

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 27 November 2013
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 9.45 pm

Members Present: J Hart (Chairman), N Wright (Vice-Chairman), K Angold-Stephens, K Chana, Mrs T Cochrane, R Cohen, L Girling, Ms J Hart, A Lion, H Mann, J Markham, G Mohindra, Mrs C Pond, H Ulkun, Mrs L Wagland and Ms S Watson

Other Councillors:

Apologies: G Chambers, J Knapman, L Leonard, B Sandler, Mrs T Thomas and D Wixley

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

47. 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.

48. MINUTES

RESOLVED:

The minutes of the meeting held on 30 October 2013 be taken as read and signed by the Chairman as a correct record.

49. DECLARATIONS OF INTEREST

(1) Pursuant to the Council's Code of Members Conduct, Councillor James Hart declared a non-pecuniary interest in item 8(2) (EPF/2234/13, 30 Albion Park, Loughton) of the agenda by virtue of knowing applicant. The Councillor indicated that he would leave the meeting for the consideration of the item.

(2) Pursuant to the Council's Code of Members Conduct, Councillor H Ulkun declared a non-pecuniary interest in item 7(a) (TPO/EPF/60/10, Buckhurst Hill Baptist Church, Palmerston Road) of the agenda by having previously worked with the architects. The Councillor indicated that he would leave the meeting for the consideration of the item.

(3) Pursuant to the Council's Code of Members Conduct, Councillors Mohindra, Wagland, Chana, Angold-Stephens, Mann, Markham, Watson, Lion and James Hart

declared a non-pecuniary interest in item 8(10) (EPF/2009/13, Land Adjacent to 20 Ollards Grove, Loughton) by virtue of the objector being an ex-district Councillor. The Councillors had determined that their interests were non-pecuniary and they would remain in the meeting for the consideration of the application and voting thereon.

(4) Pursuant to the Council's Code of Members Conduct, Councillor K Angold Stephens declared a non-pecuniary interest in items 8(9) (EPF/1928/13, Unit 30 Oakwood Hill Industrial Estate, Loughton) of the agenda by virtue of being a member of Loughton Residents Association who had made representations. The Councillor indicated that he would remain in the meeting for the consideration of the item.

(5) Pursuant to the Council's Code of Members Conduct, Councillor H Mann declared a non-pecuniary interest in items 8(5) (EPF/1585/13 Green Owl Café, 44 Queens Road, Buckhurst Hill) of the agenda by virtue of having used the café in the past. The Councillor indicated that he would remain in the meeting for the consideration of the item.

50. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

51. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/12/13, RUSSELL ROAD

The Landscape Officer and Arboriculturist, C Neilan, noted that the plan for the Tree preservation TPO/EPF/12/13 had been incorrectly located. In both cases the circles denoting the trees' locations of T1 and T2 had been drawn one garden to the east of their correct location.

RESOLVED:

That tree Preservation Order TPO/EPF/12/13 be confirmed, subject to a corrected plan.

52. FELLING OF PRESERVED BIRCH (TPO/EPF/60/10)

The Landscape Officer and Arboriculturist, C Neilan, noted that tree preservation order TPO/EPF/60/10 protected 2 hollies, an Oak and a Birch on the northern boundary of the Buckhurst Hill Baptist Church, Palmerston Road, Buckhurst Hill.

A revised planning application for alterations and extensions to the church building (EPF/1511/10), showing retention of the 4 trees, was approved under delegated powers, subject to conditions including tree protection and landscaping.

Work had commenced and excavations had now revealed that the building as agreed was incompatible with the safe retention of the Birch.

The architect for the church had requested that the LPA agree that the Birch may be felled, subject to a comprehensive landscape scheme for the frontage. All site works had now ceased until a way forward has been properly agreed.

The Sub-committee agreed to condition the resubmission of details of the tree protection order to officers.

