

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 1 December 2010
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 10.05 pm

Members Present: J Hart (Chairman), Mrs L Wagland (Vice-Chairman), R Barrett, Mrs T Cochrane, R Cohen, D Dodeja, C Finn, J Knapman, L Leonard, A Lion, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson and Ms S Watson

Other Councillors:

Apologies: K Chana, K Angold-Stephens, Ms J Hart, B Sandler, P Spencer, Mrs J Sutcliffe and D Wixley

Officers Present: S Solon (Principal Planning Officer), M Jenkins (Democratic Services Assistant), S G Hill (Senior Democratic Services Officer) and A Hendry (Democratic Services Officer)

57. 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.

58. 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.

59. MINUTES

RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 10 November 2010 be taken as read and signed by the Chairman as a correct record subject to Minute Item 53 Declarations of Interest (g) (i) "128 Alderton Hill, Loughton" be amended to "18 Alderton Hill, Loughton."

60. ELECTION OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, the Chairman requested nominations for the role of Vice-Chairman.

RESOLVED:

That Councillor Mrs L Wagland be elected Vice-Chairman for the duration of the meeting.

61. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Richardson declared a personal interest in the following items of the agenda by virtue of being a member of Loughton Town Council. The Councillor had declared that her interests were not prejudicial and that she would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2255/10 2 Potters Close, Loughton IG10 1JQ;
- EPF/1796/10 22 Albion Hill, Loughton IG10 4RD;
- EPF/2056/10 38 Station Road, Loughton IG10 4NX;
- EPF/2125/10 Land adjoining Clays Lane/Junction of England's Lane, Loughton IG10 2R2; and
- EPF/2142/10 15 Goldings Rise, Loughton IG10 2QP

(b) Pursuant to the Council's Code of Member Conduct, Councillors J Knapman, A Lion 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 declared that their interests were not prejudicial and that they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/1749/10 7 Chigwell Park, Chigwell IG7 5BE;
- EPF/2175/10 7 Chigwell Park, Chigwell IG7 5BE;
- EPF/2174/10 43 Mount Pleasant Road, Chigwell IG7 5EP; and
- EPF/1585/10 Marchings Farm, Gravel Lane, Chigwell IG7 6DQ

(c) Pursuant to the Council's Code of Member Conduct, Councillor R Cohen, declared a personal interest in the following item of the agenda. The Councillor declared that his interest was prejudicial and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/2142/10 15 Goldings Rise, Loughton IG10 2QP

(d) Pursuant to the Council's Code of Member Conduct, Councillor J Markham, declared a personal interest in the following item of the agenda by virtue of being a member of the Loughton Resident's Association. The Councillor had determined that his interests were not prejudicial and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2125/10 Land adjoining Clays Lane/Junction of England's Lane, Loughton IG10 2R2

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs C Pond, declared a personal interest in the following items of the agenda by virtue of being a member of Loughton Town Council. In respect of application EPF/2125/10 Land adjoining Clays Lane/Junction of England's Lane, Loughton IG10 2R2, the Councillor declared an additional personal interest as a member of Loughton Resident's Association. The Councillor had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2255/10 2 Potter's Close, Loughton IG10 1JQ;
- EPF/1796/10 22 Albion Hill, Loughton IG10 4RD;
- EPF/2125/10 Land adjoining Clays Lane/Junction of England's Lane, Loughton IG10 2R2; and
- EPF/2142/10 15 Goldings Rise, Loughton IG10 2QP

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs T Cochrane, declared a personal interest in the following item of the agenda. The Councillor stated that her interest was not prejudicial and that she would stay in the meeting for the consideration of the application and voting thereon;

- EPF/2125/10 Land adjoining Clays Lane/Junction of England's Lane, Loughton IG10 2R2

(g) Pursuant to the Council's Code of Member Conduct, Councillor L Leonard, declared a personal interest in the following items of the agenda by virtue of being a member of the Loughton Resident's Association. The Councillor determined that her interest was not prejudicial and that she would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2255/10 2 Potters Close, Loughton IG10 1JQ;
- EPF/1796/10 22 Albion Hill, Loughton IG10 4RD;
- EPF/2056/10 38 Station Road, Loughton IG10 4NX;
- EPF/2125/10 Land adjoining Clays Lane/Junction of England's Lane, Loughton IG10 2RZ; and
- EPF/2142/10 15 Goldings Rise, Loughton IG10 2QP

