

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 10 June 2015

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 9.30 pm

Members Present: B Sandler (Chairman), B Rolfe (Vice-Chairman), H Brady, R Jennings, S Jones, H Kauffman, A Mitchell MBE, G Mohindra, C C Pond, J M Whitehouse, D Stallan and L Wagland

Other

Councillors: K Angold-Stephens, R Morgan and B Surtees

Apologies: A Boyce, R Butler, J Hart, J Knapman and Y Knight

Officers Present: N Richardson (Assistant Director (Development Management)), G J Woodhall (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

1. WEBCASTING INTRODUCTION

The Democratic Services Officer 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.

2. 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 Committee, in relation to the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at Council Planning Committee meetings.

3. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

The Committee noted the following substitutions for this meeting:

- (i) Councillor Wagland for Councillor Knapman; and
- (ii) Councillor Stallan for Councillor Boyce.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest in the following items of the agenda, by virtue of being a business associate and personal friend of the applicant. The Councillor had determined that his interest was pecuniary and would leave the meeting for the consideration of the applications and voting thereon:

- EPF/2516/14 Foster Street Farm, Foster Street;

- EPF/2517/14 Land at Harlow Gateway South, London Road; and
- EPF/2518/14 C J Pryor, Cecil House, Foster Street.

(b) Pursuant to the Council's Code of Member Conduct, Councillor G Mohindra declared a personal interest in the following item of the agenda, by virtue of having been one of the Councillors who triggered the Minority Reference Rule for this Application when it was considered by the Area Plans Sub-Committee South. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2664/14 Willow Park Farm, Millers Lane, Chigwell.

(c) Pursuant to the Council's Code of Member Conduct, Councillor G Mohindra declared a personal interest in the following item of the agenda, by virtue of having been the Finance & Performance Management Portfolio Holder when the scheme was initiated. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0294/15 Council Depot Site and Adjacent Land off Langston Road, Loughton.

(d) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following item of the agenda, by virtue of being a current member of the Cabinet. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0294/15 Council Depot Site and Adjacent Land off Langston Road, Loughton.

(e) Pursuant to the Council's code of Conduct, Councillor H Brady declared a personal interest in the following item of the agenda, by virtue of her husband having made a representation concerning the application prior to its consideration by Area Plans Sub-Committee East. The Councillor had determined that her interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/3005/14 Land at Barkers Farm, Mount End road, Theydon Mount.

(f) Pursuant to the Council's Code of Member Conduct, Councillors B Sandler, B Rolfe, H Brady, S Jones, A Mitchell, G Mohindra, D Stallan and L Wagland declared a personal interest in the following items of the agenda, by virtue of being a member of the same political group as the applicants. The Councillors had determined that their interest was non-pecuniary and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0343/15 311 High Street, Epping; and
- EPF/0682/15 Pine Lodge Riding Centre, Lippitts Hill, Waltham Abbey.

(g) Pursuant to the Council's Code of Member Conduct, Councillors Robert Jennings, H Kauffman and C C Pond declared a personal interest in the following items of the agenda, by virtue of being acquainted with the applicants as fellow Councillors. The Councillors had determined that their interest was non-pecuniary and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0343/15 311 High Street, Epping; and
- EPF/0682/15 Pine Lodge Riding Centre, Lippitts Hill, Waltham Abbey.

5. MINUTES**Resolved:**

(1) That the minutes of the meeting held on 8 April 2015 be taken as read and signed by the Chairman as a correct record.

6. EPF/2516/14 - FOSTER STREET FARM, FOSTER STREET

The Assistant Director of Governance (Development Control) presented a report regarding the redevelopment of the site at Foster Street Farm in Foster Street to provide 9 residential units together with associated car parking, open space, refuse and recycling facilities. This was an enabling development for the linked applications EPF/2517/14 and EPF/2518/14, as the approval of the two residential schemes would fund and enable the relocation of C J Pryor to an expanded site at Harlow Gateway South.

The Assistant Director stated that the application site was on the northern side of Foster Street and was part of a small development comprising commercial sites and approximately 50 residential sites. The site contained a large former agricultural building and various smaller storage buildings, with residential properties to the east and south of the site and open land to the north and west. There was a single access road to Foster Street and the site was within the Green Belt.

The Assistant Director reported that the proposal sought permission for two 3-bed, five 4-bed and two 5-bed properties to be erected. The dwellings would all be two-storeys in height, and although the original plans had included three-storey dwellings these had been amended to lower the height of the buildings. A pair of semi-detached and a single dwelling would front Foster Street, with a linear development of detached dwellings to the rear of these. A small pond would be sited in the south east of the site and the site access would be relocated to allow for better visibility.

The Assistant Director informed the Committee that the main issues concerning this application were the principle of the development as the site was located within the Green Belt and was previously developed land; the very special circumstances for development with the Green Belt put forward by the applicant for the three linked applications; whether the location was sustainable for this development as it was a small rural hamlet; the highways issues relating to the development; the visual impact of the development on the area; the potential loss of amenity for the existing residential properties in the area; and the ecological impacts of the proposed development. Other matters considered for this development included flooding, contamination and the collection of waste from the proposed residential dwellings.

