

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** District Development Management Committee    **Date:** 8 February 2017

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.30 - 9.00 pm

**Members Present:** B Sandler (Chairman), H Brady, R Jennings, G Chambers, S Heap, S Jones, J Knapman, S Kane, C C Pond, J M Whitehouse, D Stallan and J Lea

**Other Councillors:** B Surtees

**Apologies:** B Rolfe, A Boyce, R Butler, H Kauffman and A Mitchell

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

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### **47. WEBCASTING INTRODUCTION**

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

### **48. 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, for 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.

### **49. APPOINTMENT OF VICE-CHAIRMAN**

As the Vice-Chairman, Cllr B Rolfe, had tendered his apologies for the meeting, nominations were invited from the Committee for the appointment of an interim Vice-Chairman for the duration of the meeting.

**Resolved:**

(1) That Cllr S Kane be appointed as Vice-Chairman for the duration of the meeting.

### **50. SUBSTITUTE MEMBERS**

The Committee noted the following substitutions for this meeting:

(a) Cllr D Stallan for Cllr A Boyce; and

- (b) Cllr J Lea for Cllr B Rolfe.

## 51. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Member Code of Conduct, Cllrs B Sandler, S Kane, J Lea, H Brady, G Chambers, S Jones and J Knapman declared a personal interest in the following items of the agenda, by virtue of the Applicant being a fellow member of their political group on the Council. 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/2573/16 Woodings, Glover Lane, Hastingwood; and
- EPF/2583/16 Woodings, Glovers Lane, Hastingwood.

(b) Pursuant to the Council's Member Code of Conduct, Cllrs B Sandler, S Kane, J Lea, H Brady, G Chambers, S Jones and J Knapman declared a personal interest in the following items of the agenda, by virtue of the Applicant being the Leader of their political group on the Council. 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/3109/16 65 High Street, Epping; and
- EPF/3145/16 331 High Street, Epping.

(c) Pursuant to the Council's Member Code of Conduct, Cllr Stallan declared a non-pecuniary interest in the following items of the agenda, by virtue of the Applicant being a close personal friend. The Councillor had determined that his interest was non-pecuniary but would leave the meeting for the consideration of the applications and voting thereon under the public perception test:

- EPF/2573/16 Woodings, Glover Lane, Hastingwood; and
- EPF/2583/16 Woodings, Glovers Lane, Hastingwood.

(d) Pursuant to the Council's Member Code of Conduct, Cllr Stallan declared a non-pecuniary interest in the following items of the agenda, by virtue of having served under the Applicant on the Council's Cabinet for many years. The Councillor had determined that his interest was non-pecuniary but would leave the meeting for the consideration of the applications and voting thereon under the public perception test:

- EPF/3109/16 65 High Street, Epping; and
- EPF/3145/16 331 High Street, Epping.

## 52. MINUTES

### Resolved:

- (1) That the minutes of the meeting held on 30 November 2016 be taken as read and signed by the Chairman as a correct record.

## 53. ANY OTHER BUSINESS

### Resolved:

- (1) That, as agreed by the Chairman and in accordance with Section 100B(4)(b) of the Local Government Act 1972, the following item of urgent business be considered following the publication of the agenda:

- (a) EPF/2972/16 – 108 Rous Road, Buckhurst Hill.

**54. EPF/2972/16 - 108 ROUS ROAD, BUCKHURST HILL**

The Assistant Director of Governance (Development Management) presented a report for a part single and part two-storey rear extension, two-storey side extension, single storey front extension and single storey rear and side extensions at 108 Rous Road in Buckhurst Hill. The application was due for consideration at Area Planning Sub-Committee South on 1 February 2017; however, not all the information was available for the Sub-Committee to fully consider the application and it was referred to the Committee for determination.

The Assistant Director reported that the site contained a two-storey semi-detached house with a rear attached garage located at the northern end of Rous Road, which faced out onto the end of the road and had a public footpath along its eastern flank boundary. The attached property (no. 106) had a two-storey rear projection and also a rear conservatory. The site was not in a conservation area and the property was not listed. The site had previously been the subject of a planning application in 2016, but this had been refused permission. The part single storey flat roof rear extension would be sited along the boundary with no. 106, whilst the two-storey rear extension would wrap around into a proposed two-storey side extension, which itself would be close to the public footpath and set in by one metre from the front at first floor level, and this would continue into a single-storey front extension joining with the existing front porch. Angling out from the two-storey rear extension, replacing the existing garage but further towards the public footpath, it was proposed to construct a single storey rear/side extension towards the north-east boundary.

The Assistant Director stated that Planning Officers had concluded the revised scheme had overcome the reasons for refusal for the previous scheme by the removal of the large rear dormer window. The application was now considered to comply with the policies of the adopted Local Plan and the National Planning Policy Framework. The concerns raised by the Parish Council had been considered but it was felt that the proposed extensions would compliment the existing house and not be harmful to the appearance and character of the locality. Therefore, the application was recommended for approval.

