

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 21 May 2008
South

Place: Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.30 - 9.27 pm

Members Present: J Hart (Chairman), Mrs L Wagland (Vice-Chairman), R Barrett, D Bateman, K Chana, Mrs S Clapp, M Cohen, Miss R Cohen, D Dodeja, Mrs A Haigh, R Law, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, P Spencer and J Sutcliffe

Other Councillors:

Apologies: K Angold-Stephens, J Knapman, B Sandler and H Ulkun

Officers Present: N Richardson (Principal Planning Officer), A Hendry (Democratic Services Officer), S G Hill (Senior Democratic Services Officer) and S Mitchell (PR Website Editor)

1. WEBCASTINT 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. WELCOME AND INTRODUCTION

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 Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

3. MINUTES

RESOLVED:

That the minutes of the meeting held on 23 April 2008 be taken as read and signed by the Chairman as a correct record subject to adding that Councillor M Cohen wanted it noted that item 1 had been granted permission due to it's history and not as a principle.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Sutcliffe declared personal interests in agenda item 6 (1) (EPF/0450/08 Roding Valley Recreation Ground, off Roding lane, Buckhurst Hill), and (2) (EPF/0354/08 51 Epping

New Road), by virtue of being a member of Buckhurst Hill Parish Council. The Councillor declared that her interests were not prejudicial and indicated that she would stay in the meeting during the consideration and voting on the items;

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Haigh declared personal interests in agenda item 6 (1) (EPF/0450/08 Roding Valley Recreation Ground, off Roding Lane, Buckhurst Hill) by virtue of being a member of the Buckhurst Hill Residents Association. The Councillor declared that her interests were not prejudicial and indicated that she would stay in the meeting during the consideration and voting on the items;

(c) Pursuant to the Council's Code of Member Conduct, Councillors P Spencer and D Dodeja, declared personal interests in agenda item 6 (1) (EPF/0450/08 Roding Valley Recreation Ground, off Roding Lane, Buckhurst Hill), by virtue of being members of Buckhurst Hill Parish Council. The Councillors declared that their interests were prejudicial and indicated that they would leave the meeting during the consideration and voting on the item;

(d) Pursuant to the Council's Code of Member Conduct, Councillor P Spencer and D Dodeja declared personal interests in agenda item 6 (2) (EPF/00354/08 51 Epping New Road, Buckhurst Hill), by virtue of being members of Buckhurst Hill Parish Council. The Councillors declared that their interests were not prejudicial and indicated that they would stay in the meeting during the consideration and voting on the items;

(e) Pursuant to the Council's Code of Member Conduct, Councillors R Barrett, Mrs C Pond declared personal interests in agenda items 6 (6) (EPF/0466/08 27 Church lane, Loughton), (8) (EPF/0522/08 34 Ollard's Grove, Loughton), and (9) (EPF/0568/08 2 Cloverleys, Park Hill, Loughton), by virtue of being members of Loughton Town Council. The Councillors declared that their interests were not prejudicial and indicated that they would stay in the meeting during the consideration and voting on the items;

(f) Pursuant to the Council's Code of Member Conduct, Councillor K Chana declared a personal interest in agenda items 6 (4) (EPF/0447/08 9 Tomswood Road, Chigwell) and (5) (EPF/0520/08 94 Hainault Road, Chigwell), by virtue of being a Chigwell Parish Councillor. The Councillor declared that his interests were not prejudicial and indicated that he would stay in the meeting during the consideration and voting on the items;

(g) Pursuant to the Council's Code of Member Conduct, Councillors Mrs L Wagland and G Mohindra declared personal interests in agenda items 6 (3) (EPF/0411/08 Limes Farm Community Hall, Limes Avenue, Chigwell), (4) (EPF/0447/08 9 Tomswood Road, Chigwell), and (5) (EPF/0520/08 94 Hainault Road, Chigwell) by virtue of being Chigwell Parish Councillors. The Councillors declared that their interests were not prejudicial and indicated that they would stay in the meeting during the consideration and voting on the items;