Planning Officers had concluded that the proposed development would not result in any greater harm to the openness of the Green Belt and would not cause any significantly greater impact on the character and appearance of this rural area. There would be no perceptible increase in vehicle movements and the relocation of the access road would improve highway safety. The loss of amenity to existing properties would not be excessive, and there were some amenity benefits to the local area from this development. Adequate parking and private amenity space had been provided, and the small scale of the proposed development was sufficient in respect of sustainability. The proposal complied with the National Planning Policy Framework and the relevant Local Plan policies, and was therefore recommended for approval.

The Assistant Director added that this application, along with the two linked and enabling applications, were originally considered by Area Plans Sub-Committee East

at its meeting on 13 May 2015. However, all three applications were referred directly to this Committee without discussion.

The Committee noted the summary of representations. Twelve letters in support of the application had been received, including the local Member of Parliament and six employees of C J Pryor; nine letters of objection had been received, including North Weald Bassett Parish Council. Harlow District Council had no objection to the development. The Committee heard from an objector, the Parish Council and the Applicant's Agent. Both the objector and Parish Council stated that they had not seen the amended plans, only the original plans, and it was suggested to the Committee that the application be deferred to allow the stakeholders to study the revised plans for the development. The Committee proceeded to debate the application.

The Committee expressed discomfort about having to determine this application when the proper stakeholders had not had sight of the revised plans, and it was felt that the Parish Council as a statutory consultee and the local residents should have been properly consulted. The Assistant Director acknowledged that the revised plans had not been circulated for consultation, but the site area was the same and the proposed dwellings were in approximately the same position, but the 3-storey houses originally proposed had been changed to 2-storey houses and the appearance of the residential units had been amended. The advice from the Council's Legal Officers was that the Committee could determine the application as the plans had not been sufficiently radically altered, and if the application was deferred then it could lead to a planning appeal on the grounds of non-determination.

The Committee noted the comments of the Assistant Director and the legal advice, but felt that this application – along with the two other linked applications – should be deferred pending proper consultation with the Parish Council and local residents over the revised plans.

Resolved:

(1) That the consideration of planning application EPF/2516/14 at Foster Street Farm in Foster Street, along with the two linked enabling applications EPF/2517/14 at Harlow Gateway South in London Road and EPF/2518/14 at Cecil House in Foster Street, be deferred until the next meeting of the Committee scheduled for 5 August 2015 pending proper consultation with the statutory consultees, including local residents and North Weald Bassett Parish Council, over the revised plans for this application.

7. EPF/2517/14 - LAND AT HARLOW GATEWAY SOUTH, LONDON ROAD (A414)

Application deferred until the next meeting of the Committee on 5 August 2015.

8. EPF/2518/14 - C J PRYOR, CECIL HOUSE, FOSTER STREET

Application deferred until the next meeting of the Committee on 5 August 2015.

9. EPF/3006/14 - FYFIELD BUSINESS AND RESEARCH PARK, FYFIELD ROAD, CHIPPING ONGAR

The Assistant of Governance (Development Control) presented a report for outline planning permission for a mixed use redevelopment at Fyfield Business and Research Park in Fyfield Road, Chipping Ongar.

The Assistant Director stated that the application site covered a area of 9.35 hectares, of which 5.65 hectares was developed, and was located within the Green Belt to the north east of Ongar. The site was currently occupied by a business park, which had evolved form the original use as a agricultural research and development site, and included many mature and well established trees; however, there were no tree preservation orders on the site. The site was surrounded by agricultural land to the north and south, and residential properties to the east and west. Not all the buildings on the site were purpose built or suitable for business occupation, but a number of business uses were well established on the site.

The Assistant Director reported that the proposal compromised the retention of part of the existing business park and community facilities, the provision of new car parking space to serve the retained uses, and an extension to the existing café to provide 140m² of new retail space. The proposal also included the provision of recreational facilities – a relocated MUGA play area and junior football pitch – the removal of other existing buildings on the site and the erection of 105 residential dwellings together with associated car parking, public open space and landscaping, as well as the construction of a new site access with a new roundabout off Fyfield Road.

The Assistant Director informed the Committee that the main issues for consideration were the principle of development in the Green Belt following the approval of planning permission for the site on appeal in 2012, the potential harm on the Green Belt from the development and its sustainability in terms of the social, economic and environmental objectives, the visual impact of the scheme, the provision of affordable housing from the scheme in accordance with Council policy, the proposed design of the scheme, the impact of the scheme on the listed buildings currently on the site, the viability of an archaeological investigation at the site before and during construction, the impact of the scheme on the amenity of neighbouring properties, the proposed landscaping for the scheme, the results of the ecological assessment, drainage issues, and highways issues relating to access and parking. Other matters considered included access for emergency vehicles, possible contamination at the site from its previous uses, refuse collection from the proposed dwellings, and the provision of sports facilities.

