

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

<b>Committee:</b>	Area Planning Sub-Committee South	<b>Date:</b>	Wednesday, 21 December 2022
<b>Place:</b>	Council Chamber, Civic Offices, High Street, Epping	<b>Time:</b>	7.00 - 8.10 pm
<b>Members Present:</b>	Councillors K Williamson (Chairman), I Allgood, R Baldwin, R Brookes, R Jennings, J Jennings, H Kauffman, S Murray, A Patel, Caroline Pond, C C Pond, K Rizvi, D Sunger and D Wixley		
<b>Members Present (Virtually):</b>	Councillors P Bhanot		
<b>Apologies:</b>	S Heap, A Lion, L Mead, C Nweke and M Owen		
<b>Officers Present:</b>	G Courtney (Planning Applications and Appeals Manager (Development Management)), R Moreton (Corporate Communications Officer) and R Perrin (Democratic and Electoral Services Officer)		
<b>Officers Present (Virtually):</b>	L Kirman (Democratic Services Officer) and M Rahman (Planning Officer)		

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### **88. 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.

### **89. DECLARATIONS OF INTEREST**

- a) Pursuant to the Council's Members' Code of Conduct, Councillor Williamson declared a non-pecuniary interest in the following item of the agenda by virtue of meeting the applicant although had not discussed the application. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:
- EPF/1266/22 12 Roding Road, Loughton
- b) Pursuant to the Council's Members' Code of Conduct, Councillor Bhanot declared a non-pecuniary interest in the following item of the agenda by virtue of possible knowing the applicant although as he was present virtually, and therefore could not vote on the application. The Councillor had determined that he would remain in the meeting for the consideration of the application:
- EPF/1266/22 12 Roding Road, Loughton
- c) Pursuant to the Council's Members' Code of Conduct, Councillor D Sunger declared a personal interest in the following item of the agenda. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1266/22 12 Roding Road, Loughton

**90. MINUTES****RESOLVED:**

That the minutes of the Sub-Committee held on 23 November 2022 be taken as read and signed by the Chairman as a correct record.

**91. ANY OTHER BUSINESS**

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

**92. EPPING FOREST DISTRICT COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)**

It was noted that the Epping Forest District Council Planning Policy Briefing note was available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

**93. SITE VISITS**

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

**94. CHANGE OF ORDER**

The Chairman advised the Committee that items 9 & 10 would be swapped around due the consideration of only two items this evening and a member having to leave the chamber for the first item.

**95. PLANNING APPLICATION - EPF/1416/22 57 VALLEY HILL, LOUGHTON IG10 3AL****Application Ref:**

EPF/1416/22

**Application Type:** Householder planning permission

**Case Officer:** Mohinder Bagry

**Site Address:** 57 Valley Hill, Loughton, IG10 3AL

**Proposal:** First floor rear extension. Single storey rear extension. Alterations to entrance porch.

**Ward:** Loughton Roding Ward

**Parish:** Loughton

**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d0000004my>

**Decision:** Approve with Conditions

**Conditions: (9)**

- 1 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 01 and 02 Rev E.

Reason: For the avoidance of doubt and to ensure the proposal is built in

accordance with the approved plans.

- 2 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 3 Prior to first occupation of the extension hereby permitted the window in the south west flank elevation 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 window 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.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

- 4 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DBE10 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 5 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 6 Prior to the first use of the patio, details of a privacy screens at both edges of the patio no lower than 1.7 metres high shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented before occupation in accordance with the approved details and so retained.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

- 7 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 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version.

- 8 On or before the expiration of 28 days from the date of substantial completion of the development hereby approved, the outbuildings shown to be demolished on drawing number 02 Rev: E shall be removed and the land shall thereafter be reinstated.

Reason: To ensure that the two outbuildings are removed to avoid overdevelopment of the site and the unacceptable reduction in amenity space, in accordance with policy DBE3 and DBE8 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 9 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 outbuildings permitted by virtue of Class E of Part 1 to schedule 2 shall be erected without the prior written agreement of the Local Planning Authority.

Reason: To ensure that the two outbuildings to be removed are not replaced, to avoid overdevelopment of the site and the unacceptable reduction in amenity space, in accordance with policy DBE3 and DBE8 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

Edit Description

**Informative: (1)**

- 10 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**96. PLANNING APPLICATION - EPF/1266/22 121 RODING ROAD, LOUGHTON IG10 3BS**

**Application Ref:** EPF/1266/22  
**Application Type:** Full planning permission  
**Case Officer:** Muhammad Rahman  
**Site Address:** 121 Roding Road, Loughton IG10 3BS  
**Proposal:** Extensions and alterations to provide 1x new retail premises on the ground floor and 5x new residential apartments over with associated

amenity space.  
**Ward:** Loughton Roding  
**Parish:** Loughton  
**View Plans:** <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d0000001Cy>  
**Decision:** Refused

### Reasons (3)

1. The proposal, by reason of its form, scale, bulk and massing fails to relate positively to the locality and would appear incongruous with the street scene. Also, due to increased density it will result in a greater urbanising impact than present. Consequently, it would have a harmful effect to the established character and appearance of the area, which predominantly consists of two storey buildings. Therefore, the proposal is contrary to Policies CP2, CP7 & DBE1 of the adopted Local Plan 1998 & 2006, Policy DM9 of the Local Plan Submission Version 2017, and Paragraphs 126 & 130 of the NPPF 2021.
2. The proposal, by reason of its scale, bulk and massing together with the differing ground levels of the rear gardens of No's 125 – 133, will result in a material loss of light, loss of outlook and a greater sense of enclosure to the rear gardens of No's 125 - 133 to their detriment. As such, the proposal fails to safeguard the living conditions of neighbouring amenities, contrary to Policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006, Policy DM9 (h) of the Local Plan Submission Version 2017, and Paragraphs 130 (f) of the NPPF 2021.
3. In the absence of a completed Section 106 planning obligation the proposed development fails to mitigate against the adverse impact that it will have on the Epping Forest Special Area for Conservation in terms of recreational pressure and air pollution. Failure to secure such mitigation is contrary to policies CP1 and CP6 of the adopted Local Plan 1998 & 2006, Policies DM2 and DM22 of the Local Plan Submission Version 2017, Paragraph 180 of the NPPF 2021, and the requirements of the Habitats Regulations 2017.

### Informatives (2)

4. The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Councils website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.
5. This decision is made with reference to the following plan numbers: 1049.000, 1049.001, 1049.002, 1049.003, 1049.010, 1049.011, 1049.013, 1049.014, 1049.101B, 1049.102D, 1049.103E, 1049.104B, 1049.110E, 1049.111E, 1049.112A, 1049.113, and 1049.1

**CHAIRMAN**

