

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

**Committee:** Area Planning Sub-Committee **Date:** 4 September 2019  
East

**Place:** Council Chamber, Civic Offices, **Time:** 7.30 - 8.32 pm  
High Street, Epping

**Members Present:** P Keska (Chairman), B Rolfe (Vice-Chairman), P Bolton, L Burrows, I Hadley, S Jones, C McCredie, M McEwen, J McIvor, R Morgan, J Philip, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

**Other Councillors:** None.

**Apologies:** N Bedford and H Brady

**Officers Present:** J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), A Marx (Service Manager (Development Management)), V Messenger (Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

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### **22. 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.

### **23. 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.

### **24. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 7 August 2019 be taken as read and signed by the Chairman as a correct record subject to the following amendment and the inclusion of 'and applicant' below:

(d) Pursuant to the Council's Code of Conduct, Councillor S Jones declared a personal interest in the following item of the agenda by virtue of knowing the objector and applicant. The Councillor had determined that she would leave the meeting for the consideration of the application and voting thereon:

- EPF/3085/18 – 1 Mount End, Mount End Road, Theydon Mount

## 25. DECLARATIONS OF INTEREST

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

- EPF/1111/19 – Wyldingtree, 66 The Plain, Epping

## 26. ANY OTHER BUSINESS

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

## 27. 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](http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf)

## 28. SITE VISITS

It was noted that there were no formal site visits requested by members prior to the consideration and determination of the following applications.

## 29. PLANNING APPLICATION - EPF/1111/19 - WYLDINGTREE, 66 THE PLAIN, EPPING, ESSEX CM16 6TW

### RESOLVED:

That this planning application be determined as set out in the schedule below.

<b>APPLICATION No:</b>	EPF/1111/19
<b>SITE ADDRESS:</b>	Wyldingtree 66 The Plain Epping Essex CM16 6TW
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing chalet bungalow and construction of 2 x pairs of semi-detached houses with associated parking and gardens.
<b>DECISION:</b>	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=623515](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=623515)

**REFUSAL**

- 1 The proposed development would see the loss of the chalet bungalow on the site. This is contrary to Policy H1(F) of the Epping Forest District Local Plan (Submissions Version) 2017.
- 2 The proposed new development would cause an unacceptable adverse impact on the character and appearance of the Plain as the design of two pairs of semidetached houses results in an excessively high, bulky and over dominant form of development which out of character with the existing street scene, contrary to the NPPF and the Local Plan (as amended) policies CP3, DBE1, and DBE2 of the Adopted Local Plan and Alterations and policy DM9 of the Epping Forest District Local Plan (Submissions Version) 2017.
- 3 The committee had very serious concerns that the loss of the bungalow was contrary to the SVLP policy which should be given very significant weight in the assessment of the case and additionally that size and scale of the development was excessive and that the design and appearance of the scheme was out of keeping in The Plain and that this could not, due to its location and built form, be considered to be a transition site between the properties to the north and those to the south.

**30. PLANNING APPLICATION - EPF/1327/19 - 104 HIGH STREET, EPPING, ESSEX CM16 4AF****RESOLVED:**

That this planning application be determined as set out in the schedule below.

<b>APPLICATION No:</b>	EPF/1327/19
<b>SITE ADDRESS:</b>	104 High Street Epping Essex CM16 4AF
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of floors 1 & 2 from retail and storage to residential use for 4 x 1 bed flats including a full width dormer to rear of second floor.
<b>DECISION:</b>	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=624415](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=624415)

**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 numbers:
  - a) Drawing no. FZM \_ 001 (Site Location Plan) Dated 05/18
  - b) Drawing no. FZM \_ 102 (Proposed Second Floor and Roof Plan) Dated May 2019
  - c) Drawing no. FZM \_ 101 (Proposed Ground Floor and First Floor Plan) Dated May 2019
  - d) Drawing no. FZM \_ 103 (Proposed Front and Rear Elevations) Dated May 2019
  - e) Drawing no. FZM \_ 104 (Proposed Side Elevations Plan) Dated May 2019
  - f) Drawing no. FZM \_ 002 (Existing Ground, First, Second Floor, Front, Rear, Sides and Section A - A) Dated May 2019
  - g) Drawing no. FZM \_ 105 (Proposed Sections) Dated May 2019
  - h) Listed Building Design and Heritage Statement, Dated May 2019
- 3 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Granted as per recommendation subject to a Section 106 Legal Agreement for 1) financial contributions to mitigate the recreational pressure on the Epping Forest SAC & 2) financial contributions and mitigation actions in respect of harm to the Air Quality in the Epping Forest SAC.

**31. PLANNING APPLICATION - EPF/1339/19 - 104 HIGH STREET, EPPING, ESSEX CM16 4AF**

**RESOLVED:**

That this planning application be determined as set out in the schedule below.

<b>APPLICATION No:</b>	EPF/1339/19
<b>SITE ADDRESS:</b>	104 High Street Epping Essex CM16 4AF
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for the change of use of floors 1 & 2 from retail and storage to residential use for 4 x 1 bed flats including a full width dormer to rear of second floor.
<b>RECOMMENDED DECISION:</b>	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=624433](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=624433)

**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 numbers:
  - a) Drawing no. FZM \_ 001 (Site Location Plan) Dated 05/18
  - b) Drawing no. FZM \_ 102 (Proposed Second Floor and Roof Plan) Dated May 2019
  - c) Drawing no. FZM \_ 101 (Proposed Ground Floor and First Floor Plan) Dated May 2019
  - d) Drawing no. FZM \_ 103 (Proposed Front and Rear Elevations) Dated May 2019
  - e) Drawing no. FZM \_ 104 (Proposed Side Elevations Plan) Dated May 2019
  - f) Drawing no. FZM \_ 002 (Existing Ground, First, Second Floor, Front, Rear, Sides and Section A - A) Dated May 2019
  - g) Drawing no. FZM \_ 105 (Proposed Sections) Dated May 2019
  - h) Listed Building Design and Heritage Statement Dated May 2019
- 3 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

**32. PROBITY IN PLANNING - APPEAL DECISIONS, 1ST OCTOBER 2018 TO 31ST MARCH 2019**

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions, 1 October 2018 to 31 March 2019.

In compliance with the recommendation of the District Auditor, the report advised the Sub-Committee of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation).

The purpose was to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal was found to be unsupportable on planning grounds, an award of costs might be made against the Council.

Over the six-month period between 1 October 2018 and 31 March 2019, the Council received 53 decisions on appeals (46 of which were planning related appeals, and the other 7 were enforcement related).

Out of a total of 46 planning related appeals, 10 were allowed (21%). Broken down further, Committee reversals performed very well with only 4 out of 22 allowed (18%) and there was a good Officer delegated decisions performance of 6 out of 24 (25%) allowed.

Out of the planning appeals that arose from decisions of the Area Planning Sub-Committee East to refuse contrary to the recommendation put to them by officers during the 6-month period, 1 appeal was allowed against decisions made and 8 were dismissed.

Performance in defending planning application related appeals was reasonable at 21%, meaning of course the Council was successful in defending its decisions in 79% of cases. Whilst there was no national comparison of authority performance, Members and Officers were reminded that in refusing planning permission there needed to be justified reasons that in each case must be not only relevant and

necessary, but also sound and defensible so as to avoid paying costs. This was more important now than ever given a Planning Inspector or the Secretary of State could award costs, even if neither side had made an application for them.

**RESOLVED:**

That the probity in Planning report covering the period 1 October 2018 to 31 March 2019 be noted.

**CHAIRMAN**