

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 12 December 2012
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 10.01 pm

Members Present: J Hart (Chairman), Ms S Watson (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, Mrs T Cochrane, Ms J Hart, J Knapman, L Leonard, A Lion, H Mann, G Mohindra, Mrs C Pond, B Sandler, Mrs T Thomas, H Ulkun, D Wixley and N Wright

Other Councillors:

Apologies: C Finn, L Girling, J Markham and Mrs L Wagland

Officers Present: S Solon (Principal Planning Officer), K Smith (Senior Planning Officer), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and G J Woodhall (Democratic Services Officer)

47. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

48. MINUTES

RESOLVED:

That the minutes of the last Sub-Committee meeting on 21 November 2012 be agreed.

49. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Members Conduct, Councillors B Sandler and J Knapman declared a non pecuniary interest in the following item of the agenda by virtue of the applicant being a fellow Parish Councillor. The Councillors indicated that they would remain in the meeting for the consideration of the item.

- EPF/1771/12 – Land adj. Rest Harrow, The Kennels, Millers Lane, Chigwell.

50. ANY OTHER BUSINESS

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

51. CONFIRMATION OF TREE PRESERVATION ORDER - TPO/EPF/15/12**RESOLVED:**

That the Tree Preservation Order TPO/EPF/15/12 be confirmed.

52. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 7 be determined as set out in the attached schedule to these minutes.

53. EPF/1399/09 - 212 MANOR ROAD, CHIGWELL**RESOLVED:**

That the proposed revised mix for the rented and shared ownership homes in respect of the “fallback position” within the Section 106 Agreement, which retained the same number of rented and shared ownership affordable homes as required by the Section 106 Agreement, be agreed as indicated below:

Rented Housing

6 X 2 bed flats	
5 X 2 bed houses	
6 X 3 bed houses	Total = 17

Shared Ownership

16 X 2 bed flats	
13 X 2 bed houses	
6 X 3 bed houses	Total = 35

As approved, the 17 rented dwellings were to comprise 4 x 2 bed flats and 13 x 3 bed houses and the 35 shared ownership dwellings were to comprise 18 x 2 bed flats and 17 x 3 bed houses.

54. PROBITY IN PLANNING

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions, 1 April 2012 to 30 September 2012.

In compliance with the recommendation of the District Auditor, this report advised the decision-making committees of the results of all successful appeals i.e. particularly those refused by committee contrary to officer recommendation. The purpose was to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal was found to be unsupportable on planning grounds, an award of costs may be made against the Council.

In recent years the Council performance has been 18% in 2003/04, 29% in 2004/05, 22% in 2005/06, 30% in 2006/07, 29% in 2007/08, 40.3% for 2008/09, 30.9% in 2009/10 and 36.6% in 2010/11.

Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (KPI 55) and the other which measures the performance of officer recommendations and delegated decisions (KPI 54).

Over the six-month period between April 2012 and September 2012, the Council received 56 decisions on appeals (43 of which were planning related appeals, the other 13 were enforcement related).

KPI 54 and 55 measure planning application decisions and in total, out of this 43, 8 were allowed (18.6%). Broken down further, KPI 54 performance was 2 out of 28 allowed (7.14%) and KPI 55 performance was 6 out of 15 (40%).

Whilst performance in defending appeals has improved, Members were reminded that in refusing planning permission there needed to be justified reasons that in each case, must be relevant, necessary, but also sound and defensible so as to avoid paying costs. Whilst there was clearly pressure on Members to refuse in cases where there were objections from local residents, these views (and only when they were related to the planning issues of the case) were one of a number of the relevant issues to balance out in order to understand the merits of the particular development being applied for.

RESOLVED:

That the report regarding Probity in Planning – Appeal Decisions 1 April 2012 to 30 September 2012 be noted.

55. 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

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Report Item No: 1

APPLICATION No:	EPF/1722/12
SITE ADDRESS:	48 Queens Road Buckhurst Hill Essex IG9 5BY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Erection of play equipment (retrospective application)
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=541109

REASON FOR REFUSAL

- 1 The play equipment results in a significant detrimental impact on neighbouring amenity due to the high level of the equipment and often continuous amount of noise produced from the activity on the play equipment; furthermore the play equipment is such that overlooking to neighbouring gardens is possible further detracting from a reasonable expected level of amenity. The proposal is therefore considered contrary to policies DBE9 and RP5A of the Adopted Local Plan and Alterations (which is consistent with policies contained within the National Planning Policy Framework).

POSITIVE AND PROACTIVE STATEMENT:

Members generally considered that smaller scale play equipment may be acceptable. It was also suggested that the Applicant explores with Planning Officers, any potential to relocate the existing equipment to a less sensitive location within the application site.

Report Item No: 2

APPLICATION No:	EPF/1198/12
SITE ADDRESS:	2 New Forest Lane Chigwell Essex IG7 5QN
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Conversion of existing detached dwelling into 3 individual dwellinghouses, laying out of parking area to rear, alterations to 2 existing dormer windows and erection of 2 single storey rear extensions.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=538555

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: EWB_001, EWB_100 rev L, EWB_101 rev G and EWB_102 rev D
- 3 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority. For the purpose of this condition, no change to the external finished materials of the building and no change to the design and materials of windows shall take place without the prior written permission of the Local Planning Authority, such works otherwise being permitted by Class A.
- 5 If any tree, shrub or hedge not shown to be removed on the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same

species and size as that originally planted shall, within 3 months, be planted at the same place.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to the first occupation of any of the proposed dwellings, the proposed private drive off Manor Road shall be constructed to a minimum width of 4.8 metres for at least the first 5 metres from the back of the carriageway and provided with an appropriate dropped kerb crossing of the highway verge.
- 8 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking space for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development for residential purposes unless otherwise agreed in writing with the Local Planning Authority.
- 9 Any gates provided at the vehicular access to the site shall only open inwards and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.
- 10 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 11 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 12 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 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.
- 13 Access to the flat roofed areas of the dwellinghouses hereby approved shall be for maintenance or emergency purposes only and the flat roof areas shall not be used as a seating area, roof garden, terrace, patio or similar amenity area. No furniture, including tables and chairs, shall be placed on the flat roof.

