

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 16 November 2016
West

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.26 pm
High Street, Epping

Members Present: A Mitchell (Chairman), G Shiell (Vice-Chairman), R Bassett, R Butler, D Dorrell, R Gadsby, L Hughes, H Kane, S Kane, Y Knight, J Lea, M Sartin, S Stavrou and E Webster

Other Councillors:

Apologies:

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), M Jenkins (Democratic Services Officer) and G J Woodhall (Senior Democratic Services Officer)

31. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

32. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

33. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 19 October 2016 be taken as read and signed by the Chairman as a correct record.

34. DECLARATIONS OF INTEREST

(1) Pursuant to the Council's Code of Member Conduct, Councillor S Stavrou declared a personal and non-pecuniary interest in the following item of the agenda by virtue of being the Housing Portfolio Holder and Chairman of the Council

Housebuilding Committee. The Councillor advised that she would be leaving the Chamber for the duration of the discussion and voting thereon:

- EPF/1829/16 Land and garages adjacent 14A Pound Close, Nazeing EN9 2HR

(2) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal and non-pecuniary interest in the following item of the agenda by virtue of knowing the owner of a local garage concerned. The Councillor advised that he would remain in the Chamber for the duration of the discussion and voting thereon:

- EPF/0881/16 Springfield Cottage, Hamlet Hill, Roydon CM19 5LD

35. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

36. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

37. PROBITY IN PLANNING - APRIL 2016 TO SEPTEMBER 2016

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions 1 April 2016 to 30 September 2016.

The report advised the decision making committees of the results of all successful allowed appeals, particularly those refused by committee to officer recommendation. The purpose was to inform Members of the consequences of their decisions in this respect and, in cases where the refusal was found unsupportable on planning grounds, an award of costs could be made against the Council.

Since 2011/12 there were two local indicators, one measured all planning application type appeals as a result of committee reversals of officer recommendations (GOV08) and the other measured the performance of officer recommendations and delegated decisions (GOV07).

Over the six month period between 1 March 2016 and 30 September 2016, the Council received 49 decisions on appeals (48 of which were planning related appeals, the other 1 was enforcement related).

GOV07 and 08 measured planning application decisions and out of a total of 48, 18 were allowed (37.5%). Broken down further, GOV07 performance was 8 out of 32 allowed (25%) and GOV08 performance was 10 out of 16 (62.5%).

For the Area Plans West Sub-Committee, there were no appeals allowed against decisions made.

RESOLVED:

That the Probity in Planning report covering the period April 2016 to September 2016 be noted.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0881/16
SITE ADDRESS:	Springfield Cottage Hamlet Hill Roydon Harlow Essex CM19 5LD
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Revised application for demolition of existing dwelling and erection of new dwelling.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=583675

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 No development shall take place, including works of demolition or site clearance, until an Arboricultural Implication Assessment and Tree Constraint plan, concurrently with the detailed site layout, has been submitted to and approved in writing by the Local Planning Authority. This should be drawn up in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations).
- 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 No development shall take place until details of tree planting, including positions or density, species and planting size(s) and a timetable for implementation (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. If within a period of five years from the date of planting any tree, or replacement, is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives its written consent to any variation.
- 5 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.
- 6 Photographic details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 7 Prior to commencement of development, photographic details of boundary treatment such as gates and fencing and hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the dwellings hereby approved.
- 8 Prior to the demolition of Springfield Cottage a photographic record of all the historic and architectural features of Springfield Cottage is to be produced and submitted to the Local Planning Authority.
- 9 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, B and E of Part II and of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 10 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.

- 11 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.

- 12 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.

