

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 5 August 2009
South

Place: Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.30 - 9.45 pm

Members Present: J Hart (Chairman), Mrs L Wagland (Vice-Chairman), R Barrett, K Chana, Mrs S Clapp, Miss R Cohen, M Cohen, D Dodeja, J Knapman, J Markham, Mrs C Pond, Mrs P Richardson, B Sandler, P Spencer, Mrs J Sutcliffe, P Turpin, H Ulkun and D Wixley

Other Councillors:

Apologies: K Angold-Stephens, D Bateman, Mrs A Haigh, R Law and G Mohindra

Officers Present: N Richardson (Assistant Director (Development Control)), S G Hill (Senior Democratic Services Officer), S Mitchell (PR Website Editor) and R Perrin (Democratic Services Assistant)

23. 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.

24. 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.

25. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors K Chana, J Knapman, B Sandler and Mrs L Wagland declared a personal interest in the following items of the agenda by virtue of being members of Chigwell Parish Council. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the application and voting thereon:

- EPF/1155/09 5 Cedar Park, Cedar Place, Chigwell
- EPF/1071/09 Garden Centre, 212 Manor Road, Chigwell

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs C Pond, Mrs P Richardson, R Barratt and D Wixley declared a personal interest in the following items of the agenda by virtue of being members of Loughton Town Council.

The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the application and voting thereon:

- EPF/0762/09 36 Sparelease Hill, Loughton
- EPF/1045/09 7 Albion Hill, Loughton
- EPF/1097/09 6 Albion Hill, Loughton
- EPF/1121/09 30 The Drive, Loughton
- EPF/1122/09 11 Chandler Road, Loughton
- EPF/1135/09 9 Harwater Drive, Loughton

(c) Pursuant to the Council's Code of Member Conduct, Councillors J Markham, Mrs C Pond, and D Wixley declared a personal interest in the following items of the agenda by virtue of being members of Loughton Resident Association. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the application and voting thereon:

- EPF/0762/09 36 Sparelease Hill, Loughton
- EPF/1097/09 6 Albion Hill, Loughton

(d) Pursuant to the Council's Code of Member Conduct, Councillor D Wixley declared a personal interest in the following item of the agenda by virtue of being a Tree Warden. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/1155/09 5 Cedar Park, Cedar Place, Chigwell
- Confirmation of Tree Preservation Order: EPF/11/09 – 36-68 Bracken Drive, Chigwell.

(e) Pursuant to the Council's Code of Member Conduct, Councillor J Hart declared a personal interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the duration of the discussion and voting thereon:

- EPF/1135/09 9 Harwater Drive, Loughton

(f) Pursuant to the Council's Code of Member Conduct, Councillors D Dodeja, Mrs J Sutcliffe and P Spencer declared a personal interest in the following items of the agenda by virtue of being members of Buckhurst Hill Parish Council. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the application and voting thereon:

- 36 & 37 Fairlands Avenue, Buckhurst Hill

26. MINUTES

RESOLVED:

That the minutes of the meeting held on 15 July 2009 be taken as read and signed by the Chairman as a correct record.

27. ANY OTHER BUSINESS

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

28. DEVELOPMENT CONTROL**RESOLVED:**

That the planning applications numbered 1 – 9 be determined as set out in the attached schedule to these minutes.

29. CONFIRMATION OF TREE PRESERVATION ORDER: EPF/11/09 - 36-68 BRACKEN DRIVE, CHIGWELL

The Principal Planning Officer presented a report regarding the confirmation of a Tree Preservation Order on 32 individual trees, 1 group of trees within residential gardens and grass verge at 36-68 Bracken Drive Chigwell. The Sub-Committee were informed that the Tree Preservation Order EPF/11/09 had been made to protect trees at this site following a review of a 'blanket' Essex County Council Tree preservation Order made in 1951. Two objections had been received regarding 60 Bracken Drive - T32 (field maple) and 56 Bracken Drive - T3, T4, T5, T6 (oaks), T7 (hornbeam). The Director of Planning & Economic Development had responded as follows:

- i) 60 Bracken Drive – In view of the poor condition of the field maple it was recommended that the order be confirmed with the medication of the omission of T32 –field maple.
- ii) 56 Bracken Drive – That the individual problems and shortcomings of these trees are outweighed by the collective group affect the trees produce. By protecting the trees proper consideration would be ensured for work to or felling of the individual trees and for that reason it was recommended that the order would not be modified in respect of the trees at the property.

RESOLVED:

That the Tree Preservation Order EPF/11/09 be confirmed with the omission of T32 – field maple.

30. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Head 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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Minute Item 28

Report Item No: 1

APPLICATION No:	EPF/1155/09
SITE ADDRESS:	5 Cedar Park Cedar Place Chigwell Essex IG7 5AR
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	TPO/EPF/14/96/W1 T1 Holm Oak - Crown reduce by 30% max Elm (no number) - Remove T2 Yew - Crown reduce by 30% max
DECISION:	Grant Permission (With Conditions)

The Committee's attention was drawn to a letter of representation from Chigwell Parish Council.

