

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Area Planning Subcommittee   **Date:** 9 December 2009  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex   **Time:** 7.35 - 9.30 pm

**Members Present:** Mrs L Wagland (Vice-Chairman), K Angold-Stephens, R Barrett, M Cohen, D Dodeja, Mrs A Haigh, J Knapman, R Law, A Lion, J Markham, Mrs C Pond, Mrs P Richardson, B Sandler, Mrs J Sutcliffe, H Ulkun and D Wixley

**Other Councillors:** -

**Apologies:** J Hart, K Chana, Mrs S Clapp, Miss R Cohen, G Mohindra, P Spencer and P Turpin

**Officers Present:** S Solon (Principal Planning Officer), D Clifton (Principal Housing Officer [IT]), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

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### **70. 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.

### **71. WELCOME & 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.

### **72. APPOINTMENT OF A VICE-CHAIRMAN**

In the absence of the Chairman, the Vice-Chairman presided over the meeting and invited nominations from the Sub-Committee for the appointment of a Vice-Chairman for the duration of the meeting.

#### **RESOLVED:**

That Councillor M Cohen be appointed as Vice-Chairman for the duration of the meeting.

### **73. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 18 November 2009 be taken as read and signed by the Chairman as a correct record.

#### **74. DECLARATIONS OF INTEREST**

(a) 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 would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2063/09 2 Forest Lane, Chigwell.

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs L Wagland, J Knapman, A Lion and B Sandler 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 would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2063/09 2 Forest Lane, Chigwell;
- EPF/1554/09 144 Manor Road, Chigwell;
- EPF/1712/09 Brownings Farmhouse, Gravel Lane, Chigwell; and
- EPF/2115/9 30 Chigwell Park Drive, Chigwell.

(c) Pursuant to the Council's Code of Member Conduct, Councillor M Cohen declared a personal interest in the following items of the agenda. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2063/09 2 Forest Lane, Chigwell; and
- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton.

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

- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton.

(e) Pursuant to the Council's Code of Member Conduct, Councillors K Angold-Stephens, R Barrett, R Law, Mrs C Pond, Mrs P Richardson 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 would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton; and
- EPF/1949/09 276 High Road, Loughton.

#### **75. ANY OTHER BUSINESS**

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

#### **76. DEVELOPMENT CONTROL**

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

When considering the planning application for 276 High Road in Loughton, the Sub-Committee felt that the occupants of the flats above the property should have also been consulted along with a site notice displayed. The Principal Planning Officer agreed to report back to the Sub-Committee at its next scheduled meeting.

**RESOLVED:**

That the planning applications numbered 1 – 6 be determined as set out in the attached schedule to these minutes.

**77. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL 2009 TO SEPTEMBER 2009**

The Principal Planning Officer presented a report regarding the Planning Appeal decisions for the period April to September 2009, highlighting successful appeals whereby the Sub-Committee refused the application contrary to the Planning Officer's recommendation and the award of any costs against the Council where the refusal was found to be unsustainable.

The Principal Planning Officer reported that of the 49 planning appeals during the period, 14 were allowed, which had equated to a rate of 28.6%. The Council's Local Performance Indicator had a target of 25%, which the Council had narrowly failed to achieve during the period but the Council's performance had still improved in comparison with last year. The Council was also unsuccessful in winning any of the six appeals whereby the relevant Sub-Committee had refused the application contrary to the Officer recommendation. Of these six applications, four had been determined by Area Planning Sub-Committee South. During the period, there had been no award of costs made for or against the Council.

The Sub-Committee acknowledged that Members had to consider all aspects of an application very carefully when considering a refusal contrary to the Officer's recommendation. It was also accepted that the Council's scope for action was restricted when there was already an existing consent on the site. The Sub-Committee felt that some further training would be useful, in particular with the consideration of reasons for refusal and examining the circumstances of past planning appeals that had been upheld by the Planning Inspector.

**RESOLVED:**

That the Planning Appeal decisions for the period April to September 2009 be noted.

**78. 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**

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2063/09
<b>SITE ADDRESS:</b>	2 Forest Lane Chigwell Essex IG7 5AE
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/16/97 Cypress - Fell and replace
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The 5 semi-mature Hornbeam trees and hedge, of a minimum size to be submitted in writing and agreed by the Local Planning Authority prior to the implementation of the felling, shall be planted in the positions shown on the submitted plan OSEN/09/Rev2 within one month of the implementation of the felling hereby agreed, unless the requirement be varied with the prior written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, 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.
- 2 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.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1554/09
<b>SITE ADDRESS:</b>	144 Manor Road Chigwell Essex IG7 5PX
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of roof windows, change of roof space to habitable rooms in roof space above units 8 and 10 in block B, change of previously approved materials.(Amendment to EPF/1530/07)
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 2 Prior to first occupation of the buildings hereby approved all the proposed high level window openings in the first floor units as identified on the approved plans shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition.
- 3 The access shall be laid to a gradient not exceeding 4% for the first 6m from the highway boundary and not exceeding 8% thereafter.
- 4 Prior to the first occupation of the development on site, details of a screening to be erected and built into the balcony to Unit 2 (access stairs which face north and east) on the first floor of Block A (adjacent to 146 Manor Road) as identified on drawing no. 07.125.03 Rev.E, shall be submitted and agreed in writing by the Local Planning Authority. The work shall be completed prior to the first occupation of this unit.
- 5 Prior to first occupation of the development on site, details of a screening to be erected and built into the balcony to Unit 10 on the first floor of Block B as identified on drawing no. 07.125.06 Rev.B, shall be submitted and agreed in writing by the Local Planning Authority. The work shall be completed prior to the first occupation of this unit.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1712/09
<b>SITE ADDRESS:</b>	Brownings Farmhouse Gravel Lane Chigwell Essex IG7 6DQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Row
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of barn and construction of replacement and change of use to ancillary residential accommodation.
<b>DECISION:</b>	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 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 proposed barn conversion shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Brownings Farmhouse.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1716/09
<b>SITE ADDRESS:</b>	Beechlands 42 Alderton Hill Loughton Essex IG10 3JB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Renewal of outline planning permission for the erection of a private dwelling house for the proprietor of 'Beechlands'.
<b>DECISION:</b>	That, had the application been one the District Council could decide, the Council would have refused to grant permission.

