

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee East **Date:** Wednesday, 1 February 2023

Place: Council Chamber - Civic Offices **Time:** 7.00 - 8.30 pm

Members Present: Councillors I Hadley (Chairman), H Brady (Vice-Chairman), C Amos, R Balcombe, N Bedford, P Bolton, P Keska, C McCredie, J Philip, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

Members Present (Virtually): Councillors

Apologies: L Burrows, J McIvor, R Morgan and P Stalker

Officers Present: G Courtney (Planning Applications and Appeals Manager (Development Management)), L Kirman (Democratic Services Officer) and N Cole (Corporate Communications Officer)

Officers Present (Virtually): S Dhadwar (Senior Planning Officer) and J Leither (Democratic Services Officer)

64. 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.

65. 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.

66. DECLARATIONS OF INTEREST

Pursuant to the Council's Members' Code of Conduct

Councillors McCredie and Brady declared a non-pecuniary interest in the following item of the agenda by virtue of being known to the applicant and a objectors and applicant. The Councillors had determined that they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1323/22- Coopersale Hall Farm, Unit 10, Fluxs Lane, Epping CM16 7PE

Councillor McCredie, Janet Whitehouse, and Jon Whitehouse declared a non-pecuniary interest in the following item of the agenda by virtue of being acquainted with some of the objectors and applicant. The Councillors had

determined that they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2343/22- 1 Theydon Place, Epping, CM16 4NH

Councillor C Whitbread declared an interest as the applicant was known to him. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/2343/22- 1 Theydon Place, Epping, CM16 4NH

Councillors Amos, Philip declared a non-pecuniary interest in the following item of the agenda by virtue of being acquainted with the applicant. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

EPF/2709/22 – 14 Forest Drive, Theydon Bois. CM16 7EY

67. MINUTES

RESOLVED:

That the minutes of the Sub-Committee held on 4 January 2023 be taken as read and signed by the Chairman as a correct record.

68. ANY OTHER BUSINESS

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

69. EPPING FOREST DISTRICT COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)

It was noted that the Epping Forest District Council Planning Policy Briefing note was available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

70. SITE VISITS

There were no formal site visits requested by the Sub-Committee.

71. DECISIONS

Details of all decisions made at the meeting are shown the appendix to the minutes.

72. PLANNING APPLICATION - EPF/1323/22 COOPERSALE HALL FARM, UNIT 10, FLUXS LANE, EPPING CM16 7PE

Decision: Refused

73. PLANNING APPLICATION - EPF/2343/22 1 THEYDON PLACE, EPPING CM16 4NH

Decision: Refused.

- 74. PLANNING APPLICATION - EPF/2559/22 38 FOREST DRIVE, THEYDON BOIS, EPPING CM16 7EZ**

Decision: Refused.

- 75. PLANNING APPLICATION - EPF/2709/22 14 FOREST DRIVE, THEYDON BOIS, EPPING CM16 7EY**

Decision: Approved with Conditions.

CHAIRMAN

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Application Ref: EPF/1323/22
Application Type: Full planning permission
Case Officer: Caroline Brown
Site Address: Coopersale Hall Farm, Unit 10, Fluxs Lane, Epping, CM16 7PE
Proposal: Conversion of existing ancillary building to dwelling with associated amenity space and parking for use by site manager. (Revised application to EPF/3076/20).
Ward: Epping Hemnall
Parish: Epping
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000O1Ki>
Decision: Refuse

Refusal Reason(s): (3)

- 1 The previous reasons for refusal have not been fully addressed and the development would result in the unacceptable loss of employment floorspace within a designated employment site. Sufficient robust evidence has not been advanced that clearly and reasonably demonstrates the need for a dwellinghouse to accommodate a site manager/employees that would outweigh this harm. The principle of residential is also deemed inappropriate out of context and contrary to policy CP1, CP2, CP9, ST1 and E1 of the adopted Local Plan & Alterations (1998-2006), and E1, SP1, SP2 of the Submission Version, 2017 and the National Planning Policy Framework, 2021
- 2 The proposed dwellinghouse by reason of its design and siting would result in n overlooking and a loss of privacy to the adjoining occupiers and an unsatisfactory form of accommodation to the future occupiers of the development. Such substantial harm to the living conditions of the adjoining properties is contrary to policy DBE9 of the adopted Local Plan and Alterations (1998-2006) and policy DM9 and DM10 of the Submission Version, 2017 and with the core objective of the National Planning Policy Framework to secure a good standard of amenity for all existing and future occupiers
- 3 In the absence of a completed Section 106 planning obligation the proposed development fails to mitigate against the adverse impact that it will have on the Epping Forest Special Area for Conservation in terms of air pollution. Failure to secure such mitigation is contrary to policies CP1 and CP6 of the adopted Local Plan 1998 & 2006, Policies DM2 and DM22 of the Local Plan Submission Version 2017, Paragraph 180 of the NPPF 2021, and the requirements of the Habitats Regulations 2017.

