

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Area Planning Sub-Committee East	Date:	Wednesday, 10 August 2022
Place:	Council Chamber - Civic Offices	Time:	7.00 - 8.17 pm
Members Present:	Councillors I Hadley (Chairman), H Brady (Vice-Chairman), C Amos, R Balcombe, N Bedford, P Keska, C McCredie, J McIvor, R Morgan, J Philip, B Rolfe, P Stalker, B Vaz and J M Whitehouse		
Members Present (Virtually):	Councillors		
Other Councillors:	Councillors		
Other Councillors (Virtual):	Councillors		
Apologies:	P Bolton, L Burrows, C Whitbread, H Whitbread and J H Whitehouse		
Officers Present:	G Courtney (Planning Applications and Appeals Manager (Development Management)), A Buckley (Higher Level Apprentice (Internal Communications)), A Hendry (Democratic Services Officer) and A Prince (Planning Officer)		
Officers Present (Virtually):	A Marx (Development Manager Service Manager (Planning)) and J Leither (Democratic Services Officer)		

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.

The Chairman informed the meeting that items 10, EPF/0210/22 – Mulberry Cottage, Forest Side, Epping; and 12, EPF/0793/22 – 35 Dukes Avenue, Theydon Bois, had been withdrawn from the agenda as the Parish Council who had initially made an objection to these applications had withdrawn them before the meeting. As a result, they would now be delegated down to officer level for a decision.

27. MINUTES**RESOLVED:**

That the minutes of the Sub-Committee held on 13 July 2022 be taken as read and signed by the Chairman as a correct record subject to the word “not” being added to item 26 on page 9 of the minutes to read “...and shall ‘not’ be enclosed nor access restricted...”

28. DECLARATIONS OF INTEREST

- a) Pursuant to the Council’s Members’ Code of Conduct, Councillors Stalker, Amos and Philip declared a personal interest in the following item of the agenda. The Councillors had determined that they would leave the meeting for the consideration of the application and voting thereon:

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

29. ANY OTHER BUSINESS

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

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

It was noted that the Epping Forest District Council Planning Policy Briefing note was available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

31. SITE VISITS

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

32. PLANNING APPLICATION - EPF/0016/19 GYPSEY MEAD WORKS, ONGAR ROAD, FYFIELD, ONGAR CM5 0RB

Application Ref: EPF/0016/19

Application Type: Full planning permission

Case Officer: Ian Ansell

Site Address: Gypsey Mead Works

Ongar Road

Fyfield

Ongar

Essex

CM5 0RB

Proposal: Proposed development of x 23 no. new homes with associated parking facilities, cycle stores and rubbish disposal.

Ward: Moreton and Fyfield

Parish: Fyfield
View **Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NxY7>

Decision: **Approve with Conditions Subject to S106 agreement**

Conditions: (31)

1

The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2

The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: MP-001 Rev C and MP002, 61238-C-100 Rev A and 200 Rev A, L8670/1 Rev 0, GM-A GA001, GM-B EL001 and GA001, GM-C EL001 and GA001, GM-D EL001 and GA001, GM-E EL001 and GA001, GM-F EL001 and GA001, GM-H GA001, GM-J EL001 and GA001, GM-C-001, 002, 0021, 003, 004, 005, 0051, 0052, 0053 and 006, and TCTC-18332-PL-02 Rev A and 03 Rev A.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

3

Development shall not commence until the developer has completed a binding agreement with an affordable housing provider agreed by the Council to facilitate delivery of the affordable housing units shown on the approved plans and required by the associated legal agreement accompanying this permission.

Reason: The development requires sufficient safeguards to ensure delivery of the affordable housing element in order to comply with policies H5A - H8A of the adopted Local Plan and Alterations, policies H1 and H2 of the Local Plan Submission Version 2017, and the NPPF 2021.

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. With regards to dust control measures and wheel washing, reference shall be made to the Institute of Air Quality Management (IAQM) best practice

Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.

6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

7. Tree protection measures.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policies DM21 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

5

A construction environmental management plan (CEMP:Biodiversity) shall be submitted to and approved in writing by the local planning authority. This should include, but is not limited to, precautionary working methods enabling mitigation of any potential impacts on retained habitats hedgerows and trees, nesting birds, bats, reptiles, great- crested newts, badgers and Priority species (Hedgehog).

