

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 28 August 2019
South

Place: Council Chamber - Civic Offices **Time:** 7.30 - 8.35 pm

Members Present: G Mohindra (Chairman), A Patel (Vice-Chairman), A Beales, R Brookes, R Jennings, J Jennings, A Lion, S Murray, S Neville, M Owen, C P Pond, C C Pond and D Wixley

Other Councillors: None

Apologies: R Baldwin, S Heap, H Kauffman, J Knapman, L Mead, S Rackham, C Roberts, D Roberts, B Sandler, J Share-Bernia and D Sunger

Officers Present: M Johnson (Implementation Team Manager), J Leither (Democratic Services Officer) and P Seager (Chairman's Officer)

20. 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.

21. 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. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

22. MINUTES

RESOLVED:

That the minutes of the meeting held on 3 July 2019 be taken as read and signed by the Chairman as a correct record, subject to the following amendments:

- EPF/0304/19 – St Thomas More RC Church Site, Willingale Road, Loughton.

Councillor CC Pond asked it to be noted that when an application was granted, subject to a legal agreement the said legal agreement should be set out in the minutes.

- EPF/1025/19 – 46 Stradbroke Drive, Chigwell.

Councillor CC Pond noted typographical errors in paragraph 2 of this minute, amended as below:

The proposed parking bays fall below the minimum standards for Vehicle Parking Bay sizes contained within the Essex County Council Parking Standards (Design and Good Practice) 2009. The proposal was therefore contrary to the aforementioned document, and Policy T14 of the Adopted Local Plan 1998/2006.

- EPF/1278/19 – 122 Roding Road, Loughton.

Councillor D Wixley advised that his comments were not recorded in the minutes. Members should be aware that Member comments do not form part of the minutes of an Area Planning Sub-Committee.

23. DECLARATIONS OF INTEREST

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

24. ANY OTHER BUSINESS

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

25. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

It was noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

26. SITE VISITS

The Sub-Committee did not propose any site visits for any items on the agenda.

27. PLANNING APPLICATION - EPF/0517/19 6 ASHLEY GROVE, STAPLES ROAD, LOUGHTON, ESSEX, IG10 1HS

APPLICATION No:	EPF/0517/19
SITE ADDRESS:	6 Ashley Grove Staples Road Loughton Essex IG10 1HS
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Proposed roof extension.
DECISION:	Refused

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=621002

REFUSED

1. The proposal, by reason of its design, scale and position would be detrimental to the amenities and living conditions of adjoining residents in Forest Way by reason of overbearingness. As such, the proposal would be contrary to policies DBE1 and DBE2 of the Adopted Local Plan 1998/2006, and Policy DM9 of the Submission Version Local Plan 2017
2. The proposal, by reason of its design scale and proximity to residential curtilages would be detrimental to the Outlook of residents of those properties along Forest Way. As such, the proposal would be contrary to policies DBE1 and DBE2 of the Adopted Local Plan 1998/2006, and Policy DM9 of the Submission Version Local Plan 2017.
3. The proposal, by reason of its design, scale and position would have a detrimental impact on the Character, Appearance or Setting of the adjacent Conservation Area. As such, the proposal would be contrary to policies HC6 of the Adopted Local Plan 1998/2006, and Policy DM7 of the Submission Version Local Plan 2017.

28. PLANNING APPLICATION - EPF/1308/19 LAND REAR OF 198 - 200 FOREST EDGE, BUCKHURST HILL, ESSEX, IG9 5AE

APPLICATION No:	EPF/1308/19
SITE ADDRESS:	Land rear of 198 - 200 Forest Edge Buckhurst Hill Essex IG9 5AE
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Proposed new detached one-bedroom dwelling and associated works. (Revised application to EPF/3066/18)
DECISION:	Grant Permission (With Conditions) subject to S106 Legal Agreement

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=624316

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 strictly in accordance with the approved drawings numbers: Site Location Plan and B1.1
- 3 No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 5 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, C, D or E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 7 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.
- 8 No ground works 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 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land

Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

- 10 Following completion of the measures identified in the approved remediation scheme, and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 12 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.
- 13 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 14 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 15 All bedrooms within the development hereby approved shall be provided with sufficient double glazing and acoustically treated trickle ventilators, or other means of ventilation, that will provide adequate ventilation with the windows closed, to ensure that the occupiers are provided with reasonable resting/sleeping conditions with reference to British Standard BS8233:2014 - Sound insulation and noise reduction for buildings - Code of Practice (or such other standard which may supersede it from time to time).
- 16 Details of the double glazing and acoustically treated trickle ventilators, or other means of ventilation, referred to in the above Condition 15 shall be submitted to and agreed in writing by the Local Planning Authority and installed before any of the proposed residential development is occupied.
- 17 Full details of any acoustic barriers shall be submitted to, and agreed in writing with the Local Planning Authority, and installed before any of the proposed residential development is occupied, to ensure that the occupiers are provided with reasonable use of external amenity space, as recommended by British Standard BS8233:2014 - Sound insulation and noise reduction for buildings - Code of Practice (or such other standard which may supersede it from time to time).
- 18 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

29. PLANNING APPLICATION - EPF/1356/19 47 HARVEY GARDENS, LOUGHTON, ESSEX, IG10 2AD

APPLICATION No:	EPF/1356/19
SITE ADDRESS:	47 Harvey Gardens Loughton Essex IG10 2AD
PARISH:	Loughton
WARD:	Loughton Fairmead
DESCRIPTION OF PROPOSAL:	Application for Removal of Condition 5 "occupiers only be students enrolled at either Epping Forest College (Borders or East 15 Acting School)". (EPF/1291/11- Change of use from residential dwelling (C3) to multiple occupancy (7 persons) (sui generis) and erection of a front porch).
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=624494

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 47-HGL-C4-01; 47-HGL-C4-02; 47-HGL-C4-03; 47-HGL-C4-04; 47-HGL-C4-05; 47-HGL-C4-06; 47-HGL-C4-07
- 2 The house in multiple occupancy (HMO) which is hereby permitted shall be occupied by a maximum of seven individuals at any one time.

30. PLANNING APPLICATION - EPF/1174/19 11 LYNDHURST RISE, CHIGWELL, ESSEX, IG7 5BB

APPLICATION No:	EPF/1174/19
SITE ADDRESS:	11 Lyndhurst Rise Chigwell Essex IG7 5BB
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Doron Bregman
DESCRIPTION OF PROPOSAL:	Proposed extension of current HMO license to cover 7 occupants (Change of use to a large (sui generis) HMO).
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=623796

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 strictly in accordance with the approved drawings numbers: 1530/01, Second Floor Plan, and Location Plan.
- 3 Prior to first occupation of the proposed development, details for the provision of adequate storage for waste and recycling shall be submitted and approved by Local Planning Authority, and shall thereafter be carried out and retained, shall be free of obstruction and used for the storage of waste and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

31. PROBITY IN PLANNING - APPEAL DECISIONS, 1ST OCTOBER 2018 TO 31ST MARCH 2019

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions from 1 October 2018 to 31 March 2019.

In compliance with the recommendation of the District Auditor, the report advised the Sub-Committee 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 might be made against the Council.

Over the six-month period between 1 October 2018 and 31st March 2019, the Council received 53 decisions on appeals (46 of which were planning related appeals and 7 were enforcement related).

Out of a total of 46 planning related appeals, 10 were allowed (21%). Broken down further, Committee reversals performed very well with only 4 out of 22 allowed (18%) and there was a good Officer delegated decisions performance of 6 out of 24 (25%) allowed.

Out of the planning appeals that arose from decisions of the Area Planning Sub-Committee South to refuse contrary to the recommendation put to them by officers during the 6-month period, 2 appeals were allowed against decisions made and 9 were dismissed.

Performance in defending planning application related appeals was reasonable at 21%, meaning of course the Council were successful in defending their decisions in 79% of cases. Whilst there was no national comparison of authority performance, Members and Officers were reminded that in refusing planning permission there needs to be justified reasons that in each case must be not only relevant and 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.

RESOLVED:

That the Probity in Planning report covering the period 1 October 2018 to 31 March 2019 be noted.

CHAIRMAN