

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 26 January 2022

Place: Council Chamber - Civic Offices **Time:** 7.00 - 8.30 pm

Members Present: S Jones (Chairman), B Rolfe (Vice-Chairman), R Baldwin, H Brady, I Hadley, S Heap, S Heather, H Kauffman, P Keska, J Lea, R Morgan, C C Pond, S Rackham and K Williamson

Other Councillors:

Apologies: J M Whitehouse

Officers Present: A Marx (Development Manager Service Manager (Planning)), G Woodhall (Team Manager - Democratic & Electoral Services), C Ahmet (Planning Officer), S Dhadwar (Senior Planning Officer), L Kirman (Democratic Services Officer) and S Mitchell (PR Website Editor)

46. WEBCASTING INTRODUCTION

On behalf of the Chairman, the Team Manager for Democratic & Electoral Services 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.

47. ADVICE FOR PUBLIC & SPEAKERS AT PLANNING COMMITTEES

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 in relation to the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at meetings of the Council's planning committees.

48. SUBSTITUTE MEMBERS

The Committee was advised that no substitute members had been appointed for the meeting.

49. DECLARATIONS OF INTEREST

The following interests were declared by members of the Committee pursuant to the Council's Code of Member Conduct:

- (a) Councillor S Heap declared a personal interest in item 8 (Planning Application EPF/0826/18 – 48 Russell Road, Buckhurst Hill) of the agenda for the meeting, by virtue of the applicant being known to the Councillor and the Councillor being a member of Buckhurst Hill Parish Council. The Councillor had determined that his interest was not pecuniary and indicated that he

would remain in the meeting for the consideration of the application and voting thereon.

(b) Councillor S Rackham declared a personal interest in item 8 (Planning Application EPF/0826/18 – 48 Russell Road, Buckhurst Hill) of the agenda for the meeting, by virtue of the applicant being known to the Councillor. The Councillor had determined that her interest was not pecuniary and indicated that she would remain in the meeting for the consideration of the application and voting thereon.

(c) Councillor K Williamson declared a personal interest in item 8 (Planning Application EPF/0826/18 – 48 Russell Road, Buckhurst Hill) of the agenda for the meeting, by virtue of the applicant being known to the Councillor. The Councillor had determined that his interest was not pecuniary and indicated that he would remain in the meeting for the consideration of the application and voting thereon.

(d) Councillor J Lea declared a personal interest in item 9 (planning application EPF/2829/21 – 1A Monkswood Avenue, Waltham Abbey) and item 10 (EPF/2870/21 – 1A Monkswood Avenue, Waltham Abbey) of the agenda for the meeting, by virtue of being the applicant for both applications. The Councillor had determined that her interest was pecuniary and indicated that she would leave the meeting for the consideration of the application and voting thereon.

50. MINUTES

Cllr S Heap proposed that the name of one of the objectors at the last meeting and a summary of their objections should be added to the minutes for the meeting. This proposal was seconded by Cllr C C Pond, but the proposal was lost when voted on by the Committee.

RESOLVED:

(1) That the minutes of the meeting of the Committee held on 27 October 2021 be taken as read and signed by the Chairman as a correct record.

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

The Committee was reminded that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version (LPSV) on 18 December 2017 and the Main Modifications to the LPSV, which had been published for consultation on 15 July 2021. Members were advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for Councillors, Officers, Applicants, Planning Agents and other persons involved in the development management process.

Resolved:

(1) That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version be noted.

52. PLANNING APPLICATION EPF/0826/18 48 RUSSELL ROAD, BUCKHURST HILL

The Planning Officer, C Ahmet, presented a report for the demolition of the existing bungalow at 48 Russell Road in Buckhurst Hill and construction of a block of three flats over three floors. Car parking for each flat along with bin and cycle storage would be located in the front forecourt.

The Committee noted that it had previously considered this application at its meeting held in August 2018, when it was resolved to grant planning permission, subject to conditions and the completion of a legal agreement to secure mitigating measures in relation to the Epping Forest Special Area of Conservation (EFSAC). This application was before the Committee again as some new material facts and considerations had been identified in line with section 70(2) of the Town and Country Planning Act 1990.