(h) Pursuant to the Council's Code of Member Conduct, Councillor C Finn, declared a personal interest in the following item of the agenda. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/1796/10 22 Albion Hill, Loughton IG10 4RD

(i) 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 having visited the neighbours of the application site in question to check for overlooking. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/1796/10 22 Albion Hill, Loughton IG10 4RD

(j) Pursuant to the Council's Code of Member Conduct, Councillor G Mohindra declared a personal interest on the following item of the agenda by virtue of being a member of Chigwell Parish Council. The Councillor determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2347/10 Ability Housing Association, 5 Lakeside Close, Lambourne Road, Chigwell IG7 6HJ;
- EPF/1749/10 7 Chigwell Park, Chigwell IG7 5BE;
- EPF/2175/10 7 Chigwell Park, Chigwell IG7 5BE;
- EPF/2174/10 43 Mount Pleasant Road, Chigwell IG7 5EP; and
- EPF/1585/10 Marchings Farm, Gravel Lane, Chigwell IG7 6DQ

62. ANY OTHER BUSINESS

There was no other business for the Sub-Committee to consider.

63. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 - 10 be determined as set out in the attached schedule to these minutes.

64. PROBITY IN PLANNING - APPEAL DECISIONS APRIL - SEPTEMBER 2010

The Sub-Committee received a report regarding Probity in Planning – Appeals, April to September 2010. In compliance with the recommendation of the District Auditor, the report advised the decision making committees of the results of all successful appeals, 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 was found unsupportable on planning grounds, an award of costs could be made against the Council.

The District Council had created a Local Performance Indicator. In previous years, this target had been to not exceed 25% of allowed decisions. For 2010/11 a revised target had been set to not exceed 28%.

Over the six month period between April and September 2010, the Council received 36 decisions on appeals, 32 of which were planning related appeals and 4 were enforcement related. Of these 10 were allowed (31.7%). For LPI45, which only considered appeals against the refusal of planning permission, the 6 month performance figure was 28.1% allowed (9 of 32 appeals). LPI45 target for this year was 28% of the 22 planning application decisions made by the Director of Planning and Economic Development under delegated powers, 3 were allowed (13.6%). During this period, there were two awards of costs made against the Council. The first was an appeal against an enforcement notice for a change of use from office to a one bedroom flat, full costs were awarded because the Inspector considered the Council had issued the enforcement notice too promptly after the appellant had given notice that he was about to make a planning application and secondly, the information then submitted was sufficient for the Council to justify withdrawing the enforcement notice.

The second case was an appeal against an enforcement notice for the use of the site for permanent residential accommodation. The Council had not, in the opinion of the Planning Inspector, considered the fall back situation and the previous use of the site.

The Council's performance for this 6-month period was an improvement on 2009/10 despite there being fewer appeals submitted. Fewer public inquiries and hearings have helped safeguard against over using the budget set aside for employing consultants to defend appeals, given the procedure was now set by the Planning Inspectorate. Whilst two costs have been awarded against the Council, this had still been relatively low and infrequent, though in one case it perhaps indicated that there should be some caution taken by officers before issuing an enforcement notice a little hastily.

RESOLVED:

That the Planning Appeal Decisions for the period April – September 2010 be noted.

65. 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

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/2255/10
SITE ADDRESS:	2 Potters Close Loughton Essex IG10 1JQ
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	TPO/CHI/02/68 T1 & T2 - Conifers - Fell
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522659

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 works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 3 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the 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.

Report Item No: 2

APPLICATION No:	EPF/2347/10
SITE ADDRESS:	Ability Housing Association 5 Lakeside Close Lambourne Road Chigwell IG7 6HJ
PARISH:	Chigwell
WARD:	Chigwell Row
DESCRIPTION OF PROPOSAL:	TPO/EPF/01/82 G1 - Group of sycamores - Fell & grind stumps T1 - Hawthorn - Reduce to 3 metres T2 - Oak - Lift to 4 metres T3 - Hawthorn - Lift to 4 metres G2 - Group of sycamores - Fell T4 - Oak - Lift to 4 metres
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523034

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 to T1 Hawthorn and to 3 metres in height.
- 3 The crown lifting authorised by this consent shall extend only to the whole or partial removal of branches to T2 and T4 ,Oak and T3, Hawthorn, necessary to give 4 metres clearance above ground level and to give statutory clearance to public highways.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 5 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: 3

