

## Scrutiny Standing Panel Agenda



# SCRUTINY

 Epping Forest District Council

### **Planning Services Scrutiny Standing Panel Tuesday, 20th December, 2011**

**Place:** Committee Room 1, Civic Offices, High Street, Epping

**Time:** 7.30 pm

**Democratic Services Officer:** Mark Jenkins - Office of the Chief Executive  
Email [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk) Tel: 01992 564607

#### **Members:**

Councillors H Ulkun (Chairman), A Watts (Vice-Chairman), A Boyce, C Finn, P Keska, Ms Y Knight, A Lion, J Markham, B Sandler and Mrs J Sutcliffe

**SUBSTITUTE NOMINATION DEADLINE:**

**18:30**

#### **1. APOLOGIES FOR ABSENCE**

#### **2. SUBSTITUTE MEMBERS**

(Assistant to the Chief Executive). To report the appointment of any substitute members for the meeting.

#### **3. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive). To declare interests in any items of the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview and Scrutiny members are asked to pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an Overview and Scrutiny Committee which relates to a decision of or action by another Committee or Sub-Committee of the Council, a Joint Committee or Joint Sub-Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an Overview and Scrutiny meeting purely for the purpose of answering questions or providing

information on such a matter.

**4. NOTES FROM THE LAST MEETING (Pages 3 - 18)**

To agree the notes of the Panel meetings from:

- (a) 13 September 2011; and
- (b) 3 October 2011

**5. TERMS OF REFERENCE/WORK PROGRAMME (Pages 19 - 34)**

(Director of Planning and Economic Development) To consider the attached.

- (a) Officer report regarding Panel Terms of Reference and Work Programme
- (b) Current Panel Terms of Reference (Appendix 1)
- (c) Current Panel Work Programme (Appendix 2)
- (d) Councillor A Lion's suggested draft Terms of Reference (Appendix 3)
- (e) New Draft Terms of Reference (Appendix 4)
- (f) New Draft Work Programme (Appendix 5)
- (g) Business Plan Outline with Reference to Terms of Reference and Work Programme (Appendix 6)

**6. REVIEW OF SELECTED BUILT CONTROVERSIAL PLANNING DECISIONS (Pages 35 - 44)**

(Director of Planning and Economic Development) To consider the attached report.

**7. ANY OTHER BUSINESS**

**8. DATES OF FUTURE MEETINGS**

The next scheduled meeting of the Panel will be on Tuesday 7 February 2012 at 7.30p.m. and thereafter on:

Tuesday 24 April 2012 at 7.30p.m.

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

<b>Committee:</b>	Planning Services Scrutiny Standing Panel	<b>Date:</b>	Tuesday, 13 September 2011
<b>Place:</b>	Council Chamber, Civic Offices, High Street, Epping	<b>Time:</b>	7.30 - 9.25 pm
<b>Members Present:</b>	Councillors A Watts (Vice-Chairman), K Chana, A Boyce, C Finn, P Keska, Mrs M Sartin and Mrs J Sutcliffe		
<b>Other Councillors:</b>	Councillors K Angold-Stephens, Mrs A Grigg, Mrs S Jones, Mrs M McEwen, J Philip, D Stallan, C Whitbread and J M Whitehouse		
<b>Apologies:</b>	- H Ulkun, Ms Y Knight, A Lion, J Markham and B Sandler		
<b>Officers Present:</b>	J Preston (Director of Planning and Economic Development), I Willett (Assistant to the Chief Executive), K Durrani (Assistant Director (Technical)), B Meuli (Land Drainage Engineer), P Millward (Business Manager) and M Jenkins (Democratic Services Assistant)		
<b>Also in attendance:</b>	T Chinn, G Cowell, D Gor and P Nicholson		

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### 13. SUBSTITUTE MEMBERS

It was noted that Councillors K Chana and Mrs M Sartin were substituting for Councillors B Sandler and H Ulkan respectively.

### 14. APPOINTMENT OF VICE CHAIRMAN

In the absence of the Chairman, the Vice Chairman assumed the role of Chairman and requested a nomination for the role of Vice Chairman.

#### **RESOLVED:**

That Councillor A Boyce be elected Vice Chairman for the duration of the meeting.

### 15. DECLARATIONS OF INTEREST

(1) Pursuant to the Member's Code of Conduct, Councillor Mrs J Sutcliffe declared a personal interest in the following item of the agenda by virtue of being a member of Buckhurst Hill Parish Council. She felt she might be affected by it. The Councillor determined that her interest was not prejudicial and that she would stay in the meeting for the duration of the item and voting thereon:

- Item 7 Environment Agency Consultation – Roding River Area

(2) Pursuant to the Member's Code of Conduct, Councillor A Boyce declared a personal interest in the following item of the agenda by virtue of living close to Cripsey Brook, which could be affected by flooding proposals. The Councillor determined that his interest was not prejudicial and that he would stay in the meeting for the duration of the item and voting thereon:

- Item 7 Environment Agency Consultation – Roding River Area

**16. NOTES FROM THE LAST MEETING**

**RESOLVED:**

That the notes of the last meeting of the Panel meeting held on 14 June 2011 be agreed.

**17. TERMS OF REFERENCE**

The Panel's current Terms of Reference were under review. Following discussion with Panel members, they would be submitted to the Overview and Scrutiny Committee for consideration.

**18. WORK PROGRAMME**

It was advised that the Work Programme was undergoing a re-draft and would be submitted to the next Panel meeting in October for Member's approval and submission to the Overview and Scrutiny Committee.

**19. ENVIRONMENT AGENCY CONSULTATION - RODING RIVER AREA**

The Panel received a report regarding the Environment Agency Consultation on Managing Flood Risk in the River Roding Catchment from Mr J Preston, Director of Planning and Economic Development. In attendance at the meeting on behalf of the Environment Agency were the following officers; T Chinn, G Cowell, D Gor and P Nicholson.

The Environment Agency (EA) was seeking opinion on its recommendations for managing flood risk in the River Roding catchment differently. The consultation initially ran from July to 26 September 2011. Flooding was a natural process that could not be entirely controlled or prevented, the Roding catchment having a long history of flooding, the most recent being in 2000 when more than 300 properties were affected in the Woodford area.

The following parishes in the Roding catchment could be affected by the EA proposals:

Abbess, Beauchamp and Berners Roding, Buckhurst Hill, Chigwell, Fyfield, High Ongar, Lambourne, Loughton, Ongar, Stapleford Abbots, Stanford Rivers, Stapleford Tawney, Theydon Bois, Theydon Garnon, Theydon Mount and Willingale

**Environment Agency Proposals**

There were more than 2,000 residential and commercial properties potentially at risk in the southern part of the catchment. However, the EA's proposals would lead to 15 properties in the district being at greater risk of flooding. The EA justified this on the following basis:

- (a) the financial cost of continuing maintenance of the river was greater than repairing the damage caused by flooding; and

(b) Slowing the water flow in the upper reaches of the catchment would reduce the risk of flooding to properties in the lower catchment, therefore a small number of properties were negatively affected to benefit the majority.

### **Proposals Affecting the Epping Forest District**

The actual proposals which had direct relevance for the district were as follows:

(i) Withdrawal of all maintenance of the Roding from its entry into the district at Berners Roding to its exit into the London Borough of Redbridge at Buckhurst Hill;

(ii) Loughton and Cripsey Brooks would continue to be maintained (river channel and flood defences) to the current standard of protection;

(iii) Creation of a large Flood Storage Area (FSA) near Shonks Mill (south west of Ongar) by 2020 designed to deal with a 1 in 200 year flood event;

(iv) Construction of an earth embankment approximately 700m long across the floodplain adjacent to Shonks Mill Road; and

(v) The EA hoped that material to build the embankment could be sourced from excavation works for surface run off areas in Woodford but this implied lorry movements along the A113 through Chigwell, Abridge and Passingford Bridge to the Shonks Mill. The EA noted that the design was not yet finalised, therefore lorry movements were not yet known.