RESOLVED:

- (1) That the request from the church that agreement be given to the felling of T2 , Birch, subject of TPO/EPF/60/10 be agreed; and
- (2) To require a resubmission of details under the tree protection and landscape conditions applying to EPF/1511/10, covering its felling and replacement for approval under delegated powers.

53. 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.

54. PROBITY IN PLANNING - APPEAL DECISIONS, 1 APRIL 2013 TO 30 SEPTEMBER 2013

The Principal Planning Officer presented a report on the appeal decisions made during the six-month period 1 April 2013 and 30 September 2013.

In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation). The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.

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, 30.9% in 2009/10, 36.6% in 2010/11, 28.8% in 2011/12 and 27.7% in 2012/13.

Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (KPI 55) and the other which measures the performance of officer recommendations and delegated decisions (KPI 54).

Over the six-month period between 1 April 2013 and 30 September 2013, the Council received 37 decisions on appeals (35 of which were planning related appeals, the other 2 were enforcement related).

KPI 54 and 55 measure planning application decisions and in total, out of this 35, 14 were allowed (40%). Broken down further, KPI 54 performance was 4 out of 20 allowed (20%) and KPI 55 performance was 10 out of 15 (66.67%).

Out of the 15 planning appeals that arose from decisions of the three committees to refuse contrary to the recommendation put to them by officers during the 6-month period, the Council was not successful in sustaining the committee's objection in 10 cases.

Members attention was brought to the fact recent appeal changes allows Planning Inspectors to award costs against a party that has behaved unreasonably even if neither the Council or the appellant had applied for costs.

Whilst performance in defending appeals has improved during the last couple of years, Members were reminded that in refusing planning permission there needed to be justified reasons that in each case must be relevant, necessary, but also sound and defensible so as to avoid paying costs.

RESOLVED:

That the Planning Appeal Decisions for 1 April to 30 September 2013 be noted.

55. 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

Report Item No: 1

APPLICATION No:	EPF/2174/13
SITE ADDRESS:	63 Manor Road Chigwell Essex IG7 5PH
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	TPO/EPF/10/74 Oak - Fell Monterey Cypress x 3 - Fell
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=555390

CONDITIONS

- 1 4 replacement trees, of a species, size and in a position as shall be given prior agreement in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of 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/2234/13
SITE ADDRESS:	30 Albion Park Loughton Essex IG10 4RB
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	TPO/EPF/07/96 One birch within G1 - Fell
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=555670

CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

Report Item No: 3

APPLICATION No:	EPF/2236/13
SITE ADDRESS:	Greenhill Buckhurst Hill Essex
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	TPO/EPF/12/91 T45 - Western Red Cedar - Fell
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=555710

CONDITIONS

- 1 A replacement tree of a species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

Report Item No: 4

APPLICATION No:	EPF/2257/13
SITE ADDRESS:	Homecherry House 86 High Road Loughton Essex IG10 4QU
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	TPO/EPF/09/82 T32 - Lime - Fell.
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=555850

CONDITIONS

- 1 A replacement tree, of a 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.
- 2 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

Report Item No: 5

APPLICATION No:	EPF/1585/13
SITE ADDRESS:	Green Owl Cafe 44 Queens Road Buckhurst Hill Essex IG9 5BY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Variation of condition 2 on planning permission EPF/1093/01 to allow A3 (cafe and restaurant) use to open till 11.30 pm.
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=552152

Members were disappointed that objectors did not take up the opportunity for discussion with the applicant arising from the deferral of this application from the October meeting of the Sub-Committee. They thanked the Case Officer for taking steps to try to facilitate such discussion.

CONDITIONS

- 1 No live music or entertainment shall be played or take place in the rear outside seating area of the premises. No amplified music or sound shall be played in the rear outside seating area of the premises after 20.00 hours or before 08:00 hours.
- 2 No children's play equipment or structures shall be installed or erected in the rear garden area of the property without the written prior approval of the Local Planning Authority.