The Committee noted the summary of representations received in respect of this application, which included an objection from the Parish Council. The Committee heard from the Applicant's Agent before proceeding to debate the application.

The Committee had no issues with this application, as there were numerous extended houses in this area and it was felt that this scheme would improve the appearance of the existing house.

**Decision:**

(1) That planning application EPF/2972/16 at 108 Rous Road in Buckhurst Hill be granted 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. 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. Wheel washing or other cleaning facilities used to clean vehicles immediately before leaving the site during the construction works,

shall be present throughout the period of the external building works.

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.

**55. EPF/2357/16 - ZINC ARTS, HIGH STREET, ONGAR**

The Assistant Director of Governance (Development Management) presented a report for minor adaptations to the two-storey accommodation block building, with each of the 25 rooms to be used for more general housing and to be provided with a galley kitchenette, at Zinc Arts in High Street, Ongar. The application was before the Committee following a minority reference by Area Planning Sub-Committee East at its meeting on 18 January 2017.

The Assistant Director explained that the site was the former Great Stony school buildings, which comprised a combination of single and two storey buildings. The original building comprised a mixture of community and arts uses, including classrooms, a nursery, café and reception. There had been significant extensions including a theatre, additional rooms for centre activities and two two-storey residential blocks. One of the residential blocks was managed by East Thames Housing Association for supported living, and the other block was the subject of the application. There was a car park at the northern end of the site with 50 spaces. The site was located within a predominantly residential area of the High Street, within the Great Stony School Conservation Area and the Metropolitan Green Belt.

The Assistant Director stated that Planning Officers had concluded the financial circumstances of the centre were a significant factor, and the possibility of the arts and community use not being able to continue without the income generated from the proposed application was a material consideration and constituted special circumstances in determining this application. Although the residential block was currently under-occupied, the annual occupation rate was approximately 16%, the same number of rooms were being retained which could all be occupied 24 hours a day for 365 days per year by residents with vehicles, so Officers felt the changes did not amount to a significantly more intrusive use of the site. It should also be noted that approval of this planning application would not affect the existing Section 106 agreement relating to the broader use of the building. Consequently, Officers had recommended this application for approval, although it was recognised that the issues were finely balanced.

The Committee noted the summary of representations that had been received in respect of this application, which had included 29 letters of objection from residents and one letter of support. Ongar Town Council had also objected to the application with regard to the variation of the Section 106 Agreement. The Assistant Director reported that a further letter of objection had been received from Ongar Town Council, which had requested additional conditions be imposed if the application was granted permission. In addition, further correspondence had been received from a former Chairman of the Trust and the Applicant, who was attempting to allay certain rumours concerning the development. The Committee heard from an Objector, Ongar Town Council and the Applicant before proceeding to debate the application.

Cllr B Surtees, the ward Member for Chipping Ongar, Greensted & Marden Ash, commented that this application had generated strong feelings within the community,

which was reflected by the conflicting information being disseminated by both sides of the argument. Zinc Arts was attempting to widen their remit; the Centre had been under-used for a long time now, and its usage needed to be increased to support the necessary growth of the Centre as a Community Hub. Cllr Surtees pointed out that the fire escape was actually a steel stairway at the end of the building, and requested that a condition be added to make the proposed minor adaptations reversible.

The Committee acknowledged that there were no planning reasons for refusal, and that there would be a serious financial viability issue for the Centre if these rooms were not used. The Assistant Director reiterated that the rooms were currently available for overnight use by users of the Centre, but the Applicant confirmed that there would not be any overnight accommodation available at the Centre in future if this application was granted planning approval as the accommodation would be made available to the general public to rent for six or twelve months at a time.

**Decision:**

(1) That planning application EPF/2357/16 at Zinc Arts in the High Street, Ongar be granted 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: 1720/1 - 4 inclusive, 5A, 6 and 7A.
3. The use hereby permitted shall be limited to a period of seven years from the date of this approval, after which time the use shall cease and the building shall be reverted to its previous use unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the commencement of the development, notwithstanding any details shown on the approved plans, details of a separate pedestrian access to the building from High Road shall be submitted to and approved by the Local Planning Authority. Such details shall include any works to relocate cycle stores or other structures on the frontage, fencing and gates. The works as agreed shall be fully completed prior to the commencement of the use.
5. At least one of the residents communal rooms shown on the approved plans shall be available solely for residents use upon first occupation of the accommodation hereby permitted. The second communal room shall thereafter be provided, along with the external link canopy, within 6 months of first occupation, unless otherwise agreed in writing by the Local Planning Authority. Communal facilities shall thereafter be retained in accordance with the approved details for the duration of the use.
6. Residents parking bays indicated on drawing 1720/7A shall be marked with resident parking signage prior to first occupation and shall thereafter be maintained as such for the duration of the use.

