

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 1 August 2018

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.05 pm

Members Present: Councillors B Sandler (Chairman), H Brady, G Chambers, I Hadley, S Heap, H Kauffman, P Keska, J Knapman, R Morgan, C C Pond, C Roberts, B Rolfe, D Sunger, E Webster, J M Whitehouse

Other Councillors: J Philip, C P Pond

Apologies: Councillors S Jones, R Jennings

Officers Present: N Richardson (Assistant Director (Development Management)), S Tautz (Democratic Services Manager), S Kits (Social Media and Customer Services Officer)

1. WEBCASTING INTRODUCTION

On behalf of the Chairman, the Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

2. ADVICE TO PUBLIC AND SPEAKERS AT THE COUNCIL'S PLANNING COMMITTEES

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 Committee, during the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at meetings of the Council's Planning Committees.

3. APPOINTMENT OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, who had tendered her apologies for the meeting, the Chairman requested nominations from the Committee for a member to be appointed as Vice-Chairman for the meeting.

RESOLVED:

That Councillor B. Rolfe be appointed as Vice-Chairman of the Committee for the duration of the meeting.

4. SUBSTITUTE MEMBERS

The Committee was advised that the following substitute members had been appointed for the meeting:

- (a) Councillor J. Philip for Councillor S. Jones (Vice-Chairman); and
- (b) Councillor C. P. Pond for Councillor R. Jennings.

5. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Member Conduct, Councillor D. Sunger declared a personal interest in item 9 (Planning Application EPF/0637/18 - The Lodge, Woolston Hall, Chigwell) of the agenda for the meeting, by virtue of being acquainted with the agent for the planning application. Councillor Sunger had determined that his interest was not prejudicial and indicated that he would remain in the meeting for the consideration of the application and voting thereon:

6. MINUTES

RESOLVED:

That the minutes of the meeting of the Committee held on 6 June 2018 be taken as read and signed by the Chairman as a correct record.

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

The Assistant Director (Development Management) reminded the Committee that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version on 18 December 2017.

Members were advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for councillors, officers, applicants, planning agents and other persons involved in the development management process.

RESOLVED:

That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version, published on 18 December 2017, be noted.

8. PLANNING APPLICATION EPF/0621/18 - TUTEIN FARM, GROVE LANE, CHIGWELL

The Assistant Director (Development Management) presented a report with regard to the proposed demolition of an existing barn at Tutein Farm, Grove Lane, Chigwell and the construction of four residential dwellings, two five-bedroom detached houses and two four-bedroom detached houses.

Members noted that consideration of the application was before the District Development Management Committee because Area Plans Sub-Committee South had agreed at its meeting on 11 June 2018 that it be referred to the Committee for determination, after an equal number of members had voted for and against the development proposal.

The Assistant Director (Development Management) reported that the application site had an area of 0.28 hectares and included the existing access road from Grove Cottages. Members noted that the site was occupied by a large barn building and that the remainder of the site was largely laid to lawn with trees and hedges aligning the southern and western perimeters, with the northern and eastern boundaries being demarcated by a wooden picket fence. The Assistant Director (Development Management) indicated that a chalet style house also owned by the applicant adjoined the site, which had already planning permission for an annexe building to be built close to eastern boundary of the application site. Members were advised that further east was the Grade II listed Millers Farmhouse and that there were open fields to the north, west and south of the site. The Assistant Director (Development Management) reported that the agricultural barn was used to store animal feed, hay and wood chippings and to distribute and sell such products to nearby stables and equestrian businesses. Members noted that, prior to such use, the barn had been utilised as a cattle barn and that the site was within land designated as Green Belt.

The Assistant Director (Development Management) reported that each proposed dwelling unit would have two parking spaces each and that the proposed development would increase the volume of solid built form on the site by of 3.6% and that the height of the proposed buildings would rise from a maximum of 6.8m to 8m. Members were advised that, as the intensity of use on the site would also increase, the proposal was, by definition, inappropriate development in the Green Belt.

The Committee was advised that Paragraph 87 of the National Planning Policy Framework (NPPF) provided that inappropriate development was, by definition, harmful to the Green Belt and that it would need to be demonstrated that there were very special circumstances to clearly outweigh the harm to the Green Belt as a result of inappropriateness of the development and all other harms. The Assistant Director (Development Management) indicated that the percentage increase in size was comparatively small and that a reduction in the size of the scheme would not materially reduce its impact. Members noted that, furthermore, the units were to be positioned in a more southerly position in comparison to the existing barn, which would move the built form away nearer to existing buildings surrounding the site and as a consequence increase its separation from the open fields and London Loop route to the north of the site.