The EA maintained that some properties in rural parts of the catchments would experience little change in flood risk, however, a small number of properties, especially in the northern part of the catchment, would remain at high risk of flooding. The EA intended to notify all of these property owners of the risk and work with the property owners, identifying ways of reducing or managing the risk

### **Implications for Epping Forest District Council**

The EA hoped that some property or land owners would take responsibility for maintaining local flood defences. District Council officers believed that the EA should make appropriate financial contributions to help the owners affected by reduction in maintenance of the river.

An effect of terminating maintenance on the river would be the increase of vegetation along its banks and the build up of silt. This would lead to the blocking of the discharge point of an ordinary watercourse and localised flooding. The District Council would need to increase its monitoring and enforcement activities. The District Council was riparian landowner for approximately two miles of river along the Roding Valley Recreation Area between Debden and Buckhurst Hill and with all maintenance assistance from the EA terminated, there would be an increased cost to the Council. There were 1,000 km of ditches within the district, and additional work in the Roding area would be difficult for officers to maintain. It was acknowledged by members following the comments by the EA representatives that the District Council did not necessarily have to maintain the river in these areas. However it was likely that the authority would undertake this task.

Members expressed concern about the welfare of river wildlife as a result of de-silting. There was concern from the members present, that ending maintenance on the river would leave residents vulnerable to flooding. They felt that the EA's support for residents would fall short of their needs.

**Response Deadline**

The Environment Agency representatives indicated that they were willing to extend the deadline for comments on consultation, although no new deadline date was set. Members requested that a new report should be submitted to either this Panel or the Safer, Cleaner, Greener Scrutiny Standing Panel when a detailed response to the consultation had been compiled.

**RECOMMENDED:**

(1) That the District Council objects to the proposed flood risk strategy, as there is insufficient detail to show and assess the potentially short and longer term detrimental effects, in terms of flood risk for the following:

(a) the residents within Epping Forest District Council, adjacent to the floodplain;

(b) individual properties and areas of land, including land owned by the council;

(c) flood zones and hence future development opportunities; and

(d) ordinary watercourses within the district.

(2) That, subject to further discussion between officers of the Council and officers of the Environment Agency, a further report be submitted to the next meeting of this Panel on a more detailed response or, as an alternative to the Safer, Cleaner, Greener Scrutiny Standing Panel on 11 October 2011 and, if necessary the urgency procedure approved under Minute 70 of the Overview and Scrutiny Committee on 24 January 2011 be used thereafter to submit the Council's representations to the EA;

(3) That a copy of the Panel's recommendations is made available to Town and Parish Councils, and

(4) That consideration be given to including within the Council's response to the Environment Agency a request that urgent consideration to compensating and giving assistance to those householders who will be more at risk of flooding as a result of the Agency's proposals.

**20. "SUSTAINABLE FRAMEWORK FOR UK AVIATION: SCOPING DOCUMENT" - DEPARTMENT OF TRANSPORT CONSULTATION DOCUMENT**

The Panel received a report regarding a Department for Transport (DfT) consultation document entitled "Developing a Sustainable Framework for UK Aviation – Scoping Document."

The DoT was consulting on this document because the previous Government's 2003 White Paper entitled "The Future of Air Transport" was considered out of date as it failed to give sufficient weight to the challenge of climate change. The consultation document before the panel was more a synthesis of points that the Government wished to make, the aim of the document was to define the debate as the Government developed their long term policy for UK aviation.

The consultation had a list of 49 questions, however attention was drawn to question 44:

**Is it better to minimise the total number of people affected by aircraft noise or to share the burden more evenly so that a greater number of people are affected by noise less frequently?**

The point raised was before landing aircraft circle and descend in stages, this dispersal has caused noise pollution for residents at different locations, times and days or nights. Although it was possible to seek a more concentrated and direct descent path, a consequence of such concentration would be that a location such as Nazeing would be under the flight descent on a regular basis rather than an occasional basis. It was noted that the District Council received very few noise complaints directly about aircraft noise.

The Government suggested that part of its philosophy was to make existing airports better rather than bigger. However it was difficult to envisage how they could eke out more capacity by doing things better at Stansted.

There were vague statements in the document relating to sustainability, without indicating which definition of sustainability was being used. The Government was separately consulting upon a new National Planning framework, which was intended to be a brief document. The document indicated an intention that the final aviation framework document would fulfil the role of a national planning policy for aviation. Quite how sympathetic to growth of aviation it would be, set against environmental concerns, and the views of local communities who get benefits when they flew, but who suffered the effects of aviation, remained to be seen.

The major expansion of Stansted was always locally considered to be a possible future threat to North Weald. However, the document provided no guidance in understanding a Government view of a particular further development.

**RECOMMENDED:**

- (1) That the District Council welcomes sustainability considerations being given greater prominence in future aviation policy;
- (2) That the District Council welcomes the decision rejecting further runways at Gatwick, Heathrow and Stansted;
- (3) That the potential for a new owner and operator to take over at Stansted Airport be noted, and that dialogue with them should take place;
- (4) That the District Council should remain vigilant in responding to details in the new National Planning Framework particularly regarding aviation and the impact of night time flight restrictions for Stansted, North Weald and Stapleford Tawney;
- (5) That the District Council supports wider dispersal of aircraft descent paths, and answers Question 44 accordingly; and
- (6) That the procedure agreed by the Overview and Scrutiny Committee on 24 January 2011, (Minute Item 70), be utilised, to ensure that there responses are made to the Department for Transport by the deadline.

**21. ESSEX COUNTY COUNCIL (ECC) - FURTHER SITE ALLOCATIONS ISSUES AND OPTIONS PAPER FOR MINERALS DEVELOPMENT**

The Panel received a report regarding ECC Minerals Development Document – Further Site Allocations Issues and Options.

ECC was responsible for preparing the County level Minerals and Waste Development Framework (MWDF). As part of this framework, ECC was working towards a new Minerals Development Document (MDD) replacing the existing Minerals Local Plan (1996). The MDD was required by the Government to plan for a steady and adequate supply of minerals in Essex to meet the County's current and future needs to 2028 identifying suitable sites for mineral extraction, aggregate recycling, and mineral transportation. Several stages of consultation had taken place since 2005 the next opportunity to comment on site A41, Patch Park Farm, Abridge, would be the submission consultation to be held in 2012.

As part of the Preferred Options, ECC invited consultees to suggest any other potential sites which had been overlooked. It was currently consulting on the five new site suggestions received. The consultation closed on 20 October 2011.

**Effect on Epping Forest District**

The only new site suggestion within Epping Forest District was at Weald Hall Commercial Centre, on Weald Hall Lane, between Thornwood and North Weald. The proposal was that this site became a "Strategic Aggregate Recycling Site" (SARS). "Aggregate" was defined as "crushed rock, or sand and gravel, used in civil engineering work in a bound (as concrete) or unbound condition." It was proposed that the facility would recycle construction, demolition and excavation waste from construction sites. The amount of material to be recycled at the site is 100,000 tonnes.

The County Council recommended considering criteria in formulating a response. Each criterion was addressed in turn below:

**(a) Mineral Resource and Timetable**

It was proposed that the site was used for recycling existing construction, demolition and excavation waste. No materials would be extracted from the ground on the site. The site would be a permanent facility, lasting beyond the current plan period.

**(b) Planning History/Background**

This site was currently in employment use, although not designated as an employment site within the Local Plan. It appeared that no consideration had been made of whether the existing businesses could partly remain on site, or could be relocated locally.

