

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 15 June 2011
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 9.55 pm

Members Present: J Hart (Chairman), Ms S Watson (Vice-Chairman), K Angold-Stephens, R Barrett, K Chana, Mrs T Cochrane, R Cohen, D Dodeja, C Finn, Ms J Hart, J Knapman, L Leonard, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, B Sandler, P Spencer, Mrs J Sutcliffe, H Ulkun, Mrs L Wagland and D Wixley

Other Councillors: None.

Apologies: A Lion

Officers Present: S Solon (Principal Planning Officer), D Duffin (Planning Officer), L Eales (Youth Council Administrator), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

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.

2. 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.

3. MINUTES

Resolved:

(1) That the minutes of the meeting held on 18 May 2011 be taken as read and signed by the Chairman as a correct record.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors K Chana, J Knapman, G Mohindra, 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

would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0393/11 Site adj 165 Manor Road, Chigwell; and
- EPF/0598/11 Broad Oaks, High Road, Chigwell.

(b) Pursuant to the Council's Code of Member Conduct, Councillors D Dodeja, P Spencer, Mrs J Sutcliffe and Mrs S Watson declared a personal interest in the following item of the agenda, by virtue of being members of Buckhurst Hill Parish Council. 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/0732/11 206 Queens Road, Buckhurst Hill.

(c) 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 determined that her interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0754/11 258 high Road, Loughton;
- EPF/0797/11 37 Upper Park, Loughton; and
- EPF/0893/11 18 Eleven Acre Rise, Loughton.

(d) Pursuant to the Council's Code of Member Conduct, Councillor James Hart declared a personal interest in the following item of the agenda, by virtue of being a personal friend of the applicant's neighbour who had objected. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/0893/11 18 Eleven Acre Rise, Loughton.

(e) Pursuant to the Council's Code of Member Conduct, Councillor K Angold-Stephens declared a personal interest in the following item of the agenda, by virtue of being a member of Loughton Town Council and the Loughton Residents Association, and had eaten at the premises. 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/0754/11 258 High Road, Loughton.

(f) Pursuant to the Council's Code of Member Conduct, Councillor K Angold-Stephens declared a personal interest in the following item of the agenda, by virtue of being a member of Loughton Town Council and the Loughton Residents Association. 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/0797/11 37 Upper Park, Loughton.

(g) Pursuant to the Council's Code of Member Conduct, Councillor K Angold-Stephens declared a personal interest in the following item of the agenda, by virtue of being a member of Loughton Town Council and the Loughton Residents Association, and being acquainted with two neighbours of the premises. 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/0893/11 18 Eleven Acre Rise, Loughton.

(h) Pursuant to the Council's Code of Member Conduct, Councillor Mrs T Cochrane, R Cohen, Ms Jennie Hart and Mrs C Pond declared a personal interest in the following items of the agenda, by virtue of being a member of the Loughton Residents Association. 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/0754/11 258 High Road, Loughton; and
- EPF/0797/11 37 Upper Park, Loughton.

(i) Pursuant to the Council's Code of Member Conduct, Councillor R Cohen declared a personal interest in the following item of the agenda, by virtue of being acquainted with a neighbour of the premises. 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/0893/11 18 Eleven Acre Rise, Loughton.

(j) Pursuant to the Council's Code of Member Conduct, Councillors C Finn and J Markham declared a personal interest in the following items of the agenda, by virtue of being a member of the Loughton Residents Association. 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/0754/11 258 High Road, Loughton;
- EPF/0797/11 37 Upper Park, Loughton; and
- EPF/0893/11 18 Eleven Acre Rise, Loughton.

(k) Pursuant to the Council's Code of Member Conduct, Councillor D Wixley declared a personal interest in the following items of the agenda, by virtue of being a member of Loughton Town Council and the Loughton Residents Association. 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/0754/11 258 High Road, Loughton; and
- EPF/0797/11 37 Upper Park, Loughton.

(l) 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 member of Loughton Town Council and the Loughton Residents Association, and being acquainted with one of the objectors who had written in. 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/0893/11 18 Eleven Acre Rise, Loughton.

(m) Pursuant to the Council's Code of Member Conduct, Councillors Mrs T Cochrane and Ms Jennie Hart declared a personal interest in the following item of the agenda, by virtue of being acquainted with a resident of Eleven Acre Rise. 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/0893/11 18 Eleven Acre Rise, Loughton.