The Assistant Director (Development Management) advised the Committee that all of the proposed units had a high standard of design and would make a positive contribution to the character and appearance of the locality and the supply of good quality housing within the District in such a sustainable location. Members were advised that it was considered that there was sufficient public benefit to clearly outweigh the harm resulting from the additional solid built form and the consequent loss of openness, subject to a pre-commencement conditions requiring further details and method statements in relation to soft landscaping on the site and that the application was therefore recommended for approval, subject to a number of conditions.

The Committee was advised that, as the proposed development would create new residential units within a distance of 6.2km of the Epping Forest Special Area of Conservation, policies DM2(C) and DM22 of the Submission Version of the Epping Forest District Local Plan required that any permission be subject to a financial contribution to towards access management and monitoring of visitors to Epping Forest in order to mitigate against the harmful impacts of development on air quality and biodiversity within the Forest. The Assistant Director (Development Management) advised members that the amount of such contribution had not currently been agreed.

RESOLVED:

That planning permission for the proposed demolition of an existing barn at Tutein Farm, Grove Lane, Chigwell and the construction of four residential dwellings, two five-bedroom detached houses and two four-bedroom detached houses be granted, subject to the completion within six months of a Section 106 Agreement to secure appropriate financial contributions towards: (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC); (b) mitigation of air pollution in the vicinity of the Epping Forest SAC; and subject to 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 no's: 882.008.00, 782 004.01, dapa_782_200_03, dapa_782_201_03, dapa_782_203_03, Flood risk and SuDS Statement by Ardent report ref: 180110 - 01A February 2018, Ecological Assessment by Ethos Environmental Planning Feb 2018, 17-602/1, Arboricultural Impact Assessment Report dated 26/1/18 re SHA 613 by Sharon Hosegood Associates, dapa_782_601.03 Design and Access Statement dated 15 May 2018 on EFDC Planning Database;
- (3) No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details;
- (4) No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details;
- (5) The development shall not be commenced until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The details shall include a low level traditional picket type fence on the northern (rear) boundary of the site and the height, species and size of hedges to be installed on the side flank of each dwelling. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained;
- (6) 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 and 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;

- (7) If any tree, shrub or hedge shown to be retained in accordance with the approved arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased 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;
- (8) 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 unless the Local Planning Authority gives its written consent to any variation;
- (9) The development shall be carried out in accordance with the flood risk assessment (Ardent Consulting, Ref 180110-01A February 2018) submitted with the application unless otherwise agreed in writing with the Local Planning Authority. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan;
- (10) No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details;
- (11) 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];

- (12) Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance [Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows];
- (13) 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];
- (14) 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;
- (15) 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;

- (16) Prior to the first occupation of the units hereby approved, One IFR Schwegler Bat Tube shall be installed on the wall of either the western or southern elevation of each residential unit. These tubes shall be a minimum of 3 metres high. In addition and at the same time, bat access tile sets shall be installed on the roof of each dwelling at either the southern or western elevation. These items shall then be permanently maintained as such thereafter;
- (17) This permission shall not be implemented unless and until the recommendations set out in section 10 of the Ecological Assessment by Ethos Environmental Planning February 2018 has been fully undertaken and these mitigation measures shall be maintained for the duration of the use;
- (18) Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose;
- (19) An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation;
- (20) Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day;
- (21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargements or outbuildings exceeding a volume of 10 cubic metres generally permitted by virtue of Classes 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;
- (22) 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; and
- (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.

9. PLANNING APPLICATION EPF/0637/18 - THE LODGE, WOOLSTON HALL, CHIGWELL

The Assistant Director (Development Management) presented a report with regard to a proposed residential infill comprising twelve residential dwelling houses with associated off-street parking, garden space and external landscaping at The Lodge, Woolston Hall, Chigwell.

Members noted that the application been considered by Area Plans Sub-Committee South at its meeting on 27 June 2018, at which time it had been referred to the District Development Management Committee for consideration with a recommendation that planning permission be refused in accordance with the recommendation of the Assistant Director (Development Management), on the application of the minority reference procedure set out in the Council's constitution (Rule M2).

