

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 28 March 2018

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.15 pm

Members Present: B Rolfe (Chairman), S Kane (Vice-Chairman), G Chambers, S Heap, R Jennings, S Jones, H Kauffman, R Morgan, D Stallan, J M Whitehouse, R Gadsby, H Kane, M Sartin and R Baldwin

Other Councillors: -

Apologies: B Sandler, H Brady, J Knapman and C C Pond

Officers Present: S Solon (Principal Planning Officer), G J Woodhall (Senior Democratic Services Officer) and R Perrin (Democratic Services Officer)

53. WEBCASTING INTRODUCTION

The Senior Democratic Services Officer made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

54. 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 Committee, during the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at Council Planning Committee meetings.

55. APOLOGIES FOR ABSENCE

In the absence of the Chairman, who had tendered his apologies for the meeting, the Vice-Chairman would chair the meeting and requested nominations from Members to be the Vice-Chairman for the meeting.

Resolved:

- (1) That Cllr S Kane be appointed Vice-Chairman for the duration of the meeting.

56. SUBSTITUTE MEMBERS

The Committee noted the following substitutions for this meeting:

- (a) Cllr M Sartin for Cllr H Brady;

- (b) Cllr H Kane for Cllr J Knapman;
- (c) Cllr R Gadsby for Cllr B Sandler; and
- (d) Cllr R Baldwin for Cllr C C Pond.

57. DECLARATIONS OF INTEREST

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

58. MINUTES

Resolved:

- (1) That the minutes of the meeting held on 31 January 2018 be taken as read and signed by the Chairman as a correct record; and
- (2) That the minutes of the meeting held on 15 February 2018 be taken as read and signed by the Chairman as a correct record.

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

The Principal Planning Officer introduced a Briefing Note, produced by the Planning Policy Team.

The Principal Planning Officer reported that the Briefing Note had been written to ensure a consistent approach was taken to the provision of planning policy advice following the publication of the Epping Forest District Local Plan Submission Version on 18 December 2017. Its primary purpose was to inform the development management process and to assist Development Management Officers, Councillors, Applicants and Planning Agents. Other Council Officers involved in the development management process might also find the Briefing Note useful.

Resolved:

- (1) That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version published on 18 December 2017 be noted.

60. EPF/2662/17 - CHIGWELL LIBRARY, VICTORY HALL & CHIGWELL MEMBERS CLUB, HAINAULT ROAD, CHIGWELL

The Principal Planning Officer presented a report for outline planning permission for the demolition of the existing Victory Hall, Chigwell Members Club and Library and the proposed construction of a replacement Parish Council Offices, multi-use hall, Chigwell Members Club and Public Library in Hainault Road, Chigwell.

The Principal Planning Officer informed the Committee that this application had been considered by Area Planning Sub-Committee South on 21 February 2018 with a recommendation to refuse planning permission. However, the application had been referred directly to this Committee for a decision as: the application was contrary to the adopted Development Plan; there were concerns that the very special circumstances of the proposal had not been fully considered; and whether a defensible Green Belt boundary would remain if the application was approved.

The Principal Planning Officer stated that the application site covered an area of approximately 0.67 hectares, was roughly rectangular in shape, and bounded the built up area of Chigwell and extended into open fields designated as within the metropolitan Green Belt. The site included three buildings: Chigwell Library, housed in a pre-fabricated single storey building, the flat roofed Chigwell Members Club extension, which is attached to the single storey Victory Hall. Access to the site was via the eastern side of Hainault Road, on the edge of the built up area of Chigwell.

The Principal Planning Officer explained that the outline planning application before the Committee had all matters reserved, save for the impact on trees. The demolished buildings would be replaced with 86 car parking spaces and planting, with the proposed new building constructed further eastwards on land which was currently an open field. All of the uses within the proposed building would be accessed independently from the main entrance and foyer, and the proposed hours of use for the various constituents would remain the same as the existing hours.

The Principal Planning Officer reported that Planning Officers had concluded the proposal was inappropriate development due to its height, bulk, presence and intensity of use on the previously undeveloped area of the site, which was within the metropolitan Green Belt. The proposal would spread development into the countryside, seriously detracting from the open character of the site, and consequently would fail to protect the countryside from encroachment through urban sprawl. The proposal was therefore contrary to a fundamental aim of Green Belt policy.

The Principal Planning Officer highlighted that Planning Officers had appreciated the proposal could achieve positive social and economic benefits for the local community. However, the justification for the proposed development did not clearly demonstrate its benefits and did not demonstrably outweigh the serious harm that this development would cause to the openness of the Green Belt and the purposes of including the land within it. Therefore, the application did not demonstrate the necessary very special circumstances for development within the Green Belt. If the Committee was minded to grant this application then it would have to be referred to the National Planning Casework Unit for final approval as it was a major development within the metropolitan Green Belt that was contrary to policy.