Report Item No: 3

APPLICATION No:	EPF/1951/12
SITE ADDRESS:	Jennikings Garden Centre 212 Manor Road Chigwell Essex IG7 4JX
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Minor Material amendment to design of residential development (21 flats) approved under EPF/2361/09
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542320

REASON FOR REFUSAL

- 1 The proposed development, by reason of its height and design would appear unsympathetic to both the character and appearance of the area, and also in relation to previously approved development within the site. The design of the development is such that it would fail to create an acceptable domestic vista. It is, therefore contrary to policies CP2(iv); CP3(v); CP7: and DBE1 of the Adopted Local Plan and Alterations, which are consistent with the policies and principles of the National Planning Policy Framework.

POSITIVE & PROACTIVE STATEMENT:

Members of the Committee felt that the design and reduced scale of the proposed development was out of keeping with adjacent development, including that approved within the application site. Members felt that this concern may be addressed by amendments to the design and the scale of the development proposed, so that it was more in keeping with the character of adjacent approved development within the application site.

Report Item No: 4

APPLICATION No:	EPF/1785/12
SITE ADDRESS:	152 - 154 Daneley Court Nursing Home Queens Road Buckhurst Hill Essex IG9 5BJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Demolition of existing nursing home and the erection of 14 apartments and associated car parking spaces, amenity space, bin and cycle stores, foul and surface water drainage and landscaping.
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=541531

A late representation from the occupier of 157 Princes Road was reported to the Committee.

REASONS FOR REFUSAL

- 1 The proposal would constitute an overdevelopment, on the basis that the application site is of insufficient size to accommodate appropriate amounts of both car parking and private amenity space to adequately serve the 14 dwellings proposed. Accordingly, the proposal is contrary to policies CP7; ST6; DBE6; and DBE8 of the Adopted Local Plan and Alterations, which are consistent with the policies and principles of the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

Members of the Committee were generally satisfied with the design of the proposed building. However, due to a lack of space within the site to accommodate adequate car parking and private amenity space, Members considered it to be an overdevelopment of the site. Members generally felt that a reduction in the number of dwellings proposed by 4-6 may overcome this concern.

Report Item No: 5

APPLICATION No:	EPF/1512/12
SITE ADDRESS:	82 Princes Road Buckhurst Hill Essex IG9 5DZ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr R Comerford
DESCRIPTION OF PROPOSAL:	Proposed two storey side and rear extension.
DECISION:	Refuse Permission (Householder)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=539906

REASON FOR REFUSAL

- 1 By reason of the proximity of the side elevation to the boundary with 80 Princes Road the proposal would have an excessively over-dominant relationship with that house to the detriment of the character and appearance of the locality. It is therefore contrary to Local Plans and Alterations policy DBE10, which is consistent with the National Planning Policy Framework.

Report Item No: 6

APPLICATION No:	EPF/1771/12
SITE ADDRESS:	Land adjoining Rest Harrow The Kennels Millers Lane Chigwell Essex IG7 6DG
PARISH:	Chigwell
WARD:	Chigwell Row
DESCRIPTION OF PROPOSAL:	Demolish existing Kennels and build a new 2 bedroom house. Change of use of land to residential. (Revised application)
DECISION:	Grant Permission (with conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=541451

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 20611(1), 20611(2), 20611(3), 20611(4), 20611(5) and 20611(7) together with unnumbered site location plan and block plan and Design and Access Statement December 2011.

Reason: To ensure the proposal is built in accordance with the approved drawings.

- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

Reason:- To ensure a satisfactory appearance in the interests of visual amenity.

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

Reason:- The specific circumstances of this site warrant the Local Planning Authority having control over any further development.

- 5 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development.

- 6 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

Reason:- In the interests of highway safety.

- 7 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.

Reason:- In the interests of visual amenity.

POSITIVE AND PROACTIVE STATEMENT:

Members found very special circumstances existed in respect of this development. The circumstances comprised of: the nature of the existing lawful use of the site, which would be excessively harmful to the living conditions of neighbours; that the land is previously developed and that alternative employment uses would be likely to cause harm to residents' living conditions. They subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Report Item No: 7

APPLICATION No:	EPF/2045/12
SITE ADDRESS:	Land to rear of 108 Palmerston Road Buckhurst Hill Essex IG9 5LG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Extension of time limit to implement planning permission reference EPF/0828/09 allowed on appeal (Construction of two flats, in same footprint as approved detached dwelling, EPF/2286/08)
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542720

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of two years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 3/5579/9/A; 3/5579/10/A; 3/5579/11.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 5 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 6 No development shall commence until a survey by a competent person has been carried out to establish the presence or otherwise of Japanese Knotweed and submitted to the Local Planning Authority. The survey should also note any knotweed adjoining the site. If Japanese Knotweed is confirmed, full details of a scheme for its eradication and/or control programme suitable for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the substantial completion of the development hereby approved.

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