The Assistant Director (Development Management) reported that the application site was an open parcel of land to the northwest of The Lodge, with its southwestern boundary being an access road to Woolston Manor. Members were advised that the north-eastern boundary of the site was an avenue leading to a leisure complex and that a building and a former motel accommodating flats was situated to the northwest of the site. The Assistant Director (Development Management) reported that site was off the highway of Abridge Road, between the village of Abridge and Chigwell and was within the Green Belt. Members noted that trees along the avenue to the northeast of the application site were the subject of Tree Preservation Orders and that The Lodge was a locally listed building, with the northernmost boundary of the site being 120m from the Listed Building.

The Assistant Director (Development Management) reported that the proposed dwellings would be laid out in four terraces each of three houses, running north/south, parallel with and facing the vehicular access to Woolston Hall. Members were advised that each terrace would have its own appearance, whilst also providing overall unity of design to all four and that each of the houses would have three storeys, an integral garage and four bedrooms and an area of communal open space at the southernmost end of the site.

The Committee was advised that the main issue with regard to the proposed development was considered to be Green Belt policy. Other considerations included the provision of affordable housing, the implications of the Submission Version of the Epping Forest District Local Plan, the affect of the development on the setting within the landscape, sustainability, the quality of the design in terms of appearance, highway matters, the possible affect on heritage assets, the impact on neighbouring properties and whether the proposal would offer adequate amenity to future occupiers. The Assistant Director (Development Management) reported that a financial contribution for the provision of off-site affordable housing of £1,624,533 had been offered by the applicant, which had been verified by a consultant acting for the Council. Members were advised however, that no legal agreement had been submitted as part of the application and that Policy I1A required that, in appropriate circumstances, a legal agreement be in place prior to the grant of planning permission.

The Assistant Director (Development Management) reported that the proposal was considered to be contrary to Green Belt policy, failed to provide required on-site affordable housing; and did not represent sustainable development. Members were advised that the proposal was contrary to policy set out in both the adopted Local Plan and the Submission Version and would be detrimental to public amenity by

virtue of failing to use natural resources prudently and failing to mitigate and adapt to climate change.

The Committee was advised that, as the proposed development would create new residential units within a distance of 6.2km of the Epping Forest Special Area of Conservation, policies DM2(C) and DM22 of the Submission Version of the Epping Forest District Local Plan required that any permission be subject to a financial contribution to towards access management and monitoring of visitors to Epping Forest in order to mitigate against the harmful impacts of development on air quality and biodiversity within the Forest. The Assistant Director (Development Management) advised members that the amount of such contribution had not currently been agreed.

RESOLVED:

That planning permission for residential infill comprising 12 no. residential dwelling houses with associated off-street parking, garden space and external landscaping at The Lodge, Woolston Hall, Chigwell be granted, subject to the completion of a legal agreement (Section 106 of the Town and Country Planning Act 1990) by 31 March 2019 that ensures a contribution towards the provision of off-site affordable housing of £1,624,000 and appropriate financial contributions towards: (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC); (b) mitigation of air pollution in the vicinity of the Epping Forest SAC; and to 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:

001.00 Site location plan, received 20/4/18;

200.04;

201.04;

202.03;

203.04;

205.01;

DW-2017-371 Topographical survey;

Phase 1 Habitat Survey Report by Ethos Environmental Planning dated April 2017;

Arboricultural Impact Assessment by Waterman Infrastructure & Environment Limited dated September 2017; and

Preliminary Geo-Environmental Risk Assessment by Waterman Infrastructure & Environment Limited dated February 2017

- (3) No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the Preliminary Geo-Environmental Risk Assessment by Waterman Infrastructure & Environment Limited dated February 2017 submitted with the application unless otherwise agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with such agreed details;

- (4) Access to the flat roof to the dining area as shown on the approved plans shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area;
- (5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority;
- (6) No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include recommendations made in the Phase 1 Habitat Survey Report submitted April 2017 by Ethos Environmental Planning. The scheme shall include new native planting with new soft landscaping, provision of six bat boxes erected in suitable trees or on new buildings and bat sensitive lighting scheme during and post construction. The scheme shall be implemented in full prior to the occupation of the development hereby approved;
- (7) No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority;
- (8) The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works. Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered;
- (9) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority;
- (10) 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;

- (11) If any tree, shrub or hedge shown to be retained in accordance with the details approved in condition 10 above is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased 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;
- (12) 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 unless the Local Planning Authority gives its written consent to any variation;
- (13) An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation;
- (14) Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day;
- (15) 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;
- (16) No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details;

- (17) Details of all walls, fences, gates and other means of enclosure to the residential development shall be submitted for approval by the Local Planning Authority in writing prior to any development above ground level, and the development shall be implemented in accordance with such approved details.