**(c) Landscape**

The site was entirely within the Green Belt. The proposal was to use the existing buildings for recycling, and that outside storage would be minimal. The use of this site for aggregate recycling could have a materially greater impact.

**(d) Ecology and Designations**



Officers were not aware of any ecological issues, or designations other than those answered in other points.

**(e) Historic Environment**

Weald Hall Farmhouse, which was on the proposed site, was a Grade II listed building. Planning Policy Statement 5: Planning for the Historic Environment stated that when considering applications which would not make a positive contribution to the setting of a listed building, the Council should “weigh any such harm against the wider benefits of the application.”

**(f) Agriculture**

It was not thought that the proposal would cause significant impacts on local agriculture, as the land was not currently in agricultural use.

**(g) Proximity to Sensitive Uses**

The entrance to the site was directly opposite two residential houses, and within 130 metres of Weald Hall Nursing Home. The use of the site for aggregate recycling could potentially be disruptive to residents in these buildings.

**(h) Water/Hydrology/Flood Risk**

Views had been sought from the Land Drainage team on potential issues. However the lead in time for this report was too short to allow a reply to be made.

**(i) Traffic and Transportation**

The proposal could result in a significant increase in vehicle movements to and from the site, mostly by HGVs. The proposal was to use the existing access road to the north east of the site, which leads up to Canes Lane. This small road was unlikely to be suitable for the amount of traffic likely to ensue.

**(j) Recreation**

North Weald Airfield directly adjacent to the site, was currently used for recreational rather than commercial flights, and was also home to a flight school, as detailed in the recent Halcrow “North Weald Airfield Intensification Study.” The amenity of these various uses could potentially be affected by the proposal.

**(k) Amenity and Pollution**

The proposal would involve screening, crushing and washing of aggregate materials, which could give rise to pollution in the air, which may affect the use of the adjacent airfield. Similarly, the HGVs transporting material to and from the site could cause air pollution. There was also a form of clubhouse on the airfield, on the southern boundary of the proposed site, whose amenity could be adversely affected by the increase in noise. The Contaminated Land Officer reported that the site had been identified as a potentially contaminated site due its former use as a farmyard and its use by various industrial units, the presence of made grounds and bunds, and the presence of backfilled ponds and a moat.

**(l) After – Use and Restoration**

It was not thought that this criterion applied in this case, as the proposal was that the site would be permanent.

**(m) Other potential benefits of this site**

None were apparent

**Suggested response to consultation questions.**

Only question 4 related to the Weald Hall Commercial Centre site. It was agreed that answers were not given to the other five questions as none of the sites were in this District.

Question 4 had three parts.

**(i) Do you support this potential Strategic Aggregate Recycling Site?**

No

**(ii) Do you object to this potential Strategic Aggregate Recycling Site?**

Yes

**(iii) If (you answer yes to) (b), are there any charges that could be made to this proposal that would make it acceptable to you?**

No

This was an unsuitable location for a Strategic Aggregate Recycling Site. This site was currently in commercial employment use, and the proposed use was likely to create/sustain fewer jobs by comparison. The Council would seek to safeguard this site as an existing employment location. The Director of Planning and Economic Development reported the views of Land Drainage and Noise and Environment Teams. The noise and environment comments were based on experience of a site elsewhere which was predominantly an open site. Plainly piles of crushed material would only economically be stored in such a manner. Therefore that emphasised the proposal was inappropriate development in the Green Belt, and led to objections about dust and consequent impacts upon local amenities, and upon the airfield and aircraft.

This Council was very concerned that this proposed site was not included in the Sustainability Appraisal and Strategic Environmental Assessment Statement. It was far too late to consider the sustainability and environmental affect of a proposal only once the submission stage of consultation was reached. The impact of such a proposal should be assessed from the start of the process, as with all the other proposed sites.

**RECOMMENDED:**

(1) That the potential impacts of the new proposal for a Strategic Aggregate Recycling Site (SARS) at Weald Hall Commercial Centre within Essex County Council's Minerals Development Document Further Site Allocations Issues and Options Paper be noted;

(2) That the proposed response to the only relevant consultation question, number 4, be as set out below:

“(i) Do you support this potential Strategic Aggregate recycling Site?

No

(ii) Do you object to this potential Strategic Aggregate Recycling Site?

Yes

(iii) If (you answer yes to) (b), are there any changes that could be made to this proposal that would make it acceptable to you?

No”

(3) That any amendments to the final response necessary following receipt of comments from Land Drainage officers be agreed with the Planning and Technology Portfolio Holder and the Chair of Planning Scrutiny Standing Panel; and

(4) That the Director of Planning and Economic Development share the Panel’s comments with Councillors for Epping Lindsey and Thornwood and North Weald wards; and

(5) That the procedure agreed at Overview and Scrutiny Committee on 24 January 2011 (Minute 70) be used to ensure that the Panel’s recommendations meet the consultation deadline.

## 22. FEE SETTING - DEVELOPMENT CONTROL

The Panel received a report from Mr P Millward, Business Manager, regarding Locally Agreed Fee Setting for Planning Services.

Current arrangements for local setting of planning fees was being presented to Parliament for approval in August 2011. However this had now been postponed, possibly to April 2012. Following this legislation, the District Council would be able to set local planning fees.

This delay would have an effect on the Development Control Income this financial year which had been assumed to rise with an increase in fees by £100,000 for 2011-12, with a further £100,000 likely in 2012-13. However it was noted that Development Control income was ahead of budget by £40,000 to date in the current year. The budget was monitored monthly.

An important element of locally setting planning fees was the full cost recovery of all planning fee earning activities. The Directorate had been working with Planning Advisory Service to co-ordinate the development of a low cost model for local fee setting process for planning applications. This was being carried out in conjunction with over two hundred local authorities.

### RECOMMENDED:

(1) That the Locally Agreed Fee Setting for Planning Services report be noted; and

(2) That the earliest effective date for any increase in Planning Fees to take place being in 2012-13, the resource/financial implications of this be noted.

**23. DATES OF FUTURE MEETINGS**

The Panel was advised that the next meeting of the Panel would be an extraordinary meeting on 3 October 2011 at 7.30p.m. in the Council Chamber. The meeting would immediately follow the Local Development Framework Cabinet Committee.

The following programmed meetings of the Panel were scheduled for:

Tuesday 20 December 2011;  
Tuesday 7 February 2012; and  
Tuesday 24 April

**CHAIRMAN**

**EPPING FOREST DISTRICT COUNCIL  
NOTES OF A MEETING OF PLANNING SERVICES SCRUTINY STANDING PANEL  
HELD ON MONDAY, 3 OCTOBER 2011  
IN COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING  
AT 7.30 - 9.50 PM**

**Members Present:** H Ulkun (Chairman), A Watts (Vice-Chairman), A Boyce, P Keska, Ms Y Knight, J Markham, Mrs C Pond, B Sandler and Mrs J Sutcliffe

**Other members present:** K Avey, R Barrett, Mrs S Jones, Mrs M McEwen, J Philip, Mrs M Sartin, Mrs L Wagland and D Wixley

**Apologies for Absence:** C Finn and A Lion

**Officers Present** J Preston (Director of Planning and Economic Development), K Polyzoides (Assistant Director (Policy & Conservation)) and M Jenkins (Democratic Services Assistant)

**24. SUBSTITUTE MEMBERS**

It was noted that Councillor Mrs C Pond was substituting for Councillor C Finn.

**25. DECLARATIONS OF INTEREST**

There were no declarations of interest made pursuant to the Council's Code of Conduct.

**26. NOTES FROM THE LAST MEETING**

It was noted that the notes of the last Panel meeting held recently on 13 September 2011 were, as yet uncompleted. They would be submitted to the next Panel meeting on 20 December 2011.