(h) Pursuant to the Council's Code of Member Conduct, Councillors Mrs P Richardson and R Law declared personal interests in agenda items 6 (6) (EPF/0466/08 27 Church Lane, Loughton), (7) (EPF/0470/08 Beechlands, 42 Alderton Hill, Loughton), (8) (EPF/0522/08 34 Ollard's Grove, Loughton) and (9) (EPF/0568/08 2 Cloverleys, Park hill, Loughton) by virtue of being Loughton Town Councillors. The Councillors declared that their interests were not prejudicial and indicated that they would stay in the meeting during the consideration and voting on the items;

(g) Pursuant to the Council's Code of Member Conduct, Councillor D Bateman declared personal interests in agenda items 6 (4) (EPF/0447/08 9 Tomswood Road, Chigwell) and (5) (EPF/0520/08 94 Hainault Road, Chigwell) by virtue of him being the ward Councillor. The Councillor declared that his interests were not prejudicial and indicated that he would stay in the meeting during the consideration and voting on the items;

(h) Pursuant to the Council's Code of Member Conduct, Councillor M Cohen declared personal interests in agenda items 6 (1) (EPF/0450/08 Roding Valley Recreation Ground, off Roding Lane, Buckhurst Hill), by virtue of having assisted one of the listed speakers in their election campaign. The Councillor declared that his interests were not prejudicial and indicated that he would stay in the meeting during the consideration and voting on the item.

5. ANY OTHER BUSINESS

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

6. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That the planning applications numbered 1 – 9 be determined as set out in the attached schedule to these minutes.

Note:

Councillor Cohen asked that the reason for his voting against the refusal for application 7 (EPF/0470/08 – Beechlands, 42 Alderton Hill, Loughton) be recorded in the minutes under Council Procedure Rule 15.5 – 'right to require individual vote to be recorded'. The reason being: "that he did not vote against the refusal of the application because he did not agree with the grounds to refuse it, and not because he wanted the application granted."

7. PROBITY IN PLANNING – APPEAL DECISIONS, OCTOBER 2007 TO MARCH 2008.

In compliance with the recommendations of the District Auditor, the Sub-Committee received a report advising of the outcome of all successful appeals, particularly those refused contrary to officer recommendation. The purpose was to advise of the consequence of these decisions and inform of cases where costs could be awarded against the Council.

Best Value Performance Indicator was for district councils to aim to have less than 40% of their decisions overturned on appeal. The latest figure for the national average for District Councils is 30.9%. That BVPI was scrapped but recently replaced by one which records planning appeals only (not advertisement, listed buildings, enforcements, telecommunications or tree related appeals) and where the Council sets its own target – set this year to align with top quartile performance at 25%. In fact in recent years the Council has been more successful than the national

average with only 18% in 2003/04, 29% in 2004/05, 22% in 2005/06 and 30% in 2006/07.

For the year 2007/08 as a whole: a total of 132 decisions were received – 120 planning appeals and 12 enforcement appeals. Of the 120 planning appeals 36 were allowed but none of the enforcement appeals – a total of 27.3% of the Council's decisions being overturned.

For the Best Value Performance Indicator, which only considers appeals against the refusal of planning permission (so does not include advertisement, listed building, enforcement, telecommunications or tree-related appeals, nor appeals against conditions); the performance figure is 29%.

The Sub-committee noted that it was the role of members to look hard at applications and not just to rubber stamp them. Officers could help members by pointing out the adverse points of an application as well as the good ones. Members could help by going as witnesses at appeal hearings to put their point of view across. They also need to look their reasons for refusal and to look at what will or will not work in terms of Highway use and environmental sustainability, instead of using the term 'overdevelopment' constantly. It was suggested that the County's Highways department be invited to give the Sub-committee a talk on what criteria they use to judge an application. It was also suggested that an officer give a short talk on the current 'jargon' words used.

RESOLVED:

That the Planning appeals decisions for October 2007 to March 2008 be noted.

