

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 8 June 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.35 pm

Members Present: J Wyatt (Chairman), Mrs E Webster (Vice-Chairman), R Bassett, J Collier, Ms Y Knight, W Pryor, A Mitchell MBE, Mrs M Sartin, Mrs P Smith, Ms S Stavrou and A Watts

Other Councillors:

Apologies: D C Johnson and Mrs J Lea

Officers Present: J Godden (Planning Officer), M Jenkins (Democratic Services Assistant) and P Seager (Chairman's Secretary)

1. 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 Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

2. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

3. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 11 May 2011 be taken as read and signed by the Chairman as a correct record subject to the following amendment:

That under Item 100 "Appointment of Vice-Chairman," Councillor Ms S Stavrou had been incorrectly recorded as the Vice Chairman. Councillor Mrs P Smith had acted as Vice Chairman during the meeting.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor J Wyatt declared a personal interest in the following item of the agenda by virtue of being a member of Waltham Abbey Town Council, but added that he was not a member of

the Town Council when their planning committee considered the application. The Councillor declared that his interest was not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item:

- EPF/2675/10 71 Farm Hill Road, Waltham Abbey, Essex EN9 1NG

(b) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in the following item of the agenda by virtue of living in fairly close proximity to the application site concerned. The Councillor declared that his interest was not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item:

- EPF/0054/11 Land Rear of 66 – 70 Western Road, Nazeing, Essex EN9 2QQ

(c) Pursuant to the Council's Code of Member Conduct, Councillor Ms S Stavrou declared a personal interest in the following item of the agenda by virtue of being the Chairman of Waltham Abbey Town Council Planning Committee, but added that she had not been a member when the Planning Committee had considered the application. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item:

- EPF/2675/10 71 Farm Hill Road, Waltham Abbey, Essex EN9 1NG

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs E Webster declared a personal interest in the following item of the agenda by virtue of being the ward member. The Councillor declared that his interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item:

- EPF/2675/10 71 Farm Hill Road, Waltham Abbey, Essex EN9 1NG

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in the following item of the agenda by virtue of being a member of the Parish Council, but not a member of the Parish Council Planning Committee. The Councillor had also "called in" the application to the sub-committee but stated that she was not persuaded either in favour or against the application in any way. The Councillor declared that her interest was not prejudicial and said that she would remain in the meeting during the consideration of the item and voting on the item:

- EPF/0811/11 Richmond Farm, Parsloe Road, Epping Upland, Epping, Essex CM16 6QB

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in the following item of the agenda by virtue of having "called in" the application to the sub-committee, but stated that she was not persuaded either in favour or against the application in any way. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item:

- EPF/0532/11 Roydon Pumping Station, Harlow Road, Roydon, Essex CM19 5HF

5. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

6. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 8 be determined as set out in the annex to these minutes.

7. PROBITY IN PLANNING

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions October 2010 – March 2011. 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 to be unsupportable on planning grounds, an award of costs could be made against the Council.

To set the context, a Best Value Performance Indicator (BVPI) for district councils aimed to have less than 40% of their decisions overturned on appeal. The last available figure for the national average for District Councils was 30.9%. That BVPI was replaced by one which recorded planning appeals only. That too was changed as a National Indicator but the Council had created a Local Performance Indicator (LPI45). In previous years, this target had been to not exceed 25% of allowed decisions. In recent years the Council performance had been:

- 18% in 2003/04;
- 29% in 2004/05;
- 22% in 2005/06;
- 30% in 2006/07;
- 29% in 2007/08;
- 40.3% for 2008/09; and
- 30.9% in 2009/10

For 2010/11, a more realistic achievable target was set to not exceed 28%, however, once again, this was exceeded (36.6%). For 2011/12, LPI45 had been split into two, one of which would measure the performance of committee reversals of officer recommendations, which generally was the main factor why the performance had not been achieved.

Performance

Over the six month period between October 2010 and March 2011, the Council received 65 decisions on appeals, of these 24 were allowed (36.9%). For LPI45, which only considered appeals against the refusal of planning permission, the 6 month performance figure was 42% allowed (21 of 50 appeals).

Planning Appeals

Out of the 22 planning appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6 month period, 14

were allowed and 8 dismissed. 63.6% of appeals resulting from committee reversals were therefore not supported on appeal.

The Sub-Committees were urged to continue to heed the advise that if considering setting aside the officer's recommendations it should only be on cases where members were certain they were acting in the wider public interest and where the committee officer could give a good indication of some success at defending the decision.

Costs

During this period, there was a partial award of costs (£1,200), made against the Council, in respect of a planning application refusal in Roydon. There was also one award of full costs (£2,326.16) in respect of an enforcement notice at Burrs Farm, Foster Street, Harlow.

Conclusions

The Council's total performance for this 6 month period and the previous 6 months show a slight overall worsening of performance for LPI45 compared with 2009/10 from 34% to 36%, despite there being fewer appeals submitted (102 in 2009/10 and 81 in 2010/11). This was still unsatisfactorily above the performance target.

