

THESE MINUTES NOT YET CONFIRMED

LOUGHTON TOWN COUNCIL

PLANNING AND LICENSING COMMITTEE

MINUTES of the Meeting held on Monday 25 July 2022 at 7.30pm at Loughton Library & Town Hall

Committee Members:

Councillors: C Davies (in the Chair)

P Abraham

W Kauffman

S Murphy

K Rainbow

S Fontenelle (as substitute for Cllr Wiskin)

Officers: Debra Paris (Planning Committee Clerk)

Jonathon Glynn (Finance Officer – Acting Planning Committee Clerk)

5 Members of the Public

The Committee AGREED to bring forward planning applications EPF/1140/22 – 16 Eleven Acre Rise, and EPF/1204/22 – 1 Langston Road, after agenda item 3, Confirmation of minutes, as members of the public present had an interest in these applications.

PL238 Apologies for Absence

Apologies for absence were received from Cllrs Riley and Wiskin. Cllr Fontenelle had been nominated as substitute for Cllr Wiskin for this meeting.

PL239 Declarations of Interest

The Committee declared a non-pecuniary interest in the following items:

- i. planning applications: EPF/0861/22 - 60 Traps Hill; EPF/1013/22 - 83 Bushfields; EPF/1140/22 - 16 Eleven Acre Rise; EPF/1201/22 - Roding Valley High School; EPF1204/22 - 1 Langston Road; and EPF/1254/22 - 35 Forest Road. Plus, agenda item 9.1.1 - the licensing application for Tom, Dick and Harry's 153 High Road, owing to comments received from the LRA Plans Group; and
- ii. planning application EPF/1232/22 – Higher Still, 23 Church Lane, as the applicant was known to members.

PL240 Confirmation of Minutes

The Minutes of the meeting of the Planning and Licensing Committee held on 11 July 2022 were CONFIRMED as a correct record and signed by the Chairman.

Cllr Kauffman declared a non-pecuniary interest in the following planning application as he recognised the speaker and was acquainted with her father.

PL241 Planning Applications

The following planning applications were CONSIDERED, and the plans inspected.

241.1 Application No: EPF/1140/22

Officer: Muhammad Rahman

Planning File No: 016397

Location: 16 Eleven Acre Rise, Loughton, IG10 1AN

Proposal: Retaining wall to rear gardens area.

The Committee NOTED the contents of 4 letters of objection.

A member of the public with an interest in this application addressed the meeting.

Members deplored the retrospective nature of this application.

The Committee OBJECTED to this application on the following grounds:

It had been drawn to the Committee's attention that the proposed retaining walls were in connection with the retention of earth in the garden. Some parts of the garden had been raised by as much as three metres and the higher level of ground was greatly impacting on the privacy of neighbouring properties. In particular, causing overlooking of the garden and kitchen of the neighbours at no 17 Eleven Acre Rise; and into the gardens of nos. 33 and 37 The Uplands. This breached condition 11 of the original application for the houses (EPF/1508/18) which stated:

"All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In order to control any alteration to levels or spreading of material not indicated on the approved plans in the interests of amenity, in accordance with policies CP2, DBE1 [visual amenity] and DBE9 [neighbour amenity]"

The filling in and raising of the garden was an engineering operation requiring planning permission which needed to be considered in tandem with the retaining wall. The application should be made invalid until this was factored in, and the applicant provided full details of how much the garden level had been raised and where. Full cross-sections across the whole of the garden, existing and proposed should be provided together with details of the levels on neighbouring gardens and existing/changed walls and fences. The applicant had provided no information to justify why the levels had been raised and how or where the materials had come from.

The committee noted that even without raising the ground level, the extension of 16 Eleven Acre Rise makes it considerably and unacceptably overbearing on neighbouring properties.

Members were also concerned about future subsidence and water movement on the neighbouring properties and suggested the District Surveyor be asked to look at this and provide assurances. In the absence of the above, there was insufficient information to accurately assess the impact of the works.

The Committee requested officers invalidate the application for the above information or refuse consent on the grounds of insufficient information.

Members further requested the council's planning enforcement team take appropriate enforcement action.

Application No: EPF/1204/22

Officer: Ian Ansell

Planning File No: 000695

Location: 1 Langston Road, Loughton, IG10 3SD

Proposal: Demolition of existing car wash and cycle / refuse store and redevelopment to provide part 5 and part 6 storey building comprising office

(Class Egi) and hotel (Class C1) use, together with associated car parking, cycle parking, access, servicing, refuse.