APPLICATION No:	EPF/1749/10
SITE ADDRESS:	7 Chigwell Park Chigwell Essex IG7 5BE
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Retention of boundary wall at side of property, together with provision of roof light in side facing roof slope.
DECISION:	Granted Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=520877

CONDITIONS

NONE

Report Item No: 4

APPLICATION No:	EPF/2175/10
SITE ADDRESS:	7 Chigwell Park Chigwell Essex IG7 5BE
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Extension of existing patio at ground floor rear to a depth of 2.5 metres across the width of the house.
DECISION:	Refused Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522327

REASON FOR REFUSAL

- 1 By reason of its excessive height, the proposed patio would appear as an incongruous addition to the house and would facilitate excessive overlooking of the rear garden of 5 Chigwell Park, contrary to policies DBE9 and DBE10 of the adopted Local Plan and Alterations.

Having regard to the submitted drawings and a photograph of the partially completed development, Members were not satisfied it would complement the design of the house as required by policy DBE10 of the Local Plan and Alterations. Members also found the patio would cause excessive overlooking of 5 Chigwell Park and were not satisfied that the resulting harm to amenity could be mitigated without causing further harm. The privacy screen suggested by Officers was found unsuitable since its height above the ground level of the adjacent garden would be likely to result in it appearing excessively overbearing.

Report Item No: 5

APPLICATION No:	EPF/1796/10
SITE ADDRESS:	22 Albion Hill Loughton Essex IG10 4RD
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Replacement dwelling and relocation of garage. (Amended application from EPF/1832/07 including alterations comprising the inclusion of a balcony, replacement and rear dormers with rooflights and modifications to the garage roof - resubmitted application)
DECISION:	Refused Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521038

REASONS FOR REFUSAL

- 1 By reason of its size, position and relationship to neighbouring houses and gardens, the balcony and rooflights would facilitate excessive overlooking of neighbouring properties, including 20 and 24 Albion Hill and Thurlstone and Great Cedars, Pollards Close. This would be harmful to the amenities enjoyed by the occupants of those properties and that harm would not be adequately mitigated by the proposed privacy screens at either end of the balcony. Accordingly, the proposal is contrary to policy DBE9 of the adopted Local Plan and Alterations.
- 2 The balcony, together with the proposed privacy screens and the rooflights would be unsympathetic deviations from the design of the approved house that would fail to complement its appearance. Accordingly the proposal is contrary to policy DBE1 of the adopted Local Plan and Alterations.

Following consideration of the submitted plans, photographs taken of the site and of views from it, Members raised objection to the proposed balcony with privacy screen and to the retention of rooflights on the rear facing roof slope of the house. The objection was on the basis that they would cause and exacerbate excessive overlooking of neighbouring properties. It was also on the basis that their design would not complement that of the house and consequently would result in a poor form of development.

Report Item No: 6

APPLICATION No:	EPF/2056/10
SITE ADDRESS:	38 Station Road Loughton Essex IG10 4NX
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Removal of condition 8 'Access to site' of planning approval EPF/0911/10. (Demolition of No40 Station Road, erection of residential care home as extension to 38 Station Road to include amendments to front right gable end elevation and side elevation to form side extension, installation of skylights in loft space, installation of wider window openings on front elevation, ridge of main roof increased, lift shaft roof ridge increased.)
DECISION:	Granted Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521955

CONDITIONS

NONE

Report Item No: 7

APPLICATION No:	EPF/2125/10
SITE ADDRESS:	Land adjoining Clays Lane/ Junction of Englands Lane Loughton Essex IG10 2RZ
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Change of use of land for a Golf Teaching Practice Facility. (D1/D2.) Revised application.
DECISION:	Refused Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522217

REASONS FOR REFUSAL

- 1 As a consequence of the intensification of the use of the land, associated works and buildings required for the use, additional vehicular traffic generated by the use on Clays Lane and the alterations to the vehicular access to the site together with works to create adequate visibility spays, the proposed use would be detrimental to the landscape character of Clays Lane. Since Clays Lane is a designated protected lane on the proposals map of the Local Plan and Alterations, the proposal is therefore contrary to policy HC4 of the plan.
- 2 The proposal would result in an intensification in the use of the land that would be harmful to the amenities of the occupants of neighbouring dwellings. The harm to amenity would be exacerbated by the additional vehicular movements generated. The proposal is therefore contrary to policy DBE9 of the Local Plan and Alterations.

