

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 4 June 2014
West

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.05 pm
High Street, Epping

Members Present: Ms Y Knight (Chairman), A Mitchell MBE (Vice-Chairman), R Bassett, R Butler, Mrs R Gadsby, Ms H Kane, Mrs J Lea, Mrs M Sartin, Ms G Shiell, Ms S Stavrou and A Watts

Other Councillors:

Apologies: Mrs P Smith and Mrs E Webster

Officers Present: J Godden (Planning Officer), A Hendry (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

90. 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. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

91. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

92. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 23 April 2014 be taken as read and signed by the Chairman as a correct record.

93. DECLARATIONS OF INTEREST

a) Pursuant to the Council's Code of Member Conduct, Councillor S Stavrou declared a personal interest in the following item of the agenda by virtue of being the Ward Councillor. The Councillor had determined that her interests were non pecuniary and would remain in the meeting for the consideration of the item and voting thereon:

- EPF/0465/14 7 Monkswood Avenue, Waltham Abbey, EN9 1LA

(b) Pursuant to the Council's Code of Member Conduct, Councillor J Lea declared a personal interest in the following item of the agenda by virtue of being the Ward Councillor and living in a close proximity of the application. The Councillor had determined that her interests were not pecuniary and would remain in the meeting during the consideration of the item and voting thereon:

- EPF/0465/14 7 Monkswood Avenue, Waltham Abbey, EN9 1LA.

94. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

95. DEVELOPMENT CONTROL

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

RESOLVED:

That, the Planning application be determined as set out in the annex to these minutes.

96. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/31/13 - PICKS FARM, SEWARDSTONE ROAD, CHINGFORD

The Planning Officer, Mr Godden informed the Sub-Committee that following an outline planning application for the demolition of Picks Farm and adjacent Mulberry House to allow for the construction of a school, 308 dwellings, a village hall and a public meadow with two lakes. No tree survey had been submitted with the application, however a topographical survey identified the trees on the site and the indicative layout drawings did not show which trees were to be retained and which were to be removed, they were therefore all considered to be under threat of being felled for development purposes. All the objections to the order could be managed either via applications to undertake work to the trees or exempt the requirement for an application. In confirming the order it would ensure that careful consideration was given prior to any tree works being undertaken and that such works were undertaken for good arboricultural reasons.

RESOLVED:

That tree preservation order TPO/EPF/31/13 was confirmed without modification.

97. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/30/13 - MULBERRY HOUSE, SEWARDSTONE ROAD, CHINGFORD

The Planning Officer, Mr Godden informed the Sub-Committee that the Tree Preservation Order was made following an outline planning application for the demolition of Mulberry House and the adjacent Picks Farm to allow for the construction of a school, 308 dwellings, a village hall and a public meadow with two lakes. No tree survey was submitted with the application, however a topographical survey identified the trees on the site, the indicative layout drawings did not show which trees were to be retained and which were to be removed, they were therefore all considered to be under threat of being felled for development purposes. The order protects a number of individual oaks and horse chestnuts and a mulberry tree within the rear garden of the Mulberry House.

After a site visit had been undertaken it was felt that the mulberry tree was in poor condition and the tree had a limited life expectancy and low amenity value, therefore the mulberry tree (T5 on the map) was recommended for removal from the order.

RESOLVED:

That tree preservation order TPO/EPF/30/13 was confirmed with modification.

98. PROBITY IN PLANNING - APPEAL DECISIONS, 1 OCTOBER 2013 TO 31 MARCH 2014

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions for the period 1 October 2013 to 31 March 2014.

In compliance with the recommendation of the District Auditor, the report advised 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 was to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal was found to be unsupportable on planning grounds, an award of costs may of been made against the Council.

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

Over the six-month period between 1 October 2013 and 31 March 2014, the Council received 48 decisions on appeals (46 of which were planning related appeals, the other 2 were enforcement related).

KPI 54 and 55 measure planning application decisions and out of a total of 46, 18 were allowed (37%). Broken down further, KPI 54 performance was 4 out of 23 allowed (17%) and KPI 55 performance was 13 out of 22 (59%). One other case was allowed, but it was recommended for approval by officers and supported by Area Plans Committee East but unusually an appeal was lodged against non-determination, despite District Development Control Committee supporting an approval (Application EPF/2404/12).

Whilst performance in defending appeals had 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. This was more important now than ever given a Planning Inspector or the Secretary of State could award costs, even if neither side had made an application for them. Whilst there was clearly pressure on Members to refuse in cases where there were objections from local residents, these views (and only when they are related to the planning issues of the case) were one of a number of the relevant issues to balance out in order to understand the merits of the particular development being applied for.

RESOLVED:

That the report regarding Probity in Planning – Appeal Decisions 1 October 2013 to 31 March 2014 be noted.

99. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

Report Item No:

APPLICATION No:	EPF/0465/14
SITE ADDRESS:	7 Monkswood Avenue Waltham Abbey Essex EN9 1LA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Double storey side extension, single storey rear extension
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=560592

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 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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