Planning Officers had concluded that whilst there was limited additional encroachment into the Green Belt beyond what currently existed or had been previously approved, the very special circumstances of the application relating to the benefit to openness arising from a smaller overall volume of development and the provision of much needed housing on a brownfield site outweighed any potential harm. Officers were satisfied that the proposed scheme provided a suitable layout and form of development for the site, which resulted in no significant adverse impact, and therefore the planning application had been recommended for approval. In addition, it was also recommended that the Council entered into a Section 106 agreement under the Town and Country Planning Act 1990 (as amended) with the applicant to make contributions towards education, affordable housing, highways alterations, sports facilities, and the maintenance of the open spaces within the development.

The Assistant Director added that this application was originally considered by Area Plans Sub-Committee East on 15 April 2015. The Sub-Committee voted to refuse planning permission on the grounds that the proposed development was unsustainable and no very special circumstances existed to outweigh the harm to the Green Belt. Four members of the Sub-Committee then invoked the Minority Reference rules within the Constitution to have the application referred to this Committee for a final decision.

The Committee noted the summary of representations and that nine properties had objected to the application, along with Ongar Town Council who expressed grave concerns about the road safety and transport issues arising from the application. The Committee heard from an objector and the applicant's agent before proceeding to debate the application.

A local Member for Chigwell Village highlighted that the site was previously developed land capable of being a village location and connected to other local centres such as Ongar. The Member was concerned that the outline consent would be superseded by different and would have preferred a full planning application to have been made. The Member acknowledged that layout might look regimented for a village setting but the affordable housing provision would be very welcome.

The Assistant Director drew the Committee's attention to condition 4, which restricted the maximum number of dwellings to 105, and that the appearance of the dwellings was one of the reserved matters, which would come back to the Committee for approval at a later date. Planning conditions 2 and 3 in the original report had dealt with the design and appearance of the dwellings, and the Council would recommend that the developers followed the Essex Design Guide for the appearance of the dwellings. An extra condition would need to be added to prevent the occupation of any of the residential units until the applicant had grounded or re-routed the 4KW electricity cable that currently ran across the site.

Local Members for Loughton Broadway and Loughton St Mary's felt that the indicative layout was too urban and too dense, and that this was not a suitable location for this type of layout. The Members also felt that more weight should be given to the comments from Ongar Town Council concerning transport and highway issues.

The Assistant Director accepted that the density of the proposal was high, but there were not many examples of this type of development to refer to. The previous appeal decision in 2012 acknowledged this area as being previously developed land and the proposed development would contribute to the Council's five-year land supply for the provision of new homes. The Assistant Director confirmed that the education provisions within the draft Section 106 legal agreement had been requested by Essex County Council, and that the Council would seek 44 of the proposed dwellings to be earmarked for affordable housing.

A local Member for Chigwell Village emphasised that the material factor for this application was that it was previously developed land for which no alternative use had been found. In addition, there had been no objections raised by the Highways Officers at Essex County Council, and therefore it would be difficult to refuse the application on highways issues.

The Assistant Director informed the Committee that the planning permission approved in 2012 could not be implemented if the application under discussion was approved and constructed, and it would not even be practical to part-implement that permission. The permission granted in 2012 could have expired by now in any case if it was only granted for a period of three years. The provision of two new bus stops at the location had also been proposed. The Chairman highlighted that this site was already a highly developed area of land with existing buildings and hardstanding areas.

A motion to refuse the application was proposed based on the grounds for refusal agreed by Area Plans Sub-Committee East, amended to include the impact caused

by the imposition of a dense suburban type of development within the Green Belt. This motion was lost.

The original Officer recommendation to grant the application, subject to the conditions listed in the original report and the extra condition to deal with the 4KW electricity cable currently running through the site, as well as the proposed Section 106 legal agreement, was agreed.

Resolved:

(1) That planning application EPF/3006/14 at Fyfield Business and Research Park in Fyfield Road, Chipping Ongar be granted planning permission subject to the following conditions:

1. The development hereby permitted will be completed strictly in accordance with the approved drawings nos:

- 4644 PL100 Site Location Plan;
- 4644 PL101 Existing Site Plan;
- 4644 PL110 P2 Site Layout;
- 4644 PL111 P2 Residential Layout 1 of 2;
- 4644 PL112 P1 Residential Layout 2 of 2;
- 4644 PL120 P2 Refuse Strategy; and
- PR119352-10H Landscape Masterplan;

2. a. Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

i. appearance.

b. The reserved matters shall be carried out as approved.

c. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

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. The maximum number of dwellings permitted by this consent is 105 units of the mix specified on drawings 4644 PL110 P2, 4644 PL111 P2, 4644 PL111 P2 and 4644 PL112 P1. These dwellings permitted shall not exceed 9m in height.

5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, C or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

6. The garages, car ports and parking spaces hereby approved shall be retained in perpetuity and kept free from obstruction at all times so that they are permanently available for the parking of vehicles.

