

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** Wednesday, 23 November 2022
South

Place: Council Chamber, Civic Offices, **Time:** 7.00 - 8.25 pm
High Street, Epping

Members Present: Councillors K Williamson (Chairman), S Patel, I Allgood, R Baldwin, R Brookes, H Kauffman, A Lion, L Mead, S Murray, M Owen, A Patel, Caroline Pond, C C Pond, K Rizvi and D Wixley

Members Present (Virtually): Councillors P Bhanot and S Heap

Apologies: R Jennings, J Jennings, J Jogia, C Nweke and D Sunger

Officers Present: G Courtney (Planning Applications and Appeals Manager (Development Management)), V Messenger (Democratic Services Officer) and T Carne (Corporate Communications Team Manager)

Officers Present (Virtually): J Leither (Democratic Services Officer)

78. 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 Chairman added that he would be a voting chairman.

79. DECLARATIONS OF INTEREST

- a) Pursuant to the Council's Members' Code of Conduct, Councillor S Murray declared a non-pecuniary interest in the following item of the agenda by virtue of a having a slight acquaintance with an objector on Zoom in relation to Roding Valley High School. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:
- EPF/1478/22 – 16 Station Road Loughton IG10 4NX
- b) Pursuant to the Council's Members' Code of Conduct, Councillor M Owen declared a non-pecuniary interest in the following item of the agenda by virtue of having a child who attended the school. The Councillor had determined that he would remain in the meeting but would not take part in the consideration of the application and voting thereon:
- EPF/1330/22 – Davenant Foundation School Chester Road Loughton IG10 2LD

80. MINUTES**RESOLVED:**

That the minutes of the Sub-Committee held on 26 October 2022 be taken as read and signed by the Chairman as a correct record.

81. ANY OTHER BUSINESS

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

82. EPPING FOREST DISTRICT COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)

It was noted that the Epping Forest District Council Planning Policy Briefing note was available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

83. SITE VISITS

Councillor S Murray proposed a site visit for agenda item EPF/1266/22 – 121 Roding Road, Loughton IG10 3BS. It would be of benefit to members to see the site in relation to other residences and businesses nearby, the parking situation and the impact of the development on a neighbour's garden, who had contacted the councillor. This was seconded by Councillor D Wixley, who had advised the Planning Officer prior to the meeting about some errors on house numbers in the officer's report, so a site visit would be useful. As the vote was carried, this item was deferred to the next meeting. The Principal Planning Officer also confirmed the report would be amended.

For this agenda only, the site visit wording on this item was changed to mirror the agenda text used by the District Development Management Committee. However, as this wording had caused members some confusion, the original site visit wording would be used in the agendas for the planning sub-committees, until further notice. Members asked to be consulted on any new process and procedure before it was finalised and implemented.

84. PLANNING APPLICATION - EPF/3294/21 295-309 HIGH ROAD, LOUGHTON IG10 1AL

Application Ref: EPF/3294/21

Application Type: Full planning permission

Case Officer: Marie-Claire Tovey

Site Address: 295-309 High Road Loughton IG10 1AL

Proposal: Roof extension to provide an additional floor of residential accommodation comprising 4 flats, and associated amenity space and including a new extension of existing staircase and additional escape staircase.

Ward: Loughton St. Mary's

Parish: Loughton

View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000Nxh>

Decision: Approve with Conditions Subject to a Section 106 Agreement

Conditions: (12)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

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

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 170_PL_00_99, 170_PL_00_100, 170_PL_00_101, 170_PL_00_102, 170_PL_00_103, 170_PL_01_100, 170_PL_01_101, 170_PL_01_102, 170_PL_01_103, 170_PL_01_104, 170_PL_01_110, 170_PL_01_111, 170_PL_01_112,

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped and an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced) shall be undertaken. If any contamination is found then the site shall be remediated. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 4 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors
2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
5. Measures to control the emission of dust and dirt during construction, including wheel washing. With regards to dust control measures and wheel washing, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.
6. Measures to minimise the running of machinery powered by internal combustion engines.
7. A scheme for recycling/disposing of waste resulting from demolition and construction works.
8. Tree protection measures.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policies DM21 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 6 Prior to first occupation, the applicant/developer shall ensure that each dwelling has been provided with the necessary infrastructure to enable its connection to a superfast broadband network or alternative equivalent service.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies D5, DM2, DM9, DM10 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

- 7 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 8 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF.

