

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee    **Date:** 2 April 2014  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA    **Time:** 7.30 - 9.40 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, J Knapman, L Leonard, A Lion, H Mann, Mrs C Pond, Mrs T Thomas, H Ulkun, Mrs L Wagland, Ms S Watson and D Wixley

**Other Councillors:** -

**Apologies:** G Chambers, G Mohindra and B Sandler

**Officers Present:** S Solon (Principal Planning Officer), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and G J Woodhall (Democratic Services Officer)

### 76. 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.

### 77. WELCOME AND 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.

### 78. MINUTES

**Resolved:**

(1) That the minutes of the meeting held on 5 March 2014 be taken as read and signed by the Chairman as a correct record.

### 79. DECLARATIONS OF INTEREST

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

### 80. ANY OTHER BUSINESS

At the request of the Chairman, the Democratic Services Officer advised the Sub-Committee of the circumstances when a planning application could be referred to the

District Development Control Committee, which were:

- (i) if the proposal for approval was contrary to the Council's agreed planning policy;
- (ii) if, having made a decision to grant or refuse, a minimum of four Members of the Sub-Committee stood to refer the matter on a minority reference, thus holding the decision over until the next meeting of the District Development Control Committee; or
- (iii) if during the debate a proposal to refer the application directly to the District Development Control Committee without recommendation was moved, seconded and passed by a majority vote.

#### **81. DEVELOPMENT CONTROL**

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

##### **Resolved:**

- (1) That the planning applications numbered 1 – 8 be determined as set out in the attached schedule to these minutes.

#### **82. CONFIRMATION OF TREE PRESERVATION ORDER EPF/25/13 - 1 BURNEY DRIVE, LOUGHTON, ESSEX.**

The Principal Planning Officer introduced a report concerning the confirmation of a Tree Preservation Order at 1 Burney Drive in Loughton.

The Principal Planning Officer stated that Tree Preservation Order EPF/25/13 had been made to protect an oak tree in the rear garden of the property as information had been received it was under threat of being felled. An objection to this order had been received from the resident at 1 Burney Drive, whom it transpired was a tenant as the property was owned by the Council. Therefore, the Director of Housing (as was, now Communities) was served with the Order but the objection from the tenant still stood for consideration.

The Officer reported the grounds of the objection made by the Tenant:

- (i) the tree provided no public amenity as it was situated in a private garden;
- (ii) the tree was considered to be a hazard to the tenant and her family and the property itself, and prevented full use being made of the rear garden by the occupants;
- (iii) the tree shielded the rear rooms of the property and the garden from sunlight, which made it almost impossible to grow anything in the back garden; and
- (iv) the Council had already agreed to fell the tree as a hazard to the property and the tenant had expected this work to be completed during the autumn of 2013.

The Objector had taken legal advice but was optimistic that the situation could be resolved without resorting to legal action.

The comments of the Assistant Director of Governance (Development Control) in response to the objection were as follows:

- (a) it was a large tree which could be widely seen from adjacent roads and therefore had sufficient public amenity to be the subject of a Tree Preservation Order;
- (b) upon inspection it was found to have the characteristics of a veteran Oak tree and therefore deserved to have every effort made to retain it;
- (c) the retention of this tree would be in accordance with the Community Tree Strategy for Loughton;
- (d) there was no clear current risk of structural failure and nor could the tree be considered as an immediate hazard; and
- (e) work to reduce the crown would be a sensible precaution and removing the deadwood in the crown as well as the reduction of the extended branches would improve the access of sunlight to the house and garden.

The Director of Communities had raised no objection to the confirmation of the Order, and there was currently no justification for the felling of the tree, therefore it was recommended that the Tree Preservation Order be confirmed without modification.

The Principal Planning Officer added that the Tree Preservation Order would lapse if it was not confirmed at tonight's meeting, and apologised to the Objector as they had not been initially informed that the Order would be considered at tonight's meeting.

