

# EPPING FOREST DISTRICT LOCAL COUNCILS' LIAISON COMMITTEE MINUTES

**Date:** Wednesday, 2 November 2005      **Time:** 8.00 - 9.05 pm

**Place:** Council Chamber, Civic  
Offices, High Street, Epping

**Members  
Present:**

**Representing Epping Forest District Council:**

Councillor(s): B Sandler (Chairman), K Faulkner, Mrs A Haigh,  
R Morgan, Mrs J H Whitehouse, Mrs P Smith and Mrs D Borton

**Other Councillors:**

Councillor(s): (none)

**Representing Essex County Council:**

County Councillor(s): A Jackson and G McEwen

**Representing Local Councils:**

Councillor J Salter, Councillor P Sinfield, Councillor J A Smith,  
Councillor J Hedges, Councillor J E Dolder (High Ongar PC),  
Councillor T A Taylor (High Ongar PC), Councillor A Barr,  
Councillor J Filby, Councillor R Pearce (Loughton TC), Mrs J Woods  
(Loughton TC), Councillor Ms J Bowerman, Councillor E Borton  
(Nazeing PC), Councillor Ms G Castle, Councillor R Wood,  
Councillor Miss H Nicholas (Roydon PC), Councillor B Surtees,  
Councillor J Harrington, Councillor G Bishop, Councillor J Farren  
(Stapleford Abbots PC), Councillor R Russell (Stapleford Abbots  
PC), Councillor Ms S Jones and Councillor Ms K Canning

**Apologies:**      **Epping Forest District Council –**

Councillor(s): (none)

**Essex County Council –**

Councillor(s): C Finn, C Pond, T Spencer and M Tomkins

**Parish/Town Councils: -**

Councillor T Everett (Chigwell PC), K Percy and Councillor L R  
Norman (Matching PC)

**Officers  
Present:**

J Preston (Head of Planning and Economic Development), J Scott  
(Joint Chief Executive), I Willett (Head of Research and Democratic  
Services) and G J Woodhall (Democratic Services Officer)

**By Invitation:** (none)

**RESOLVED:**

That the minutes of the meeting held on 15 June 2005 be taken as read and signed by the Chairman as a correct record.

**10. ISSUES RAISED BY LOCAL COUNCILS**

The Secretary of the Epping Forest Branch of the Essex Association of Local Councils highlighted the concerns that had been raised in respect of planning issues by the Local Councils, and in particular the perception that District Council Officers and Members did not always understand the representations of residents' views by Local Councils. Concern had also been expressed over a recent letter from the District Council's Assistant Head of Planning Services regarding relatively minor objections made by Local Councils to planning applications, which had then caused the application to be dealt with by the relevant Sub-Committee rather than by the Head of Planning and Economic Development under delegated powers. The Joint Chief Executive (Community) reminded the Committee that District Councillors had requested the letter be written, and that Local Councils had the option to attend the Area Plans Sub-Committees to make their views known to the District Councillors. The Vice-Chairman added that planning was an integral part of the Local Charter, but had always been problematic.

Epping Town Council inquired as to whether there should be any collaboration between District and Parish Councillors. The Vice-Chairman responded that there would not always be collaboration as there were fundamental differences in approach, especially in respect of design issues, but Local Councillors should have more influence over planning matters as they generally had better local knowledge. The Vice-Chairman also highlighted that letters to neighbours informing them of impending planning applications did not always get received, especially in rural areas. Ongar Parish Council was in agreement and added that neither the leaflet nor letter sent to neighbours of planning applications made any mention that Parish and Town Councils could also make representations. Epping Town Council further stated that the tone of the letter from the Assistant Head of Planning Services had not been appreciated. The Vice-Chairman reminded the Committee that Parish and Town Councils only received the plans for each application, not the Officer's report that was prepared for District Councillors. Local Councillors were also not quite so knowledgeable about planning law as their District counterparts, and many of the Local Councils did not have full-time Clerks.