Report Item No: 2

APPLICATION No:	EPF/1829/16
SITE ADDRESS:	Land and garages adjacent 14A Pound Close Nazeing Essex EN9 2HR
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	4 affordable homes with 9 parking spaces
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585753

REASONS FOR REFUSAL

- 1 This is a cramped form of development which will have an adverse impact on the character and appearance of the area, street scene and neighbouring amenity contrary to policies CP2, CP3, CP6, CP7, DBE1 & DBE2 of the adopted Local Plan and alterations
- 2 The proposed scheme would have an unacceptably adverse impact on both highway safety and parking provision in this crowded and congested area, contrary to policies ST4 & St6 of the adopted Local Plan and alterations

Way Forward

Members discussed a way forward and concluded that there should be no built development but a use of the land for allotments would be acceptable

Report Item No: 3

APPLICATION No:	EPF/2271/16
SITE ADDRESS:	Burleigh Nursery Hoe Lane Nazeing Essex EN9 2RJ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Demolition of existing commercial buildings and erection of 6 no. four bedroom detached dwellings
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586896

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: 11331- S001, The Location Plan, P002-A, 12164-P003, 12164 - P004, 12164 - P005A, 12164- Design and Access Statement.
- 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 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]

- 5 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor side flank elevations of units 2, 5 and 6 shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 6 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]
- 7 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]
- 8 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.
- 9 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.

- 10 Prior to the commencement of any works dusk and dawn surveys for bats should be undertaken in accordance with guidelines from Natural England (or other relevant body). These should be submitted to EFDC for approval.
Should the surveys reveal the presence of bats, or their breeding sites or resting places then an appropriate and proportionate detailed mitigation and compensation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to EFDC for approval.
Should a Natural England European Protected Species licence (EPS) be required then this should also be submitted to EFDC. The licence will be granted if the activity conforms with the Habitats Regulations Regulation 53 Three Stage Test and Local Authority planning consent has been granted.
All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.
- 11 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 tool. 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.
- 12 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.
- 13 The carriageway of the proposed estate road shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a road. The footways commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.

The road should be of sufficient dimensions and standard to be able to withstand regular use by refuse collection lorries. (standards detailed within the informatives section of this notice).
- 14 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 15 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

- 16 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.
- 17 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.
- 18 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.
- 19 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 accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 20 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.
- 21 All commercial buildings on the site shall be demolished prior to first occupation of the dwellings hereby approved.

Report Item No: 4

APPLICATION No:	EPF/2302/16
SITE ADDRESS:	North Villa Mott Street Waltham Abbey Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Minor changes to approved application EPF/0670/16 (The conversion of one existing house into two houses)
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587133

REASONS FOR REFUSAL

- 1 The proposed scheme would provide insufficient parking on the site which would have an unacceptably adverse impact on both highway safety and parking provision in this crowded and congested area, contrary to policies ST4 & St6 of the adopted Local Plan and alterations

Way Forward

Members discussed a way forward and concluded that the proposal should either be built to the original plan or a revised parking scheme should be submitted.

Report Item No: 5

APPLICATION No:	EPF/2303/16
SITE ADDRESS:	North Villa Mott Street Waltham Abbey Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Single storey extension to existing dwelling.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587134

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 in writing by the Local Planning Authority.
- 3 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.
- 4 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.
- 5 Prior to the first occupation of the extension a landscaping scheme shall be submitted and approved in writing by the Local Planning Authority to allow the planting of a native species hedgerow on the boundary with Cinders Cottage; the scheme, once approved, shall be implemented and then maintained within 6 months of the date of grant of permission.

Report Item No: 6

APPLICATION No:	EPF/2305/16
SITE ADDRESS:	North Villa Mott Street Waltham Abbey Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Double storey extension to existing dwelling.
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587136

REASONS FOR REFUSAL

- 1 The bulk and scale of the scheme is out of keeping with the street scene and has an adverse impact on the character and appearance of the area, contrary to policies CP2, CP3, CP6, CP7, DBE9 & DBE10 of the adopted Local Plan and alterations.
- 2 The proposed scheme would have an unacceptably adverse impact on the openness and appearance of the Green Belt, contrary to policy GB2A of the adopted Local Plan and alterations

Way Forward

Members concluded that there was no way forward for this proposal.

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