the Stapleford Abbots village are given priority.*

#### **24. PLANNING APPLICATION - EPF/0653/22 21 WOBURN AVENUE, THEYDON BOIS, EPPING CM16 7JR**

<b>APPLICATION No:</b>	EPF/0653/22
<b>SITE ADDRESS:</b>	21 Woburn Avenue Theydon Bois Epping Essex CM16 7JR
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Extend an existing garden building.
<b>DECISION:</b>	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=664317](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=664317)

**DEFERRED FOR SITE VISIT**

**CHAIRMAN**