The Head of Planning and Economic Development responded to some of the points that had been raised by the Local Councils. The District Council had offered Local Councillors the same level of training as District Councillors. New Councillors would not have the knowledge or understanding that had been gained by their more experienced colleagues, but over time this would improve and would lead to a growing correlation between the views of District and Local Councillors. The responsibility for the notification of neighbours had been transferred from Planning Officers to Administrative staff, but that there would occasionally be discrepancies over notifications between the urban and rural areas of the District due to the greater distances involved for the rural areas. The District Council had also made use of site notices, the local press and had advised Local Councils of forthcoming applications. The new integrated Planning computer system would enable members of the public to view the progress of individual applications, but Parish or Town Councils should remain the primary vehicle by which the views of local residents were made known to the Sub-Committees. With regard to the letters and leaflets sent out with the letters of notification to neighbours, they would be redesigned to give greater emphasis to the role of Parish and Town Councils in making

representations in respect of planning applications. However, if the Committee wished to approve them then they would not be in use before March 2006.

Nazeing Parish Council remarked that, with the current backlog of enforcement action, planning conditions were possibly being overused in order to control debateable planning applications, and Officer time was being wasted in continually revisiting the same sites. The Head of Planning and Economic Development stated that the concerns over enforcement were understood. District Councillors were generally aware of applicants who had not complied with planning conditions in the past; if Parish or Town Councils had similar concerns then representations should be made to the relevant Sub-Committee. The Enforcement team was large in comparison with other teams within the Council, but it had been difficult to keep the team together in the same office. There had also been problems encountered in attempting to recruit a Senior Enforcement Officer; the appointment would probably now be made internally. The Head of Planning and Economic Development further added that the new integrated Planning computer system would aid the dissemination of information, and that the proposed restructure would improve the administrative support for the Enforcement team.

Moreton, Bobbingworth and The Lavers Parish Council felt that Planning Officers had tended to make their decision before reviewing the representations made by Local Councils. It was also felt that there was a lack of understanding at District level over Parish boundaries and that more use should be made of the electoral register. Loughton Town Council added that Local Council representations should focus on the relevant policies as well as the Local Plan, and it was agreed that a guide to these policies should be distributed to the Local Councils. The Head of Planning and Economic Development advised that Officers would have some idea of the likely outcome of the application early in the process, would have come to a preliminary decision after visiting the site, but would not compose the final report until after all the representations had been received. The new integrated Planning computer system should alleviate the problems regarding the Parish boundaries, and the weekly list of received planning applications would be updated to include the Parish of the application.

Sheering Parish Council inquired as to whether there were any plans to hold Planning Seminars. The Chairman intimated that these had been held in the past but that attendance had often been disappointing. The Head of Research and Democratic Services added that further training courses on the Planning Protocol would be held in 2006 if the demand necessitated. The Chairman reminded the Committee that the District Planning Sub-Committees were very professionally run. It was unfortunate that some planning applications had to be granted due to a lack of planning grounds on which to refuse, but decisions that had been overturned on appeal were costly for the District Council.

Nazeing Parish Council highlighted the apparent paradox of rural Nazeing being placed in the urban Waltham Abbey Sub-Committee. The Head of Research and Democratic Services responded that Government rules dictated that some rural areas would unavoidably end up in pre-dominantly urban sub-committees.

The Secretary of the Epping Forest Branch of the Essex Association of Local Councils requested a comparison between objections made by Local Councils and the occasions when the Planning Sub-Committee upheld those objections. The Head of Planning and Economic Development replied that 84% of the decisions taken were in line with the Parish or Town Council's views, although Local Council objections could lead to the District Council not meeting its eight-week target for determining each application. The Committee were informed that some statistics had been prepared, broken down by Parish, which were available for Local Councillors to peruse.

The Head of Planning and Economic Development tabled a briefing note on Planning Performance, for the information of the Local Councillors on the Committee, which highlighted the areas where improvement in performance had been sought. These had included: a new integrated computer system for Planning, Building Control and Local Land Charges; changes to accommodation arrangements for the various teams within Planning Services; the recruitment of a 'hit squad' to process the backlog of planning applications; the report on the restructure of Planning and Economic Development Services considered by the Cabinet on 24 October 2005; meeting the targets for the Key Performance Indicators within Planning Services; and the application of Planning Delivery Grants received by the Council.

**RESOLVED:**

That a guide to the Epping Forest District Adopted Local Plan Policies be attached to the minutes of the meeting for distribution to all Local Councils.