The Committee noted the summary of representations received in respect of this application, including 39 letters of objection from local residents, and a degree of support from the Chigwell Residents Association. The Committee heard from an Objector and the Parish Council before proceeding to debate the application.

The Principal Planning Officer clarified the layout for the indicative plan. The current buildings had a floor area of 2,500m² over two floors; this would be difficult to replicate with single storey buildings so it was expected that one of the new buildings would be partly two storey. The proposal would give a 150% increase in floor area on the current buildings. It was also highlighted that the Applicant wished to continue to use the existing buildings whilst the new buildings were being constructed.

Cllr Jones was concerned about the potential loss of Green Belt land and felt that there was nothing in the application which demonstrated very special circumstances. Cllr Jones was also disappointed that the Parish Council was supporting the application. Cllr Chambers would have liked to have seen more detail regarding the application, particularly around the potential very special circumstances for development within the Green Belt. Cllr Sartin was in favour of the idea to create a community hub, but found it difficult to support this application in the metropolitan Green Belt.

The Principal Planning Officer commented that it might be possible to build on the existing built area, but that was not the application before the Committee as the Applicant wanted to use the existing buildings during the construction phase. The potential site for the new Health Surgery was outside the application site, but no planning application for it had been submitted to date.

The Principal Planning Officer also explained that the Committee could not place any weight on the Chigwell Parish Neighbourhood Plan as it had not been formally adopted. The application also contravened the Local Plan Submitted Version, which did comply with the National Planning Policy Framework.

Cllr Kauffman explained that a member of the Chigwell Residents Association had spoken when the application was considered by Area Planning Sub-Committee South, and the Association was uncomfortable with the creep into the Green Belt that this application represented. The proposed building would be extremely large for Chigwell; the main issue for this application was the use of high grade Green Belt land for building and Cllr Kauffman felt that the development should be undertaken on previously developed land. Cllr Jennings agreed that the proposal was large in comparison to what was currently on site, the proposal sought to use Green Belt land for development, and 86 car parking spaces were to be provided which seemed a lot. Cllr Jennings also had concerns over the gradual creep of development into Green Belt land that this application represented.

The Principal Planning Officer commented that to have a significant breach of the Council's previously identified Green Belt boundary would send the wrong message to the Planning Inspector during the Examination in Public of the draft Local Plan.

Cllr S Kane opined that it would not be proper for the proposed development to encroach into the Green Belt to this degree. This parcel of land had not been identified in either the draft Local Plan or Parish Neighbourhood Plan for development, and any development on it would be against Council policy as well as inappropriate. This parcel of land was high value Green Belt land and should not be encroached upon.

The Committee voted to refuse planning permission for the application, as per the Officer recommendation. The only possible way forward that the Committee could see for this application was to confine the development to the existing parameters of the built-up area of the site, and to submit a detailed planning application rather than an outline application.

Decision:

(1) That planning application EPF/2662/17 at Chigwell Library, Victory Hall and Chigwell Members Club, in Hainault Road, Chigwell be refused permission for the following reasons:

1. The site was located within land designated as Metropolitan Green Belt where there was a presumption against inappropriate development. A Community Right to Build Order was not obtained prior to the submission of this application. The proposal also fell outside of all other exceptions to inappropriate development listed within paragraphs 89 and 90 of the National Planning Policy Framework (NPPF). It was therefore inappropriate development in the Green Belt. In addition the proposal would result in a significant reduction in the openness of the Green Belt and would undermine the purpose of including land within it. No very special circumstances or other

considerations had been advanced that would outweigh the harm caused by the inappropriateness and other harm identified. The development would therefore conflict with Chapter 9 of the National Planning Policy Framework and policy GB2A of the saved Combined Policies of Epping Forest District Local Plan and Alterations and policies SP 6 and DM 4 of the Epping Forest District Local Plan (2011-2033) Submission Version.

2. Notwithstanding the lack of information submitted in relation to the height, scale, layout and appearance of the proposed development, given the number of uses proposed and their location it was likely to be an incongruous and dominant feature which would be visible from a number of long views of the site. It would therefore seriously undermine the distinctive natural landscape character of this edge of settlement location and was incompatible with the character and low density of development in close proximity to the site. It would therefore have a serious detrimental impact on the character and amenity of the surrounding area and as such was contrary to chapter 11 of the NPPF along with Policy LL1, LL12 and CP2 of the saved Combined Policies of Epping Forest District Local Plan and Alterations and Policy DM 3 of the Epping Forest District Local Plan (2011-2033) Submission Version.

61. ANY OTHER BUSINESS

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

The Chairman thanked the Members of the Committee and the Officers who supported the Committee for their assistance and guidance throughout the municipal year.

62. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

CHAIRMAN