8. DELEGATED DECISIONS

The Sub-Committee noted that schedules of Planning applications determined by the Director of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

Minute Item 6

Report Item No: 1

APPLICATION No:	EPF/0450/08
SITE ADDRESS:	Roding Valley Recreation Ground off Roding Lane and r/o Rous Road Buckhurst Hill Essex IG9
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
DESCRIPTION OF PROPOSAL:	Installation of a multi use ball court (Leisure use).
DECISION:	Grant Permission (With Conditions)

The Committee's attention was drawn to a letter of representation from 39 Palace Gardens and a Petition of support

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 No raising of ground levels shall take place on that part of the site lying within flood zone 3a (the 1:100+20% flood extent).
- 3 All material and earth dug to create the ball-park shall be totally removed from the site and not be placed anywhere within the 1:2500 plan dated 5 March 2008, attached to the planning application . The material shall be removed before any part of the ball park is erected above ground level.
- 4 No lighting shall be installed on the site unless with the granting of further specific permission from the Local Planning Authority.
- 5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 6 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the 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. The route and measures to prevent damaging the surface of the Roding Valley recreation ground from the movement of construction vehicles onto and off the site shall be agreed in writing by the Local Planning Authority and comply with the details as approved thereafter.

- 7 The new link footpath and gate shall be wide enough to allow a wheelchair user to access the proposed development and therefore be at least 1m in width.

Report Item No: 2

APPLICATION No:	EPF/0354/08
SITE ADDRESS:	51 Epping New Road Buckhurst Hill Essex IG9 5JT
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Demolition of existing property and erection of 5 x 1 bedroom and 8 x 2 bedroom flats with underground parking.
DECISION:	Refuse Permission (With Conditions)

REASONS FOR REFUSAL

- 1 Due to the number and nature of flats proposed, this development would provide inadequate off-street parking for the occupants of these flats and their visitors. The site is also not well served by public transport, such that there will be a reliance on use of the motor-car to carry out journeys to and from the site. The proposal therefore will result in increased pressure on on-street parking in the vicinity of the site to the detriment of the visual appearance of the street-scene and will not be environmentally sustainable. It will therefore be contrary to policies ST1, ST6 and DBE2 of the Adopted Local Plan and Alterations.

Report Item No: 3

APPLICATION No:	EPF/0411/08
SITE ADDRESS:	Limes Farm Community Hall Limes Avenue Chigwell Essex IG7
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Installation of a portable classroom behind Limes Farm Community Hall on disused land to be used as a nursery.
DECISION:	Withdrawn by applicant

Report Item No: 4

APPLICATION No:	EPF/0447/08
SITE ADDRESS:	9 Tomswood Road Chigwell Essex IG7 5QP
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Two storey side extension.
DECISION:	Refused Permission

REASONS FOR REFUSAL

- 1 The proposed extension, by reason of its design, fails to integrate with the main house, and therefore would be visually intrusive within the street scene, contrary to policy DBE10 of the Adopted Local Plan and Alterations.

Report Item No: 5

APPLICATION No:	EPF/0520/08
SITE ADDRESS:	94 Hainault Road Chigwell Essex IG7 5DH
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Loft conversion with dormer windows and raise roof height. (Revised application)
DECISION:	Grant Permission (With Conditions)

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.

Report Item No: 6

APPLICATION No:	EPF/0466/08
SITE ADDRESS:	27 Church Lane Loughton Essex IG10 1PD
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	First floor side extension.
DECISION:	Grant Permission (With Conditions)

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 provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.

Report Item No: 7

APPLICATION No:	EPF/0470/08
SITE ADDRESS:	Beechlands 42 Alderton Hill Loughton Essex IG10 3JB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Reserved matters application for the erection of private dwelling for the proprietor of 'Beechlands'
DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The proposal, by reason of its design and appearance would not be appropriate as a backland development in this location, resulting in a house of bulk and massing, out of keeping with its locality, contrary to policies DBE1 and DBE2 or the Adopted Local Plan and Alterations.

Report Item No: 8

APPLICATION No:	EPF/0522/08
SITE ADDRESS:	34 Ollard's Grove Loughton Essex IG10 4DW
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	First floor extension above existing garage.
DECISION:	Grant Permission (With Conditions)

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 provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.

Report Item No: 9

APPLICATION No:	EPF/0568/08
SITE ADDRESS:	2 Cloverleys Park Hill Loughton Essex IG10 4EH
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Loft conversion with one dormer to front and three rear dormer windows
DECISION:	Grant Permission (With Conditions)

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 first occupation of the building hereby approved the proposed window openings in the flank wall shall be fitted with obscured glass and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.