7. 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, 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 Phase 2 site investigation condition that follows.]

8. 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.]

9. 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.]

10. 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.

11. 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.

12. No development shall take place, including any ground works or 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 the following all clear of the highway:

- safe access into the site;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development; and
- wheel and underbody washing facilities.

13. Prior to first occupation of the development, the provision of the access arrangements, as shown in principle on drawing PL110 Rev P2, shall be implemented, to include but not restricted to:

- The provision of the roundabout access;
- Bus stops either side of the B184 to ECC specification, to include shelters if possible;
- Provision of a footway link from the site to tie into the existing to the south; and
- All details to be agreed with the Highway Authority.

14. The existing southern access shall be permanently closed and replaced with full upstand kerbs and full depth verge, the existing northern access shall be closed to vehicular traffic with the exception of emergency vehicles, by way of bollards or other means as agreed with the Highway Authority, immediately the proposed new access is brought into use. All details to be agreed with the Highway Authority.

15. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation 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.

16. There shall be no discharge of surface water onto the Highway.
17. No development or preliminary groundworks of any kind 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 by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
18. 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.
19. 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.
20. Prior to the commencement of demolition/construction, the following should be submitted to, and approved in writing by, the Local Planning Authority:
 - i. A detailed proposal for the creation of the wildlife/conservation area (including the pond) in the north-eastern area of the site. This will include mapping and species lists.
 - ii. A five-year management plan detailing the development and monitoring proposals of the north-eastern wildlife/conservation area over five years including scheduling and responsibilities.
And the development shall be carried out in accordance with the approved details.

21. Prior to the commencement of demolition/construction, the following should be submitted to, and approved in writing by, the Local Planning Authority:

- i. A detailed description including mapping of the creation, position, species planting lists and future maintenance of the attenuation ponds.
- ii. And the development shall be carried out in accordance with the approved details.

22. Prior to the commencement of demolition/construction, the following should be submitted to, and approved in writing by, the Local Planning Authority:

- i. A detailed description of the type of lighting, positioning and recommended minimal timings of use of lighting, if any is to be used for the football pitch in the northwest area, in order to be sensitive to badgers.
- ii. And the development shall be carried out in accordance with the approved details.

23. Prior to the commencement of demolition/construction, the following should be submitted to, and approved in writing by, the Local Planning Authority:

- i. A proposal to address the issue of the ventilation unit on the roof of Unit 25 to avoid bats being killed recklessly.
- ii. A copy of the application made to Natural England for a European Protected Species licence. Such application will cover the bat mitigation scheme, timing issues, material usage in the new build and details of soft-felling of trees.
- iii. A copy of the European Protected Species licence from Natural England allowing buildings to be demolished that are being used by bats.
- iv. Details of an artificial lighting plan to be used during and post development to include type and timings and following Natural England's guidelines.
- v. And the development shall be carried out in accordance with the approved details.

24. Prior to the commencement of demolition/construction, the following should be submitted to, and approved in writing by, the Local Planning Authority:

- i. Detailed schedule of the method, timing and location of any tree felling in order to avoid the bird breeding season and details of procedure should any nests be found and details of the responsible contractor.
- ii. And the development shall be carried out in accordance with the approved details.

25. Prior to the commencement of demolition/construction, the following should be submitted to, and approved in writing by, the Local Planning Authority:

i. A methodology including timings of the vegetation clearance and soil scraping of the northwest area of the site in order to be sensitive to reptiles and details of the responsible contractor.

ii. And the development shall be carried out in accordance with the approved details.

26. The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed flood risk assessment (Royal HaskoningDHV, Ref: 9Y1364/R0006/310055/Egha, dated 19 December 2014) has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

27. The development be carried out in accordance with the flood risk assessment (Fyfield Business Park, Fyfield Road, Chipping Ongar Flood Risk Assessment and Surface Water Management Plan, Ref 9Y1364, 19 December 2014) and drainage strategy, including drawing no. 9Y1364/FRA/01 Revision D2 and subsequent calculations provided by Royal Haskoning DHV on 05.02.2015 submitted with the application, unless otherwise agreed in writing with the Local Planning Authority.

28. Prior to the commencement of works the developer shall supply the Local Planning Authority with details of surface water drainage. This should include the method of flow control with associated discharge rate, all permeable paving subbase depths, definitive volumes of the attenuation features and pipe sizes throughout the development. These details should then be approved in writing before works start and the development should be carried out in accordance with the approved details.

29. No development approved by this planning permission shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details in the letter dated 6th February.

30. All main highways and turning areas within the application site required for refuse collection shall be constructed to a standard sufficient to accommodate the weight of a fully loaded 32 tonne refuse vehicle.