Immediately following the voting on a motion that planning permission for the proposed development be granted, five members of the Committee referred the application to the Council for determination on the application of the minority reference procedure set out in the Constitution (Rule M2).

10. PLANNING APPLICATION EPF/0826/18 - 48 RUSSELL ROAD, BUCKHURST HILL

The Assistant Director (Development Management) presented a report with regard to the proposed demolition of an existing bungalow and the erection of three flats at 48 Russell Road, Buckhurst Hill.

Members noted that consideration of the application was before the District Development Management Committee because Area Plans Sub-Committee South had agreed at its meeting on 27 June 2018 that it be referred to the Committee for determination, after an equal number of members had voted for and against the development proposal.

The Assistant Director (Development Management) reported that the application site comprised a large single storey detached dwelling on a hillside location, which sloped downwards to the south at the rear and downwards to the east from the front elevation. Members noted that, due to the complicated levels of the site the bungalow had one non habitable room at lower ground floor level and could not be considered a two-storey dwelling. The Committee was advised that adjoining the western boundaries were three storey terraced houses and adjoining the eastern boundary was a pair of two-storey semi detached dwellings. The Assistant Director (Development Management) reported that Russell Road was made up of a mixture of a wide mixture of dwellings, with apartment buildings on either side of the road and opposite the application site and that the site was within an urban area and was not listed or within a conservation area.

Members were advised that the application followed an earlier refusal of planning permission for the redevelopment of the site for a detached two-storey dwelling house, as this would have facilitated the loss of a bungalow. The Committee noted that the proposed development had been redesigned to provide a more symmetrical and softer appearance than the previous scheme, involving the construction of a block of three flats over three floors.

The Assistant Director (Development Management) reported the revised application, with an increased number of fully accessible residential units along with the overall bulk and scale of the proposed development, was considered acceptable. Despite objection from neighbouring residents, it was considered that the proposal would not cause any undue loss of amenity to neighbouring residents or cause any parking or highway harm and would adequately serve the living conditions of future occupants. The Committee was advised that the proposal therefore complied with the guidance set out within the National Planning Policy Framework, the relevant policies contained within the adopted Local Plan and Alterations and the Submission Version of the emerging Local Plan.

The Committee was advised that, as the proposed development would create new residential units within a distance of 6.2km of the Epping Forest Special Area of Conservation, policies DM2(C) and DM22 of the Submission Version of the Epping Forest District Local Plan required that any permission be subject to a financial contribution to towards access management and monitoring of visitors to Epping Forest in order to mitigate against the harmful impacts of development on air quality and biodiversity within the Forest. The Assistant Director (Development Management) advised members that the amount of such contribution had not currently been agreed.

RESOLVED:

That planning permission for the proposed demolition of an existing bungalow and the erection of three flats at 48 Russell Road, Buckhurst Hill be granted, subject to the completion within six months of a Section 106 Legal agreement to secure appropriate financial contributions towards (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC); (b) mitigation of air pollution in the vicinity of the Epping Forest SAC; and subject to 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:
 - 318-PL-11 - Site & Location Plans;
 - 318-PL-12 - Proposed & Existing Street Elevation;
 - 318-PL-13 - Proposed Ground Floor Plan;
 - 318-PL-14 - Proposed Lower Ground & First Floor Plans;
 - 318-PL-15 - Proposed Second Floor & Roof Plans;
 - 318-PL-16 - Proposed Elevations;
 - 318-PL-17 - Proposed and Existing Section A-A;
 - 318-EX-01 - Existing Lower & Ground Floor Plans;
 - 318-EX-02 - Existing Roof Plan;
 - 318-EX-03 - Existing Elevations; and
 - Supporting Documents: Tree Constraints Plan, Arboricultural Report;
- (3) No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details;
- (4) 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 unless the Local Planning Authority gives its written consent to any variation;
- (5) 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 and 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;

- (6) If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or 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;
- (7) No development, including works of demolition or site clearance, shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. 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;
- (8) No services shall be installed within the root protection area of the retained trees on or adjacent to the site unless the Local Planning Authority gives its prior written approval;
- (9) The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works. Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily

implemented or confirmation provided that no unexpected contamination was encountered;

- (10) An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation;
- (11) Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day;
- (12) Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority;
- (13) No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site;
- (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; and
- (15) No construction works above ground level shall take place until documentary and photographic details showing the fenestration to be completed in timber have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

11. PLANNING APPLICATION EPF/1490/18 - 65 HIGH STREET, EPPING

The Assistant Director (Development Management) presented a report with regard to the proposed installation of a new shop front at 65 High Street, Epping.

