

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 26 February 2020
South

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.17 pm
High Street, Epping

Members Present: J Share-Bernia (Chairman), A Patel (Vice-Chairman), R Baldwin, R Brookes, S Heap, R Jennings, J Jennings, H Kauffman, S Neville, M Owen, C P Pond, C C Pond, C Roberts, D Roberts and D Wixley

Other Councillors:

Apologies: A Beales, A Lion, L Mead, G Mohindra, S Murray, S Rackham and D Sunger

Officers Present: G Courtney (Planning Applications and Appeals Manager (Development Management)), R Perrin (Democratic Services Officer) and G Woodhall (Democratic & Electoral Services Officer)

73. 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.

74. MINUTES

RESOLVED:

That the minutes of the meeting held 29 January 2020 be taken as read and signed by the Chairman as a correct record.

75. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor A Patel declared a non-pecuniary interest in the following item of the agenda by virtue of being the Commercial and Regulatory Services Portfolio Holder. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2126/19 – 202 High Road, Loughton.

76. ANY OTHER BUSINESS

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

77. 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

78. SITE VISITS

It was noted that the following formal site visit was requested by members, and agreed by the Committee, prior to the consideration and determination of the remaining applications.

- EPF/1680/19 – 30 York Hill, Loughton.

79. PLANNING APPLICATION - EPF/1680/19 - 30 YORK HILL, LOUGHTON

APPLICATION No:	EPF/1680/19
SITE ADDRESS:	30 York Hill Loughton Essex IG10 1HT
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Proposed two storey side and rear extension.
DECISION:	Deferred

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=625996

DEFERRED FOR SITE VISIT

80. PLANNING APPLICATION EPF/2126/19 - 202 HIGH ROAD, LOUGHTON

APPLICATION No:	EPF/2162/19
SITE ADDRESS:	202 High Road Loughton IG10 1ET
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Change of use from A3 to A5 (Including Air Extraction & Ventilation Details)
DECISION:	Deferred

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=628058

DEFERRED FOR ADDITIONAL INFORMATION

81. PLANNING APPLICATION EPF/2411/19 - 65 STAPLES ROAD, LOUGHTON

APPLICATION No:	EPF/2411/19
SITE ADDRESS:	65 Staples Road Loughton IG10 1HR
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Proposed installation of x3 no. replacement windows to the front of the property.
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=629119

REASON FOR REFUSAL

- 1 The proposed development, due to the design of the replacement windows, fails to take the opportunity to improve the character and quality of the conservation area, contrary to paragraph 130 of the National Planning Policy Framework, policy HC7 of the adopted Local Plan and Alterations, and policy DM 7 of the Epping Forest District Local Plan Submission Version (2017).

82. PLANNING APPLICATION - EPF/3016/19 - 140-142 CHURCH HILL, LOUGHTON

APPLICATION No:	EPF/3016/19
SITE ADDRESS:	140-142 Church Hill Loughton IG10 1LJ
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Application for Variation of condition 1 of EPF/2015/19 to enable a variation in delivery and waste collection hours.
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=631338

CONDITIONS

- 1 No deliveries or waste collections are to be made outside of the hours 07.30 and 20.00 hours Monday to Saturday. No deliveries or waste collections are to be made outside the hours of 16.30 to 18.30 on Sundays and Bank Holidays.
- 2 The use hereby permitted shall not be open to customers / members outside the hours of 8am to 10pm on Monday to Saturday and 10am to 4pm on Sundays and Bank Holidays.
- 3 There shall be no external loudspeaker systems provided within the curtilage of the site. Any internal loudspeaker systems shall be such that at no time would the noise emanating therefrom exceed 45dbA, measured on the rear boundary of the site.
- 4 No access, either pedestrian or vehicular, shall be formed onto Millsmead Way
- 5 The proposed development should be carried out in accordance with the mitigation measures set in the noise report produced by Acoustics Consultants Ltd dated October 2019, reference : 7855/FD.

83. PLANNING APPLICATION - EPF/3061/19 - 1 FONTAYNE AVENUE, CHIGWELL

APPLICATION No:	EPF/3061/19
SITE ADDRESS:	1 Fontayne Avenue Chigwell IG7 5HB
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Proposed part single storey, part two storey side and rear extension. Loft conversion with rear dormer and a new front porch. (Revised application to EPF/2347/19).
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=631558

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 and retained strictly in accordance with the approved drawings numbers: 527/PL/00, 527/PL/03 527/PL/04 Rev A, 527/PL/05 Rev A, 527/PL/06 Rev A, 527/PL/07 Rev A and 527/PL/08 Rev A.
- 3 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.
- 4 Materials to be used for the external finishes of the proposed development shall match those of the existing building, except those stated on the approved plans.
- 5 The window openings in the upper storey flank elevation shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 6 Access to the flat roof over the single storey extension hereby approved shall be for maintenance or emergency purposes only and the flat roof

shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

- 7 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 window openings shall be inserted in the flank elevation without the prior written permission of the Local Planning Authority.

84. PROBITY IN PLANNING - APPEAL DECISIONS, 1ST APRIL 2019 TO 30ST SEPTEMBER 2019

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions 1 April 2019 to 30 September 2019. In compliance with the recommendation of the District Auditor, the report advised the decision-making committee of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation).

The purpose of the report was to inform the Area Plans Sub-Committee South 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 have been made against the Council.

Over the six-month period between 1 April 2019 and 30 September 2019, the Council received 56 decisions on appeals (54 of which were planning related appeals, the other two were enforcement related). Seven appeals out of 54 were allowed (13%). Broken down further, Committee reversals performed very well with only 2 out of 14 allowed (14.3%) and there was also a good officer delegated decisions performance of 5 out of 40 (12.5%) allowed.

Out of the planning appeals that arose from decisions of the Area Plans Sub-Committee South to refuse contrary to the recommendation put to them by officers during the 6-month period, one appeal was allowed against decisions made and three were dismissed. Out of 2 Enforcement Notice appeals, both were dismissed, but only one was of relevance to this Sub-Committee.

During this period, there were no successful award of costs against the Council.

Whilst performance in defending appeals at 22.6% appeared to be modest, there was no national comparison of authority performance. Members and officers were reminded that in refusing planning permission there needed 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 that 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 were related to the planning issues of the case) were one of a number of relevant issues to balance out in order to understand the merits of the particular development being applied for.

RESOLVED:

That the probity in Planning report covering the period 1 April 2019 to 30 September 2019 be noted.

CHAIRMAN

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