

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee    **Date:** 16 January 2013  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA    **Time:** 7.30 - 9.25 pm

**Members Present:** J Hart (Chairman), Ms S Watson (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, Mrs T Cochrane, R Cohen, C Finn, L Girling, Ms J Hart, J Knapman, L Leonard, J Markham, G Mohindra, Mrs C Pond, Mrs T Thomas, H Ulkun, Mrs L Wagland, D Wixley and N Wright

**Other Councillors:** -

**Apologies:** A Lion and B Sandler

**Officers Present:** S Solon (Principal Planning Officer), C Neilan (Landscape Officer & Arboriculturist), S G Hill (Senior Democratic Services Officer), A Hendry (Webcasting Officer) and S Mitchell (Webcasting Officer)

### 56. 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.

### 57. MINUTES

#### RESOLVED:

That the minutes of the last Sub-Committee meeting on 21 November 2012 be agreed and signed by the Chairman as a correct record.

### 58. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Members Conduct, Councillor Jennie Hart declared a non-pecuniary interest in item 8(4) (site at 162 Queens Road, Buckhurst Hill) of the agenda by knowing the objector. The Councillor indicated that they would leave the meeting for the consideration of the item.

Pursuant to the Council's Code of Members Conduct, Councillor K Angold Stephens declared a non-pecuniary interest in items 8(1), (3), (6) and (7) of the agenda by virtue of being a member of Loughton Town Council who had made representations. The Councillor indicated that he would remain in the meeting for the consideration of the items.

Pursuant to the Council's Code of Members Conduct, Councillor James Hart declared a non-pecuniary interest in item 8(7) (site at 43 Traps Hill, Loughton) of the

agenda by virtue of knowing the applicant. The Councillor indicated that they would remain in the meeting for the consideration of the item.

**59. ANY OTHER BUSINESS**

It was noted that there was no additional business for consideration at the meeting.

**60. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/20/12, 3 LEE GROVE CHIGWELL**

The Committee considered whether to confirm a Tree Preservation Order on an Oak tree in the rear garden of 3 Lee Grove, Chigwell which had been made as the Oak had been threatened with felling. An application (to be considered later in this meeting) had also been received.

It was noted that an objection had been made to the confirmation of the order by the owner and that on subsequent inspection of the tree, it was found to be in good condition with fungal growth and decay. To retain it would require a program of crown reduction. This would diminish its amenity value such that it did not justify the use of planning powers to insist on its retention. The Committee concurred with this view and declined to confirm the Tree Preservation Order.

**Resolved:**

That the Tree Preservation Order TPO/EPF/20/12 not be confirmed.

**61. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That the planning applications numbered 1 – 7 be determined as set out in the attached schedule to these minutes.

**62. 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**

# Minute Item 61

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/2009/12
<b>SITE ADDRESS:</b>	10 The Summit Loughton Essex IG10 1SW
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/05/93 T1 - Pine - Fell
<b>DECISION:</b>	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=542560](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542560)

### CONDITIONS

- 1 The existing gingko, situated in the rear garden, shall be retained as replacement for the tree to be felled unless this be varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting the gingko be removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and of a size to be agreed in writing shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The Local Planning Authority shall receive in writing, 5 working days notice of the works authorised by this notice.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2223/12
<b>SITE ADDRESS:</b>	3 Lee Grove Chigwell Essex IG7 6AD
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/20/12 T1 - Oak - Fell
<b>DECISION:</b>	Grant 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=543440](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543440)

**CONDITIONS**

NONE

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0378/12
<b>SITE ADDRESS:</b>	39 Traps Hill Loughton Essex IG10 1SZ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed side and rear extensions, internal alterations and construction of garage/fitness room. (Revised Application)
<b>DECISION:</b>	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=535442](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535442)