**11. PARISH REVIEWS**

The Head of Research and Democratic Services presented a report on Parish reviews and tabled a document regarding the procedures to be followed under the Local Government and Rating Act 1997. The Head of Research and Democratic Services reported that a small Parish within the District had been financially embarrassed following an unforeseen election in May 2005. Thus, it had been considered beneficial to advise Local Councils of the process for changing the Parish pattern within the District. Some of the smaller Parishes within the District might wish to amalgamate in order to aid financial planning for elections.

The Head of Research and Democratic Services further added that the District Council had no policy of instigating such reviews, and that the issue had been raised for the information of the Local Councils only.

**RESOLVED:**

That, as defined in the Local Government and Rating Act 1997, the procedure for instigating a review of Parish boundaries be noted.

**12. APPOINTMENT OF DISTRICT/TOWN/PARISH CHARTER WORKING GROUP**

The Head of Research and Democratic Services reported that, at the District Council meeting held on 28 July 2005, Councillors B Sandler, Mrs A Haigh and R Morgan had been appointed as the District Council representatives on the District, Town and Parish Council Charter Review. Councillors E Borton, J Salter and Mrs J Woods had already been appointed as the Town and Parish Council representatives.

**RESOLVED:**

That the appointment of Councillors B Sandler, Mrs A Haigh and R Morgan to the District, Town and Parish Council Charter Review by the District Council be noted.

**13. REMUNERATION SCHEMES**

The Head of Research and Democratic Services reminded Local Councils that if they wished to amend or introduce remuneration schemes then, by statute, they had to consult the Independent Parish Remuneration Panel.

#### **14. CODE OF CONDUCT AND PLANNING PROTOCOL TRAINING**

The Head of Research and Democratic Services requested that Local Councils should consider whether they felt there was a need for further training on the Code of Conduct and the Planning Protocol. The Committee was reminded that the Planning Protocol training was being updated following new advice from the Standards Board in relation to dual-hatted Councillors and dealing with lobby groups. The new course would be ready for presentation in January 2006.

##### **RESOLVED:**

That further training on the Code of Conduct and Planning Protocol be arranged by the Head of Research and Democratic Services.

#### **15. ANY OTHER BUSINESS**

##### **(a) World War II Tea Party – Epping Forest Museum**

The Chairman reported that invitations had been sent out to the Chairmen and Mayors of the Town and Parish Councils within the District for a World War II Tea Party to be held at the Epping Forest Museum on Sunday 6 November 2005. Currently, only five responses had been received, and the Chairman requested that outstanding responses be made to the Chairman's Support Officer as soon as possible.

##### **(b) East of England Plan**

The Secretary of the Epping Forest Branch of the Essex Association of Local Councils informed the Committee that there would be a forthcoming meeting at Braintree in respect of the East of England plan. The Committee were reminded that the Essex Association of Local Councils had been allocated eight places on the consultation body, and that Parish or Town Councils should make their views known to the Association. There would also be a public examination in February 2006 in relation to the proposed expansion of Harlow, and that further studies had been planned in respect of other large developments due to take place. The Joint Chief Executive (Community) confirmed that the District Council had made its views on the East of England Plan known to Essex County Council, and that a further two public examinations of the Plan had also been scheduled.

##### **(c) Licensing Act 2003**

The issue of Local Councils not being consulted during the determination of applications under the Licensing Act 2003 was raised. It was suggested that Licensing Officers from the District Council could give a presentation at the Committee's next meeting on Wednesday 1 March 2006 in order to clarify the situation for Town and Parish Councils.

##### **(d) Councillors A Everett and K Percy**

The Chairman reported that Councillors A Everett and K Percy were both unwell.

##### **RESOLVED:**

(1) That, in order to explain the role of Local Councils under the Licensing Act 2003, a presentation be given by Licensing Officers from the District Council at the Committee's next meeting on Wednesday 1 March 2006.

(2) That letters of best wishes for a quick recovery be written to Councillors A Everett and K Percy and signed by the Chairman on behalf of the Committee.

**16. DATES OF FUTURE MEETINGS**

The Committee noted that the date of the next meeting would be 1 March 2006.

