

# **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Planning Sub-Committee **Date:** 24 June 2015  
West

**Place:** Council Chamber, Civic Offices, **Time:** 7.30 - 9.25 pm  
High Street, Epping

**Members Present:** Y Knight (Chairman), A Mitchell MBE (Vice-Chairman), R Bassett, R Butler, D Dorrell, L Hughes, H Kane, S Kane, J Lea, M Sartin, G Shiell and E Webster

**Other Councillors:** D Atanassov (EF Youth Council)

**Apologies:** Councillors R Gadsby and S Stavrou

**Officers Present:** J Godden (Principal Planning Officer), J Leither (Democratic Services Assistant) and A Hendry (Democratic Services Officer)

## **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. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

## **2. WELCOME AND INTRODUCTION**

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

## **3. MINUTES**

### **RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 20 May 2015 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, Councillors H Kane and S Kane declared a pecuniary interest in the following item of the agenda by virtue of living adjacent to the application. The Councillors indicated that they would leave the meeting for the consideration of the application and voting thereon:

- EPF/0505/15 – Abbey Service Centre, Sewardstone Road, Waltham Abbey, Essex EN9 1NA.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Dorrell declared a non-pecuniary interest in the following item of the agenda by virtue of being a customer for the last 15 years. The Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0505/15 – Abbey Service Centre, Sewardstone Road, Waltham Abbey, Essex EN9 1NA.

(c) Pursuant to the Council's Code of Member Conduct, Councillor E Webster declared a non-pecuniary interest in the following item of the agenda by virtue of being related to a third party who owned part of the access road. The Councillor indicated that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0787/15 – Willows Stables, Lippitts Hill, High Beach, Waltham Abbey, Essex IG10 4AL.

## 5. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

## 6. DEVELOPMENT CONTROL

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

### RESOLVED:

That, Planning applications numbered 1 – 7 be determined as set out in the annex to these minutes.

## 7. PROBITY IN PLANNING - APPEAL DECISIONS, 1 OCTOBER 2014 TO 31 MARCH 2015

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions for the period 1 October 2014 to 31 March 2015.

In compliance with the recommendation of the District Auditor, the report on the agenda, Item 8, advises the decision-making committees of the results of all successful allowed 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 is found to be unsupportable on planning grounds, an award of costs may be made against the Council.

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 (GOV08) and the other which measures the performance of officer recommendations and delegated decisions (GOV07).

Over the six-month period between 1 October 2014 and 31 March 2015, the Council received 40 decisions on appeals (38 of which were planning related appeals, the other 2 were enforcement related).

GOV07 and 08 measure planning application decisions and out of a total of 38, 14 were allowed (36.8%). Broken down further, GOV07 performance was 6 out of 29

allowed (20.68%) including one part-allowed/part-dismissed and GOV08 performance was 8 out of 9 (88.88%), although out of this 8, one was part-allowed/part-dismissed.

Whilst performance in defending appeals at 36.8% appears high, there was no national comparison of authority performance. Members were reminded that in refusing planning permission there needs to be justified reasons that in each case must be not only relevant and necessary, but also sound and defensible so as to avoid paying costs. This was more important now than ever given a Planning Inspector or the Secretary of State can award costs, even if neither side has made an application for them. Whilst there is clearly pressure on Members to refuse in cases where there are objections from local residents, these views (and only when they are related to the planning issues of the case) are one of a number of 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 October 2014 to 31 March 2015 be noted.

**CHAIRMAN**