31. Prior to the commencement of works the developer shall submit details for the proposed playing pitch layout on the proposed playing field. This shall be approved in writing and the development shall be carried out and maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

32. a. No development shall commence until the following documents have been submitted to and approved in writing by the Local Authority:
- i. A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and
 - ii. Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- b. The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.
33. The playing field and pitches shall be constructed and laid out in accordance with the submitted details and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first occupation of the development hereby permitted.
34. The artificial grass pitch hereby permitted shall not be constructed other than in accordance with the design and layout details set out in the planning application EPF/3006/14 unless otherwise agreed in writing by the Local Planning Authority.
35. No development shall commence until details of the design and layout of the artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority. The artificial grass pitch shall not be constructed other than substantially in accordance with the approved details and shall be maintained thereafter in accordance with the agreed details.
36. Prior to commencement of works details shall be submitted to and approved in writing by the Local Planning Authority for the detailed design of the sports pavilion. The facilities shall be designed in accordance with Sport England's Pavilions and Clubhouses guidance note and the FA's Changing Accommodation guidance.
37. Prior to the commencement of works the developer shall submit to the Local Planning Authority and have approved in writing details of the car parking provision dedicated for supporting the use of the sports facilities. The details should include the layout of the car park, confirmation of the spaces dedicated to sports use and details of how the car parking will be managed. The development shall then be carried out and maintained thereafter in accordance with the approved details.
38. No development shall commence until details for the phasing of the development, including the provision of the playing pitch, artificial grass pitch

and sports pavilion, have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure that the development hereby permitted ensures a continuity of sporting provision on site and provision of sporting facilities prior to residential occupation. The development hereby permitted shall not be carried out other than in accordance with the approved details and shall be maintained in accordance with these details thereafter.

39. Prior to the commencement of works the developer shall provide details regarding the provision and retention of fire hydrants on the application site, the location of the fire hydrants and confirm the associated water capacity. These details shall be approved in writing by the Local Planning Authority and the development shall be carried out and maintained thereafter in accordance with the approved details.

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

1. The parking of vehicles of site operatives and visitors.
2. Loading and unloading of plant and materials.
3. Storage of plant and materials used in constructing the development.
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
5. Measures to control the emission of dust and dirt during construction, including wheel washing.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

41. No development shall take place until details of levels 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 access ways and landscaped areas. The development shall be carried out in accordance with those approved details.

42. All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

43. Notwithstanding the detail on the approved plans, Prior to the commencement of works the developer shall provide details of provision for 44 affordable units (42% of the development) on the application site of a mix and tenure and location to be agreed in writing by the Local Planning Authority. The development shall be carried out and maintained thereafter in accordance with the agreed details.

44. No dwelling hereby approved shall be occupied until the overhead electricity lines which cross the site have been safely re-routed or re-directed.

10. EPF/2664/14 - WILLOW PARK FARM, MILLERS LANE, CHIGWELL

The Assistant Director of Governance (Development Control) introduced a report for the demolition of buildings at Willow Park Farm in Millers Lane, Chigwell and the erection of a new detached dwelling with a classical appearance, a rectangular plan of 26m by 15.5m and a crown roof reaching 9.3m in height.

The Assistant Director informed the Committee that the site comprised the greater part of a former farmyard and adjacent open land to the north-west and south-east of the yard area. The former farmyard contained six buildings, four of which were relatively large former barns and workshops, and a hardstanding yard area. Access to the site was via Millers Lane. A former farmhouse and associated buildings was situated close by and planning permission to erect a replacement house immediately to the rear of it was obtained on appeal in February 2013. The land rose to the north-east and south-west of the site, which would restrict views of the development, as would the trees and hedgerow adjacent to the nearby watercourse on the south-east and south-west of the site. The site was within the Metropolitan Green Belt, but not within a conservation area or within the vicinity of a listed building.

The Assistant Director stated that the main issues for consideration were the appropriateness of the development in the Green Belt, the impact of the development on the openness of the Green Belt, the character and appearance of the countryside, and whether there were any very special circumstances to justify the development in the Green Belt. Planning Officers had concluded that the proposal constituted inappropriate development in the Green Belt that would appear excessively bulky and high in relation to the approved replacement house at Willow Park Farm. No very special circumstances existed to justify the development and it had been recommended that planning permission was refused.

The Assistant Director reported that this application had been considered by Area Plans Sub-Committee South on 1 April 2015, who had agreed with the Officer Recommendation to refuse planning permission. However, four members of the Sub-Committee had invoked the Minority Reference rules within the Constitution and this application had been referred to the Committee for a final decision.

The Committee noted the summary of representations, and that the Parish Council had no objections to the application provided the existing buildings were demolished first before construction began, and the bricks used matched those used for the existing buildings. The Committee heard from a public speaker, the applicant's agent.

A number of Members of the Committee felt that it would be difficult to refuse this application, on the basis of the recent appeal decision concerning the rebuilding of the farmhouse, and that the development was on a very large plot even with the mansion style design proposed. It was noted that there was a small element of residential development already approved for the site, and this sort of design was not unusual for Chigwell.

A local Member for Loughton Broadway spoke in favour of the recommendation to refuse as the development appeared out of scale and inappropriate for the location. The Member was not convinced that a Planning Inspector would allow two large mansions in close proximity to each other in Millers Lane. Another local member for Loughton St Mary's added that the proposed building was too large, too high, and should be smaller.

