

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 8 May 2019
East

Place: Council Chamber - Civic Offices **Time:** 7.30 - 9.07 pm

Members Present: P Keska (Chairman), B Rolfe (Vice-Chairman), N Bedford, P Bolton, I Hadley, S Jones, R Morgan, J Philip, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: H Brady, L Burrows and M McEwen

Officers Present: M Johnson (Implementation Team manager), V Messenger (Democratic Services Officer) and J Leither (Democratic Services Officer)

74. 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.

75. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

76. MINUTES

RESOLVED:

That the minutes of the meeting held on 3 April 2019 be taken as read and signed by the Chairman as a correct record.

77. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a pecuniary interest and would leave the meeting for the consideration of the application and voting thereon, but would be requesting a site visit at the appropriate agenda item:

- EPF/2204/18 – Hoggs Farm, Carters Green, Matching CM17 0NX

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda by virtue of the applicant being known to him. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0289/19 – Carpenters, High Road, Thornwood, Epping CM16 6LR

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a non-pecuniary interest in the following item of the agenda by virtue of the applicant and one of the objector's being known to him. The Councillor had determined that his interest was personal but non-prejudicial, and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0217/19 – 8 Woodland Way, Theydon Bois, Epping CM16 7DZ

78. ANY OTHER BUSINESS

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

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

It was noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

80. DEVELOPMENT CONTROL

The Chairman advised that he was a non-voting Chairman for the duration of this item.

(a) Site Visits

It was noted that the following formal site visits were requested by members, and agreed by the Committee, prior to the consideration and determination of the remaining applications.

- Item 1 – EPF/2204/18 – Hoggs Farm, Carters Green, Matching CM17 0NX
- Item 5 – EPF/3426/18 – Garages to the rear of nos 13-43 Charles Street, Epping CM16 7AU

RESOLVED:

That the planning applications numbered 1 – 8 be determined as set out in the schedule attached to these minutes.

CHAIRMAN

Report Item No:1

APPLICATION No:	EPF/2204/18
SITE ADDRESS:	Hoggs Farm Carters Green Matching Essex CM17 0NX
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Demolition of existing barn and construction of three detached dwellings.
DECISION:	Withdrawn

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=613315

Application withdrawn

Report Item No:2

APPLICATION No:	EPF/3185/18
SITE ADDRESS:	33 High Street Epping Essex CM16 4BA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Change of Use application from Sui Generis, Car Showroom to A3, Restaurant use.
DECISION:	Refused

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=617793

REFUSED

- 1 The proposal, by reason of excessive numbers of covers to be accommodated by the use, comings and goings to and from the premises particularly late at night and closing hours by patrons both on foot and through vehicle use, would give rise to excessive noise and disturbance outside of the building to the detriment of the residential amenities of nearby residential properties in Tower Street. The proposal is therefore contrary to policy DBE9 of the adopted Local Plan and Alterations and DM9 of the Submission Version Local Plan.
- 2 The proposal, by reason of the potential for overflow parking to the frontage of the site, would result in a detrimental impact on the character and appearance of the Statutorily Listed Water Tower within the site. The proposal is therefore contrary to S66 (1) of the Planning and Listed Building and Conservation Areas Act 1990, chapter 12 of the NPPF, policy HC12 of the Adopted Local Plan and Alterations and policy DM7 of the Submission Version Local Plan.

Report Item No:3

APPLICATION No:	EPF/3206/18
SITE ADDRESS:	10 Parkside Harlow Road Matching Tye Essex CM17 0QW
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Erection of x 1 no. detached dwelling.
DECISION:	Grant Permission (Subject to Legal Agreement)

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=617873

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings no's: 9118 RevA, Streetscene Rev A
- 3 Materials to be used for the external finishes of the proposed development shall match those of no. 10 Parkside, the host dwelling, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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 visitor's vehicles.
- 5 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 6 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. In such instances, 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.

- 7 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.
- 8 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 9 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 10 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11 No vehicles shall be permitted to access the rear of the development site hereby approved via Rainbow road.
- 12 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, 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.