Members resolved that, had the application been one that the Committee could decide, it would have refused to grant outline planning permission. A letter should be sent to the Planning Inspectorate setting out what the Sub-Committee's decision would have been and the reasons for it in the following terms:

That outline planning permission should be refused for the following reasons:

1. The proposed house would be inappropriate development in a back garden setting, it could set a precedent to encourage other similar developments, it would be out of character with the locality, and would be likely to detract from the amenity and outlook of adjoining residents.
2. Because of its likely height, scale and siting, the proposed house would be likely to be detrimental to the character of the rear garden setting, and would detract from the visual amenity and outlook of adjoining residents.
3. The basis on which the house is proposed is not consistent with the original outline planning permission and indicates it may generate a greater degree of activity that could be harmful to the character of the locality and amenities enjoyed by the occupants of neighbouring dwellings.
4. As a consequence of the above reasons the proposed house would conflict with policies CP2, DBE1, DBE2, and DBE9 of the Adopted Local Plan and Alterations.



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1949/09
<b>SITE ADDRESS:</b>	276 High Road Loughton Essex IG10 1RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use to A5 (Hot food takeaways) and single storey rear extension.
<b>DECISION:</b>	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 Details of the types and colours of the external finishes of the extension hereby approved 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 use hereby permitted shall not be open to customers outside the hours of 0900 to 2300 Monday to Friday and 1000 to 2300 on Saturdays and Sundays.
- 4 No occupation of the premises by the first or any subsequent A5 occupier shall take place prior to the submission and approval in writing by the Local Planning Authority of an appropriate mechanical extraction system designed to suppress and disperse cooking and food preparation fumes.

Prior to the commencement of the use, the system shall be installed strictly in accordance with the approved details and shall thereafter be operated and maintained in full working order at all times in accordance with the manufacturers instructions. The system shall be used at all times that the premises are open for business.

- 5 No development (comprising both the extension and the change of use hereby approved) shall take place until detailed drawings that show adequate provision for foul drainage from the building have been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the approved drainage system has been installed.

Drains serving the kitchen within the building shall be fitted with a grease separator or other means of removal to a specification that is previously approved in writing by the Local Planning Authority. The approved means of grease removal shall be

installed prior to the commencement of the use hereby approved. It shall thereafter be permanently retained and maintained at all times when the premises are in use.

- 6 No development (comprising both the extension and the change of use hereby approved) shall take place until a scheme for the adequate storage of refuse from this use has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the commencement of the use hereby approved and thereafter retained at all times. The use shall not take place without the approved scheme of refuse storage.
- 7 All demolition, construction and refitting works associated with this permission shall be undertaken within the hours of 0800 to 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays. No work of this kind shall take place on Sundays or Bank Holidays without the prior written approval of the Local Planning Authority.
- 8 The use hereby approved shall not commence until a scheme for the control of rodents is submitted to and approved by the Local Planning Authority.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2115/09
<b>SITE ADDRESS:</b>	30 Chigwell Park Drive Chigwell Essex IG7 5BD
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Peter Spratt
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed double storey side extension, single storey rear extension and loft conversion with two rear dormer windows. (Revised application to EPF/1319/09, which was withdrawn.)
<b>RECOMMENDED DECISION:</b>	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 first floor flank wall of the side extension hereby approved shall be set a minimum distance of 1 metre from the site boundary with 32 Chigwell park Drive.
- 4 Notwithstanding the details shown on the approved plans, the dormer windows hereby approved shall be constructed in accordance with the following limitations on their dimensions and siting and thereafter be retained as such:
  - i) The dormer windows shall be separated by a minimum distance of 1 metre as measured between their cheeks.
  - ii) No part of the dormer windows shall exceed the height of the highest part of the main roof of the house.
  - iii) The eastern dormer (that nearest 28 Chigwell Park Drive) shall be set a minimum distance of 1 metre from the site boundary with 28 Chigwell Park Drive.
  - iv) The western dormer (that nearest 32 Chigwell Park Drive) shall be set a minimum distance of 200 millimetres from the adjacent hip of the main roof of the house.
  - v) The dormer windows shall be set a minimum horizontal distance of 500mm from the nearest part of the rear wall of the house at first floor level.

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