

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 28 November 2018

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.40 pm

Members Present: S Jones (Vice-Chairman), H Brady, D Dorrell, I Hadley, S Heap, P Keska, J Knapman, R Morgan, C P Pond, C C Pond, C Roberts, B Rolfe, D Sunger, H Whitbread and J M Whitehouse

Other Councillors: None

Apologies: Councillors B Sandler (Chairman), G Chambers, R Jennings, H Kauffman, E Webster

Officers Present: N Richardson (Service Director (Planning Services)), S Tautz (Democratic Services Manager), J Leither (Webcasting Officer)

15. WEBCASTING INTRODUCTION

The Chairman made a short address to remind everyone present that the meeting would be broadcast live to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

16. ADVICE FOR PUBLIC AND SPEAKERS AT THE COUNCIL'S PLANNING COMMITTEES

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 Committee, during the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at meetings of the Council's Planning Committees.

17. SUBSTITUTE MEMBERS

The Committee was advised that the following substitute members had been appointed for the meeting:

- (a) Councillor D. Dorrell for Councillor G. Chambers;
- (b) Councillor C. P. Pond for Councillor R. Jennings; and
- (c) Councillor H. Whitbread for Councillor E. Webster.

18. DECLARATIONS OF INTEREST

The following interests were declared by members of the Committee pursuant to the Council's Code of Member Conduct:

- (a) Councillor S. Jones declared a personal interest in item 8 (Planning Application EPF/1583/18 – 1 Buttercross Lane, Epping) of the agenda for the meeting, by virtue of being acquainted with the applicant for planning permission. Councillor Jones had determined that her interest was not prejudicial and indicated that she would remain in the meeting for the consideration of the application and voting thereon;
- (b) Councillor C. C. Pond declared a personal interest in item 8 (Planning Application EPF/1583/18 – 1 Buttercross Lane, Epping) of the agenda for the meeting, by virtue of being acquainted with each of the persons registered to address the Committee in connection with the planning application. Councillor Pond had determined that his interest was not prejudicial and indicated that he would remain in the meeting for the consideration of the application and voting thereon;
- (c) Councillor H. Whitbread declared a personal interest in item 8 (Planning Application EPF/1583/18 – 1 Buttercross Lane, Epping) of the agenda for the meeting, by virtue of being acquainted with Councillor N. Avey, who was supporting a representative of Epping Town Council to address the Committee in connection with the planning application. Councillor Whitbread had determined that her interest was not prejudicial and indicated that she would remain in the meeting for the consideration of the application and voting thereon; and
- (d) Councillor R. Morgan declared a personal interest in item 11 (Certificate of Lawfulness EPF/1583/18 – Land at Lippitts Hill, Waltham Abbey) of the agenda for the meeting, by virtue of the applicant being a member of the Council. Councillor Morgan had determined that his interest was not prejudicial and indicated that he would remain in the meeting for the consideration of the application and voting thereon.

19. APPOINTMENT OF VICE-CHAIRMAN

In the absence of Councillor B. Sandler, who had tendered his apologies for the meeting, the Chairman sought nominations from the Committee for a member to be appointed as Vice-Chairman for the meeting.

RESOLVED:

That Councillor B. Rolfe be appointed as Vice-Chairman of the Committee for the duration of the meeting.

20. MINUTES

RESOLVED:

That the minutes of the meeting of the Committee held on 1 August 2018 be taken as read and signed by the Chairman as a correct record.

21. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

The Service Director (Planning Services) reminded the Committee that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version on 18 December 2017. Members were

advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for councillors, officers, applicants, planning agents and other persons involved in the development management process.

RESOLVED:

That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version, published on 18 December 2017, be noted.

22. PLANNING APPLICATION EPF/1583/18 - 1 BUTTERCROSS LANE, EPPING

The Service Director (Planning Services) presented a report with regard to the proposed demolition of an existing two-storey house and garage at 1 Buttercross Lane, Epping and the construction of a three-storey block of nine flats, comprising eight two-bedroom flats and one one-bedroom flat, with associated parking and landscaping.

Members were advised that the application had been referred to the Committee for determination as a result of a minority reference from Area Plans Sub-Committee East at its meeting on 10 October 2018, after an equal number of members had voted for and against the development proposal. The Committee noted that the recommendation of the Service Director (Planning Services) remained that planning permission should be granted for the proposed development, notwithstanding that factors in support of and against the grant of planning permission were balanced.

