

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 12 February 2020
West

Place: Council Chamber - Civic Offices **Time:** 7.30 - 8.05 pm

Members Present: D Dorrell (Chairman), J Lea (Vice-Chairman), S Heather, H Kane, S Kane, J Leppert, A Mitchell, D Plummer, M Sartin and D Stocker

Other Councillors: None.

Apologies: N Avey, R Bassett, Y Knight and S Stavrou

Officers Present: J Godden (Team Manager (Planning Heritage, Enforcement & Landscaping), A Marx (Service Manager (Planning Development Management)), V Messenger (Democratic Services Officer) and R Perrin (Democratic Services Officer)

41. 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.

42. 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.

43. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 4 December 2019 be taken as read and signed by the Chairman as a correct record.

44. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of member Conduct.

45. ANY OTHER BUSINESS

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

46. 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

47. SITE VISITS

There were no formal site visits requested by the Sub-Committee.

48. PLANNING APPLICATION - EPF/2449/19 - 4 CARTERS LANE, EPPING

APPLICATION No:	EPF/2779/19
SITE ADDRESS:	4 Carters Lane Epping Upland Epping CM16 6QJ
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Part single, part double storey rear extension, single storey front & side extension & a loft conversion.
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=630537

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 and retained strictly in accordance with the approved drawings numbers: 058; 01, 02, 03, 04, 05.
- 3 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.
- 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 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A,B and C of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

49. PLANNING APPLICATIONS - EFP/1524/19 - SUMMER HOUSE, HAMLET HILL, ROYDON

APPLICATION No:	EFP/1524/19
SITE ADDRESS:	Summer House Hamlet Hill Roydon Essex CM19 5LA
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing Roydon
DESCRIPTION OF PROPOSAL:	Erection of x 2 no. chalet bungalow dwellings with associated parking, amenity spaces and in curtilage refuse and cycle store.
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=625236

REASONS

- 1 The site is located within the Metropolitan Green Belt and does not constitute limited infilling of a village nor is it 'limited infilling or partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt'. It therefore constitutes inappropriate development. No very special circumstances have been advanced that would outweigh the harm caused by the inappropriateness and the other harm identified, and the development would therefore conflict with Chapter 13 of the National Planning Policy Framework 2019, Policy GB2A of the Epping Forest District Adopted Local Plan and Policy DM4 of the Epping Forest District Local Plan (Submitted Version) 2017.
- 2 The proposed development would have a detrimental impact on the open character of the Green Belt and would be clearly discernible from the surrounding countryside. This would result in an excessive impact on the open character of the Metropolitan Green Belt contrary to policies CP2, GB2A, GB7A, DM9 and DM10, of the adopted Local Plan and Alterations and the National Planning Policy contained in the National Planning Policy Framework 2019.
- 3 The applicant has failed to demonstrate that the development will not have an adverse impact on the Epping Forest Special Area of Conservation in terms of air pollution, or that suitable mitigation for such impacts will be provided. The

development is therefore contrary to Policy CP6 of the Epping Forest Local Plan, Policies DM4 and DM22 of the Epping Forest District Local Plan Submission Version 2017 and the requirements of the Habitats Regulations 2017.

50. PROBITY IN PLANNING - APPEAL DECISIONS, 1ST APRIL 2019 TO 30ST SEPTEMBER 2019

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions 1 April 2019 to 30 September 2019. In compliance with the recommendation of the District Auditor, the report advised the decision-making committee of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation).

The purpose of the report was to inform the Area Plans Sub-Committee West 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 have been made against the Council.

Over the six-month period between 1 April 2019 and 30 September 2019, the Council received 56 decisions on appeals (54 of which were planning related appeals, the other two were enforcement related). Seven appeals out of 54 were allowed (13%). Broken down further, Committee reversals performed very well with only 2 out of 14 allowed (14.3%) and there was also a good officer delegated decisions performance of 5 out of 40 (12.5%) allowed.

Out of the planning appeals that arose from decisions of the Area Plans Sub-Committee West to refuse contrary to the recommendation put to them by officers during the 6-month period, zero appeals were allowed against decisions made and zero were dismissed. Out of 2 Enforcement Notice appeals, both were dismissed, but only one was of relevance to this Sub-Committee.

During this period, there were no successful award of costs against the Council.

Whilst performance in defending appeals at 22.6% appeared to be modest, 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 that a Planning Inspector or the Secretary of State could award costs, even if neither side had made an application for them. Whilst there was clearly pressure on Members to refuse in cases where there were objections from local residents, these views (and only when they were related to the planning issues of the case) were one of a number of relevant issues to balance out in order to understand the merits of the particular development being applied for.

RESOLVED:

That the probity in Planning report covering the period 1 April 2019 to 30 September 2019 be noted.

CHAIRMAN