

EPHING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 10 September 2015

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.35 pm

Members Present: Councillors E Webster (Chairman), J Lea (Vice-Chairman), N Avey, R Bassett, N Bedford, G Chambers, K Chana, D Dorrell, R Gadsby, L Girling, A Grigg, L Hughes, R Jennings, S Jones, H Kane, S Kane, H Kauffman, J Knapman, Y Knight, A Lion, M McEwen, L Mead, A Mitchell MBE, G Mohindra, R Morgan, S Murray, S Neville, A Patel, J Philip, C P Pond, C C Pond, B Rolfe, B Sandler, G Shiell, D Stallan, S Stavrou, B Surtees, T Thomas, L Wagland, G Waller, S Weston, C Whitbread, J H Whitehouse, J M Whitehouse and D Wixley

Apologies: Councillors K Angold-Stephens, A Boyce, H Brady, W Breare-Hall, R Butler, T Church, J Hart, P Keska, C Roberts and M Sartin

Officers Present: G Chipp (Chief Executive), C O'Boyle (Director of Governance), D Macnab (Deputy Chief Executive and Director of Neighbourhoods), S G Hill (Assistant Director (Governance & Performance Management)), N Richardson (Assistant Director (Development Management)), R Perrin (Democratic Services Officer), S Kits (Licensing Officer) and G J Woodhall (Senior Democratic Services Officer)

38. WEBCASTING INTRODUCTION

The Assistant Director of Governance and Performance Management reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

39. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct Councillor D Stallan declared a prejudicial interest in item 4 – EPF/1007/15 Land and Garages off Burton Road, Debden, Loughton by virtue of being the Chairman of Council Housebuilding Cabinet Committee that made the decision to submit the proposal for planning consent. He had received advice from the Monitoring Officer that he was not able to speak on the application or vote and therefore he would leave the meeting for the consideration of the application and voting.

(b) Pursuant to the Council's Code of Member Conduct, Councillors R Bassett, G Waller and S Stavrou declared a non pecuniary interest item 4 – EPF/1007/15 Land and Garages off Burton Road, Debden, Loughton by virtue of being members of the Housebuilding Cabinet Committee that made the decision to submit the proposal for planning consent. They had received advice from the Monitoring Officer that they were able to speak and vote on the item and would remain in the meeting for the consideration of the application and voting.

(c) Pursuant to the Council's Code of Member Conduct, Councillor A Lion declared a non pecuniary interest item 4 – EPF/1007/15 Land and Garages off

Burton Road, Debden, Loughton by virtue of being a substitute member of the Housebuilding Cabinet Committee that made the decision to submit the proposal for planning consent. He had received advice from the Monitoring Officer that he was able to speak and vote on the item and would remain in the meeting for the consideration of the application and voting.

40. ANNOUNCEMENTS

There were no announcements for this meeting.

41. PLANNING APPLICATION EPF/1007/15 - LAND AND GARAGES OFF BURTON ROAD, DEBDEN

Mover: Councillor B Sandler, Chairman of District Development Management Committee

The Assistant Director of Governance (Development Management) presented a report regarding the redevelopment of land and garages off Burton Road in Debden to provide 51 affordable dwellings with 28 parking spaces.

Following a debate on the application, Councillor B Sandler moved the recommendations on the agenda including the 18 conditions and a Unilateral Undertaking.

Councillor H Kauffman, S Murray, C C Pond, C P Pond and D Wixley requested a recorded vote.

There voted for the recommendation: (28) namely: Avey, Bedford, Bassett, Chambers, Chana, Gadsby, Grigg, Hughes, Jones, H Kane, S Kane, Knight, Lea, Lion, McEwen, Mitchell, Morgan, Patel, Philip, Rolfe, Sandler, Shiell, Stavrou, Wagland, Waller, Webster, Whitbread and J M Whitehouse.

There voted against the recommendation: (13) namely: Councillors Dorrell, Girling, Jennings, Kauffman, Knapman, Murray, Mead, Neville, C C Pond, C P Pond, Thomas, Weston and Wixley.

There abstaining from the vote: (3) namely: Councillors Mohindra, Surtees and J H Whitehouse. Councillor Mohindra abstained from the vote following advice from the Monitoring Officer because he had arrived after the Planning Officer's presentation.

Report as first moved **ADOPTED**

RESOLVED:

(1) That the Council considers the recommendation of the District Development Management Committee that planning permission for the above site be granted subject to a Unilateral Undertaking in respect of a contribution of £16,720 towards healthcare provision in the locality and the following 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: 612/033/PL01/A, 612/033/PL02/B, 612/033/PL03/B, 612/033/PL04/G, 612/033/PL05/E,

612/033/PL06/J, 612/033/PL07/D, 612/033/PL08/E, 612/033/PL09/F,
612/033/PL10/G, 612/033/PL11/J, 612/033/PL12/B, 612/033/PL13/A,
612/033/PL14/A, 612/033/PL15/A, 612/033/PL16/D, 612/033/PL17/C,
612/033/PL18/D, 612/033/PL19/E and 612/033/PL20/C

3. The development hereby approved shall be finished in accordance with the details indicated on drawing number 612/033/PL19/E, unless otherwise previously approved in writing by the Local Planning Authority, in writing.

4. 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.

5. Prior to commencement of the above development a detailed drainage strategy must be submitted for approval to the local authority. It should be based on principles of Sustainable drainage, in line with the approved surface water drainage statement Surface Water Drainage Statement July 2015 v.2 permitted by this planning permission. The detailed drainage scheme should follow mitigation measures detailed within the FRA including:

- Limiting the discharge from the site to 7l/s for all events up to the 1 in 100 year storm plus a 30%.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change and urban creep.
- Ensuring the appropriate level of treatment for all runoff leaving the site, in line with table 3.3 of the CIRIA SuDS guide.
- Provide information about exceedance routes should be provided to indicate what route flows would take should a feature become blocked and cause surface water flooding.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

6. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted

to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

7. Prior to commencement of the development the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.

8. The applicant must keep yearly Maintenance Logs of maintenance which should be carried out in accordance with any approved Maintenance Plan.

(new recommendations 5-8 above were inserted by the agreement of the DDMC following further representations of Essex County Council on 22 July 2015)

9. 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]

10. 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]

11. 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]

12. 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.

13. 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.

14. 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.

15. 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; and

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

16. Prior to first occupation of the development hereby approved, those windows shown to be obscure glazed on drawing numbers 612/033/PL09/F, 612/033/PL10/G and 612/033/PL11/J shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

17. Access to the areas of sedum flat roof system of Block C and Block D, identified on drawing numbers 612/033/PL10/G and 612/033/PL12/B, shall be for maintenance or emergency purposes only and those areas of flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any other Order revoking, further amending or re-enacting that Order) no extensions, alterations to external materials, roof additions, porches or outbuildings with a volume in excess of 10 cubic metres generally permitted at dwellinghouses by virtue of Classes A, B, D and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

CHAIRMAN