A local Member for Chigwell Village responded that Planning Inspectors often considered such proposals more appropriate in locations such as Millers Lane, and

that there had been no objections from the Parish Council or local residents, who wanted the existing buildings to be removed. The Member felt that the applicant had offered the best possible solution for this site.

A motion to grant planning permission for this application was proposed, seconded, and agreed on the Chairman's casting vote. The Assistant Director then listed a set of planning conditions to be applied to this application, which the Committee agreed. There was a query as to whether an archaeological survey would be required, but the Assistant Director did not think so.

Resolved:

(1) That planning application EPF/2664/14 at Willow Park Farm in Millers Lane, Chigwell be granted planning permission 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: FAV_001 rev H, ESA_112 rev H, ESA_901 rev W, ESA_902 rev F, ESA_903 rev F, ESA_904 rev L, 002215P_TCP_01 and 02215P_TPP_01
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 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.
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 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.
6. Before any preparatory demolition or construction works commence on site, full ecological surveys and a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.
7. 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.

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 scheme for the ecological enhancement of Little London Brook (report Ref 4361.001 - Version 2.0 dated February 2014) shall be implemented in full prior to the occupation of the development hereby approved.
10. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. 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.
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. 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.
17. The development hereby approved shall not be commenced until full details of the proposed garage building have been submitted to and approved in writing by the Local Planning Authority. The garage building shall be constructed in accordance with the approved details.
18. Prior to commencement of the house hereby approved, all the existing buildings shown to be demolished on the approved drawing number ESA_904 rev L shall be demolished and all resultant building material and debris removed from the site.

11. EPF/0294/15 - COUNCIL DEPOT SITE AND ADJACENT LAND OFF LANGSTON ROAD, LOUGHTON

The Assistant Director of Governance (Development Control) presented a report concerning reserved matters for the development of a retail park with associated landscaping, car parking, ground remodelling works, retaining wall structures and two accesses off Langston Road at the Council Depot site and adjacent land off Langston road in Loughton.

The Assistant Director reported that the site comprised a Council Depot, which had three large buildings and areas of hard standing, and the adjacent site historically referred to as the 'T11' site. To the south of the site was an area of private land which separated it from the M11 motorway, to the east was the Loughton Seedbed Centre, with a BMW garage to the west. The rear part of the site did lay within the Metropolitan Green Belt, and the whole of the site was within an area designated for business and general industrial uses by the Local Plan.

The Assistant Director stated that four matters were reserved when outline planning permission was sought, namely: layout; scale; appearance; and landscaping. The application therefore focused on these aspects only and any new matters introduced as part of the application. The only significant new issue raised at this stage concerned advertisements and illumination. Whilst issues concerning access and deliveries to the site had been raised, these matters had already been dealt with at the outline planning stage. Whilst more units were now being provided, the gross area of retail space was unchanged.

The Assistant Director informed the Committee that Planning Officers were of the opinion that the reserved details submitted reflected those agreed at the outline planning stage. The design, appearance, scale and landscaping information provided indicated that the retail park could be successfully implemented without harm to the character and appearance of the area. The proposed development accorded with the

relevant development plan objectives and, therefore, the application was recommended for approval.

The Committee noted the two representations that had been received. The Loughton Residents Association had objected to the proposed illuminated signage facing the M11 motorway, as this would pose a hazard to drivers on the motorway. Loughton Town Council expressed concerns about the impact of lorries making deliveries to the retail park and requested a condition to restrict delivery routes so that the site could only be accessed from the M11 motorway. The Town Council also objected to the illuminated signage facing the M11 motorway on the grounds of being dangerous to highway safety. The Committee also heard from a public speaker, this being the applicant's agent.

The Committee had no objections to the application and the Assistant Director confirmed that the conditions listed for this application would be in addition to those previously agreed at the outline planning stage.

Resolved:

(1) That planning application EPF/0294/15 at the Council Depot site and adjacent land off Langston Road in Loughton be granted permission, subject to the following conditions in addition to those agreed under outline planning permission EPF/2580/10 and the associated Section 106 legal agreement:

1. The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
8917 PL 001, 8917 PL 002 H, 8917 PL 003 A, 8917 PL 004 A, 8917 PL 005 C, 8917 PL 006 B, 8917 PL 007 B, 8917 PL 008 B, 8917 PL 009 A, 8917 PL 010 A, 8917 PL 020 A.
2. The development shall be carried out and maintained thereafter in the materials identified in the application unless otherwise agreed in writing by the Local Planning Authority. The permitted materials are identified on drawings 8917 PL 008 B and 8917 PL 005 C and comprise for the parking area: Brushed concrete road surface, Tarmacadam parking areas and concrete paving slabs in neutral finish. Materials permitted for the building comprise: Metal profile roof in light grey, flat panel cladding in silver and dark silver, terracotta blocks, dark grey panels.
3. 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.

4. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 and any superseding act, no signage shall be erected on the application site beyond that approved as part of this application, without the prior approval of the Local Planning Authority.
5. Each unit hereby approved shall have no more than one fascia sign on each elevation. The size of each fascia sign for the units shall not exceed 11m in length by 3.3m in height, and the lettering and logos contained within shall not exceed 1.1m in height. The fascia signs shall not protrude above the ridge of the unit by more than 0.6m and the signage shall be downlit or internally illuminated only unless installed on the south-eastern elevation fronting the M11, where no illumination is acceptable.
6. The maximum luminance of the fascia signage granted consent by this Notice shall not exceed 600 candelas per square metre.
7. The maximum luminance of the totem signs granted consent by this Notice shall not exceed 1000 candelas per square metre.
8. Any signage erected facing the south-eastern elevation facing the M11 motorway shall at no time whatsoever be illuminated unless otherwise agreed in writing by the Local Planning Authority.
9. Prior to the commencement of works the developer shall submit details of proposed lighting intended for the retail park, including position, direction of lighting and spread of any overspill lighting. The development shall then be carried out in accordance with the approved particulars unless otherwise agreed in writing by the Local Planning Authority.
10. 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.

12. EPF/3005/14 - BARKERS FARM, MOUNT END ROAD, THEYDON MOUNT

The Assistant Director of Governance (Development Control) presented a report for the change of use of a former farm office and dairy building and barn to create one live/work unit at Barkers Farm in Mount End Road, Theydon Mount. The proposal also included the infilling of an undercroft area to form a living room. The front elevation would be enclosed by glazed bi-fold doors.

The Assistant Director informed the Committee that this application was originally considered by Area Plans Sub-Committee East on 15 April 2015. A motion to refuse the application on the grounds that it would compromise the openness of the Green Belt and was not a sustainable location for residential development was lost; the Planning Officer's recommendation to approve the application was then agreed.

However, five members invoked the minority reference rules within the Constitution to refer the application to this Committee for a final decision.

The Assistant Director stated that the application site was situated on the east side of Mount End Road, and was within the Metropolitan Green Belt. The site comprised a substantial two-storey brick building originally constructed as a diary building and farm office. A single-storey wing extended to the rear and extended up to a substantial modern barn, which was now divided into four units. The site also included a large tarmac surfaced area and a grassed area south of the former diary and barn.

The Assistant Director highlighted that the site had a history of planning permission being refused and a subsequent appeal dismissed on the grounds there was no evidence of agricultural need for the proposed dwelling. Since the publication of the National Planning Policy Framework, the issue of agricultural need was no longer relevant and there was a different planning policy context by which to determine this application.

The Assistant Director reported that the main issues to consider were the appropriateness of the development in the Green Belt, the sustainability of the development, and the living conditions for the neighbouring dwellings. Particular reference was made to paragraph 90 of the National Planning Policy Framework, which made clear that the re-use of buildings in the Green Belt was not inappropriate provided the buildings were of a permanent and substantial construction, the new use preserved the openness of the Green Belt, and did not conflict with the purposes of including land in the Green Belt. In relation to this, Officers had concluded that the proposal was not inappropriate development in the Green Belt, would not cause undue harm, and therefore had complied with the relevant planning policies.

The Committee noted the summary of representations received in relation to the application. Two letters had been received objecting to the application, of which one was from the Parish Council; both objections were opposed to the establishment of a dwelling on this site. The Committee heard from the applicant's agent before proceeding to debate the application.

The local Member for Passingford supported the objection made by the Parish Council and stated that none of the current buildings on the site were constructed with prior planning approval, only retrospective approval which was resented by local residents. There had never been any goat farming on the site, and this called into question any potential business or work use on the site in the future. The Member was concerned that the dismissal of the planning appeal to prevent residential use of the site under the previous planning guidelines was now considered irrelevant under the National Planning Policy Framework. If the application was to be granted then the Member requested a new condition to prevent the blocking of the archway as any glazing or doors there would affect the openness of the Green Belt.

In response to questions from other Members, the Assistant Director confirmed that the planning history of the site was now irrelevant due to the National Planning Policy Framework, and that the Committee should only consider the proposed conversion of the buildings. The barn behind the residential building was the proposed 'work' unit, and conditions 3 and 4 would remove the permitted development rights at the property.

A local Member for Chigwell Village sympathised with the residents and Parish Council regarding the apparent disregard for the planning rules in the past at this site. The Member requested further clarity from the Assistant Director regarding the limit

and scope of the re-use of buildings within the Green Belt in the National Planning Policy Framework.

The Assistant Director reminded the Committee that it was paragraph 90 of the National Planning Policy Framework which was relevant in this case. Buildings had to be of a permanent and substantial nature to be re-used, and also had to preserve the openness of the Green Belt. The new use could potentially be any use. Planning Officers had also considered that the proposed application would lead to fewer vehicle movements to and from the site.