C Ahmet informed the Committee that the site currently comprised a large single storey detached dwelling on a hillside location. It was flanked by three-storey terraced houses and two-storey semi-detached dwellings. Russell Road was a mixture of dwelling types and styles, and although within an urban area, it was not listed or within a conservation area. One of the neighbouring properties had been extended to the side, but this was unlawful and was currently the subject of enforcement action.

Planning Officers had concluded that the application would provide a well-designed residential scheme that made good use of an existing urban site. The proposed design was acceptable in terms of its scale, bulk and mass, and relationship with neighbouring buildings as well as the impacts on neighbouring amenities. The proposed development would not cause harm to highway safety and the level of parking close to local services and local public transport modes was acceptable. Overall, the proposal complied with the aims and objectives of national planning guidance and the relevant policies contained within the adopted Combined Local Plan and Alterations 2006 and the Submission Version Local Plan 2017.

The Committee noted the summary of representations that had been received in relation to this application, and the Committee heard from an objector and the applicant before proceeding to debate the Application.

Cllr S Heap queried that numbers 44 and 46 Russell Road appeared to have moved a metre away from the road in comparison to the original planning application in 2018. The drawing submitted as part of this application showed the building at number 46 to be level with the front of the existing bungalow. However, the drawings submitted in 2018 showed the same building to be forward of the existing bungalow, and therefore these drawings were different. A Marx double-checked the drawings in relation to this application and agreed that in the 'red line drawing' (which identified the extent of the site) the houses appeared to be slightly forward. There were occasionally slight discrepancies between the 'red line drawing' and the drawings submitted by the applicant, but the Committee were advised to consider the drawings submitted by the applicant which showed that numbers 44 and 46 were more in line with each other and not set forward. Cllr Heap felt that a one metre difference was not a slight discrepancy, and that the drawings could not be relied upon.

Cllr H Kauffman was also concerned that the Committee did not have an absolute verified view of this application which could be relied upon, as different images had been submitted by the applicant and the objector to demonstrate their case. Consequently, it was a little unclear exactly what the facts were in this instance. However, the Chairman reminded the Committee that the Council's Planning Officers would have made multiple visits to the site, would have checked the plans submitted

for the application, and assessed it against current planning policy and legislation. Extensive plans and drawings in relation to this application were available to view on the Council's Planning Portal. A Marx highlighted that it was not unusual for plans and drawings to have slight discrepancies, but confirmed that Planning Officers would have assessed the plans and drawings submitted formally as part of the application.

Some members of the Committee felt that there were no sound planning reasons to reverse the original decision made by the Committee in 2018, and the design actually made the proposed block of flats look like a large house. It was also noted that Buckhurst Hill had a number of large town houses so this proposal would not look out of place within the settlement.

Cllr C C Pond felt that the site was only 400 metres away from the EFSAC, and that fact alone warranted the application to be reconsidered by the Committee especially as an application in Chigwell had been refused permission in relation to the EFSAC, and that site was further away than this site. A Marx clarified that any reasons for refusal in relation to the EFSAC were listed if the applicant had failed to agree a legal agreement with the Council with measures to mitigate the potential harm.

Cllr S Heap was concerned about the loss of a bungalow, and felt that a block of flats was too big and incongruous for Russell Road. However, it was pointed out that a ground floor flat was similar to a bungalow, and that other buildings within the District had been converted into apartments and town houses. C Ahmet reminded the Committee that the loss of this bungalow would not set a precedent and that each planning application was always judged on its own merits. The ground floor flat could easily be converted to special accommodation and a lift shaft was included in the plans.

Cllr H Kauffman felt that the proposed building was too large and overbearing for its site, the roof height would be demonstrably higher than the current building and it would have an adverse impact on number 46. Again, the Councillor expressed his concerns about the information put before the Committee for an application that was clearly contentious, as the objectors were claiming that the submitted drawings could not be relied upon.