Officers have been generally successful in defending against major costs sought against the Council, though the 3 awards of costs for the year had been carefully noted, members were advised to think very carefully when considering refusing planning permission on highway grounds when there was no firm evidence of highway harm, and also where no objection had been raised by Essex County Council Highway officers.

RESOLVED:

That the Probity in Planning – Appeal Decisions for the period October 2010 - March 2011 be noted.

8. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

Minute Item 6

Report Item No: 1

APPLICATION No:	EPF/2675/10
SITE ADDRESS:	71 Farm Hill Road Waltham Abbey Essex EN9 1NG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Two storey side extension.
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=524214

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.

Report Item No: 2

APPLICATION No:	EPF/0054/11
SITE ADDRESS:	Land Rear of 66 -70 Western Road Nazeing Essex EN9 2QQ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Proposed 2 no. three bedroom detached two storey houses with integral garages and parking fronting Wheelers Close.
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=524464

REASONS FOR REFUSAL

- 1 The proposed new dwellings, by reason of their location on the site, in an area of varying ground levels, and their height, bulk and design are over dominant and incongruous, and therefore have an unacceptable impact on the character and appearance of the street scene contrary to policy DBE1 and CP2 of the adopted Local Plan and Alterations.
- 2 The proposed new dwellings, by reason of their height, bulk and design would comprise a cramped development on this restricted plot and would have an adverse impact on the appearance of the street scene contrary to policy DBE 1 and CP2 of the adopted Local Plan and Alterations.
- 3 The proposed new dwellings, by reason of their location, height and bulk would have an adverse impact on the visual outlook and loss of sunlight in the morning of the neighbouring properties at 7 and 9 Wheelers Close, contrary to policy DBE 2 of the adopted local plan and alterations.

Report Item No: 3

APPLICATION No:	EPF/0512/11
SITE ADDRESS:	Land adj 58 Shooters Drive Nazeing Essex EN9 2QD
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Erection of three bedroom dwelling. (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=526365

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 No development shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 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 B shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.

- 5 The parking areas shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 6 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of 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.
- 7 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 08.00 to 17.30 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/0520/11
SITE ADDRESS:	Richmonds Farmhouse Parsloe Road Epping Upland Epping Essex CM16 6QB
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Resiting of Old Granary. Removal of dilapidated plant pool room and garden store and erection of replacement plant/pool room and garden store building. Removal of brickwork building with corrugated metal roof. Erection of car port/log store and hard standing.
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=526386

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 development 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 Richmonds Farmhouse.
- 3 There shall be no doors installed on the cart lodge at any time.

Report Item No: 5

APPLICATION No:	EPF/0521/11
SITE ADDRESS:	Richmonds Farmhouse Parsloe Road Epping Upland Epping Essex CM16 6QB
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the resiting of Old Granary. Removal of dilapidated plant pool room and garden store and erection of replacement plant/pool room and garden store building. Removal of brickwork building with corrugated metal roof. Erection of car port/log store and hard standing.
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=526387

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes shall be submitted for approval in writing by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new window, doors, eaves, verges and cills by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 4 Prior to the commencement of any works or demolition hereby granted consent, details of a programme of building recording by a person or body first agreed to by the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved programme of building recording and analysis shall be fully implemented prior to the demolition of works being completed.

Report Item No: 6

APPLICATION No:	EPF/0811/11
SITE ADDRESS:	Richmond Farm Parsloe Road Epping Upland Epping Essex CM16 6QB
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Construction of single detached dwelling. (Revised application)
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=527485

REASON FOR REFUSAL

- 1 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The proposal constitutes inappropriate development and is harmful to the purposes of including land in the Green Belt contrary to the Government advice contained in PPG2 and Policy GB2A of the Adopted Local Plan and Alterations. There are no very special circumstances that outweigh the harm of the proposal to the Metropolitan Green Belt.
- 2 Due to the importance of this open space between Harlow Town and the historic buildings at Richmonds Farm, further residential development in this location would be harmful to the setting of the adjacent Listed Building, contrary to Policies CP2 and HC12 of the Adopted Local Plan and Alterations and National Planning Guidance contained within PPS5.

Report Item No: 7

APPLICATION No:	EPF/0532/11
SITE ADDRESS:	Roydon Pumping Station Harlow Road Roydon Essex CM19 5HF
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Proposed process building.
DECISION:	Deferred

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=526426

Members determined to defer this item in order to seek further information regarding noise, hardsurfacing around the area of the wheel wash and for information regarding water run-off and its effect on Roydon Lodge Chalet Estate.

Report Item No: 8

APPLICATION No:	EPF/0686/11
SITE ADDRESS:	Oaklands Low Hill Road Roydon Harlow Essex CM19 5JN
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Detached summer house.
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=526995

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 proposed summer house, shall match those as detailed on the application form received 31st March 2011.
- 3 The proposed summer house shall only be used as ancillary to the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Oaklands, or be used for any business or commercial use.

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