

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control **Date:** 5 August 2008
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.25 pm
High Street, Epping

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

Other Councillors: Mrs P Brooks, Mrs D Collins, Mrs J Lea and C Whitbread

Apologies: Mrs R Gadsby and A Green

Officers Present: R Rose (Senior Lawyer), S Solon (Principal Planning Officer) and S G Hill (Senior Democratic Services Officer)

11. 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.

12. MINUTES

Resolved:

- (1) That the minutes of the meeting held on 3 June 2008 be taken as read and signed by the Chairman as a correct record; and
- (2) That the restricted minute 10 from the meeting held on 10 June 2008 be taken as read and signed by the Chairman as a correct record.

13. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that Councillor Pryor was substituting for Councillor Gadsby and Councillor Stallan was substituting for Councillor Green at the meeting.

14. DECLARATIONS OF INTEREST

(a) 92 Crooked Mile, Waltham Abbey

Pursuant to the Councils Code of Member Conduct, All members of the Committee, except Councillor Stallan, declared a personal interest in agenda items 8 (92 Crooked Mile, Waltham Abbey) by virtue of the applicant being a District Councillor.

In addition Councillor Hart, Pryor and Wagland declared a further personal interest in item 8 by virtue of being members of the Conservative Group and Councillor Pryor declared a personal interest in item 8 as a member of Waltham Abbey Town Council.

Councillor Stallan and Councillor Mrs D Collins (a non member of the Committee), declared personal and prejudicial interests in agenda items 8 (92 Crooked Mile, Waltham Abbey) and indicated that they proposed to leave the meeting for the duration of the debate and voting on that item.

All members of the Committee except Councillors Stallan and Collins, stayed in the meeting and took part in the debate on those items.

(b) Units 1-3, Orbital Business Centre, 90 Brooker Road, Waltham Abbey

Pursuant to the Councils Code of Member Conduct, Councillors Stallan, Wyatt, Hart, Wagland, Colling, Sandler and Councillors' P Brooks and J Lea (non members) declared a personal interest in agenda items 10 (Units 1-3, Orbital Business Centre, 90 Brooker Road, Waltham Abbey) by virtue of the applicant being a Conservative Town Councillor.

Councillor Pryor declared a personal and prejudicial interests in agenda item 10 (Units 1-3, Orbital Business Centre, 90 Brooker Road, Waltham Abbey) by virtue of personal association with the applicant. Councillor Pryor indicated that he proposed to speak in support of the application then leave the meeting for the duration of the debate and voting on that item.

15. ANY OTHER BUSINESS

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

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

The Committee gave further consideration to an application at 92 Crooked Mile, Waltham Abbey which had been deferred at the last meeting for clarification of land, legal and parking matters.

The application proposed a two storey side extension on the northern flank of the house at 92 Crooked Mile and comprised two ancillary units (flats) of accommodation.

The Planning Officer reported that the applicant had submitted an amended site plan showing a reduced site area (omitting the disputed area to the front of the site adjacent the Crooked Mile) and indicating the provision of three parking spaces within the site (one within the existing garage and two within the rear garden area) giving a net increase of one further space.

Officers considered that the proposal was acceptable in terms of design and amenity and had therefore recommended approval of the application. It was suggested that this approval could be subject to a legal agreement to ensure that the flats remained as ancillary accommodation to the main house. The planning officer outlined a number of additional letters of objection which had been received after the compilation of the report including a formal complaint which was being dealt with under the Council's complaints procedure.

Following a query from an objector it was clarified that the application description was for the demolition of a conservatory for the provision of double storey side extension to create care unit extension to family home. This was agreed by the officers and the Committee proceeded to consider the application on that basis.

The committee heard from an objector to the scheme.

The committee considered a proposal, following debate on the merit of the application, to approve the application subject to a legal agreement which was supported.

Resolved:

That subject to the completion of an agreement under s.106 of the Town and Country Planning Act 1990 requiring:

- (i) That the extension be used only for purposes ancillary to the use of the existing house as a dwellinghouse, and
- (ii) That the extension, or any part of it, shall not be severed from or sold separately from the existing house, and
- (iii) That a connecting internal door be provided between the extension and the existing house as shown on drawing no. C.H.3c prior to the occupation of the extension and thereafter be permanently retained without obstruction and capable of being opened.

Planning application EPF/2358/07 be granted subject to the following 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 proposed extension shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 92 Crooked Mile.
- (3) Materials to be used for the external finishes of the proposed extension shall match those of the existing building.
- (4) A flood risk assessment shall be submitted to and approved by the LPA prior to commencement of development. The assessment shall include calculations of increased run off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the extension hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.

17. PLANNING APPLICATION EPF/0949/08 – 67 HOE LANE, ABRIDGE – REMOVAL OF BOILER ROOM AND ADDITIONS TO EXISTING DWELLING (REVISED APPLICATION)

The Committee considered an application referred by Area Planning Subcommittee East without a recommendation. The application sought to remodel the existing dwelling at 67 Hoe Lane, Abridge from a chalet style dwelling to one with two story accommodation together with associated works.

The original application had been recommended for refusal on visual amenity and green but grounds but this had not been supported by the Subcommittee.

The Committee heard from the applicant.

The Committee considered that, in this instance, given the proposed improvement in appearance to the property proposed and the setting of the dwelling within other improved properties, that Green belt considerations were outweighed by these special circumstances and that the application should be approved subject to conditions.

Resolved:

That planning application EPF/0949/08 be granted subject to the following 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) Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

(3) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Class E, Part 1 of Schedule 2 shall be undertaken without the prior written permission of the Local Planning Authority.

(4) Prior to first occupation of the building hereby approved the proposed window openings in the bedroom window to the north facing, first floor flank wall looking towards no. 65 Hoe Lane, Abridge, shall be fitted with obscured glass and have fixed frames to a level of up to 1.5m above internal floor level, and shall be permanently retained in that condition.

18. PLANNING APPLICATION EPF/668/08 - UNITS 1-3, ORBITAL BUSINESS CENTRE, 90 BROOKER ROAD, WALTHAM ABBEY

The Committee considered an application for the change of use of 3 small units within a block of 9 industrial units which were in the process of being built within the Brooker Road Industrial Estate, Waltham Abbey, to D2 use, for a children's indoor play centre with ancillary party rooms facilities and A3 café use with parking provided on site for 18 cars within a gated car park.

The application was before the Committee as it raised issues relating to employment policies that were considered to be of wider significance.

The committee noted that in this case the proposal resulted in the loss of purpose built industrial units within an identified employment site contrary to policies of the adopted local plan and alterations.

The Committee heard from Councillor Pryor and the applicant in support of the proposals.

The Committee considered that the location was not ideal but noted the considerable local support for such a facility and that there were currently a number of vacant units

within the Industrial Estate. On balance the Committee supported the granting of permission subject to conditions.

Resolved:

That planning application EPF/668/08 be granted subject to the following 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) Prior to the commencement of the use hereby approved, details of a secure means of enclosing the area between Brooker Road and units 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be provided prior to the commencement of the use and thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.
- (3) The premises shall be used solely as a children's play area and for no other purpose, including any other purpose in Use Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- (4) The element of the use comprising a cafe shall only be operated in connection with the use of the premises as a children's play area. Food or drink shall only be sold or provided at the premises while the children's play area is open for customers.

CHAIRMAN