Report Item No:6

APPLICATION No:	EPF/1704/13
SITE ADDRESS:	The Willow Paddock Chase Lane Chigwell Essex
PARISH:	Chigwell
WARD:	Chigwell Row
DESCRIPTION OF PROPOSAL:	Change of use of part of agricultural paddock land for the purpose of enlarging adjoining gardens.
DECISION:	Grant Permission (Subject to Legal Agreement)

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=552797

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved site location plan.
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 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 E shall be undertaken without the prior written permission of the Local Planning Authority. For the avoidance of doubt, this condition means that no buildings or structures may be erected on the extended garden area without planning permission from the Local Planning Authority.
- 4 The use of the land hereby approved shall be carried out as described below and indicated on the approved site location plan:
 - 1) The land immediately north of 8 Crosby Court shall only be used as residential garden in connection with the use of 8 Crosby Court as a dwellinghouse.
 - 2) The land immediately east of 10 Willowmead shall only be used as residential garden in connection with the use of 10 Willowmead as a dwellinghouse.
 - 3) The land immediately east of 11 Willowmead shall only be used as residential garden in connection with the use of 11 Willowmead as a dwellinghouse.
 - 4) The land immediately east of 12 Willowmead shall only be used as residential garden in connection with the use of 12 Willowmead as a dwellinghouse.
 - 5) The land immediately east of 13 Willowmead shall only be used as

residential garden in connection with the use of 13 Willowmead as a dwellinghouse.

- 6) The land immediately east of 14 Willowmead shall only be used as residential garden in connection with the use of 14 Willowmead as a dwellinghouse.

Report Item No: 7

APPLICATION No:	EPF/1728/13
SITE ADDRESS:	94 Lawton Road Loughton Essex IG10 2AA
PARISH:	Loughton
WARD:	Loughton Fairmead
DESCRIPTION OF PROPOSAL:	Proposed Change of Use from NCH Family Centre (Use Class D1) to Student Accommodation including 14 rooms and 1 flat (Sui Generis). Enclosure of courtyard adjacent cycle store, new windows and alterations. (Revised Plans)
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=552853

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 development hereby permitted will be completed and maintained thereafter strictly in accordance with the approved drawings nos:
2013-356-001
2013-356-002
2013-356-010
2013-356-011B
2013-356-020
2013-356-021
2013-356-022
2013-356-023
2013-356-030
- 3 The accommodation hereby permitted shall be occupied solely by persons in full time education and not by any other persons at any time whatsoever.

Report Item No: 8

APPLICATION No:	EPF/1768/13
SITE ADDRESS:	16 Newnham Close Loughton Essex IG10 4JG
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Two storey side extension, part two, part single storey rear extension and extension to the roof.
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=553030

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 Access to the flat roofs over the single-storey rear extensions that are part of the development hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the upper floor flank windows 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 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.

Report Item No: 9

APPLICATION No:	EPF/1928/13
SITE ADDRESS:	Unit 30 Oakwood Hill Industrial Estate Loughton Essex
PARISH:	Loughton
WARD:	Loughton Alderton
DESCRIPTION OF PROPOSAL:	Change of use of vacant light industrial unit to a fitness studio/gym. (Use Class D2)
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=553930

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 Details of measures to reduce noise and vibration from equipment and machinery to be used in the gym shall be submitted to and approved by the local planning authority before the use commences. Once approved these details shall be implemented in full within the premises.

Report Item No: 10

APPLICATION No:	EPF/2009/13
SITE ADDRESS:	Land adjacent to 20 Ollards Grove Loughton Essex IG10 4DW
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	New semi detached house and alterations to existing dwelling. (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=554454

REASON FOR REFUSAL

- 1 The proposed development is a cramped form of development in which the height, bulk, massing and detailed design of the new dwelling has an adverse impact on the visual amenities of the locality, streetscene and open appearance and character of the area, contrary to policies DBE1, DBE2 and CP2 of the adopted Local Plan and Alterations.

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