Decision:

(1) That planning application EPF/0826/18 at 48 Russell Road in Buckhurst Hill be granted planning permission, subject to:

(a) the completion, within 6 months, of a Section 106 Legal Agreement to secure appropriate financial contributions towards:

(i) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (EFSAC); and

(ii) mitigation of air pollution in the vicinity of the EFSAC; and

(b) the following planning 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:

318-PL-11 Rev A - Site & Location Plans
318-PL-12 Rev A - Proposed & Existing Street Elevation
318-PL-13 Rev A – Proposed Ground Floor Plan
318-PL-14 Rev A – Proposed Lower Ground & First Floor Plans
318-PL-15 Rev A – Proposed Second Floor & Roof Plans
318-PL-16 Rev A – Proposed Elevations
318-PL-17 – Proposed & Existing Section A-A
318-EX-01 Rev A – Existing Lower Ground & Ground Floor Plans
318-EX-02 Rev A – Existing Roof Plan
318-EX-03 Rev A – Existing Elevations

Supporting Documents:
Tree Constraints Plan CA/RUS/01 Rev A

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...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.

5...No development, including works of demolition or site clearance, shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. 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...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.

7...No services shall be installed within the root protection area of the retained trees on or adjacent to the site unless the Local Planning Authority gives its prior written approval.

8...The lift shown on the approved plans shall be provided as part of the construction of the approved building and completed prior to first occupation and maintained thereafter.

9...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 commencement 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.

10...Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA), unless otherwise agreed in writing with the LPA. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:

- Location of active and passive charging infrastructure;
- Specification of charging equipment; and
- Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:

- (a) which parking bays will have active and/or passive charging provision, including disabled parking bays;
- (b) how charging point usage will be charged amongst users;
- (c) the process and the triggers for identifying when additional passive charging points will become activated; and
- (d) electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

11...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.

12...Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

13...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.

14...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.

15...If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or 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.

16...No construction works above ground level shall take place until the documentary and photographic details showing the fenestration to be completed in timber have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

53. PLANNING APPLICATION EPF/2829/21 1A MONKSWOOD AVENUE, WALTHAM ABBEY

The Planning Officer, S Dhadwar, presented a report for a hip to gable extension to the roof and insertion of a rear dormer with a Juliette balcony.

S Dhadwar reported that the dwelling was a two-storey inter-war semi-detached house which had been converted into two flats. It was located on a corner plot at the junction of Crooked Mile and Monkswood Avenue, but was not located in the Waltham Abbey Conservation Area. The application was before the Committee as it had been submitted by or behalf of a District Councillor.

Planning Officers had concluded that the proposal would have a neutral impact on the character and appearance of the host property, the wider street scene and the adjoining Conservation Area. The living conditions of neighbouring properties would not be adversely affected and the proposal met the requirements of the adopted Local Plan. Therefore, it was recommended to grant planning permission.

The Committee noted the summary of representations that had been received in relation to this application. The Committee heard from the applicant before proceeding to debate the application.

S Dhadwar confirmed that the proposed extension to the roof would not increase its height and would not have a material effect on the view of the church spire in the surrounding area.

Decision:

(1) That planning application EPF/2829/21 at 1A Monkswood Avenue in Waltham Abbey be granted planning permission, subject to the following planning conditions:

1... The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2... The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

- i...Location Plan;
- ii...Block Plan;
- iii...Existing Plans Elevations and Section; and
- iv...Proposed Plans Elevations and Section.

3... The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.

54. PLANNING APPLICATION EPF/2870/21 1A MONKSWOOD AVENUE, WALTHAM ABBEY

The Planning Officer, S Dhadwar, presented a report for a single storey in-fill rear and side extension.

S Dhadwar reported that the dwelling was a two-storey inter-war semi-detached house which had been converted into two flats. It was located on a corner plot at the junction of Crooked Mile and Monkswood Avenue, but was not located in the Waltham Abbey Conservation Area. The application was before the Committee as it had been submitted by or behalf of a District Councillor.