**27. TERMS OF REFERENCE**

The current terms of Reference were submitted to the Panel. They would be re-drafted in the near future for Panel approval before being recommended to the Overview and Scrutiny Committee.

**28. WORK PROGRAMME**

The Work Programme was undergoing a re-draft and would be submitted to the next Panel meeting on 20 December 2011 for Member's approval and recommendation to the Overview and Scrutiny Committee.

**29. NEW DRAFT NATIONAL POLICY FRAMEWORK**

The Panel received a report regarding the Draft National Planning Policy Framework Consultation by the Director and the Assistant Director of Planning and Economic Development, Policy and Conservation.

The proposed National Planning Policy Framework (NPPF) involved the deletion of all but one of the current Planning Policy Statements (PPS), all of the current

Planning Policy Guidance Notes (PPG), and a small number of circulars, replacing these with a much shorter single document. The overall intentions were to:

- (a) Consolidate and streamline national planning policy to reduce bureaucracy;
- (b) Promote sustainable economic growth while retaining important environmental and social objectives;
- (c) Empower local communities to do things their way instead of excessive control from Central Government; and
- (d) More “user friendly” and accessible, so that it was easier for members of the public to have a meaningful say in planning decisions.

The consultation ran for a 12 week period from 25 July to 17 October 2011. Officers expressed concern that this major and complex change to national planning guidance was being put out for consultation through the main annual holiday period when some members and staff were likely to have been away for a number of weeks. There were 41 policy questions relating directly to the draft framework, and other Impact Assessment, covering costs of implementation, sustainable development, economic development, planning for people, and environment.

The draft NPPF also introduced some changes to planning policy. The most significant ones were:

- (i) presumption in favour of sustainable development;
- (ii) removing office development from a “town centre first” approach;
- (iii) increasing the time horizon for assessing impacts on town centres from 5 to 10 years;
- (iv) removing the maximum non-residential car parking standards for major developments;
- (v) removing the national brownfield target for housing development;
- (vi) requiring local authorities to add at least 20% to five year housing requirements;
- (vii) removing the national minimum site size threshold for provision of affordable housing;
- (viii) removing the rural exception sites policy; i.e. for these sites only to be for affordable housing;
- (ix) within the Green belt to permit development on previously developed land even if it had not been identified as a “major developed site” in the local plan;
- (x) Community Right to Build schemes to be permissible within the Green Belt if backed by the local community;
- (xi) extending the alteration or replacement of dwellings (already permissible in the Green Belt) to include all buildings;

(xii) removing the requirement for councils to set decentralised energy targets (based on e.g. micro generation, combined heat and power systems, and district heating systems); and

(xiii) expecting councils to consider identifying suitable areas for renewable and low carbon energy sources, and any supporting infrastructure.

CLG was also seeking responses from all individuals and organisations with an interest in planning. Officers have therefore sent details of the consultation to town and parish councils, residents' and other groups, local businesses and developers, using contact details from the database for the Local Development Framework (LDF), encouraging them to respond.

The Director of Planning advised amongst other points, including those arising from consideration of the same report by the LDF Cabinet Committee indicated that the consultation arguments were favourable to development. There was concern that large numbers of derelict glass houses in the district could be converted to houses using these changes. Although it was advised that members need to be realistic about the major changes they would face in the future with regards to development.

The members commented on the following questions and officer's suggested responses:

**Q13 (a) The policy on planning and the Green Belt gives a strong clear message on Green belt protection. Do you strongly agree/agree/neither agree nor disagree/disagree/strongly disagree?**

Answer – Disagree

**Q13 (b) Have you comments to add?**

**“Development in the Green Belt likely to have significant effects on any of the five purposes of including land in Green Belt would not be sustainable under the terms of the presumption in favour of sustainable development, unless it is accepted that very special circumstances apply.”**

#### **4.2 Policy Questions**

**Q2 (c) The policies for planning strategically access local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively. Do you strongly agree/agree/neither agree nor disagree/disagree/strongly disagree?**

Officer Response – Neither agree or disagree.

Members felt that this response should be enlarged and was too vague.

Members discussed Appendix 1 of the report, it was felt that Questions 3a to 6a should be responded with “Disagree.”

**Q10 (a) The policies on housing will enable communities to deliver a wide choice of quality homes, in the right location, to meet local demand. Do you strongly agree/agree/neither agree nor disagree/disagree/strongly disagree?**

Officer Response – Neither agree or disagree.

Members felt the answer should be “disagree.”

**Q14 (c) The policy on renewable energy will support the delivery of renewable and low carbon energy. Do you strongly agree/agree/neither agree nor disagree/disagree/strongly disagree?**

Officer Response – **Neither agree or disagree.**

Members felt a firmer answer was needed.

**RESOLVED:**

That the consultation response be agreed subject to suggested amendments by members of this Panel together with those of the LDF Cabinet Committee.

**30. LOCAL PLANNING REGULATIONS (CLG)**

The Panel received a report regarding a Consultation for Local Planning Regulations by the Assistant Director of Planning Policy and Conservation.

The process of preparing a local plan was currently set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Regulations 2004. The Localism Bill was amending the 2004 Act, and this consultation sought views on revised regulations replacing the amended 2004 Regulations. Comment was sought regarding whether the changes proposed to the regulations would deliver the intended outcomes.

This consultation concerned the specific regulations which must be followed in order to achieve a sound local plan. It was stated that the intention behind amending these regulations was to ensure that centralised bureaucracy was removed and decision making in planning was returned to local councils and communities.

The Localism Bill introduced a “Duty to Cooperate” in relation to planning of sustainable development. This duty applied to a broad list of organisations including local planning authorities, county councils and other bodies as prescribed by the regulations. The duty required that these organisations engage constructively, actively and on an ongoing basis in the preparation of development plan documents where they related to strategic matters. Concern remained over whether the resources were available within all of these organisations to engage effectively.

The draft regulations made reference to “general” and “specific” consultation bodies. It was not clear whether this would remain following the publication of the final version of the NPPF and the Regulations.

There was an existing requirement for each local planning authority to submit an Annual Monitoring Report to the Secretary of State by 31 December every year. The draft regulations now proposed that a Monitoring Report must be published by each local authority which identified.

- (a) progress against published timetables for DPD preparation;
- (b) any adopted policies which were not being implemented, and the reason(s) for this;



- (c) what action should be taken to ensure these policies were implemented in future;
- (d) the number of dwellings built in that year, and since the relevant policy was published;
- (e) details of any Neighbourhood Development Order or Neighbourhood Plans that had been published;
- (f) progress against any Community Infrastructure Levy (CIL) tariff that had been adopted;
- (g) any action that had been taken under the duty to co-operate.

The regulations did not specify a timetable over which monitoring reports must be published, but did not set out that information that was collected for monitoring purposes should be made available as soon as possible after it was collected. This information must be made available on the Council's website, and at principal offices. It was necessary for the Council to identify from the outset, the frequency at which update Monitoring reports would be published.

The consultation questions and proposed responses were as follows:

- (1) (a) Do you agree that the revised regulations effectively reflect the changes proposed in the Localism Bill?

Agree

- (b) If you have any comments please enter these below:

The stated intention of the Localism Bill is to return control of the plan making process to local authorities and local communities. The revised draft Regulations reflect this intention.

- (2) (a) Do you agree with the list of bodies included in the duty to cooperate?

Agree

- (b) If you have any comments please enter these below:

The proposed list of organisations within the regulations, in addition to those specified in the emerging Localism Bill appears to be appropriate. However, there are concerns over whether all of these organisations have sufficient resources available to engage effectively. The Panel members added that local councils should be added to this list.