Members noted that consideration of the application was reserved to the Committee in accordance with Article 10 (District Development Management Committee (Section 1(f)) of the Council's Constitution, as it had been submitted by, or on behalf of, a Councillor of the Authority.

The Assistant Director (Development Management) reported that the application site was a three-storey property located to the north of the High Street that formed part of a shopping parade set back from the main road by a service road. Members were advised that the first and second floors of the property were residential and were set back from the ground floor front façade.

The Committee noted that the proposed new shopfront was considered to be an improvement on the existing shopfront display that would not detract from the vitality of the shopping centre and which was considered appropriate to the character and design of shop frontages in the parade. The Assistant Director (Development Management) reported that the development was not considered to result in any material amenity implications presently enjoyed by the occupiers of adjoining properties and that the alterations to the shop front were minimal and appropriate in

design and form that is not harmful and would respect the character and appearance of the property and the shopping parade and comply with the Council's relevant policies.

RESOLVED:

That planning permission for the proposed installation of a new shop front at 65 High Street, Epping be granted, subject to 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; and
- (2) The development hereby permitted be completed strictly in accordance with the approved drawings no's: S.F.1; S.F.2; Site Plan.

12. PLANNING APPLICATION EPF/1800/18 - 25 SHOOTERS DRIVE, NAZEING

The Assistant Director (Development Management) presented a report with regard to a proposed side and rear extension at 25 Shooters Drive, Nazeing.

Members noted that consideration of the application was reserved to the Committee in accordance with Article 10 (District Development Management Committee (Section 1(f)) of the Council's Constitution, as it had been submitted by, or on behalf of, a spouse or partner of a Councillor of the Authority.

The Assistant Director (Development Management) reported that the application site comprised a split-level dwelling set within a plot sloping to the south, located on the northern side of Shooters Drive, which was a residential area characterised by detached and semi-detached single and two-storey dwellings set on large plots. Members were advised that a two storey dwelling was situated to the west of the site and that a bungalow was located to the east of the site. The Committee noted that a sub-divided plot of land (previously part of the curtilage of the application site) already benefiting from planning permission for the construction of a three-bedroom house was situated to the north of the site and that, to the south of the site, were single storey dwellings set lower than the application site due to the sloping terrain. The Assistant Director (Development Management) reported that the site was not located within the Green Belt or Conservation Area.

The Committee was advised that the proposed development provided for the erection of side and rear extensions, with the side extension matching the footprint of the existing structure, to accommodate WC, utility room and sunroom facilities. The Assistant Director (Development Management) reported that the south (principal) elevation would incorporate three additional windows to serve bedroom 2 and that the entrance to the existing garage would be replaced by a window to serve a bedroom. Members noted that the proposal sought to replace the existing entrance steps and retaining wall with new steps and retaining wall topped with a glazed balustrade and the replacement of the fixed glazed screen behind the entrance steps. The north elevation of the existing house would replace the existing window serving bedroom 1 with double doors and the east elevation of the existing house remained unchanged.

The Assistant Director (Development Management) indicated that the main issues in the determination of the application were whether the design and appearance of the proposal was acceptable and its impact on the amenities of neighbouring properties. However, it was considered that the proposal was of acceptable design and appearance and would not be detrimental to the character and appearance of the

street scene. The Committee was advised that the proposed development would retain adequate amenity space and would not adversely impact neighbour amenities and, as such the application complied with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies. Members were advised that sine the publication of the agenda for the meeting, Nazeing Parish Council had confirmed that it had no objection to the development proposal.

RESOLVED:

That planning permission for a proposed side and rear extension at 25 Shooters Drive, Nazeing be granted, subject to 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) Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed by the Local Planning Authority; and
- (3) 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.

13. ANY OTHER BUSINESS

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

14. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

CHAIRMAN