Planning Officers had concluded that the proposal would preserve the character and appearance of the site, and would not have an excessive adverse impact on neighbouring residential occupiers. The application also met the requirements of the adopted Local Plan and would not impinge upon the character and appearance of the adjoining conservation area. Therefore, it had been recommended to grant planning permission.

The Committee noted the summary of representations that had been received in relation to this application. The Committee heard from the applicant before proceeding to debate the application.

Decision:

(1) That planning application EPF/2870/21 at 1A Monkswood Avenue in Waltham Abbey be granted planning permission, subject to the following planning conditions:

1... The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2... The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

i...Location Plan;

ii...Block Plan;

iii...Existing Plans Elevations and Section; and

iv...Proposed Plans Elevations and Section.

3... The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.

55. PLANNING APPLICATION EPF/0583/21 8 BOLEYN ROW, EPPING

The Service Manager for Development Management, A Marx, presented a report for the demolition of the existing single storey utility building, conversion of the rear half of the garage into a habitable room, the erection of a single-storey rear extension, the erection of a two-storey rear extension, a change of roof from a pitched roof to a shallow hip roof, and enlargement of the central rear roof slope skylight for the stairway. This application was before the Committee by virtue of a minority reference from Area Planning Sub-Committee East at its meeting on 13 October 2021.

A Marx informed the Committee that the site currently consisted of a two-storey gable roof double fronted detached dwelling house located to the north of Boleyn Row, which was residential in character. The property had a detached side/rear garage and a two-storey rear aspect that formed part of the original house sited to the east elevation of the property. The properties in this part of Boleyn Row were uniform in character comprising of large detached dwellings of equal spacing and of a similar main front building line. Numbers 7 and 8 were sited on the corners of the access to King Henry's walkway and were the only 2 properties in this frontage that varied in design terms with a rear staggered building line. The property was not part of a conservation area and was not listed. The site had been subject of a previous planning application, which had been refused permission in February 2021.

Planning Officers had concluded that the proposed development had satisfactorily addressed the previous reason for refusal and was considered appropriate in terms of its design and appearance, maintaining the established spatial pattern of development in Boleyn Row and would not result in any appreciable harm to its architectural local context. The extensions were not judged to result in any amenity implications to neighbouring properties and other aspects in relation to parking/highway safety were considered satisfactory. The application was considered to be in accordance with the adopted Local Plan and Alterations (1998-2006) and the emerging Local Plan Submission Version 2017 and with the relevant parts of the National Planning Policy Framework. Therefore, it was recommended that planning permission be granted subject to planning conditions.

The Committee noted the summary of representations in respect of this application and heard from an objector, Epping Town Council and the applicant before proceeding to debate the application.

Cllr P Keska reported that Area Planning Sub-Committee East had felt that the application was not detrimental to the existing street scene; the estate was originally built to be uniform but this had been stretched in the past and the Sub-Committee had felt this application to be acceptable. The Committee was reminded that the application had been referred up with a recommendation to approve permission. Other members of the Committee accepted that a garage did not have to be used to store cars anymore, and as there was some distance between the neighbouring properties it was difficult to see how a terracing effect could come about. However, Cllr C C Pond felt that too much was being crammed onto a small plot and agreed with the points raised by the objector.

Decision:

(1) That planning application EPF/0583/21 at 8 Boleyn Row in Epping be granted planning permission, subject to the following conditions:

1...The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2...The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

- Location Plan;
- 20-8BR-04 Rev A;
- 20-8BR-05; and
- 20-8BR- 06.

3...The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building [or those specified on the approved plans, or those specified in the submitted application form], unless otherwise agreed in writing by the Local Planning Authority.

4...Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A-E of Part 1, to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

5...Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

6...No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

56. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Committee. A Marx took the opportunity to explain to the Committee that a Legal Officer had been present for the application at 48 Russell Road in Buckhurst Hill in order to answer any legal questions that might have arisen from the re-consideration of this application by the Committee.

57. 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