- (3) (a) Do you agree the revised regulations effectively consolidate the 2004 regulations with the revisions in 2008 and 2009?

Agree

- (4) (a) Are there any ways in which the regulations should be changed in order to improve the process of preparing local plans, within the powers set out in the Planning and Compulsory Purchase Act 2004 and the Localism Bill?

Yes

(b) If "Yes", please specify below:

The continued use of the terms "local development document" and "development plan document" is confusing, particularly when the draft NPPF makes clear that the term "local plan" is favoured. It would be helpful for consistent terminology to be used.

**RECOMMENDED:**

(1) That the report regarding the response to the Local Planning Regulations (CLG) be noted;

(2) That the responses to the consultation questions be submitted to the Communities and Local Government (CLG) in addition, under (2)(b) that local councils be added to the proposed list of organisations within the regulations; and

(3) That the procedure agreed by the Overview and Scrutiny Committee on 24 January 2011 (Minute Item 70) be utilised to ensure that these responses are made to the Department of Communities and Local Government by the deadline.

**31. ANY OTHER BUSINESS**

It was advised that site visits would be taking place on the 8 October 2011 for Panel members, which formed part of the Panel's Work Programme. A subsequent report would be submitted to a future Panel meeting.

**32. DATES OF FUTURE MEETINGS**

The next programmed meeting of the Panel was scheduled for Tuesday 20 December 2011 at 7.30p.m. and thereafter on:

Tuesday 7 February 2012; and  
Tuesday 24 April



## **Report to Planning Services Scrutiny Standing Panel**

**Date of meeting: 20 December 2011**

**Subject: Terms of Reference and Work Plan 2011/2012**

# SCRUTINY



**Officer contact for further information: P Millward (01992 56 4338)**

**Committee Secretary: M Jenkins (01992 56 4607)**

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### **Recommendations/Decisions Required:**

**That the revised Terms of Reference and Work Plan are agreed for submission to, and for the approval of the Overview & Scrutiny Committee.**

### **Report:**

The Terms of Reference and the Work Plan (TOR & WP) have been amended in the past, and, indeed, there is the ability for Overview and Scrutiny Committee to add or amend work on a continuing basis.

The Panel have also instigated changes in the past; although these could be characterised as relatively minor tweaks.

Councillor Lion suggested that the TOR be amended, but pressure of work to consider a number of key consultations has not meant that the Panel have discussed those to date. A copy of those suggested terms are attached as Appendix 4.

Officers from Planning & Economic Development have met with colleagues from Democratic Services; they have considered a more fundamental set of amendments reflecting on:

- The TOR & WP of the other Standing Scrutiny Panels, so as to secure consistency.
- Whether the most recent arrangements have been manageable, or whether the arrangements have ended up being rather unwieldy.
- The need to be succinct, whilst not precluding proper and timely scrutiny.
- The aligning of the work of the Panel with other work streams, such as the Business Plan, and the refocusing/simplifying of the Panel's work to better fit with that work.

Accordingly, attached as Appendices 5 and 6 are suggested revised TOR and an amended WP; these are drawn from relevant sections and action areas in the existing Business Plan. Plainly because of continuing change to the overall resources available to the Council, there may well be changes to future Business Plans, but those can then, in turn, be used to instigate change to these documents.

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## TERMS OF REFERENCE - STANDING PANEL

<b>Title: Planning Services</b>
<b>Status:</b> Standing Panel
<p><b>Terms of Reference:</b></p> <ol style="list-style-type: none"> <li>1. To consider in detail the provision of Value for Money within the following Planning Services in focusing specifically on: <ul style="list-style-type: none"> <li>• Development Control (including Appeals)</li> <li>• Forward Planning</li> <li>• Building Control</li> <li>• Enforcement</li> <li>• Administration and Customer Support</li> <li>• Economic Development</li> <li>• Environment Team</li> </ul> </li> <li>2. To gather evidence and information in relation to these functions through the receipt of: <ul style="list-style-type: none"> <li>• performance monitoring documents,</li> <li>• Best Value Review of Planning Services (updated version)</li> <li>• benchmarking exercises,</li> <li>• consultation with Planning Committee Members, customers and IT Suppliers.</li> </ul> </li> <li>3. To review the measures taken to improve performance within the directorate.</li> <li>4. To keep an overview of work associated with securing a sound New Local Development Framework; in particular how the core strategy will cater for the adequate delivery of infrastructure of all types, the limited rolling back of the Metropolitan Green Belt, the provision of affordable housing, and the maintenance of the settlement pattern elsewhere in the District.</li> <li>5. To consider what changes are practical and desirable to Council policies concerning the Metropolitan Green Belt; including those concerning the extension of existing dwellings, and the reuse of redundant and other buildings; in particular, are further restrictions necessary (changes in policy required) to ensure that such developments are truly sustainable.</li> <li>6. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;</li> <li>7. To report to the Overview and Scrutiny Committee at appropriate intervals on the above. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.</li> </ol>
<b>Chairman: Councillor H Ulkun</b>

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**Planning Services Standing Panel (Chairman – Cllr H Ulkun)**

Item	Report Deadline/Priority	Progress/Comments	Programme of Future Meetings
(1) Reports to each meeting on; (a) Regional Plan (b) Local Development Framework (c) Current Staffing (d) Improvement Plan (e) Any recent meeting of the Chairman and Vice Chairman of the Area and District Committees Invitation Panel.	Regular updating reports to each meeting		<del>14 June 2011;</del> <del>13 September;</del> <del>3 October (New Meeting);</del> 20 December; 7 February 2012; and 24 April
(2) Value for Money Provision: (a) Administration & Customer Support (b) Building Control (c) Development Control (including Appeals) (d) Economic Development (e) Enforcement (f) Environment Team (g) Forward Planning (h) Performance	Provide a report after the end of Quarter 4 on 2(c)+ 2(e) and periodically on the other areas.		
(3) To review a selection of controversial planning decisions to see if lessons can be learnt from their consideration.	December 2011	This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	

(4) To consider whether the reporting arrangements for Terms of Reference sections and those from the Section 106s (including how they are negotiated agreed and implemented strategically to secure community benefit), and appeals are sufficient (including how new legislation impacts on these) and recommend accordingly		This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	
(5) Contributions to affordable housing (S106 Agreements)	Item carried over from 2010/11 Work Programme	<b>COMPLETED</b>	
(6) Liaise with other planning authorities to learn from their work.	New Item	Quarterly meeting with other Essex Authorities discuss and share working practices. Benchmarking underway as part of local fee setting and charging of planning application fees.	
(7) CLG Consultation – Planning for Traveller Sites	New Item – June Panel meeting	<b>COMPLETED</b>	
(8) Community Infrastructure Levy	New Item – June 2011 Panel meeting	A new draft CIL Strategy will be submitted in February 2012	
(9) Draft New Panel Terms of Reference	December 2011	Requested by Councillor A Lion	
(10) Environment Agency Consultation – Roding River Area	September 2011	<b>COMPLETED</b>	



(11) Sustainable Framework for UK Aviation: Scoping Document	September 2011	<b>COMPLETED</b>	
(12) Essex County Council Minerals Development Document – Further Site Allocations Issues and Options Paper	September 2011	<b>COMPLETED</b>	
(13) Fee Setting – Development Control	September 2011	<b>COMPLETED</b>	
(14) New Draft National Policy Framework	October 2011	<b>COMPLETED</b>	
(15) Local Planning Regulations (CLG)	October 2011	<b>COMPLETED</b>	

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**Title: Planning Services**

Status: Standing Panel

Terms of Reference:

*Implications of the new Planning Portfolio. I am not clear how the reporting lines and responsibilities should change with the introduction of a Planning Portfolio Holder. The relationship may be with the Director of Planning and the Portfolio Holder and the Panel just continues with a few added words of reference. I've cross referenced the page titled " Planning Services Standing Panel (Chairman – Cllr H Ulkan)"*

1. To consider the Value for Money and Performance of the following Planning Services
  - a) Administration and Customer Support
  - b) Building Control
  - c) Development Control (including Appeals)
  - d) Economic Development
  - e) Enforcement
  - f) Environment
  - g) Forward Planning
2. To gather evidence and information in support of the performance of these functions through the receipt of:
  - a. Performance monitoring,
  - b. Best Value Review of Planning Services
  - c. Benchmarking exercises,
  - d. Consultation with Planning Committee Members, customers and IT Suppliers.
3. To receive reports and review at each meeting changes or developments to
  - (a) The Regional Plan
  - (b) Local Development Framework
  - (c) Current Staffing
  - (d) Improvement Plan
  - (e) Any recent meeting of the Chairman and Vice Chairman of the Area and District Committees Invitation Panel.
4. To use the output from 2 and 3 to review directorate measures taken to improve performance
5. To overview the work for securing a sound New Local Development Framework; in particular
  - a) how the core strategy will cater for the adequate delivery of infrastructure of all types,
  - b) the limited rolling back of the Metropolitan Green Belt,
  - c) the provision of affordable housing,
  - d) the changes to settlement patterns in the District.
6. To consider what changes are practical and desirable to Council policies concerning the Metropolitan Green Belt including
  - a) those concerning the extension of existing dwellings, the reuse of redundant and other buildings;
  - b) Any restrictions necessary (changes in policy required) to ensure that such developments are truly sustainable.

7. To establish any resource or other budgetary implications arising out of the topics under review and advise the Portfolio Holder, ONS ? Cabinet? for inclusion in the Budget each year;
8. To report to the Overview and Scrutiny Committee at appropriate intervals on the above.
9. To report to the the Portfolio Holder, Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters referred to the Panel as appropriate.

**TERMS OF REFERENCE - STANDING PANEL**

**Title: Planning Services**

**Status: Standing Panel**

**Terms of Reference:**

1. To consider and review Measures taken to Improve Performance within the Directorate concerning;
  - a) Performance standards and monitoring,
  - b) Benchmarking of Services
  - c) Other Reviews
2. To consider and review Business Processes, Value for Money and Staffing arrangements for the Directorate focusing on;
  - a) Development Control, Appeals and Enforcement.
  - b) Forward Planning, Economic Development, Conservation and Trees and Landscape
  - c) Building Control and the Planning Support Team
3. To monitor and receive reports/updates on the delivery of the Local Plan
4. To monitor and receive reports/updates on the Planning Electronic Document Management System. To provide information regarding the progress and availability of planning information held on i-Plan.
5. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;
6. To report to the Overview and Scrutiny Committee at appropriate intervals on the above. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

**Chairman: Councillor H Ulkun**

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**Planning Services Standing Panel (Chairman – Cllr H Ulkun)**  
(SUGGESTED DRAFT OUTLINE WORK PROGRAMME)

Item	Reports	Report Deadline Dates	Progress/Comments	Programme of Future Meetings
<b>1. To consider and Review Measures taken to Improve Performance within the Directorate</b> (BP Section 3 (a))	a) Summary review presented b) CIPFA Benchmarking report c) Other updates	7 <sup>th</sup> Feb 2011 24 <sup>th</sup> April 2012 TBA		7 <sup>th</sup> February 2012 24 <sup>th</sup> April 2012 June 2012 Sept 2012 Dec 2012
<b>2. To consider and Review Business Processes, Value for Money and Staffing arrangements for the Directorate</b> (BP Section 3 (b))	a) To consider the Financial Review (Bus Plan Section 3 (b) ). b) To consider the Business and Environmental Review (Appendix Business Plan) c) To consider the Directorate Value for Money statement (Business Plan Section 4 (f) ). d) To consider the Business Plan	7 <sup>th</sup> February 2011 7 <sup>th</sup> February 2011 7 <sup>th</sup> February 2011 7 <sup>th</sup> February 2011 7 <sup>th</sup> February 2011 24 <sup>th</sup> April 2012		
<b>3. To monitor and receive reports/updates on the delivery of the Local Plan</b> (BP Section 3 (c))	a) To report on the progress of the Local Plan b) To provide further updates on the Local Plan	TBA TBA		
<b>4. To monitor and receive reports/updates on the Planning Electronic Document Management System</b> (BP Section 3 (d))	a) To submit Electronic Records Management Progress Plan (Appendix Business Plan) b) To receive further updates	7 <sup>th</sup> February 2011 TBA		

Item	Reports	Report Deadline Dates	Progress/Comments	Programme of Future Meetings
<b>5. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;</b>	a) To provide reports/updates as and when required	TBA		
<b>6. To report to the Overview and Scrutiny Committee at appropriate intervals on the above.</b>	a) Any recent meeting of the Chairman and Vice Chairman of the Area and District Committees Invitation Panel.	TBA		



**BUSINESS PLAN OUTLINE >> TERMS OF REFERENCE PLANNING SCRUTINY PANEL >> WORK PROGRAMME**

BP 2011/12	BP 2012/13	TERMS OF REFERENCE PLANNING SCRUTINY	WORK PROGRAMME
<b>SECTIONS ONE TO FOUR STRATEGIC OVERVIEW - PLANNING &amp; ECONOMIC DEVELOPMENT</b> <b>SECTION ONE: INTRODUCTION</b> a) Title of Directorate, Background And Structure b) Portfolio and Corporate Responsibilities c) Date of commencement of the Business Plan	<b>SECTIONS ONE TO FOUR STRATEGIC OVERVIEW - PLANNING &amp; ECONOMIC DEVELOPMENT</b> <b>SECTION ONE: INTRODUCTION</b> a) Title of Directorate, Background And Structure b) Portfolio and Corporate Responsibilities c) Date of commencement of the Business Plan d) Overview, Functions & Vision e) Customer Focus and Profile		
<b>SECTION THREE: DIRECTORATE SUMMARY</b> a) Overview, Functions & Vision b) Customer Focus and Profile c) Improvement Plan, Planning and Economic Development. d) Financial review e) Business and Environmental Analysis	<b>SECTION THREE: DIRECTORATE SUMMARY</b> a) Performance Management	1) To consider and Review Measures taken to Improve Performance within the Directorate	<ul style="list-style-type: none"> <li>Summary review presented 07/02/2012</li> <li>CIPFA Benchmarking report 24/04/2012</li> <li>Other updates TBA</li> </ul>
	b) Business Review	2) To consider and Review Business Processes, Value for Money and Staffing arrangements for the Directorate	<ul style="list-style-type: none"> <li>Business Plan presented 07/02/2012</li> <li>To receive further updates TBA</li> </ul>
	c) Local Plan	3) To monitor and receive reports/updates on the delivery of the Local Plan	<ul style="list-style-type: none"> <li>To report on the progress of the Local Plan 07/02/2011</li> <li>To provide further updates on the Local Plan TBA</li> </ul>
	d) Electronic Records Document Management System	4) To monitor and receive reports/updates on the Planning Electronic Document Management System	<ul style="list-style-type: none"> <li>To receive a progress report on 27/04/2012</li> <li>To receive further updates TBA</li> </ul>
<b>SECTION FOUR: CORPORATE OBJECTIVES AND PRIORITIES</b> a) Key Cabinet Objectives and Priorities 2010/11. b) On the Horizon – Strategic Key Objectives for Planning and Econ. Dev. 2011/12 c) Risk Management d) Crime and Disorder e) Equality and Diversity f) Value for Money g) Resource Requirements h) Workforce Planning and Development	<b>SECTION FOUR: CORPORATE OBJECTIVES AND PRIORITIES</b> a) Key Cabinet Objectives and Priorities 2010/11. b) On the Horizon – Strategic Key Objectives for Planning and Econ. Dev. 2011/12 c) Risk Management d) Crime and Disorder e) Equality and Diversity f) Value for Money g) Resource Requirements h) Workforce Planning and Development	5) To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;  6) To report to the Overview and Scrutiny Committee at appropriate intervals on the above.	<ul style="list-style-type: none"> <li>To provide reports/updates as and when required</li> </ul>