The CEMP (Biodiversity) shall include the following.

a)Risk assessment of potentially damaging construction activities.

b) Identification of 'biodiversity protection zones'

c)Practical measures (both physical measures and sensitive working practices) to avoid

or reduce impacts during construction (may be provided as a set of method statements).

d)The location and timing of sensitive works to avoid harm to biodiversity features.

e)The times during construction when specialist ecologists need to be present on site to

oversee works.

f)Responsible persons and lines of communication

g)The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly

competent person.

h)Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period

strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason : To conserve protected and Priority species and allow the LPA to discharge its duties

under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife

& Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

as updated by the Environment Act 2021.

6

Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with policy RP3 of the adopted Local Plan and Alterations 1998 & 2006, policies DM16 and DM18 of the Local Plan Submission Version 2017, and the NPPF.

7

Prior to the commencement of development, confirmation shall be provided that either:

1. Foul drainage capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with policy RP5A of the adopted Local Plan and Alterations, policy DM118 of the Local Plan Submission Version 2017, and the NPPF 2021.

8

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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy RP4 of the adopted Local Plan 1998 & 2006, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

9

No development, including works of demolition or site clearance, shall take place until Tree Protection measures in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) have been installed in accordance with the details set out in the approved drawings and Arboricultural Assessment. The development shall be carried out only in accordance with the approved documents.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

10

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.

Reason: To ensure the impact of the intended development upon adjacent properties and the street scene is acceptable, in accordance with policies CP2, DBE1 and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM12 of the Local Plan Submission Version 2017, and the NPPF.

11

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.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies T1 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

12

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.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies D5, DM2, DM9, DM10 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

13

Prior to commencement of slab level works, A Biodiversity Enhancement Strategy for protected and priority species shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Preliminary Ecological Appraisal (Crossman Associates October 2021), and the Preliminary Ecological Appraisal (Open Spaces , April 2017). The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter

Reason : To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021 and in accordance with policies NC3, NC4

and NC5 of the adopted Local Plan and Alterations, policies DM1, DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF2021.

14

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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

15

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. 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.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

16

Prior to commencement of 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.

Reason: To ensure the safe movement of vehicles between the highway and off-street parking areas and to ensure a satisfactory appearance of the development, in accordance with Policies ST4 & DBE1 of the adopted Local Plan and Alterations 1998 & 2006, Policies T1 & DM9 of the Local Plan Submission Version 2017, and the NPPF.

17

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.

Reason : To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021, policies NC3, NC4, NC5 and DBE2 of the adopted Local Plan and Alterations, policies DM1, DM9 and DM210 of the Local Plan Submission Version 2021, and the NPPF 2021.

18

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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

19

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.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF.

20

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

Reason: To ensure adequate protection is afforded to local wildlife in accordance with policies NC3 and NC4 of the adopted Local Plan and Alterations, policy DM1 of the Local Plan Submission Version 2017, and the NPPF 2021.

21

All material excavated from the below ground works hereby approved shall be removed from the site.

Reason: In order to ensure that levels are not altered across the site as a result of deposited materials, in the interests of amenity, in accordance with Policies CP2, DBE1 and DBE9 of the adopted Local Plan 1998 & 2006, Policies DM9 & DM21 of the Local Plan Submission Version 2017, and the NPPF.

22

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.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with policies LL10 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, and policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

23

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.

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF.

24

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.

Reason: To help improve local environmental conditions and limit emissions to air as required by the national planning policy framework. Boilers can be a significant source of NO2 emissions and worsen local air quality. To help support improvements to air quality in accordance with the NPPF and Policy T1 and DM22 of the Epping Forest District Local Plan Submission Version 2017.

25

Prior to the first occupation of the development the access arrangements, as shown in principle on the approved plans, shall be fully implemented. All details to be agreed with the Highway Authority, and must include, but not limited to, the following:

- A new bellmouth junction with suitable radii;
- Pedestrian dropped kerbs with tactile paving across the bellmouth;
- Provision of safe pedestrian access into the site;
- A pair of pedestrian dropped kerb crossings with tactile paving across the B184 – exact location to be agreed;
- Provision of new footway as necessary to implement the crossing point of the B184;

Reason: To ensure that safe, efficient and improved accessibility is provided for all highway users, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017 and the NPPF 2021

26

Prior to the first occupation of the development the vehicle 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..

Reason: In the interests of highway safety, in accordance with policies ST4 and ST6 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF.

27

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.

Reason: To ensure that safe, efficient and improved accessibility is provided for all highway users, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017 and the NPPF 2021

28

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, C and E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

Reason: The ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties, in accordance with policies DBE2 and DBE 9 of the adopted Local Plan 1998 & 2006, Policies DM9 and DM10 of the Local Plan Submission Version 2017, and the NPPF.

29

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 plant, machinery, buildings or above ground structures shall be constructed on the land north of the residential curtilages of plots 4 - 6 on the approved plan without the prior written agreement of the Local Planning Authority.