The Service Director (Planning Services) reported that the application site was 0.25a, with a width of 21m and a depth of 57m, located to the west of Buttercross Lane, a cul-de-sac accessed via a passage between the flank walls of buildings on the High Street within the built-up area of Epping. Members were advised that the site was currently occupied by a two-storey detached house with a maximum width of 17.6m and that the area was characterised by close-knit two-storey dwellings and flatted buildings of mixed designs and styles with narrow frontages, predominantly two-storey with tiled roofs and rendered or brick walls. The Committee noted that the south-west of the site was screened by mature trees and hedging and backed onto a car parking area and two-storey buildings to the rear of the High Street. The Service Director (Planning Services) reported that to the immediate north of the application site was a two-storey building, with a three-storey building to the east on the opposite side of Buttercross Lane and that the site was within the Epping Conservation Area.

The Committee was advised that the proposed building would have an I-shaped footprint with its most prominent elevation facing Buttercross Lane, and that the ground and first floor would each provide three two-bedroom flats, with the second floor providing two two-bedroom flats and a single one-bedroom flat. The Service Director (Planning Services) reported that the building accommodating the flats would have a central communal entrance door on the principal elevation and would resemble a substantial detached house of a contemporary style. Members noted that the façade of the building would be finished in red brick at ground floor level with a dentil course above ground floor lintels to separate it from the white timber cladding and jetting at first and second floor level, with a red clay roof tile. The Committee was advised that the building would have a maximum width of 16m and a maximum depth of 23.7m and that vehicular access would be achieved via a new crossover to the right of the building on Buttercross Lane. The Service Director (Planning Services) reported that nine car parking spaces, an electric vehicle charging point, bicycle storage, bin storage and an amenity space would be set to the rear of the building.

The Service Director (Planning Services) advised the Committee that the main issues for consideration in respect of the application were the principle of development, amenity considerations, the design of the scheme, highway and parking implications, and the impact of the proposal on the character and appearance of the Epping Conservation Area. The Committee was advised that the proposed development was considered acceptable, as it would make more efficient use of previously developed land and would accord with the presumption of the National Planning Policy Framework in favour of sustainable development. Members noted that the proposal would complement the street scene and, subject to the imposition of appropriate conditions, would maintain the character and amenity of the conservation area. The Service Director (Planning Services) reported that a lower car parking provision was considered acceptable in the location and that no highway objections had been made to the development proposal and the Committee was advised that, subject to the imposition of appropriate mitigation measures by legal agreement, no harm to the Epping Forest Special Area of Conservation would arise from the proposed development.

A number of members of the Committee raised concern with regard to the proposed development, particularly in relation to the dominant impact of the development on the conservation area in terms of its overall height and bulk, and the potential for increased traffic congestion in Buttercross Lane and at the junction with the High Street.

RESOLVED:

- (1) That planning application EPF/1583/18 be refused for the following reason:

The proposed building would, by reason of its excessive height, bulk and massing, harm the appearance of Buttercross Lane and be unduly overbearing in relation to the adjacent house at no.3 Buttercross Lane, as well as fail to conserve or enhance the character of this part of this conservation area, contrary policies DBE2, HC6 and HC7 of the Adopted Local Plan and Alterations 2008, Policies DM 7 and DM 9 and of the Epping Forest District Council Local Plan Submission Version 2017 and the National Planning Policy Framework (2018); and

- (2) That the following way forward be agreed in connection with the future development of the site:

The three storey building would be oppressive and therefore should be reduced by a storey in height, so that it would appear more in keeping with its surroundings, subject to an appropriate design and appearance in keeping with the character of this conservation area and street scene.

23. PLANNING APPLICATION EPF/1325/18 - 37 HANSON DRIVE, LOUGHTON

The Service Director (Planning Services) presented a report with regard to the proposed construction of a two-storey side extension and single-storey rear extension at 37 Hanson Drive, Loughton

Members were advised that the application had been referred to the Committee for determination as a result of a reference from Area Plans Sub-Committee South at its meeting on 22 August 2018, after an equal number of members had voted for and against the development proposal. The Committee noted that the recommendation of

the Service Director (Planning Services) remained that planning permission should be granted for the proposed development.

The Service Director (Planning Services) reported that the application site was an end of terrace two-storey house in a locality of similar properties. Members noted that the next terrace (starting at 39 Hanson Drive) lay at an angle to the application site, following the line of a bend in the road. The Committee was advised that the site was located within the built up area of Loughton, but was not listed and did not lie within a conservation area. The Service Director (Planning Services) reported that the proposed ground floor accommodation would provide a study and utility room to the side and a dining room to the rear and that the first-floor accommodation would include a bedroom with an en-suite.

