

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

AREA PLANNING SUBCOMMITTEE SOUTH **Wednesday, 5th August, 2009**

Place: Roding Valley High School, Brook Road, Loughton, Essex

Room: Dining Hall

Time: 7.30 pm

Democratic Services Officer: R Perrin - Office of the Chief Executive
Email: rperrin@eppingforestdc.gov.uk Tel: 01992 564532

Members:

Councillors J Hart (Chairman), Mrs L Wagland (Vice-Chairman), K Angold-Stephens, R Barrett, D Bateman, K Chana, Mrs S Clapp, Miss R Cohen, M Cohen, D Dodeja, Mrs A Haigh, J Knapman, R Law, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, B Sandler, P Spencer, Mrs J Sutcliffe, P Turpin, H Ulkun and D Wixley

A PLAN SHOWING THE LOCATION OF RODING VALLEY HIGH SCHOOL IS ATTACHED TO THIS AGENDA. A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE SUB-COMMITTEE, AT 6.30 P.M. PRIOR TO THE MEETING

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast;
2. Members are reminded of the need to activate their microphones before speaking; and
3. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be filmed live for subsequent uploading to the Internet and will be capable of repeated viewing.

If you are seated in the public seating area it is possible that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast although Officers will try and avoid this.

This may infringe your human and data protection rights and if you have any concerns about this you should speak to the Webcasting Officer.”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 7 - 10)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

5. MINUTES (Pages 11 - 18)

To confirm the minutes of the last meeting of the Sub-Committee held on 15 July 2009 as a correct record.

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

7. DEVELOPMENT CONTROL (Pages 19 - 70)

(Director of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. CONFIRMATION OF TREE PRESERVATION ORDER: EPF/11/09 - 36-68 BRACKEN DRIVE, CHIGWELL (Pages 71 - 72)**RECOMMENDATION:**

That tree preservation order EPF/11/09 is confirmed with modification (omission of T32- field maple)

Background:

Tree Preservation Order EPF/11/09 was made to protect 32 individual trees and 1 group of trees within residential gardens and the grass verge at 36-68 Bracken Drive Chigwell.

This area is currently protected by a 'blanket' Essex County Council Tree Preservation Order made in 1951. These Essex Orders are currently being reviewed and the purpose of this new Order is to protect those trees still worthy of preservation that were previously covered by the Essex Order. It also includes some additional trees now considered worthy of preservation.

Objection to the Tree Preservation Order :

Two objections have been received –

A - 60 Bracken Drive in respect of T32 – Field Maple

B - 56 Bracken Drive in respect of T3, T4, T5, T6 (oaks), T7 Hornbeam

A The objection at 60 Bracken Drive is made on the grounds that :

i) The tree is in poor condition.

B The objection at 56 Bracken Drive is made on the grounds that ;

i) There are 6 large trees within the rear garden. 5 have been selected to be protected by this Order. The owner considers that 6 mature trees are too many for the size of garden.

ii) They cause dense shade

iii) They have misshapen crowns because of crowding and have large dead branches.

iv) Unable to grow shrubs and plants under the trees because of shading.

v) This number of trees results in an excessive volume of leaves in the autumn.

Director of Planning & Economic Development Comments

A - 60 Bracken Drive This is a relatively small tree due to it being suppressed by the adjacent hornbeam (T31). Its total height is approx 5 metres and at approx 3 metres from ground level the main trunk splits into two. One of these branches has been removed and a decay pocket has developed. The foliage cover is thin within the crown, which indicates poor health.

The loss of this tree would not be significant within the landscape in view of the hornbeam (T31) within this garden and the oak (T27) within the neighbour's garden, both of which are protected by this order and provide a more visible screen.

B - 56 Bracken Drive. This group of good quality mature oaks and a hornbeam are remnants of the woodland which once covered this area.

i) The garden is south east facing and approximately 26 metres long which includes a patio area adjacent to the house. These trees stand approx 14 metres in height and extend from the rear boundary 16metres into the garden. All of these trees are of similar age and quality, none show any significant defects when inspected from ground level. It is therefore difficult to select one or two trees that would be suitable for removal based on their current condition. The owner has not indicated which of the trees they would wish to fell. Continuing the protection of them all will ensure that proper consideration is given in any application for the felling of individual trees on a case by case basis.

ii) and iv) These trees have had no general maintenance work undertaken to them for a number of years. The level of shading can be reduced by approval of an application to crown thin / crown reduce / crown lift.

iii) The crowns have become misshapen due to the closeness of the trees to each other. Crown management can address this issue should the owner submit a pruning specification for approval. Dead wooding of trees does not require the Council's consent.

v) The volume of leaves produced is not considered to be a material consideration in whether trees should be protected by Tree Preservation orders as leaf fall is only an issue for a small part of the year.

Conclusions

A – 60 Bracken Drive – In view of the poor condition of the field maple it is recommended that the Order is confirmed with modification (omission of T32 – field maple).

B – 56 Bracken Drive – The individual problems or shortcomings of these trees are outweighed by the collective group effect the trees produce which justifies their preservation. By continuing to protect these trees proper consideration will be ensured for work to or felling of individual trees. It is recommended that the Order is not modified in respect of the trees at this property.

9. DELEGATED DECISIONS

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at

the Civic Offices, Epping.

10. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.