And subject to the applicant first entering into a legal agreement under Section 106 to provide an appropriate contribution towards mitigation of any possible adverse impact on the Epping Forest Special Area of Conservation with regard to air quality

Report Item No:4

APPLICATION No:	EPF/3424/18
SITE ADDRESS:	Land to rear of Willowbank Farm School Lane Magdalen Laver Essex CM5 0EE
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Demolition of existing stables and construction of a new bungalow.
DECISION:	Grant Permission (With Conditions) Subject to Legal Agreement

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=618833

APPLICATION DELEGATED TO THE DIRECTOR OF PLANNING SERVICES

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings no's: 01 Rev A; 06 Rev A; 05; Design and Access Statement
- 3 No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 7 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-E] of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.

- 8 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. 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.
- 9 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 10 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.
- 11 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. 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.
- 12 Details of the proposed surface materials for the drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard

surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.

And subject to the applicant first entering into a legal agreement under Section 106 to provide an appropriate contribution towards mitigation of any possible adverse impact on the Epping Forest Special Area of Conservation with regard to air quality.

Report Item No: 5

APPLICATION No:	EPF/3426/18
SITE ADDRESS:	Garages to the rear of no's 13-43 Charles Street Epping Essex CM16 7AU
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Demolition of the existing garage buildings and the erection of 9 x 2-bedroom mews houses, with associated landscaping, parking, bike and refuse stores.
DECISION:	Deferred

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=618853

Application deferred for site visit.

Report Item No: 6

APPLICATION No:	EPF/0217/19
SITE ADDRESS:	8 Woodland Way Theydon Bois Epping Essex CM16 7DZ
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Erection of family room outbuilding in rear garden.
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=619893

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings reference 8Woodland18 Block plan, Sheet 1 and Sheet 2.:
- 2 The building hereby permitted shall be used only for purposes incidental to the dwellinghouse at 8 Woodland Way and shall not be used as living or sleeping accommodation without prior consent of the Local Planning Authority.
- 3 The window in the door in the flank elevation shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames and shall be permanently retained in that condition. No other door or window openings shall thereafter be installed into the rear and flank elevations of the building without prior consent of the Local Planning Authority.
- 4 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 additional development generally permitted by virtue of Class E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 7

APPLICATION No:	EPF/0289/19
SITE ADDRESS:	Carpenters High Road Thornwood Epping Essex CM16 6LR
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Erection of a two-storey dwelling house. (Revised application to EPF/1525/18).
DECISION:	REFUSED

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=620219

REFUSED

The proposal is inappropriate development in the Green Belt, that is by definition harmful to it. No very special circumstances have been demonstrated to ensure that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The proposal is therefore contrary to the National Planning Policy Framework, Policy GB2A of the Local Plan 1998 (adopted 2006) and DM4 of the submission version of the emerging local plan 2017

By reason of its scale, bulk, height, design and intrusive nature, the proposed building would cause harm to the openness of the Green Belt and as such would conflict with two of the purposes of including the land within the Green Belt: to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment. No benefits have been identified to overcome the harm the development would cause to the Green Belt therefore the application does not demonstrate very special circumstances in favour of granting planning permission. The proposal is therefore contrary to the National Planning Policy Framework, Policy GB2A and GB7A of the Local Plan 1998 (adopted 2006), DM4 and DM9 of the submission version of the emerging local plan 2017

Report Item No: 8

APPLICATION No:	EPF/0515/19
SITE ADDRESS:	42 Castle Street Ongar Essex CM5 9JS
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Formation of an all-weather surface tennis court (for personal use) with associated fencing.
RECOMMENDED 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=621000

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: 2707/TC01. TC02 and TC03
- 3 No preliminary ground works shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 4 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 5 The fencing to the tennis court hereby approved shall be finished in a dark green colour and permanently retained in that form.
- 6 No external lighting, either attached to fencing or on free standing structures, shall be installed to the tennis court hereby permitted within prior consent from the Local Planning Authority by way of a planning application.

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