**56. EPF/2550/16 - 17 HEMNALL STREET, EPPING**

The Assistant Director of Governance (Development Management) presented a

report for the replacement of the existing bungalow at 17 Hemnall Street in Epping with a three-storey block of five apartments, which would consist of two one-bed flats and three two-bed flats, and with three off-street parking spaces to the front and communal amenity space to the rear. This application had originally been considered by Area Planning Sub-Committee East on 13 December 2016, but as the Sub-Committee could not make a decision on the application, it was referred directly to this Committee for determination.

The Assistant Director explained that the site currently contained a single storey bungalow located on the south eastern side of Hemnall Street, and situated between a similar bungalow to the north-east and a block of recently developed flats to the south-west. Beyond each adjacent neighbour were two-storey dwellings and opposite the site was the Hemnall Social Club and the Citizens Advice Bureau, which included flats on the first floor. The site did not lie within either the Epping Conservation Area or the designated Town Centre.

The Assistant Director reported that Officers had concluded the proposal would make more efficient use of a sustainable urban site and provide additional residential properties to assist the Council in meeting its five-year supply of deliverable housing sites. It was not considered that the new dwelling would be detrimental to the character or appearance of the surrounding area or the adjacent conservation area and, despite concerns expressed, the proposal would not result in any excessive loss of amenity to the neighbouring residents. Although the development would have a low number of off-street parking spaces, this was considered acceptable within a built-up location adjacent to the Town Centre. The application complied with the National Planning Policy Framework and the relevant Local Plan policies, and therefore was recommended for approval.

The Committee noted the summary of representations that had been received in respect of this application. There had been seven letters of objection received, including from Epping Town Council and the Epping Society. There were no letters of support received. The Committee heard from an Objector and the Applicant's Agent before proceeding to debate the application.

Whilst it was acknowledged by the Committee that a block of flats would not be out of character for this area, it was felt that the design would cause a significant inconvenience to the neighbours, and that there was an obvious parking issue with the application as only three parking spaces were being provided for five apartments. It was suggested that the block could be moved back within the plot to provide more parking spaces, but the Assistant Director stated that the space at the back was relatively small and the block would then have a negative impact on the buildings to the rear.

Cllr C C Pond stated that the site was not a large plot, being average in size, and a three storey building at this location would be excessive in his view and be detrimental to the amenity of the neighbours. The Councillor would be more inclined to look favourably on this application if the third storey was omitted from the design.

In response to further questions from the Committee, the Assistant Director stated that, although the neighbouring bungalow had flank windows, generally such rooms had a larger window to either the front or rear. In addition, there were no flank windows in the proposed block of flats which would remove any possible undue overlooking or loss of privacy to the neighbouring bungalow, and the Committee was reminded that there would be a four metre separation between the two buildings.

The vote on the Officer recommendation to grant planning permission was lost. A proposal was then put forward to refuse planning permission on the grounds that the size and bulk of the proposed building would have an overbearing impact on the neighbouring bungalow resulting in an excessive loss of amenity. This proposal was passed, and the Committee agreed that the way forward for the application was to reduce the bulk and impact on the neighbouring bungalow.

**Decision:**

(1) That planning application EPF/2550/17 at 17 Hemnall Street in Epping be refused permission for the following reason:

1. The proposal, by reason of its size and bulk, would have a significantly overbearing visual impact on the occupiers of the adjacent bungalow, number 15a Hemnall Street, resulting in an excessive loss of their amenity, contrary to adopted Local Plan policy DBE9 and the National Planning Policy Framework.

**57. EPF/2573/16 - WOODINGS, GLOVERS LANE, HASTINGWOOD**

The Assistant Director of Governance (Development Management) presented a report for the demolition of the front porch and west side extension, both late 20<sup>th</sup> century editions, at Woodings in Glovers Lane, Hastingwood with a replacement front porch and garden room with minor internal alterations. The application was before the Committee as it had been submitted by a serving District Councillor.

The Assistant Director explained that the site comprised a Grade II Listed cottage within a generous curtilage, and was located in the furthest eastern corner of Glovers Lane. To the south and east were open fields, and to the north and west were generous residential plots containing large detached houses. The site was within the Metropolitan Green Belt. The materials to be used for the proposed replacement front porch and garden room included a red plain clay tiled roof and slim-like double glazing within an oak framed structure for the walls.

The Assistant Director reported that Officers had concluded the application was appropriate development within the Green Belt and would have a neutral impact on its character and openness. The proposal would also preserve the special architectural and historical interest of the Grade II dwelling house, and would not unduly harm neighbouring residential amenity. The proposal was considered to be sustainable development, which accorded with national and local policy, and therefore was recommended for approval.

