

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Planning Subcommittee   **Date:** 12 June 2013  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA   **Time:** 7.30 - 9.40 pm

**Members Present:** J Hart (Chairman), N Wright (Vice-Chairman), K Chana, Mrs T Cochrane, R Cohen, L Girling, Ms J Hart, J Knapman, L Leonard, Mrs C Pond, B Sandler, H Ulkun, Mrs L Wagland, Ms S Watson and D Wixley

**Other Councillors:** S Murray

**Apologies:** K Angold-Stephens, G Chambers, C Finn, A Lion, H Mann, J Markham, G Mohindra and Mrs T Thomas

**Officers Present:** J Shingler (Principal Planning Officer), S Mitchell (PR Website Editor), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

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### **1. 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.

### **2. WELCOME AND INTRODUCTION**

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

### **3. MINUTES**

**Resolved:**

(1) That the minutes of the meeting held on 15 May 2013 be taken as read and signed by the Chairman as a correct record.

### **4. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillor H Ulkun declared a personal interest in the following item of the agenda, by virtue of being

acquainted with the Applicant's Agent. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0555/13 7 Albany View, Buckhurst Hill.

## 5. ANY OTHER BUSINESS

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

## 6. DEVELOPMENT CONTROL

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

### **Resolved:**

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

## 7. PLANNING PROTOCOL - SITE VISITS

The Senior Democratic Services Officer presented a report on guidance for undertaking planning site visits.

The Senior Democratic Services Officer stated that, at a meeting of the District Development Control Committee on 27 March 2013, consideration had been given to further guidance for both Members and the public attending site visits, to avoid the perception of pre-determination and to ensure that there was a consistent approach during each visit. The guidance had been split into two documents, one aimed at Members, and the other at interested parties, and would form supplementary guidance to the Council's Planning Protocol.

The Sub-Committee noted that the District Development Control Committee had agreed that an item should be placed on the agenda for each Planning Sub-Committee to reiterate the process for future visits. It would also be sent to Members, Applicants and Objectors (where known) whenever a site visit was organised. The Assistant Director of Planning and Economic Development (Development Control) had also undertaken to ensure that a consistent approach would be taken by Officers at site visits.

In response to questions from the Members present, it was confirmed that a Planning Officer would be in attendance at each site visit and that any questions should be made through either the Planning Officer, Chairman or Vice-Chairman during the visit. It was also clarified that the guidance appertained to official site visits, not individual Member fact-finding visits. The guidance for Member involvement prior to the consideration of a planning application would be reviewed in due course.

### **Resolved:**

- (1) That the revised guidance regarding site visits be noted;
- (2) That the requirement to follow the revised guidance when undertaking site visits in the future be noted;

(3) That the publication of the revised guidance on the Council's website be noted; and

(4) That the revised guidance be sent to the Members of the Sub-Committee, the Applicant and any Objectors (if known) whenever a site visit was organised.

#### **8. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2012 TO MARCH 2013**

The Principal Planning Officer presented a report on the appeal decisions made during the six-month period 1 October 2012 to 31 March 2013. The report advised the Sub-Committee of the results of all successful appeals, and particularly those appeals against decisions to refuse the application by the Sub-Committee contrary to the Officer recommendation.

During this six-month period, the Principal Planning Officer reported that 15 appeals were made against decisions by the three Sub-Committees to refuse permission contrary to the Officer's recommendation. Of these appeals, 9 were upheld, representing 60%. There were five successful appeals related to Area Planning Sub-Committee South:

- EPF/0131/12 Land to rear of 74-78 Walnut Way, Buckhurst Hill;
- EPF/0334/12 Willow Park Farm, Millers Lane, Chigwell;
- EPF/2371/11 22 Forest Road, Loughton;
- EPF/2103/11 Beagles Hut, Retreat Way, Chigwell; and
- EPF/1045/12 82 Princes Road, Buckhurst Hill.

The Principal Planning Officer highlighted that there were four occasions when costs were awarded against the Council. In relation to Area Planning Sub-Committee South, only one of the successful appeals resulted in an award of costs against the Council. For the appeal regarding Beagles Hut in Retreat Way, Chigwell, the Inspector concluded that the decision had been unreasonable and had resulted in unnecessary cost to the Appellant. This claim was settled at £7,912.

The Principal Planning Officer concluded that whilst performance in defending appeals had improved in recent years, the Sub-Committee were reminded of the need for justified reasons when refusing planning permission that had to be not only relevant and necessary, but also sound and defensible at an appeal in order to avoid the risk of paying costs to the Appellant. It was understood that, in cases where there were objections from local residents, there was often pressure on the Sub-Committee to refuse planning permission but this would only form one of the relevant issues to be balanced out when considering the merits of a particular case.

