

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF PLANNING SERVICES SCRUTINY STANDING PANEL
HELD ON TUESDAY, 20 DECEMBER 2011
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 8.40 PM**

Members Present: A Watts (Vice-Chairman), H Ulkun (Chairman) A Boyce, C Finn, P Keska, Ms Y Knight, A Lion, J Markham, B Sandler and J M Whitehouse

Other members present: K Chana, J Philip and Mrs L Wagland

Apologies for Absence: Mrs J Sutcliffe

Officers Present I Willett (Assistant to the Chief Executive), J Preston (Director of Planning and Economic Development), P Millward (Business Manager) and M Jenkins (Democratic Services Assistant)

33. CHAIRMAN

By leave of the Panel, the Vice Chairman chaired the meeting, the Chairman acted as Vice Chair.

34. SUBSTITUTE MEMBERS

It was noted that Councillor J Whitehouse was substituting for Councillor Mrs J Sutcliffe.

35. DECLARATIONS OF INTEREST

There were no declarations made pursuant to the Council's Code of Member Conduct.

36. NOTES FROM THE LAST MEETING

RESOLVED:

That the notes of the Panel meetings of 13 September and 3 October 2011 be agreed.

37. TERMS OF REFERENCE/WORK PROGRAMME

The Panel received a report regarding the Planning Services Scrutiny Standing Panel's Terms of Reference and Work Programme 2011/12 from Mr P Millward, Business Manager, Planning and Economic Development.

The Terms of Reference and Work Programme had been amended in the past, but mostly these had been of a minor nature. Councillor A Lion, suggested that the Terms of Reference should be amended and had submitted a proposed draft to officers. Subsequently officers from Planning and Economic Development and Democratic Services had considered that a fundamental change to the Terms of Reference and Work Programme was required. This would reflect:

- (a) Consistency with other Scrutiny Panels; and
- (b) Alignment with other work streams such as the Planning and Economic Development Directorate Business Plan so as to refocus the Panel's work.

Members welcomed the proposed new Terms of Reference and Work Programme and recommended these to the Overview and Scrutiny Committee.

It was suggested that the Panel should scrutinise the Area Planning Sub-Committee Probity in Planning reports instead of the Area Plans Sub-Committees which were submitted to the planning sub-committees every six months, and then report to the Sub-Committees every year. This process could be reviewed at the end of the first year.

Members requested that planning obligations should also be reviewed, particularly the funds received and how they were utilised.

RECOMMENDED:

- (1) That the New Terms of Reference and Work Programme be recommended to the Overview and Scrutiny Committee for approval;
- (2) That the Probity in Planning reports be submitted to the Planning Services Scrutiny Standing Panel only, every six months, before recommending to the Area Planning Sub-Committees every year; and
- (3) That a report be submitted to the Panel regarding Planning Obligations, the monies raised and where they were spent.

38. REVIEW OF SELECTED BUILT CONTROVERSIAL PLANNING DECISIONS

The Panel received a report regarding a Review of Selected Built Planning Decisions from Mr J Preston, Director of Planning and Economic Development.

An outstanding matter in the Panel's Work Programme had been to review a selection of controversial planning decisions. Members had selected three development sites, one from each of the Area Plans Sub-Committee areas, which were considered worthy of reviewing since they had been built, to examine concerns at planning application decision had been justified and what lessons could be learnt.

Site visits were organised on 8 October and 21 November 2011 at the following places:

(a) Skillet Hill Farm, Honey Lane, Waltham Abbey

Planning permission had been allowed on appeal to change the use of the site to a lorry park for 25 lorries including changing the use of an existing house to a driver's café/shower/WC facility, and alteration of the existing access. It was subject to an S106 Agreement securing specific highway works and a highway contribution. The application had been refused planning permission for two reasons, firstly, the increased use of the site access onto Honey Lane would be harmful to highway safety and secondly, the development would be prejudicial to the purposes of including land in the Green Belt. The inspector had agreed with officers that there was a need for the lorry park and this was an appropriate location. The highway works eventually suggested overcame the reason for refusal and this outweighed the

principle of harm to the Green Belt, which in this case were well screened by vegetation.

At the site visit, the highway works had been carried out preventing access directly off the adjacent roundabout, preventing traffic entering the site by cutting across on-coming traffic by turning right. Lorry parking was not causing a problem. Members in attendance at the site visit felt that this was a good location for a lorry park. They felt that officers could have suggested deferring the application allowing a site visit before making a decision.

(b) 19 New Farm Drive, Abridge

Planning permission was granted after a number of previous applications for flat development had been refused including an appeal dismissed. It replaced a previous detached house on this prominent corner site overlooking the Metropolitan Green Belt. The design was modern with traditional shaped roof and therefore was appropriate in this semi-rural setting. It also considerably changed the outlook from the residential cul-de-sac of bungalows to the rear.

At the site visit, the discussion centred around the suitability of the design and the setting.

(c) The Retreat Public House, Retreat Way, Chigwell Row

Planning permission was granted on appeal to re-develop a site, comprised of a pub with a large area of hardstanding, into housing. It was a “brownfield” site under-developed site in a built up area. For this reason the principle of the development was acceptable. The local parish council considered that the planning inspector incorrectly allowed the appeal because it had resulted in a congested housing development. It was not a Green Belt site but adjoined Green Belt and was in a village setting. It was built to a greater density than housing in the surrounding area.

The site visit revealed that the former maximum parking spaces had created off-street parking congestion in an area not well served by public transport. There was little alternative to visiting the site by car and parking therefore was difficult due to the houses generally only having one parking space per residential unit. The quality of the two estate roads differed such that it was clear which provided the affordable housing. The Council have since adopted minimum parking standards such that the parking provided would be considered today as inadequate. There was also a stronger requirement for estate payouts conforming to the Essex Design Guide, irrespective of tenure since the appeal was allowed in 2003. The site appeared congested.

Members felt that greater representation by District Councillors should be made at planning appeals and that full access to all photographs taken by planning officers of planning sites should be provided. These could be loaded onto IPlan. It was also felt that once a year a request should be made to Area Planning Sub-Committees regarding identification of controversial development sites for further critical examination. This should not be undertaken at the Area Planning Sub-Committee.

RESOLVED:

- (1) That the review of Selected Built Controversial Planning Decisions be noted;

(2) That consideration be given to site photographs being supplied to Area Planning Sub-Committee members; and

(3) That a request be made to each members of Area Planning Sub-Committee to identify controversial development sites for review.

39. ANY OTHER BUSINESS

(a) Amenity Groups/Planning Agents - Consultation

It was requested that a further meeting should be organised with amenity groups and planning agents to discuss the planning process. The meeting should be structured with an agenda and include Development Control and the Local Plan. The impact of the Localism Bill would need coverage and the development of a new Planning Protocol.

RESOLVED:

That a meeting be organised with amenity groups and planning agents to discuss the planning process.

(b) Notification of Planning Decision

A Member informed the Panel that a problem had recently arisen where a planning committee decision had been relayed to an applicant incorrectly. Dialogue had since taken place with the Portfolio Holder for Planning and the Planning Service Director. The Panel requested a report explaining the problem for the next Panel meeting.

RESOLVED:

That a report be submitted to the Panel regarding ways of improving notification arrangements on planning decisions.

40. DATES OF FUTURE MEETINGS

The next meeting of the Panel was scheduled for Tuesday 7 February 2012 at 7.30p.m. and thereafter on Tuesday 24 April 2012 at 7.30p.m.