The Committee noted the summary of representations received in respect of this application, which included no objections from North Weald Bassett Parish Council and a letter of support from a neighbouring residence. The Committee heard from the Applicant's Agent before proceeding to debate the application.

The Committee concurred with the comments of the Conservation Officer regarding the impact of the proposal on the historic and architectural interest of the Grade II Listed Building, and agreed to grant planning permission for the application.

**Decision:**

(1) That planning application EPF/2573/16 at Woodings in Glovers Lane, Hastingwood be granted 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: Heritage Statement dated 29/9/16, 1772/01, 02, 03, 04B, 05A, 06A, 07A.
3. Samples of the types and details of colours of all the external finishes shall be submitted for approval in writing by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.

**58. EPF/2583/16 - WOODINGS, GLOVERS LANE, HASTINGWOOD (LISTED BUILDING CONSENT)**

The Assistant Director of Governance (Development Management) presented a report for Listed Building Consent for the demolition of the front porch and west side extension, both late 20th century editions, at Woodings in Glovers Lane, Hastingwood with a replacement front porch and garden room with minor internal alterations. The application was before the Committee as it had been submitted by a serving District Councillor.

The Assistant Director explained that the site comprised a Grade II Listed cottage within a generous curtilage, and was located in the furthest eastern corner of Glovers Lane. To the south and east were open fields, and to the north and west were generous residential plots containing large detached houses. The site was within the Metropolitan Green Belt. The materials to be used for the proposed replacement front porch and garden room included a red plain clay tiled roof and slim-like double glazing within an oak framed structure for the walls.

The Assistant Director reported that Officers had concluded the application would preserve the special architectural and historical interest of the Grade II dwelling house, and was therefore considered to be sustainable development which accorded with national and local policy.

The Committee noted the summary of representations received in respect of this application, which included no objections from North Weald Bassett Parish Council and a letter of support from a neighbouring residence.

**Decision:**

(1) That planning application EPF/2583/16 for Listed Building consent at Woodings in Glovers Lane, Hastingwood be granted permission, subject to the following conditions:

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.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Heritage Statement dated 29/9/16, 1772/01, 02, 03, 04B, 05A, 06A, 07A.
3. Samples of the types and details of colours of all the external finishes shall be submitted for approval in writing by the Local Planning



Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.

4. Additional drawings that show details of proposed new [windows doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building - add/delete as appropriate], by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
5. All new rainwater goods and soil and vent pipes shall be of black painted aluminium.

#### **59. EPF3109/16 - 65 HIGH STREET, EPPING**

The Assistant Director of Governance (Development Management) presented a report for advertisement consent for a new fascia sign at 65 High Street in Epping. This application was before the Committee as it had been submitted on behalf of a serving Councillor.

The Assistant Director explained that the existing building on the site was three storeys high, and had a ground floor which projected towards Epping High Street; this was currently occupied by Millers Estate Agents. The unit was located at the western end of a row of shops, each of which had their own unique signage which gave a varied character and appearance to the street scene. The site was not located within the Epping Town Conservation Area.

The Assistant Director reported that Officers had concluded the new signage would not cause any harm to amenity or public safety, and therefore it was recommended that advertisement consent be granted.

The Committee noted the summary of representations that had been received in respect of this application, and that Epping Town Council had no objection to the application.

#### **Decision:**

(1) That planning application EPF/3109/16 for advertisement consent at 65 High Street in Epping be granted permission, subject to the following condition:

1. The maximum luminance of the signs granted consent shall not exceed 1250 candelas per square metre.

#### **60. EPF/3145/16 - 331 HIGH STREET, EPPING**

The Assistant Director of Governance (Development Management) presented a report for listed Building Consent to replace the existing signage with signs of the same size and materials but with changes to colour and type face, including the painting of pilasters. The application was before the Committee as it had been submitted on behalf of a serving District Councillor.

The Assistant Director explained that the site contained a Grade II Listed Building dating from the 18<sup>th</sup> Century and formed a group of listed commercial properties (nos. 309 to 317). The site was within the Epping Conservation Area and was located on

the northern side of the High Street. Its current use was as an Estate Agents. It was proposed to replace both the fascia sign and hanging sign.

The Assistant Director reported that Officers had concluded the proposed signage was simple and unobtrusive, and the repainting of the pilasters of the shopfront in white would match the colour of the glazing bars and window bars. Therefore, the application for Listed Building consent was recommended for approval.

The Committee noted the summary of representations, and that Epping Town Council had no objection to the proposal.

**Decision:**

(1) That planning application EPF/3145/16 for Listed Building Consent at 331 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.

**61. EXCLUSION OF PUBLIC AND PRESS**

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

**CHAIRMAN**