BP 2011/12	BP 2012/13	TERMS OF REFERENCE PLANNING SCRUTINY	WORK PROGRAMME
<b>SECTION FIVE TO ELEVEN TEAM OPERATIONAL PLANS</b> <ol style="list-style-type: none"> <li>1) Forward Planning &amp; Economic Development</li> <li>2) Conservation</li> <li>3) Trees &amp; Landscape</li> <li>4) Countrycare</li> <li>5) Development Control</li> <li>6) Building Control</li> <li>7) Planning Support Team</li> </ol>	<b>SECTION FIVE TO SEVEN SECTION OPERATIONAL PLANS</b> <ol style="list-style-type: none"> <li>1) Policy and Conservation. (includes FP, ED, T&amp;L)</li> <li>2) Development Control (includes Appeals &amp; Enforcement)</li> <li>3) Building Control and Planning Support Team</li> </ol>		



## **Report to Planning Services Scrutiny Panel**

**Date of meeting: 20 December 2011**

**Subject: Reviewing a Selection of Built, Controversial Planning Decisions**

# SCRUTINY



Epping Forest District Council

**Officer contact for further information: Nigel Richardson (01992 564110)**

**Committee Secretary: Mark Jenkins (01992 56 4607)**

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### **Recommendations/Decisions Required:**

1. That where planning application proposals are finely balanced, Area Planning Committees should consider making a site visit before making a decision; and
2. That this exercise of revaluating three development schemes is carried out and reported on a yearly basis.

### **Report:**

An outstanding matter in the Work Programme for Planning Services Scrutiny Standing Panel since 2009/10 has been to review a selection of controversial planning decisions. Earlier in the year, Members picked three development sites, one from each of the Area Plans Sub-Committee areas, which they considered were worthy of reviewing now they had been built to see whether concerns at planning application decision had been justified and whether there were lessons to be learnt.

Packs of drawings and relevant information for each case were provided to Members prior to the visits took place on Saturday 8 October and Monday 21 November 2011 at the following sites:

1. Skillet Hill Farm, Honey Lane, Waltham Abbey, EN3 3QU – Change of use to Lorry Park (EPF/0365/07).
2. 19 New Farm Drive, Abridge, RM4 1BS (corner of New Farm Drive and Ongar Road) – Erection of building for 5 flats (EPF/1730/08).
3. Redevelopment of The Retreat Public House, Retreat Way, Chigwell Row, IG7 6EL – demolition of pub and redevelopment for 24 houses and 26 flats (EPF/1120/02)

#### Skillet Hill Farm, Honey Lane, Waltham Abbey

Planning permission had been allowed on appeal to change the use to a lorry park for 25 lorries, which included changing the use of an existing house to a drivers café/shower/wc facility and alteration of the existing access. It was subject to a section 106 Legal Agreement to secure specific highway works and a highway contribution. The application had been refused planning permission for two reasons; firstly, the increased use of the site access onto Honey Lane would be harmful to highway safety and secondly, the development would be prejudicial to the purposes of including land in the Green Belt. The Inspector agreed with Officers that there was a need for the lorry park and this was an appropriate location. The highway works overcame the reason for refusal and this outweighed the in principle harm to the Green belt, which in any case is well screened by vegetation.

At the site visit, the highway works had been carried out preventing access directly off the

adjacent roundabout and preventing traffic accessing from the site and cutting across on-coming traffic to turn right. Whilst parking markings in the site were not evident, lorry parking was not causing a problem. The general view of Members at the site was that this was a good location for a lorry park, well screened from Honey Lane and that it appeared to be operating satisfactorily. There was a feeling that this was a case where despite objections from the local council, officers could have suggested the planning application be deferred to allow the committee to make a site visit before making a decision.

#### 19 New Farm Drive, Abridge

Planning permission was finally granted after a number of previous applications for flat development had been refused, including an appeal dismissed. It replaced a previous detached house on this prominent corner site overlooking the Metropolitan Green Belt. The design is quite modern (balconies, railings, numerous glazing) with a traditional shaped roof and therefore would it be appropriate in this semi-rural setting. It also considerably changed the outlook from the residential cul-de-sac of bungalows to the rear.

At the site visit, the discussion predominantly centred around the suitability of the design and whether it was acceptable in this setting.

#### The Retreat Public House, Retreat Way, Chigwell Row

Planning permission was granted on appeal to redevelop a site, composed of a pub with a large area of hardstanding, into housing. It was clearly a brownfield, under-developed site in a built-up area and therefore the principal of the development was acceptable. The local parish council considered that the planning inspector incorrectly allowed the appeal because it resulted in a cramped housing development. It is not a Green belt site, but it adjoins Green Belt and is in a village setting and built to a greater density than housing in the surrounding area.

The site visit revealed that the former maximum parking spaces had created off-street parking congestion in an area not well served by public transport. There was little alternative than to visit the site by car and parking therefore was difficult due to the houses generally having one parking space per residential unit. Also, the quality of the two estate roads differed such that it was clear which provided the affordable housing. The Council have since adopted minimum parking standards, such that the parking provided would, if considered today, be inadequate. Furthermore, there is also a stronger requirement for estate layouts conforming to the Essex Design Guide, irrespective of tenure, since the appeal was allowed in 2003. The site did appear cramped.

#### **Reason for decision:**

Those Members present at the site visits considered that this was a worthy exercise and indicated the importance of visiting sites prior to taking decisions on planning applications.

#### **Options considered and rejected:**

Nil

#### **Consultation undertaken:**

Nil

#### **Resource implications:**

Budget provision: Nil

Personnel: Planning Officers and Members

Land: None

Community Plan/BVPP reference: Corporate Plan Key Objective 2011/12 no.4a To achieve overall improvement in respect of the Council's Key Performance Indicators for each of the four years from 2011/12 to 2014/15;