Reason: The ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties and the Green Belt, in accordance with policies GB2A, GB7A, DBE2 and DBE9 of the adopted Local Plan 1998 & 2006, Policies DM4, DM9 and DM10 of the Local Plan Submission Version 2017, and the NPPF.

30

No increase in residential curtilages beyond those shown on drawing MP001 Rev C and MP002 shall take place without prior consent of the Local Planning Authority.

Reason: The ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties and the Green Belt, in accordance with policies GB2A, GB7A, DBE2 and DBE9 of the adopted Local Plan 1998 & 2006, Policies DM4, DM9 and DM10 of the Local Plan Submission Version 2017, and the NPPF.

31

The public open space areas within the site shall be retained in perpetuity for use by all residents of the development and shall be enclosed nor access restricted without prior consent from the local planning authority through a planning application.

This aspect of the application has been justified as a public facility and any change thereto requires appropriate consideration in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policies DM5, DM9 and DM10 of the Local Plan Submission Version, and the NPPF 2021.

Informatives: (4)

32

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the

presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

33

Note: Under the Land Drainage Byelaws of this Council, Land Drainage Consent is also required before any work commences. Please contact the Land Drainage team on 01992 564000 for application forms. The grant of planning permission does not imply the automatic grant of Land Drainage Consent.

34

This permission is also subject to conditions and/or covenants of an accompanying Section 106 Agreement.

35

- i. The internal layout would not be considered for adoption by the Highway Authority.
- ii. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org
- iii. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

36 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.

33. PLANNING APPLICATION - EPF/0210/22 MULBERRY COTTAGE, FOREST SIDE, EPPING CM16 4ED

Application Ref: EPF/0210/22

Application Type: Full planning permission

Case Officer: Rhian Thorley

Site Address: Mulberry Cottage

Forest Side

Epping

CM16 4ED

Proposal: Erection of two storey side extension.

Ward: Theydon Bois

Parish: Theydon Bois

View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Ny0s>

Decision: Approve with Conditions

ITEM REMOVED FROM AGENDA AND DECIDED UNDER DELEGATED POWERS

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

Application Ref: EPF/0653/22

Application Type: Full planning permission

Case Officer: Alastair Prince

Site Address: 21 Woburn Avenue

Theydon Bois

Epping

Essex

CM16 7JR

Proposal: Extend an existing garden building.

Ward: Theydon Bois

Parish: Theydon Bois

View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NyxE>

Decision: Approve with Conditions

Conditions: (7)

1

The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2

The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

3

The use of the development hereby permitted shall only be operated by an occupier of the residential property 21 Woburn Avenue, Theydon Bois, CM16 and shall not be let or used independently thereof.

Reason: In order to protect the amenities of surrounding occupiers from any subdivision of the site, in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017 , and the NPPF.

4

The maximum number of clients using the outbuilding shall not exceed 6 persons in any week.

Reason: To protect the amenities of surrounding residents in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

5

No clients shall be permitted on the premises other than between 08:00 and 18:00 Mondays to Fridays and between 09:00 and 12:00 on Saturdays.

Reason: To protect the amenities of surrounding residents in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

6

Notwithstanding the provisions of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 as amended, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order, no advertisement other than an identification sign attached to the front of the outbuilding not exceeding 0.3m square in area shall be displayed at the property without prior consent from the Local Planning Authority by way of an appropriate application.

Reason: In the interest of general visual amenity, in accordance with policies DBE2, DBE9 and DBE13 of the adopted Local Plan and Alterations, policies DM9 and DM13 of the Local Plan Submission version 2017, and the NPPF.

7

No amplified music shall be played during the hours of operation between 08:00 and 18:00 Mondays to Fridays and between 09:00 and 12:00 on Saturdays.

Reason: To protect the amenities of surrounding residents in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

Informatives: (1)

8

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

35. PLANNING APPLICATION - EPF/0793/22 35 DUKES AVENUE, THEYDON BOIS, EPPING CM16 7HG

Application Ref: EPF/0793/22
Application Type: Full planning permission
Case Officer: Alastair Prince
Site Address: 35 Dukes Avenue
Theydon Bois

Epping
CM16 7HG
Proposal: Single storey outbuilding to replace existing outbuilding for use as a home gym and storage use with provision for solar on roof.
Ward: Theydon Bois
Parish: Theydon Bois
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000NyzK>
Decision: Approve with Conditions

ITEM REMOVED FROM AGENDA AND DECIDED UNDER DELEGATED POWERS

CHAIRMAN