A local Member for Chigwell Village commented that the Objector had been told by Housing Officers that the tree would be felled, and veteran Oak trees required a substantial amount of pruning which the Objector simply could not afford. It was suggested that the Sub-Committee take a pragmatic view that the tree would not be felled by the Objector and a proposal to not confirm the Tree Preservation Order was put forward and seconded. If this proposal was agreed then it was also felt that the Council's Housing and Tree Officers should resolve the situation at 1 Burney Drive and report back to a future meeting of the Sub-Committee.

**Resolved:**

- (1) That the Tree Preservation Order EPF/25/13 at 1 Burney Drive in Loughton not be confirmed; and
- (2) That a further report be submitted to a future meeting of the Sub-Committee outlining the resolution to the situation at the property agreed upon by the Council's Housing and Tree Officers.

**83. DELEGATED DECISIONS**

The Sub-Committee noted that schedules of planning applications determined by the Director of Governance under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

**CHAIRMAN**

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2415/13
<b>SITE ADDRESS:</b>	26 The Crescent Loughton Essex IG10 4PY
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	First floor rear extension.
<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=556795](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=556795)

**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. Prior to first occupation of the development hereby approved, the proposed window opening in the south east flank elevation 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. All construction 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: 2**

<b>APPLICATION No:</b>	EPF/2477/13
<b>SITE ADDRESS:</b>	3 Great Owl Road Chigwell Essex IG7 6AL
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of side garage, erection of two storey side extension, two storey front extension and part two and part one storey rear extension with first floor juliet balconies, together with provision of raised rear patio with side privacy screens.
<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=557050](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557050)

**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. The privacy screens to the raised rear patio, as shown on the plans hereby approved, shall be erected before the raised patio is first brought into use.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2664/13
<b>SITE ADDRESS:</b>	48 Church Lane Loughton Essex IG10 1PD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Redevelopment of site to create four detached dwellings, formation of vehicular access and car parking
<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=557993](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557993)

**REASONS FOR REFUSAL**

1. The detailed design of the proposed dwellings, together with the formation of a shared access drive to the site that would appear as a cul-de-sac off Church Lane, would appear in stark contrast to the established pattern of development visible within the street scene. Furthermore, the rear dwellings (Plots 2 and 3) would appear visible from the street as well as neighbouring rear gardens, emphasising the contrast with the existing pattern of development. The contrast would appear unsympathetic and cause significant harm to the character and appearance of the locality. The harm caused could not be mitigated by landscaping and would be significantly detrimental to the visual amenity of the existing street scene. Accordingly the proposed development fails to reinforce local distinctiveness and would be contrary to policies CP2(iv), CP7 and DBE1(i) of the adopted Local Plan and Alterations and paragraphs 17 (bullet point 4) 58, 60 and 64 of the National Planning Policy Framework.
2. By reason of their height, bulk and massing in close proximity to the site boundaries the proposed houses at Plots 2 and 3 to the rear of the site would appear excessively overbearing when seen from the rear gardens of neighbouring dwellinghouses. The harm caused would be particularly severe at 1a and 1b Wellfields. As a consequence the proposal would cause excessive harm to the amenities of neighbouring properties, contrary to policies CP7 and DBE2 of the adopted Local Plan and Alterations and paragraph 17 (bullet point 4) of the National Planning Policy Framework.

**WAY FORWARD**

Members found a way forward would be reduce the proposal to the two houses proposed towards the front of the site.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2676/13
<b>SITE ADDRESS:</b>	38 Stanmore Way Loughton Essex IG10 2SA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of the existing building and the erection of a replacement dwelling.
<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=558031](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558031)

**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 take 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. The development shall be implemented in accordance with such approved details.
3. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Drawing nos 001-009
4. 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 extensions to the house hereby approved or any enlargement of its roof generally permitted by virtue of Classes A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
5. Access to the flat roof over the ground floor rear projection hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
6. No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.