(n) Pursuant to the Council's Code of Member Conduct, Councillor Mrs C Pond declared a personal interest in the following item of the agenda, by virtue of being a personal friend of an Objector. The Councillor had determined that her interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/0893/11 18 Eleven Acre Rise, Loughton.

(o) Pursuant to the Council's Code of Member Conduct, Councillor L Leonard declared a personal interest in the following item of the agenda, by virtue of being acquainted with a neighbour of the applicant. 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/0893/11 18 Eleven Acre Rise, Loughton.

5. ANY OTHER BUSINESS

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

6. DEVELOPMENT CONTROL

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

Resolved:

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

7. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS FOR THE PERIOD OCTOBER 2010 TO MARCH 2011

The Principal Planning Officer presented a report regarding the appeal decisions for the period October 2010 to March 2011.

The Principal Planning Officer stated that, in compliance with the recommendation of the District Auditor, this report advised the sub-committee of the results of all successful appeals, particularly those refused by the Sub-Committee contrary to the recommendation of the Planning Officer. The purpose was to inform the Sub-Committee of the consequences of their decisions in this respect and, in cases where the refusal was found to be unsustainable on planning grounds, any award of costs that had been made against the Council.

During the six-month period in question, the Council had received 65 decisions on appeal, of which 56 were planning related and 9 were enforcement related; of these, 24 had been allowed, representing 36.9% against a target of 28%. Of the 22 planning appeals that had arisen from Sub-Committee decisions contrary to the Officer's recommendation, 14 were allowed which represented a result of 63.6%. The four decisions of the Sub-Committee overturned at appeal were:

- (i) EPF/0310/10 118 High Road, Chigwell - Redevelopment involving demolition of 1 house and replacement with 12 apartments;
- (ii) EPF/0924/10 36 Stradbroke Drive, Chigwell – new fence, wall & gates;
- (iii) EPF/2175/10 7 Chigwell Park, Chigwell – extension of existing patio; and
- (iv) EPF/0294/10 13 Eleven Acre Rise – erection of four storey six-bedroom house.

None of these appeals incurred the award of costs against the Council.

Resolved:

(1) That the Planning Appeal decisions for the period 1 October 2010 to 31 March 2011 be noted.

8. 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.

9. EXCLUSION OF PUBLIC AND PRESS

Resolved:

(1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
11	Planning Obligation Requirements in respect of Proposed Flats in Chigwell	5

10. PLANNING OBLIGATION REQUIREMENTS IN RESPECT OF PROPOSED FLATS IN CHIGWELL

The Principal Planning Officer presented a report regarding the planning obligation requirements for the proposed development of flats at the site of the Bald Hind Public House in Hainault Road, Chigwell, under section 106 of the Town & Country Planning Act 1990.

The Sub-Committee noted that the planning appeal, which had been the subject of requirement 5, had been withdrawn by the Applicant since the publication of this agenda. Therefore, it was agreed that there was no need to seek its withdrawal through a planning obligation.

In relation to requirement 6, to not make a further application with vehicular access off Linkside, the Sub-Committee felt that this matter would be better resolved if the Applicant could give a unilateral undertaking to that effect. Therefore, it was agreed that the application could be granted if an unilateral undertaking was given by the Applicant in this respect, otherwise it would need to be reconsidered by the Sub-Committee.

Resolved:

- (1) That the Applicant be requested to give a unilateral undertaking to the Council to not make a further planning application with vehicular access from Linkside; and
- (2) That the planning application EPF/0409/11 be reconsidered by the Sub-Committee if such a unilateral undertaking was not given by the Applicant.

CHAIRMAN

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Minute Item 6

Report Item No: 1

APPLICATION No:	EPF/0390/11
SITE ADDRESS:	Site Adj, 165 Manor Road Chigwell Essex IG7 5QA
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Extension to shop unit with a one bedroom maisonette over.
DECISION:	Grant 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=525915

Although Members found the proposal acceptable, it was on the basis that it would enhance the viability of the existing use of the shop as a dry-cleaners. They perceived the possible subdivision of an enlarged shop unit as potentially harmful to its viability which would threaten the vitality and viability of the shopping parade in which it is located. Members therefore found it necessary to impose a condition prohibiting such subdivision without planning permission.

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 construction works above ground level shall have taken place until documentary and photographic 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. 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 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.
4. The shop at 165 Manor Road, Chigwell shall not be subdivided to create more than one shop.