**CHAIRMAN**

## EFDC. Adopted Local Plan. January 1998. Policies.

### Design and the Built Environment,

Key.		Policies DBE.	Page.
	New Build.	1, 2, 3, 4,	1.
		5, 6, 7 & 8.	2.
	General.	9.	3.
	Extensions / Subdivisions	10 & 11.	3.
	Shopfronts.	12.	4.
	Advertisements.	13.	4.
	Conservation Areas	HC 6 - 9 inc	4.
	Listed buildings	HC 10 - 13	5.

#### **DBE 1.** The Council will require that new buildings :

- (i) Respect their setting in terms of scale, proportion, siting, massing, height, orientation, roof-line and detailing.
- (ii) Are of a size and position such that they adopt a significance in the street - scene, which is appropriate to their use or function; and
- (iii) only employ external materials which are sympathetic in colour and texture to the vernacular range of materials.

#### **DBE 2.** Planning permission will not be granted for new buildings which have a detrimental effect upon existing neighbouring or surrounding properties in either amenity or functional terms.

#### **DBE 3.** Outside the Green Belt, new development will be required to ensure that:

- (i) All spaces between and around buildings are deliberately created to be functional, attractive and safe for the intended users;
- (ii) Spaces are of individual identity and character and are satisfactorily enclosed;
- (iii) Public, private and semi-private spaces are clearly discernable to their intended users.
- (iv) The informal supervision of public and semi-private spaces around buildings by their occupiers is encouraged; and
- (v) Front elevations face outwards onto public spaces and contain the main entrances.

#### **DBE 4.** Within the Green Belt, new buildings will be required to ensure that :-

- (i) Their location respects the wider landscape setting of the site; and
- (ii) They are of a design which respects local character in terms of traditional plan form and detailing.

cont / DBE 5

- DBE 5.** Where new residential developments involve the creation of a new street system, or an extension to an existing system, the design and layout will be required to:
- (i) Be based on a pattern of buildings fronting public spaces;
  - (ii) Allow for the convenient movement of pedestrians and cyclists within the development; and
  - (iii) Encourage users to form clear, accurate images of the development and routes through it.
- In addition, where the site is of appropriate size, the design and layout should;
- (a) Create a series of contrasting public spaces; and
  - (b) Comprise a series of interlinking routes focusing on a core area.
- DBE 6.** The Council will require that car parking for new residential development is:-
- (i) Conveniently situated for its intended users and adequately lit; and
  - (ii) Located such that parked cars do not visually dominate the streetscene.
- DBE 7.** New residential developments on large sites will be required to provide public open space which is:-
- (i) Appropriate to the scale of the development; and
  - (ii) Of adequate size and suitably located within the public space network.
- DBE 8.** New residential developments will be expected to provide private amenity space, this will usually:-
- (i) Be to the rear of dwellings or flats;
  - (ii) Be directly adjacent to and easily accessible from the relevant buildings;
  - (iii) Be of a size, shape and nature which enables reasonable use;
  - (iv) Have an aspect which ensures that reasonable parts receive sunlight throughout the year;
  - (v) Not have an excessive slope in its finished form; and
  - (vi) Achieve privacy on a continuing basis.

cont / DBE 9



**DBE 9.** The Council will require that a change or intensification of use, extension or new development does not result in an excessive loss of amenity for neighbours, the factors which will be taken into account are :-

- (i) Visual impact;
- (ii) Overlooking;
- (iii) Loss of daylight / sunlight; and
- (iv) Noise, smell or other disturbance.

**DBE 10.** A residential extension will be required to complement and, where appropriate, enhance the appearance of :-

- (i) The streetscene;
- (ii) The existing building; and
- (iii) The Green Belt.

This will be achieved by close attention to :-

- (a) The scale, form, detail, elevations, materials, roof treatment and fenestration of the existing building; and
- (b) separation from any neighbouring buildings; and
- (c) The existence of any landscaping in the locality.