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 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.
8. 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.
9. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2707/13
<b>SITE ADDRESS:</b>	2 Churchfields Loughton Essex IG10 1AG
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing bungalow and erection of a pair of two storey semi detached dwellings plus rooms in loft, and 2 front car parking spaces (Revised application to EPF/1755/13)
<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=558212](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558212)

**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 take 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. The development shall be implemented in accordance with such approved details.
3. Prior to first occupation of the development hereby approved, the proposed first and second floor window opening in the north east and south west flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the stairwells they serve, 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. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works for the front area of the site have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved.

6. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1 of 3, 2 of 3, and a 1/1250 site location plan.
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 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.
8. 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 extensions projecting more than 3 metres beyond the rear walls of the houses hereby approved and no additions to their roofs generally permitted by virtue of Classes A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0061/14
<b>SITE ADDRESS:</b>	188 Queens Road Buckhurst Hill Essex IG9 5BD
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 3 of planning permission EPF/0273/93 (Change of use from bank to restaurant (A3 Use) (ground floor and basement only) to allow Sunday trading from 10.30am to 3pm and 6pm to 10pm.
<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=558634](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558634)

**CONDITIONS**

1. The premises shall not be used by customers before 1800 hours nor after 2300 hours on weekdays and Saturdays, nor outside the hours of 1030 hours to 1500 hours and 1800 hours and 2200 hours on Sundays nor at any time on statutory holidays.
2. Equipment to suppress and disperse cooking and food preparation fumes shall be installed in the premises and maintained in effective working order for as long as the use continues.
3. A take away service shall not be available to customers outside the hours of 6.00pm and 10.30pm Monday to Saturday and not at all on Sundays.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0074/14
<b>SITE ADDRESS:</b>	28 Oak Lodge Avenue Chigwell Essex IG7 5HZ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of garage and erection of two storey side extension.
<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=558711](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558711)

**REASONS FOR REFUSAL**

1. By reason of its projection up to the site boundary with 26 Oak Lodge Avenue, the proposed extension would fail to maintain an appropriate degree of separation from the house at 26 Oak Lodge Avenue and would result in a potential terracing effect. As a consequence, the proposal fails to complement or enhance the street scene and is contrary to Local Plans and Alterations policy DBE10, which is consistent with the National Planning Policy Framework.

In deciding to refuse planning permission, Members had regard to the existence of side extensions to other houses in Oak Lodge Avenue that project to the site boundaries with neighbouring houses. They found those extensions were historic, do have a terracing effect and consequently are harmful to the streetscene. Members decided that should planning permission be granted the cumulative impact of the proposal together with other side extensions to houses in Oak Lodge Avenue would exacerbate the visual harm caused by the existing extensions. Accordingly, Members found the existence of other side extensions that project to the site boundaries does not amount to good justification for the erection of further similarly harmful side extensions.

**WAY FORWARD**

Members found a way forward would be to set the first floor component of the extension in from the boundary with 26 Oak Lodge Avenue, but recognised that may not achieve usable space for the applicant.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0282/14
<b>SITE ADDRESS:</b>	212 Manor Road Chigwell Essex IG7 4FB
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed 5 no. two bed flats.
<b>DECISION:</b>	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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559834](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559834)

**CONDITIONS**

1. Within 3 months of the date of this permission a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), shall be submitted in writing to the Local Planning Authority for its approval. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
2. Within 3 months of the date of this permission details of proposed boundary treatment of curtilage of the building hereby approved shall be submitted in writing to the Local Planning Authority for its approval. The curtilage shall be enclosed in accordance with the details approved unless the Local Planning Authority gives its written consent for any variation.
3. Within 3 months of the date of this permission details of the means of refuse storage for the building hereby approved shall be submitted in writing to the Local Planning Authority for its approval. The approved means of refuse storage shall be provided within 3 months of their approval and thereafter permanently retained, unless otherwise agreed in writing by the Local Planning Authority.