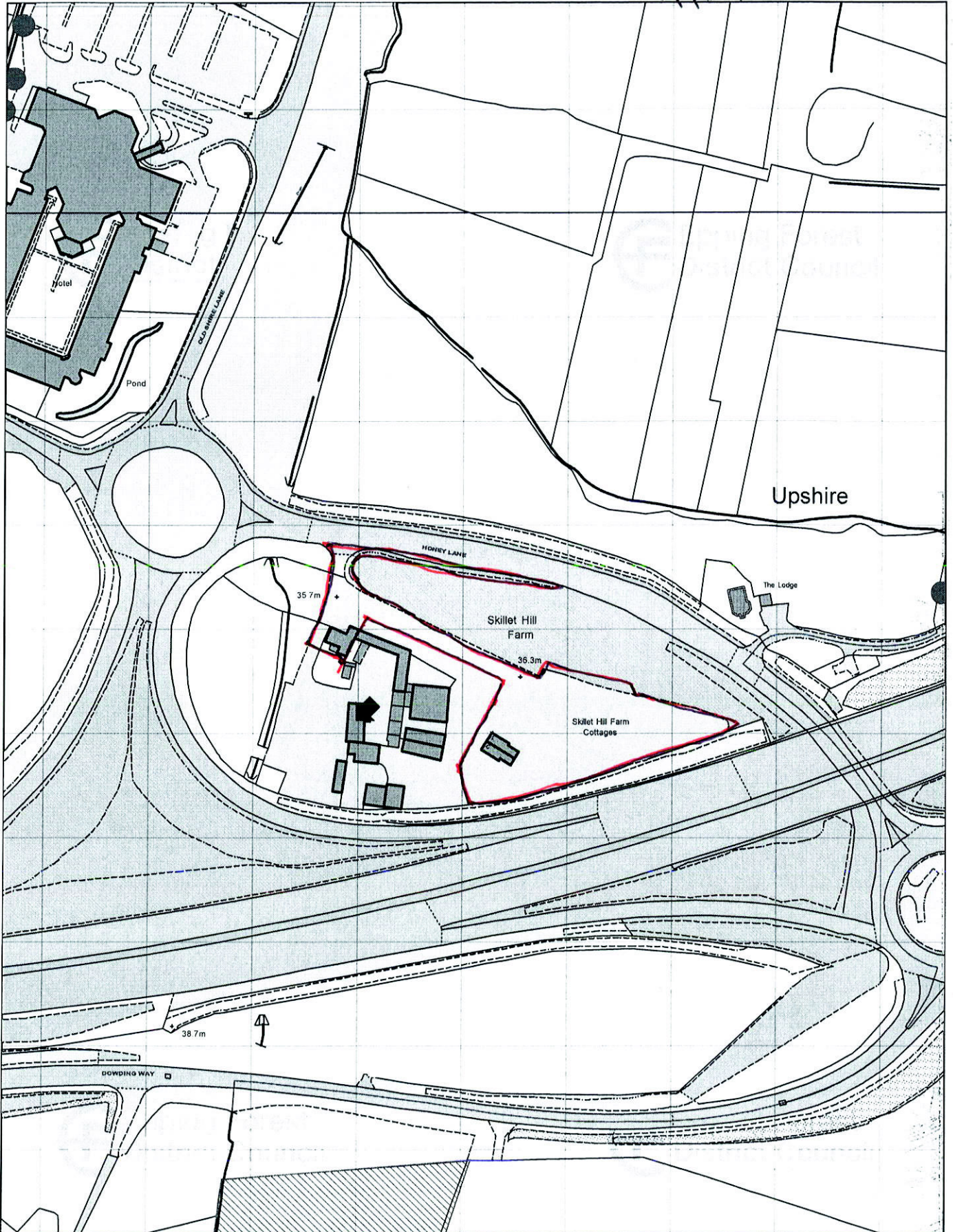
Relevant statutory powers: Town and Country Planning Act

Background papers: Planning applications as per report

Environmental/Human Rights Act/Crime and Disorder Act Implications: Nil

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Appendix 1.



Epping Forest District Council  
 Planning Services  
 Civic Offices  
 High Street  
 Epping CM16 4BZ

SKILLET HILL FARM,  
 HONEY LANE, WALTHAM ABBEY

Centre X: 540506.334
Centre Y: 199761.782
Width : 450.000
Angle : .000

Scale : 1:2500

Date : 8 Dec 2011

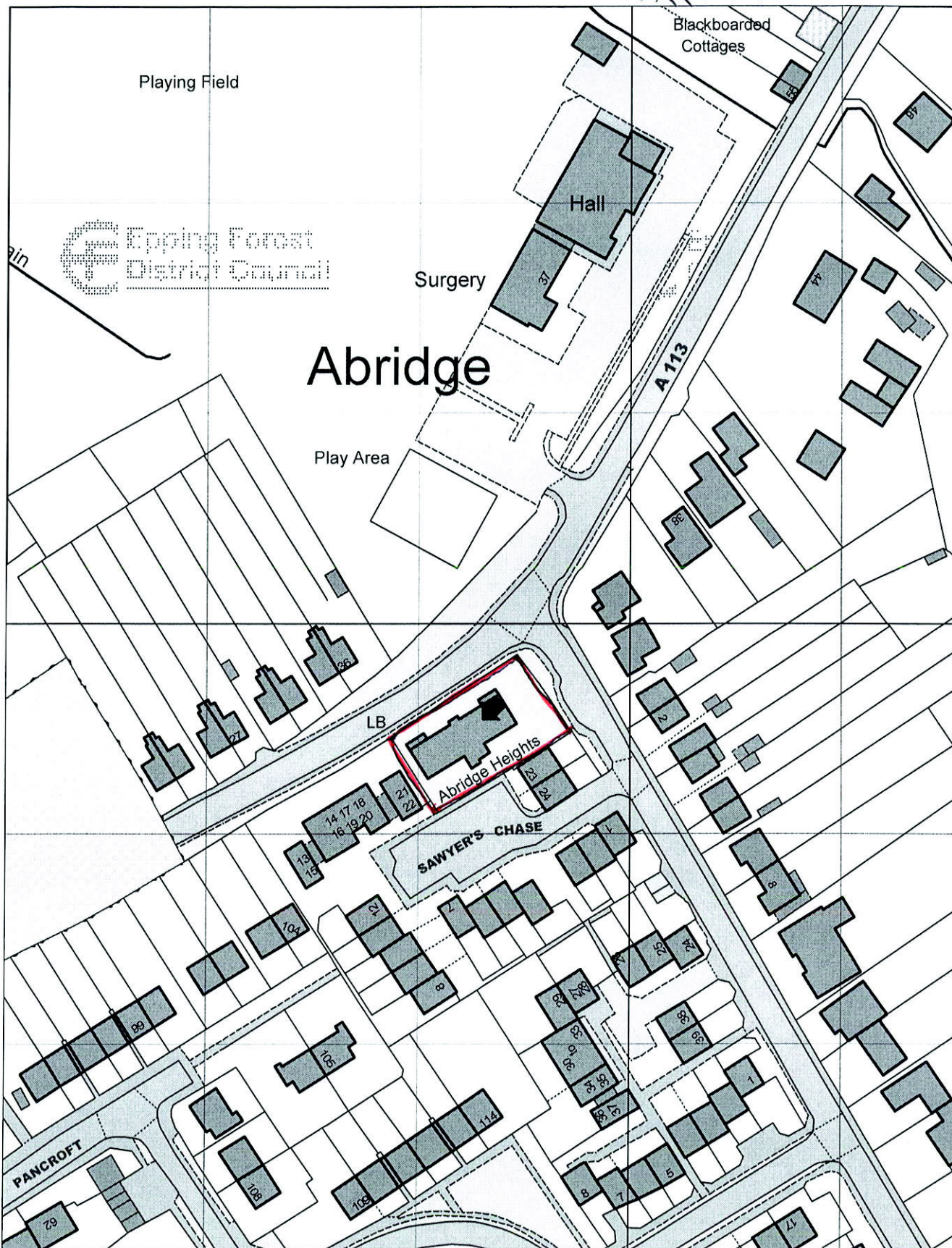
Time : 11:33:31 AM




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Appendix 2.



 Epping Forest District Council  
 Planning Services  
 Civic Offices  
 High Street  
 Epping CM16 4BZ

19 NEW FARM DRIVE, ABRIDGE		Centre X: 546965.000
		Centre Y: 196977.000
Scale : 1:1250		Width : 225.000
Date : 8 Dec 2011		Angle : .000
Time : 11:19:06 AM		
Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to legal or civil proceedings. Epping Forest District Council - Licence 1000185/84		
		

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Appendix 3.



Epping Forest District Council  
 Planning Services  
 Civic Offices  
 High Street  
 Epping CM16 4BZ

RETREAT WAY, CHIGWELL  
 ROW.

Centre X: 546748.508
Centre Y: 193388.597
Width : 225.000
Angle : .000
Scale : 1:1250
Date : 8 Dec 2011
Time : 11:24:08 AM



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