Members were particularly concerned about the impact of the proposal on the character of Clays Lane as a protected lane and found that the cumulative impact would be harmful. Members were also of the opinion that the intensification of the use would be harmful to the amenities of local residents. Councillor Pond drew attention to the noise caused by hitting golf balls and noise from additional traffic. Councillor Knapman was concerned that golf balls could strike neighbouring houses and land in their gardens.

Members agreed it was unclear what the terms of the 1984 planning permission were when they made their decision (planning permission reference EPF/1181/84) but, nevertheless, they were not satisfied it had been implemented and did not agree that the lawful use of the site was for practising and teaching golf.

Report Item No: 8

APPLICATION No:	EPF/2142/10
SITE ADDRESS:	15 Goldings Rise Loughton Essex IG10 2QP
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Two storey side extension. (Revised application)
DECISION:	Refused Permission (Householder)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522247

REASON FOR REFUSAL

- 1 The proposed double storey side extension, by reason of its poor design, would not complement the design of the original dwelling. In particular the roof pitch of the proposed extension does not match that of the existing dwelling house and given that the extension would not be set back from the front façade, it would appear as an over dominant addition that would appear excessively prominent in relation to the existing gabled roof of the house. The extension would therefore fail to respect the design of the existing house and as a consequence would be harmful to the character and appearance of the existing street scene contrary to policies CP2 and DBE10 of the Adopted Local Plan and Alterations.

Members were advised of additional representations in support of the application from the occupants of 4, 5, 6, 11, 12, 13, 16, 17, 18, 19, 20, 21 and 22 Goldings Rise. Members were aware they were submitted by the applicant, were undated and referred to a different application reference. However, they were taken to relate to this particular proposal.

Report Item No: 9

APPLICATION No:	EPF/2174/10
SITE ADDRESS:	43 Mount Pleasant Road Chigwell Essex IG7 5EP
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Two storey side extension, single storey rear extension, loft conversion with rear dormer window and patio area with underground storage space. (Revised application)
DECISION:	Granted Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522326

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 development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to the commencement of development details of a solid screen or other means to prevent views from the approved extended patio area towards 41 Mount Pleasant Road, shall be submitted to and approved in writing by the Local Planning Authority. The approved means of preventing views of 41 Mount Pleasant Road from the extended patio area shall be provided within one month of the substantial completion of the extended patio area and thereafter be permanently retained.

Report Item No: 10

APPLICATION No:	EPF/1585/10
SITE ADDRESS:	Marchings Farm Gravel Lane Chigwell Essex IG7 6DQ
PARISH:	Chigwell
WARD:	Chigwell Village Lambourne
DESCRIPTION OF PROPOSAL:	Demolition of the existing house and all associated buildings and erection of new house (revised application).
DECISION:	Refused Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=520298

REASONS FOR REFUSAL

- 1 The proposed replacement house is materially greater in volume than that which it would replace and due to its size and scale it would have a greater impact on the openness of the Green Belt than the existing house. The proposed house is therefore inappropriate development which by definition is harmful to the Green Belt. Moreover, by reason of its size, siting and design, it would appear conspicuous in the Green Belt to the detriment of its rural character and visual amenities as well as its openness. No very special circumstances sufficient to outweigh the harm that would be caused by the development have been demonstrated by the applicant. Accordingly, the proposed house is contrary to policies GB2A, GB7A and GB15A of the Adopted Local Plan and Alterations.
- 2 The proposed replacement dwelling, due to its grandiose neo Georgian/classical design is not a traditional building form found within the local rural landscape. Along with its excessive size, scale and bulk, the new dwelling would be visually intrusive, overbearing and it would not reflect the wider landscape setting of the site and would be harmful to the character of the surrounding area contrary to policies CP3, LL2, DBE1, DBE2 and DBE4 of the Adopted Local Plan and Alterations.
- 3 The design of the proposed dwelling being of a neo Georgian/classical design, along with its excessive size, scale and bulk would result in a harmful impact upon the setting of the Grade II Listed Building known as Marchings Farmhouse, contrary to policy HC12 of the Adopted Local Plan and Alterations.