The Officer's recommendation to grant planning consent was narrowly lost. The Chairman requested a motion for refusal, with reasons, but none was forthcoming. The Committee had concerns about the precise scope of paragraph 90 of the National Planning Policy Framework, and the way in which it was being interpreted in this case. A motion was put forward to defer this application to the next meeting of the Committee, pending the obtaining of further legal advice on this aspect of the National Planning Policy Framework.

Resolved:

(1) That the consideration of planning application EPF/3005/14 at Barkers Farm in Mount End Road, Theydon Mount be deferred until the next meeting of the Committee scheduled for 5 August 2015 pending the receipt of further legal advice concerning paragraph 90 of the National Planning Policy Framework.

13. EPF/0343/15 - 311 HIGH STREET, EPPING

The Assistant Director of Governance (Development Control) presented a report on the proposed replacement of existing signage with the same size, and with the located signs only changing colour and branding at 311 High Street in Epping. This application was before the Committee as the applicant was a serving District Councillor.

The Assistant Director reported that the application site was located on the northern side of the High Street in Epping within the town centre and within a parade of shops. The proposal involved replacing the existing signage with new signs of the same size but with changed colouring and branding. They would be located in the same positions as the existing signage. Both the fascia and hanging signs would display a black background with red and white lettering.

The Assistant Director stated that the main issue with this application was the impact on the historic character and appearance of the listed building. The Historic Environment Consultant at Essex County Council was satisfied that the proposed works would conserve the appearance of the building and character of the conservation area and had recommended the granting of listed building consent. Planning Officers had concluded that the proposal complied with policy HC10 of the adopted Local Plan and the National Planning Policy Framework, and had recommended the application should be granted listed building consent.

The Committee noted that Epping Town Council had not objected to the application, and that no further representations had been received in respect of the proposal. The Committee agreed to grant permission for this application.

Resolved:

(1) That planning application EPF/0343/15 at 311 High Street in Epping be granted permission subject to the following condition;

1. The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.

14. EPF/0682/15 - PINE LODGE RIDING CENTRE, LIPPITTS HILL, WALTHAM ABBEY

The Assistant Director of Governance (Development Control) presented a report concerning the variation of an existing planning condition to enable the continued residential occupation of Pine Lodge in Lippitts Hill, Waltham Abbey should the equestrian use of the land cease. The application was before the Committee as the applicant was a serving District Councillor.

The Assistant Director stated that the application site compromised an area that was currently a riding centre with stabling, a covered riding arena and associated land, including the residential unit known as Pine Lodge. Planning permission was given in 1996 (EPF/1056/96 refers) for the use of the ground floor of an existing stable building at the site as a riding office and staff rest room, and for the first floor to be used as a staff flat. In 2002, further permission was obtained to change the use of the ground floor riding office and staff rest room to residential in connection with the existing residential use of the first floor (EPF/0377/02 refers), but only on condition that the residential use was in connection with the riding stables and that the dwelling should not be separated from Pine Lodge Riding Stables.

The Assistant Director reminded the Committee that, at its meeting on 11 February 2015, it granted planning permission at the site for the removal of the large indoor riding arena and stables, and the erection of five detached houses and associated facilities. A condition of the consent was the cessation of all commercial equestrian use at the site, which would contravene the previous occupancy condition of the dwelling known as Pine Lodge. Therefore, the application sought to vary the 2002 consent such that the dwelling remained tied to the commercial equestrian use of the site, but that if such use ceased as a result of implementing the most recent planning permission then the occupation of Pine Lodge would no longer be restricted.

Planning Officers had concluded that it was appropriate and necessary to vary rather than remove the condition, to ensure that occupation of the dwelling was restricted as long as the commercial equestrian use of the wider site continued, but to enable continued occupation of the dwelling if the commercial equestrian use of the site ceased as a result of the most recent planning consent. The proposed variation was in accordance with the adopted policies of the Local Plan and the National Planning Policy Framework, and was recommended for approval. In addition, the Committee was requested to formally revoke the legal agreement attached to the 1996 planning consent, which had been superseded by the 2002 planning consent, as it was no longer applicable and served no purpose.

The Committee noted that the Town Council had not offered any substantive comments on the application, and there had been one letter of objection received which stated that if the equestrian use of the site ceased then the residential permission should be withdrawn. The Committee agreed to vary the existing planning condition and to revoke the legal agreement attached to the 1996 planning consent.

Resolved:

- (1) That condition 2 of planning application EPF/0377/02 be varied to now read:

“For so long as any part of the land edged red and blue on drawing number 2283/1 remains in use as an equestrian related business operation, the approved dwelling (known as Pine Lodge) shall only be occupied by a person employed at Pine Lodge riding Stables and any dependent relatives and shall not be sold away or separated from the rest of the landholding.”; and

- (2) That the planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) linked to the planning permission for application EPF/1056/96, which was subsequently superseded by the planning permission for application EPF/0377/02, be revoked.

15. ANY OTHER BUSINESS

The Committee noted that there was no other urgent business for consideration at the meeting.

CHAIRMAN

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