**DBE 11.** The subdivision of residential properties to flats, maisonettes or some other form of multiple occupation will be granted planning permission provided the development will not :-

- (i) Be likely to result in such an intensification of use which would create an undesirable precedent from the character of the surrounding area; or
- (ii) Be likely to result in excessive noise and / or disturbance to residents of either the new dwellings or neighbouring ones; or
- (iii) Result in adjacent properties being overlooked to an excessive degree; or
- (iv) Involve the loss of important garden space in order to create the requisite number of car parking spaces.

cont / DBE 12

**DBE 12.** The Council will require that :-

- (i) New shopfronts are in keeping with the character and appearance of the upper elevations of the buildings on which they will be situated;
- (ii) New shopfronts should not result in the removal or concealment of features which contribute to the character of the building;
- (iii) New shop fascias are appropriate to the building ( in terms of length, depth and materials );
- (iv) New shop fascias should not extend uninterrupted across more than one shop unit; and
- (v) In conservation areas, original shopfronts and their surrounds are retained.

**DBE 13.** The Council will not give advertisement consent for :-

- (i) The installation of internally-illuminated box-fascias, projecting box signs and other illuminated signs which would;
  - (a) Adversely affect the character of historic Town Centres; or
  - (b) Be out-of-keeping with the building of which they would form part by reason of their materials, colours or proportions; or
  - (c) Be located outside Town Centres or shopping parades; or
  - (d) Adversely affect the amenities of nearby properties; or
  - (e) Appear incongruous in, or adjacent to, the Green Belt; or
- (ii) More than one fascia and one projecting or hanging sign per shopfront; or
- (iii) The installation of fixed 'dutch' blinds which adversely affect the character of buildings or conservation areas; or
- (iv) Advertisement hoardings except on a time-limited basis on sites where new development is to take place; or
- (v) Any advertisement which would constitute a hazard to road safety.

**CONSERVATION AREAS.**

**HC 6** Within or adjacent to a Conservation area, the council will not grant Planning Permission for any development, or give consent for works to trees, which could be detrimental to the character, appearance or setting of the Conservation area.

**HC 7** Within Conservation areas, all development and materials will be required to be of a particularly high standard to reflect the quality of the environment. Development should :-

- (i) be sympathetic to the character and appearance of the Conservation area in terms of scale, density, massing, Layout, building line, landscape and access.
- (ii) have traditional pitched roofs and create a roofscape with sufficient features to provide an appropriate degree of visual interest in keeping with the character of the Conservation area.

cont / HC7 (cont)

- (iii) Be composed of facing materials chosen from the traditional range used in the district.
- (iv) have facades which:
  - (a) provide an appropriate ballance between horizontal and vertical elements, and proportions of wall to window area.
  - (b) incorporate a substantial degree of visual intricacy, compatible with that of the facades of historical buildings; and
- (v) where applicable, be of a scale compatible with any adjacent historical buildings.

**HC 8** The Council will seek to ensure that all Public Utility companies and the Highway Authority have regard to the need to preserve the character of Conservation areas when considering works within them.

**HC 9** The Council will only grant consent for the demolition of a building in a Conservation area where the building does not make a significant contribution to the character and appearance of that area, or where the redevelopment proposal preserves or enhances that character or appearance.  
Any consent may be subject to:

- (i) Planning permission having already been granted for the redevelopment of the site; and,
- (ii) A legal agreement that the building is not demolished before a contract for the redevelopment of the site has been made.

#### Listed Buildings.

**HC 10** The Council will not give consent for works to the interior or exterior of a Listed Building which could detract from its historical interest or architectural character and appearance.

**HC 11** The Council will not give consent for the demolition of a Listed Building unless it can be shown, to the satisfaction of the Council, that there are circumstances as to why the building cannot be retained and returned to an appropriate use.

**HC 12** The Council will not grant Planning Permission for development which could adversely affect the setting of a listed building.

**HC 13** The adaptation or conversion of a Listed Building to a new use may be permitted where:

- (i) This can be shown to be the only way to retain the special architectural or historic interest of the building; and,
- (ii) any proposed alterations respect and conserve the internal and external characteristics of the building and do not diminish its special architectural or historic interest; and,
- (iii) the immediate and wider landscape settings of the building are respected.

Substantial reconstructions or extensions, and sub-divisions into more than one unit will not be permitted. Conditions may be imposed to control land use or development rights associated with the converted building.

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