- 9 Prior to any above groundworks of the development hereby permitted, details of provision for adequate storage for waste and recycling for the residential units hereby permitted shall be submitted to and approved by the Local Planning Authority. The measures as agreed shall be complete and available for use prior to first occupation of the residential units and thereafter maintained in accordance with the agreed details.

Reason: To ensure adequate provision is made in a suitable location in accordance with Policy DBE3 of the adopted Local Plan 1998 & 2006, Policy DM11 of the Local Plan Submission Version 2017, and the NPPF.

- 10 The cycle parking facilities, as shown on the approved plan, are to be provided prior to the first occupation of the development and are to be retained as such at all times.
Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and accessibility. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 11 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 12 Prior to the first use of the rooftop gardens, details of a privacy screens between the gardens and on the eastern edge of the rooftop gardens no lower than 1.7 metres high shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented before occupation in accordance with the approved details and so retained.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties and future occupants of the site, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM 9 of the Local Plan Submission Version 2017, and the NPPF.

85. PLANNING APPLICATION - EPF/1266/22 121 RODING ROAD, LOUGHTON IG10 3BS

Application Ref: EPF/1266/22
Application Type: Full planning permission
Case Officer: Muhammad Rahman
Site Address: 121 Roding Road, Loughton IG10 3BS
Proposal: Extensions and alterations to provide 1x new retail premises on the ground floor and 5x new residential apartments over with associated amenity space.
Ward: Loughton Roding
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000O1Cy>
Decision: Deferred

Deferred for a site visit.

86. PLANNING APPLICATION - EPF/1330/22 DAVENANT FOUNDATION SCHOOL, CHESTER ROAD, LOUGHTON IG10 2LD

Application Ref: EPF/1330/22
Application Type: Full planning permission
Case Officer: Ian Ansell
Site Address: Davenant Foundation School, Chester Road, Loughton, IG10 2LD
Proposal: Retrospective application for air conditioning unit to building granted under EPF/1465/20.
Ward: Loughton Broadway
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000O1LH>
Decision: Approve with Conditions

Conditions: (4)

- 1 The air conditioning unit hereby permitted shall only be operated between 08.00 and 17.00hrs Mondays to Fridays and at no other times.

Reason: In order to protect adjoining residents from potential noise disturbance, in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 2 Within 1 month of the date of the decision, details of a suitable acoustic fence that mitigates any noise nuisance from the air conditioning unit shall be submitted to the Local Planning Authority. The approved fence will be provided within a timescale agreed with the Local Planning Authority and permanently retained for the duration of the operation of the air conditioning unit. Should any part of the fence become damaged or be removed, it shall be replaced on a like for like basis within 28 days of

being damaged or removed.

Reason: In the interest of general visual amenity and in order to protect adjoining residents from potential noise disturbance, in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 3 The air conditioning unit hereby permitted must be switched off during any period that the rating level of noise (as defined by BS 4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound") emitted from the air conditioning unit exceeds the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:2014 + A1:2019

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant, in accordance with policy DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 4 Within 1 month of the decision, details of hedge planting between the air conditioning unit and the adjacent residential boundaries shall be submitted to the Local Planning Authority. The hedge planting shall be carried out in accordance with the approved details within a timescale agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting or establishment of the hedge, or any replacement, the hedge is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another hedge of the same species and size as that originally planted shall be planted at the same place.

Reason: In order to protect adjoining residents from visual impacts and noise disturbance, in accordance with policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

Informatives: (2)

- 5 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 6 This decision is made with reference to the following plan numbers: DAVEN-IWD-XX-XX-DR-A- 2000 Rev P1, 2200 Rev P2 and 2400 Rev P2.

87. PLANNING APPLICATION - EPF/1478/22 16 STATION ROAD, LOUGHTON IG10 4NX

Application Ref: EPF/1478/22
Application Type: Full planning permission
Case Officer: Ian Ansell
Site Address: 16, Station Road, Loughton, IG10 4NX
Proposal: Proposed replacement dwelling.
Ward: Loughton St. Mary's

Parish: Loughton

View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000O8zP>

Decision: Refused

Reasons: (1)

1. The proposed increase in the bulk and scale of the development to the rear would result in a detrimental loss of amenity to the residents of number 18 Station Road as a result of loss of light and outlook, contrary to policy DBE9 of the Adopted Local Plan and Alterations and policy DM 9 of the Submitted Version Local Plan (2017).

Informatives: (2)

2. The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Councils website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.
3. This decision is made with reference to the following plan numbers: 2021.079.PA.01, 02, 03, 04, 05, 06, 07A, 08A, 09A, 10A, 11A, 12A, 13A and 14A.

CHAIRMAN