The Sub-Committee noted the report and suggested that the Appeal Decision Notices for those appeals that were unsuccessful when the Sub-Committee had decided against the Officer's recommendation should also be attached as an appendix to the report.

#### **Resolved:**

(1) That the Planning Appeal decisions for the period 1 October 2012 to 31 March 2013 be noted.

**9. DELEGATED DECISIONS**

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

**CHAIRMAN**

# Minute Item 6

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/2025/12
<b>SITE ADDRESS:</b>	43 Colebrook Lane Loughton Essex IG10 2HJ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Fairmead
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/13/90 T1 - Oak - Fell
<b>DECISION:</b>	Deferred

**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=542617](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542617)

Members deferred this item to enable further discussion between the engineers to see if any agreement can be reached. The report is to go back to Committee as soon as practicable.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0233/13
<b>SITE ADDRESS:</b>	44 Kenilworth Gardens Loughton Essex IG10 3AF
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Roding
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed replacement of redundant former garages with one single storey, 1 bed bungalow.
<b>DECISION:</b>	Refuse Permission

**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=545553](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545553)

**REASON FOR REFUSAL**

1. The proposed development is an unsympathetic, incongruous and cramped form of development, out of scale and character with the established street pattern of 2 storey dwellings. As such it would be harmful to the character and amenity of the area, contrary to policies CP7 and DBE1 of the adopted Local Plan and Alterations and to the National Planning Policy Framework. In addition, it would set a precedent which, if repeated elsewhere, would seriously diminish the quality of the local environment.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0307/13
<b>SITE ADDRESS:</b>	38 Chigwell Lane Loughton Essex IG10 3NY
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use and conversion of part of an existing office (Use Class B1/B2) to a new cafe (Use Class A3) with indoor seating for 22 and outside seating area for 10. Including new cladding to front elevation.
<b>DECISION:</b>	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=545833](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545833)

**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: 1403\_0001, 1403\_0002 A, 1403\_003, 1403\_0110, 1403\_0200, 1403\_0250 A and 1403\_1000 A
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. The cafe (A3) use hereby permitted shall not be open to customers / members outside the hours of 8am to 6pm Monday to Sunday (including Bank/Public Holidays).
5. No access shall be formed or signage erected for the cafe hereby approved on the Oakwood Hill elevation of the building with the application site.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0555/13
<b>SITE ADDRESS:</b>	7 Albany View Buckhurst Hill Essex IG9 5TW
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Part one and part two storey side extension with internal alterations (revised application)
<b>DECISION:</b>	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=547212](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547212)

**CONDITIONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0740/13
<b>SITE ADDRESS:</b>	146 High Road Loughton Essex IG10 4BH
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear extension to provide 3 no. self contained flats (Revised application)
<b>DECISION:</b>	Refuse Permission

**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=548111](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548111)

**REASON FOR REFUSAL**

1. The proposed flats, due to lack of light to habitable room windows and lack of outlook, and (in the case of the ground floor flat) proximity to the proposed refuse storage area, will provide substandard and unacceptably poor living conditions for future occupants, contrary to the intentions of policy RP5A of the adopted Local Plan and Alterations.
2. The design of the proposed flats, with poor natural light and ventilation resulting in reliance on artificial lighting and ventilation, is contrary to the principles of energy conservation and sustainability set out in policies CP4 and CP5 of the adopted Local Plan and Alterations.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0761/13
<b>SITE ADDRESS:</b>	43 Traps Hill Loughton Essex IG10 1TB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	New front security fence with piers and wrought iron automatic gates.
<b>DECISION:</b>	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=548232](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548232)

**CONDITIONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

**Report Item No: 7 This item was withdrawn from the agenda**

<b>APPLICATION No:</b>	EPF/0935/13
<b>SITE ADDRESS:</b>	Highways Land Oakwood Hill Loughton Essex IG10 3NB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>DESCRIPTION OF PROPOSAL:</b>	Telecommunications installation comprising the replacement of the existing 15m high Jupiter street column with a new 15m high Elara streetworks column supporting 3 no. antennas, 2 new additional ground level radio equipment cabinets and all associated ancillary development works.
<b>DECISION:</b>	Withdrawn from Agenda

**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=549091](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549091)

This item was withdrawn from the Agenda by the Director of Planning and Economic Development as no objections were received.

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