**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 materials to be used for the external finishes of the development hereby approved shall be those specified in response to question 11 of the submitted planning application forms for the development, unless otherwise previously agreed in writing by the Local Planning Authority.
- 3 The development hereby approved shall not be commenced until details of proposals to prevent potential excessive overlooking of 41 Traps Hill from the raised patio adjacent to the site boundary with that property have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented within 3 months of the substantial completion of the raised patio and thereafter permanently retained.
- 4 Within 3 months of the substantial completion of the development hereby approved, the proposed window openings in the west facing first floor flank elevations and the rooflights in the roofs of the approved side extensions 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.
- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 6 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 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.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1921/12
<b>SITE ADDRESS:</b>	Land to rear of 162 Queens Road Buckhurst Hill Essex IG9 5BD
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing garages and erection of 2, two storey, 2 bedroom houses, together with the provision of 4 car parking spaces (one for the flat above the shop at no.162) using existing access on to Queens Road.
<b>DECISION:</b>	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=542177](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542177)

**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, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 3 Details of enclosures to be retained or proposed on each boundary of the site shall be submitted to and approved by the local planning authority before any work commences on site. Once approved these details shall be implemented in full.
- 4 Prior to first occupation of the development hereby approved, the proposed first floor stairwell window openings in the north and south elevations shall be fitted with obscured glass with the bottom sash fixed shut, and shall be permanently retained in that condition.
- 5 The proposed development shall not be occupied until such time as the vehicle parking and turning areas indicated on the approved plans have been hard surfaced, sealed, and marked out. These areas shall then be maintained free from obstruction with the site at all times for those sole purposes.

- 6 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 11.456.1 Rev A; TO1; and associated 1/1250 site location plan.
- 7 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 8 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 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.



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1981/12
<b>SITE ADDRESS:</b>	225 Lambourne Road Chigwell Essex IG7 6JN
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Row
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective planning application to retain loft conversion involving increase to the ridge of the roof, three front dormers and rear dormer including proposed reduction in size of rear dormer.
<b>DECISION:</b>	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=542437](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542437)

Members found the proposal did not properly deal with the concerns of the Planning Inspector set out in the decision letter dated 13 August 2012, PINS ref APP/J1535/D/122175651. Members found the reduced proposal would cause substantially the same degree of harm as the existing rear dormer window. Members were advised Planning Enforcement Action would continue.

**REASON FOR REFUSAL**

- 1 The rear dormer to be retained, due to its overall width, size and bulk, it would be detrimental to the visual amenity of neighbouring occupiers and character of the surrounding area. It therefore fails to accord with Adopted Local Plan policies CP2, DBE9 and DBE10.

**POSITIVE & PROACTIVE STATEMENT:**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the Committee Members considers that the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2021/12
<b>SITE ADDRESS:</b>	Coffee Shop & Patisserie 40 The Broadway Loughton Essex IG10 3ST
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 2 'opening hours' of EPF/0820/07 to increase the opening hours to 8am to 11pm Monday to Sunday (Revised application)
<b>DECISION:</b>	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=542602](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542602)

Members deferred a decision on this application in order that additional information regarding the general pattern of shop closing times in the evening within the Broadway could be made available to the Committee.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2122/12
<b>SITE ADDRESS:</b>	43 Trap's Hill Loughton Essex IG10 1TB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	New front boundary wall with a gated entry. (Revised application)
<b>DECISION:</b>	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=543018](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543018)

The proposal was found by members to be an uncharacteristically tall form of enclosure. The use of solid timber gates and wire mesh fencing would have a poor appearance of themselves, and the provision of landscaping would not necessarily be an effective form of mitigation of their visual impact. A lower and more open form of boundary treatment should be explored with officers, to establish an appropriate design solution.

**REASON FOR REFUSAL**

- 1 By reason of the height and design, the proposed gate and wall/fence would appear incongruous in the street scene to the detriment of the character and appearance of the locality. The proposal is therefore contrary to Local Plan and Alterations policies CP2 and DBE1, which are consistent with the policies of the National Planning Policy Framework.

**POSITIVE & PROACTIVE STATEMENT:**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly setting these out in the reason(s) for refusal. Furthermore, Members of the planning committee which took the decision to refuse planning permission have been asked to consider whether there are opportunities to amend the development to address this harm. Where a potential way forward has been identified, this has been communicated to the Applicant. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

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