The Service Director (Planning Services) advised the Committee that the main issue for consideration in respect of the application was the impact on the character of the area and neighbouring residents. Members were advised that the proposed two storey side extension would have a limited impact on the amenity and outlook of the 'detached' end of terrace house at 39 Hanson Drive and that the proposed rear extension was only to be of modest proportions.

The Service Director (Planning Services) reported that a previous scheme for a similar development to that currently proposed had been granted planning permission in 2011, but that such consent had lapsed.

RESOLVED:

That planning application EPF/1325/18 be granted, subject to the following conditions:

- (a) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice;
- (b) Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed by the Local Planning Authority; and
- (c) 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 07.30 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.

24. PLANNING APPLICATION EPF/1213/18 - TOWER NURSERY, NETHERHALL ROAD, ROYDON

The Service Director (Planning Services) presented a report with regard to the proposed erection of replacement glasshouses and associated water storage tanks at Tower Nursery, Netherhall Road, Roydon

Members were advised that the application had been referred to the Committee for determination as it proposed the replacement of a commercial glasshouse that had a floor area in excess of 10,000 sq.m and was therefore required to be reported directly to the Committee in accordance with Article 10 (District Development Management Committee and Area Plans Sub-Committees) of the Council's Constitution.

The Service Director (Planning Services) reported that the application site comprised a parcel of land to the east of Netherhall Road, to the north of the main settlement of Nazeing. Members noted that the site was currently in horticultural use as part of Tower Nursery and that the majority of its extent was comprised of glasshouses. The Committee was advised that Tower Nursery was mainly used for the cultivation of tomatoes which were then sold commercially. The Service Director (Planning Services) reported that the application site was located within the boundary of the Metropolitan Green Belt, but was not situated in a Conservation Area.

The Service Director (Planning Services) advised the Committee that the main issues for consideration in respect of the application were the potential impact of the development on the Green Belt, the local landscape, the living conditions of neighbours and the Epping Forest Special Area of Conservation. However, the Committee was advised that the proposal was not considered to be inappropriate development in the Green Belt, would not harm the living conditions of neighbours or the character or appearance of the landscape and fulfilled all other policies contained within the Development Plan, and that it was therefore recommended that planning permission should be granted.

RESOLVED:

That planning application EPF/1583/18 be granted, subject to the completion within six months of a Section 106 Agreement to secure appropriate financial contributions towards the mitigation of air pollution impacts on the Epping Forest Special Area of Conservation, and to the following planning conditions:

- (a) 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);
- (b) The development hereby permitted will be completed strictly in accordance with the approved drawings no's: 3828/1, 18-K-079 and SK12 Rev B;
- (c) Materials to be used for the external finishes of the proposed development shall match those contained within the application submission documents, unless otherwise agreed in writing by the Local Planning Authority;
- (d) Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed; and
- (e) The development shall be carried out in accordance with the flood risk assessment (EAS, Job number:837 Document Ref: Tower Nursery FRA May 2018) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority; and
- (f) 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 07.30 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

25. CERTIFICATE OF LAWFULNESS EPF/2315/18 - LAND AT LIPPITTS HILL, WALTHAM ABBEY

The Service Director (Planning Services) presented a report with regard to the proposed grant of a Certificate of Lawful Development for an existing mobile field shelter on land at Lippitts Hill, Waltham Abbey, for equine use. Members noted that consideration of the application was reserved to the Committee in accordance with Article 10 (District Development Management Committee and Area Plans Sub-Committees) of the Council's Constitution, as it had been submitted by, or on behalf of, a Councillor of the Authority.

The Service Director (Planning Services) reported that the proposed mobile field shelter was sited on metal skids and would be incidental to the equestrian use of the land where there were a number of existing permanent stables. Members noted that the field shelter was not considered to be development by definition of the Town and Country Planning Act, because it was a moveable structure and therefore formed part of the use of the land. The Committee was advised that, as the proposed field shelter was ancillary to the main use of the land and would not constitute operational development that would involve a material change of use, planning permission was not required for its siting.

RESOLVED:

That a Certificate of Lawful Development be granted for an existing mobile field shelter on land at Lippitts Hill, Waltham Abbey.

26. ANY OTHER BUSINESS

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

27. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

CHAIRMAN