

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control **Date:** 3 June 2008
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.20 pm
High Street, Epping

Members Present: B Sandler (Chairman), M Colling (Vice-Chairman), K Chana, Mrs A Cooper, R Frankel, Mrs R Gadsby, A Green, Mrs A Haigh, J Markham, R Morgan, P Turpin, H Ulkun, J Wyatt and Mrs L Wagland

Other Councillors:

Apologies:

Officers Present: B Land (Assistant Director Development), S G Hill (Senior Democratic Services Officer) and C Neilan (Conservation Officer)

1. 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.

2. MINUTES

Resolved:

That the minutes of the meeting held on 5 February 2008 be agreed and signed by the Chairman as a correct record.

3. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

No substitutes had been appointed for this meeting.

4. DECLARATIONS OF INTEREST

Pursuant to the Councils Code of Member Conduct, All members of the Committee declared a personal interest in agenda items 7 (Thatched House, Epping) and 8 (92 Crooked Mile, Waltham Abbey by virtue of the applicant being a District Councillor. All members of the Committee stayed in the meeting and took part in the debate on those items.

5. THE THATCHED HOUSE HOTEL, HIGH STREET, EPPING – EPF/0451/08

The Committee considered an application submitted on behalf of a Councillor which, pursuant to Section P4, Schedule A (j) of the Council's Delegated Functions could not be dealt with under delegated action by officer.

The application was a further revised scheme for a single storey side extension to an approved reception building at the Thatched House Hotel, Epping together with proposals for a bedroom with wheelchair access.

The Committee noted that Hotel accommodation was provided at first floor level with limited car parking at the rear of the premises. The proposals, amended now to limit the addition to one bedroom, would mean the loss of car parking spaces. The parking would not comply with current policy in that regard and members of the Committee also considered that the proposals would result in a cramped appearance to the site. The Committee therefore refused the proposal.

Resolved:

That Planning application EPF/0451/08 for the erection of a side extension at the Thatched House Hotel, High Street, Epping be refused for the following reason:

- (1) The proposal would result in a cramped development and the loss of off-street parking that would lead to an insufficient number of spaces for the hotel causing increased congestion. This is contrary to policies DBE1 and ST6A of the adopted Local Plan and Alterations.

6. PLANNING APPLICATION EPF/2358/07 – 92 CROOKED MILE, WALTHAM ABBEY

The Committee considered an application submitted on behalf of a Councillor which, pursuant to Section P4, Schedule A (j) of the Council's Delegated Functions could not be dealt with under delegated action by officer.

A planning application for the site had been previously considered and refused for the erection of a two-storey side extension and change of use of the premises from a single dwelling house to a mixed use of residential and a residential learning disability care home, for up to 9 adults with learning disabilities.

The current application sought the erection of a two storey side extension to create annexe accommodation for use by two family members. The Committee heard from an objector to the application.

The Committee considered issues relating to the proposed use and the limited car parking currently available at the site. The Committee considered and voted upon a motion to defer the application pending further discussion with the applicant regarding parking on the site.

Resolved:

That Planning Application EPF/2358/07 be deferred pending further discussions with the applicant regarding parking provision.

7. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/02/08 – CENTRIC PARADE, LOUGHTON

The Committee considered a report regarding Tree Preservation Order EPF/02/08 which became effective on 24 January 2008 and protected 3 Robinia trees standing at Centric Parade, Loughton.

The Council had made the order to prevent further loss of trees in Centric Parade as a result of the highway improvements to the High Street and Centric Parade and to ensure the long-term retention of the three remaining trees.

An objection had been made to the confirmation of the order on behalf of the owners of the premises at 188-192 High Road, Loughton on the basis of the physical nuisance the trees caused, ie. from leaves and seeds, and on commercial grounds, i.e. the foliage of the trees was dense in summer, obscured the shop signage and threatened their commercial viability. The objector had also pointed out that the trees were in poor condition.

It was the view of officers that commercial losses are un-quantified and in fact liable to be small. This also needed to be set against the general benefit to the public, and indeed to the commercial viability of the centre of Loughton that accrued from an attractive and well-treed environment. It was noted that, in any event, permission to prune the trees could be sought. The condition of the trees would be safeguarded because if the order were confirmed it would be possible for the Planning Authority to insist on a replacement.

The Committee supported the officers view that priority should be given to tree retention in this instance and that the Tree Preservation Order should be confirmed without modification.

Resolved:

That Tree Preservation Order TPO/EPF/0208 be confirmed without modification.

8. ANY OTHER BUSINESS

It was noted that there was no further business to be transacted at the meeting.

9. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

Agenda Item No	Subject	Exempt Information Paragraph Number
12	Compensation claim - Tree Preservation Order 30/90 at Bracken Drive, Chigwell	3 and 5

10. COMPENSATION CLAIM - TREE PRESERVATION ORDER 30/90 AT BRACKEN DRIVE, CHIGWELL

The Committee considered a restricted report on a Tree Preservation matter at Bracken Drive, Chigwell. Subsequent to the refusal of a planning application to fell a tree in a rear garden of one of the properties in Bracken Drive, Chigwell, there was now a dispute relating to damage to the property.

The committee considered the circumstances of the case, the legal position and the lack of engineering information on the causes of the damage.

The proper officer has determined that exempt information relating to any likely legal action or response to proceedings on this matter should not be published.

Resolved:

- (1) That the Director of Planning and Economic Development seek an independent engineers review/report on the claim; and
- (2) Restricted – a minute relating to the legal position to be taken by the Council is published separately as a restricted minute.

CHAIRMAN