Informatives: (2)

- 4 The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Councils website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.

5 This decision is made with reference to the following plan numbers: PS0001A; PS002A;
Location Plan

Application Ref: EPF/2343/22
Application Type: Householder planning permission
Case Officer: Caroline Brown
Site Address: 1, Theydon Place, Epping, CM16 4NH
Proposal: Proposed alterations to garage, fenestration and construction detailing including enlarged and additional windows and rooflights within the first floor.- Amended application to planning permission reference EPF/3219/17.- Retrospective
Ward: Epping Hemnall
Parish: Epping
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001ULDQ>
Decision: Refuse

Refusal Reason(s): (1)

1 The proposed development, as a result of the cumulative effect of all of the changes, would detrimentally impact on the amenity of the area and would be inappropriate for this site, contrary to policies CP2, DBE3 and DBE10 of the adopted Local Plan and Alterations, policies DM 9 and DM 10 of the Submission Version Local Plan (2017), and the guidance contained within the National Planning Policy Framework.

Informatives: (2)

2 The Local Planning Authority identified matters of concern within the Committee discussion and clearly set out the reason for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Councils website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service

3 This decision is made with reference to the following plan numbers: 1 TPCM16/17/P/001; 1 TPCM16/17/P/002; 1 TPCM16/17/P/003; Site Plan; 1 Rev A ;2 Rev A;3

Application Ref: EPF/2559/22
Application Type: Householder planning permission
Case Officer: Sukhvinder Dhadwar
Site Address: 38, Forest Drive, Theydon Bois, Epping, CM16 7EZ
Proposal: Retrospective application for alterations to approved boundary wall.
Ward: Theydon Bois
Parish: Theydon Bois
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Uca4>
Decision: Refuse

Refusal Reason(s): (1)

- 1 The proposal, due to its overall design and choice of materials, has a formal character and appearance which undermines the visual cohesiveness of the group of seven bungalow plots within which it is situated. The proposal is therefore detrimental to the visual amenity of the streetscene and as such is contrary to the requirements of policies CP7 and DBE10 of the Adopted Local Plan and Alterations along with DM 9 of the Submission Version Local Plan.

Informatives:(2)

- 2 The Local Planning Authority identified matters of concern at the Committee meeting and clearly set out the reason for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Councils website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.
- 3 This decision is made with reference to the following plan numbers: 2056 04 B, 2056 07, cover letter.

Application Ref: EPF/2709/22
Application Type: Full planning permission
Case Officer: Ian Ansell
Site Address: 14, Forest Drive, Theydon Bois, Epping, CM16 7EY
Proposal: Application for a proposed change of hours from 6pm to 10pm.
Ward: Theydon Bois
Parish: Theydon Bois
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Unq3>
Decision: Approve with Conditions

Conditions: (5)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The use hereby permitted shall only be open to customers between the hours of 0800hrs to 2200hrs on any day of the week.

Reason: In order to minimise disturbance to local residents, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 3 Notwithstanding condition 2 above, no food or drink shall be served or consumed on the forecourt area other than between the hours of 0800hrs to 2000hrs on any day of the week and the forecourt area shall not be used other than between the hours of 0800hrs to 2100hrs.

Reason: In order to minimise disturbance to local residents, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 4 Any amplified sound equipment installed on the premises shall be operated so as to be inaudible above ambient noise levels from within any residential property.

Reason: Reason: In order to minimise disturbance to local residents, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 5 There shall be no additional fixed outdoor lighting installed on the forecourt.

Reason: In order to minimise disturbance to local residents, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

Informatives: (2)

- 6 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 7 This decision is made with reference to the following plan numbers: Location plan and block plan