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 The crown reduction authorised by this consent shall be by no more than 30%.
- 3 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 4 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

Report Item No: 2

APPLICATION No:	EPF/1071/09
SITE ADDRESS:	Garden Centre 212, Manor Road Chigwell Essex IG7 4JX
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Redevelopment of land formerly in use as a garden centre to provide 21 flats, 80% of which will be affordable housing. (Revised application)
DECISION:	Referred to DDCC with recommendation to Grant Permission subject to s106 agreement

The Committee was persuaded that the affordable housing provision represented very special circumstances that outweighed the harm of the development on this Green Belt site. Because it is contrary to policy, the application was referred on to District Development Control Committee with a recommendation to Grant Planning permission, subject to relevant planning conditions, and a s106 legal agreement with respect to 80% Affordable Housing provision on the site and an Education and a Highway/Transportation contribution.

Report Item No: 3

APPLICATION No:	EPF/0762/09
SITE ADDRESS:	36 Sparelease Hill Loughton Essex IG10 1BT
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Erection of a replacement dwelling. (Revised application EPF/2370/08)
DECISION:	Grant Permission (With Conditions)

The Committee's attention was drawn to a letter of representation from 30 Sparelease Hill and a further representation from Loughton Town Council.

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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The development shall be carried out in accordance with the amended plans received on 14 July 2009 unless otherwise agreed in writing with the Local Planning Authority.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 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.
- 6 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 1, Class A shall be undertaken without the prior written permission of the Local Planning Authority.

- 7 Prior to the commencement of the development details of the proposed hard and soft surface materials for the front garden, including means of how surface water will discharge into porous or permeable areas within the curtilage of the proposed house shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment and soft landscaping shall be completed prior to the first occupation of the development and retained thereafter.
- 8 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 9 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 10 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the 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.

Report Item No: 4

APPLICATION No:	EPF/1045/09
SITE ADDRESS:	7 Albion Hill Loughton Essex IG10 4RA
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Erection of two storey rear extensions.
DECISION:	Grant Permission (With Conditions)

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 extension, shall match those of the existing building.
- 3 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone. The statement must include details of construction, and in particular foundation design to ensure that the root system of adjacent trees/hedgerows are not harmed.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works

have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 4 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with 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 shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree 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: 5

APPLICATION No:	EPF/1097/09
SITE ADDRESS:	6 Albion Hill Loughton Essex IG10 4RA
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Change of use from a house to classrooms and ancillary areas and caretaker's maisonette.
DECISION:	Grant Permission (Subject to S106)

The Committee's attention was drawn to a letter of representation from 43 Hillcrest Road and a further letter of representation from Loughton Residents Association (Plans Group)

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 change of use hereby permitted shall not occur until space has been laid out within the front garden of No. 6 Albion Hill for cars to be parked, the details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

and subject to a new Section 106 Legal Agreement, revoking the Section 52 Agreement dated 24 January 1985, to:

1. **Restrict that the maximum number of pupils taught at Oaklands School (nos. 6 and 8 Albion Hill) shall not exceed 243.**
2. **A requirement for, and monitoring of, a Green Travel Plan in conjunction with Essex County Council.**
3. **An annual submission by the school to EFDC of a certified list of numbers of children registered at Oakwood School.**

The new Agreement to be signed no later than 6 months from the date of this resolution.

Report Item No: 6

APPLICATION No:	EPF/1121/09
SITE ADDRESS:	30 The Drive Loughton Essex IG10 1HB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Two storey side, single storey rear extension and loft conversion with side and rear dormer windows. (Revised application.)
DECISION:	Grant Permission (With Conditions)

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 proposed window openings in the side elevation dormer and at first floor level on the side elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Report Item No: 7

APPLICATION No:	EPF/1122/09
SITE ADDRESS:	11 Chandler Road Loughton Essex IG10 2LQ
PARISH:	Loughton
WARD:	Loughton Fairmead
DESCRIPTION OF PROPOSAL:	Single storey rear extension
DECISION:	Grant Permission (With Conditions)

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 extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.

Report Item No: 8

APPLICATION No:	EPF/1135/09
SITE ADDRESS:	9 Harwater Drive Loughton Essex IG10 1LP
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Part single storey/part two storey side/rear extension.
DECISION:	Grant Permission (With Conditions)

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 extension, shall match those of the existing building.
- 3 The proposed new window opening created in the side elevation at first floor level shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

Report Item No: 9

APPLICATION No:	EPF/0963/09
SITE ADDRESS:	36 and 37 Fairlands Avenue Buckhurst Hill Essex IG9 5TF
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Two storey side extensions, single storey rear extensions and alteration to roofs to include enlarged dormer windows.
DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed development, by virtue of the proximity of the first floor element of the side extension to the site boundary and the bulk of the proposed roof, would result in the dwellings having a cramped appearance within the street scene which would be out of keeping with the pattern of surrounding development and detrimental to the character and appearance of the area, contrary to policies ENV7 of the East of England Plan and policies CP2 and DBE10 of the adopted Local Plan and Alterations.

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