Report Item No: 2

APPLICATION No:	EPF/0598/11
SITE ADDRESS:	Broad Oaks High Road Chigwell Essex IG7 6DP
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Two first floor front/ side extensions to existing detached dwelling.
DECISION:	Grant 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=526644

Members found the design of the proposed extensions would complement that of the existing building and its setting. They also found that they would not result in a disproportionate enlargement of the original house and consequently concluded they would be appropriate development in the Green Belt. Members therefore assessed the proposal as being in accordance with adopted planning policy.

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: 3

APPLICATION No:	EPF/0732/11
SITE ADDRESS:	206 Queens Road Buckhurst Hill Essex IG9 5AX
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Demolish existing house and build new single family house. (Revised application)
DECISION:	Refuse 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=527145

Members were concerned about the potential harm to the amenities of the occupants of 204 Queens Road, but took the view that the main issue upon which the proposal should be assessed is design. Members found the proposed house to be excessively bulky because of its width in relation to that of the site, together with its depth. This was considered to be exacerbated by the design and spacing of windows and the design of proposed dormer windows. In terms of its detailed design, Members found the proposed house would appear boxy and inappropriately modern. They heard representation that the windows would be poorly proportioned Georgian style and that the porch would be an incongruous imitation renaissance style. They also heard that the proposal would amount to a pastiche of no architectural merit. Members did not disagree with the criticisms they heard and concluded the proposed house would have a poor relationship to its neighbours and appear incongruous in the street scene. They therefore found it conflicted with adopted policy relating to design.

REASONS FOR REFUSAL

1. By reason of its excessive scale and bulk together with its poor detailed design, the proposed replacement house would fail to respect its setting, to the detriment of the character and appearance of the locality. Consequently the proposal is contrary to policies CP2(iv), CP3(v), CP7 and DBE1 of the adopted Local Plan and Alterations.

Report Item No: 4

APPLICATION No:	EPF/0754/11
SITE ADDRESS:	258 High Road Loughton Essex IG10 1RB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Change of use of shop (Use Class A1) at the front of the unit to use for purposes in Use Class A3 (Restaurants and Cafes) including ancillary use of private forecourt for placing tables and chairs.
DECISION:	Grant Permission (With Conditions)

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=527223

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 planting boxes and associated planting to be positioned around the outside front seating area shall be retained on a permanent basis, or replaced with a similar enclosure if necessary as long as the private forecourt is in regular use for placing tables and chairs.

Report Item No: 5

APPLICATION No:	EPF/0797/11
SITE ADDRESS:	37 Upper Park Loughton Essex IG10 4EQ
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Single storey front detached garage. (Revised application)
DECISION:	Refuse 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=527414

Members noted that the proposal, together with previously approved development on the site, would exacerbate what amounts to an overdevelopment of the site. Notwithstanding that perceived context, Members agreed that the main issue upon which the proposal should be assessed is design. Having regard to its scale and siting, and the prevailing pattern of development in the locality, Members took the view that the garage would appear highly visible in front of the house when seen from Upper Park and would be similarly prominent in views from High Silver. Members concluded that the garage would appear highly incongruous, particularly when seen from Upper Park adjacent to its junction with High Silver. They therefore found it would cause clear harm to the character and appearance of the locality, contrary to adopted design policy.

REASONS FOR REFUSAL

1. By reason of its size and its siting, forward of the front elevation of the house, adjacent to the junction of Upper Park with High Silver, the proposed garage would appear excessively prominent in the street scene. It would not respect the existing pattern of development in the locality and consequently appear as an incongruous feature to the detriment of the character and appearance of the locality. The proposed garage is therefore contrary to policies CP2(iv) and DBE10 of the adopted Local Plan and Alterations.

Report Item No: 6

APPLICATION No:	EPF/0893/11
SITE ADDRESS:	18 Eleven Acre Rise Loughton Essex IG10 1AN
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolition of existing house and erection of two four bedroom detached houses. (Revised application)
DECISION:	Grant Permission (With Conditions)

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=527684

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 construction works above ground level shall have taken place until documentary and photographic 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. Prior to first occupation of the development hereby approved, the proposed window opening(s) on the flank elevations at first floor level for both dwellings and the ground floor flank window that services the sitting room for dwelling 18B shall be entirely 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.
4. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
5. 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 and B shall be undertaken without the prior written permission of the Local Planning Authority.
6. 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.

7. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
8. 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.
9. 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 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.

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