The Committee NOTED the contents of a letter of objection.

A member of the public with an interest in this application addressed the meeting.

The Committee OBJECTED to this application on the following grounds:

The traffic report relied too heavily on extant consents that have not been implemented. The second phase of the old office consent was unlikely to be implemented and the approved parking on this phase was merely a paper exercise which should be given little weight.

Members NOTED the comments of the applicant's agent, that the recent residential prior approval consent was not being implemented. Although the committee noted, that at some time in the future the permitted development into flats could well be enacted. In which case the outlook and amenity of residents, would be negatively impacted by the large, towering blocks which are proposed.

They also questioned how, in the current climate, two office blocks could be fully occupied? If however they were to be, the extra vehicular traffic this would result in would have an unacceptable impact on the EF SAC, the site being so close to the Forest.

The committee also noted that the site is literally just yards from the Roding Valley Nature Reserve, River Roding and Green Belt. Three large blocks are unnecessary and would be detrimental to local flora and fauna. Far better to soften this impact by considerably lowering the height of the two proposed office blocks.

Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet be considered justified, effective or consistent with national policy in relation to detriment to the SAC. Therefore, we **object to this application** because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects, will engender.

The junction at Chigwell Lane and Langston Road was unable to cope with the additional traffic generated since the opening of the Epping Forest Shopping Park on Langston Road. In particular, the number of cars waiting to turn into Langston Road had caused the traffic to back up past Debden Broadway. Notwithstanding earlier extant consents this application must be considered against existing policy and traffic issues. There is an opportunity to negotiate with the developer an additional lane for cars turning left into Langston Road to alleviate the traffic on Chigwell Lane and carry out other junction and signalling improvements.

The Committee considered underground parking would be a more favourable option, allowing the site to retain the existing green boundary, and preventing the negative impact its removal would have on the street scene. As well the current parking plan would create a large barren desert of tarmac. This would add to the air temperature and provide minimal shade. Parking at the site should also be limited to prevent further stress

on the SAC and use of the nearby underground station should be encouraged in this regard.

The submitted daylight study was based on the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a good practice guide, 2nd Edition 2011. This had been superseded and replaced by Site layout planning for daylight and sunlight: a guide to good practice (BR 209 2022 edition). The applicant should submit a report based on current, not defunct advice.

The Committee believed the height of the proposal was excessive, creating a huge negative impact on the area's appearance, and along with Landmark House set an unwelcome precedent. Members further opposed the unnecessary high-level signage, which was highly visible from long views, and jarred against the treetops of Epping Forest. They were also a distraction for users of the M11. The existing Higgins sign was an eyesore, and this was an opportunity to negotiate its removal to tidy up the roofline along this part of Langston Road.

Members requested Epping Forest District Council ensures a Section 106 agreement is entered into to prevent the new offices from converting to residential under permitted development rights.

PL242 Matters for Report

The Planning Committee Clerk confirmed there were no Matters for Report.

PL243 The Essex County Council (Epping Forest District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.19 part 1) Order 2022.

The Planning Committee Clerk advised that this matter was for information only, regarding the parking restrictions as outlined in paragraphs 1(b) and 1(d) and would take effect from 8 August 2022.

The Committee NOTED this information.

PL244 Construction Method Statement

The Committee AGREED to submit the proposed Construction Method Statement to the Local Planning Authority, to adopt and approve before demolition or building commenced under any approved planning consent.

PL245 Planning Applications

The following planning applications were CONSIDERED, and the plans inspected.

245.1 Application No: EPF/0516/22

Officer: Muhammad Rahman

Planning File No: 030596

Location: 48 Baldwins Hill, Loughton, IG10 1SF

Proposal: Proposed side extension.

The Planning Committee Clerk advised that this application had been incorrectly listed by Epping Forest District Council on its weekly list for 8 July 2022.

The Committee had previously considered this application at its meeting on 13 June 2022 (Min no PL219.1)

Application No: EPF/0861/22

Officer: Ian Ansell

Planning File No: 000845

Location: 60 Traps Hill, Loughton, IG10 1TD

Proposal: The part demolition of the existing house and the development of two new 4 bedroom detached family houses - one new build and one from the extension and refurbishment of the remainder of the existing house (Revised application to EPF/1684/20)

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application stating that it was an overdevelopment of the site. The proposal was out of keeping with the street scene, excessive in height and incongruous in shape. The proposed design did not fit in with other houses on Traps Hill.

The application proposed removal of the verge at the front of the property to facilitate the widening of the entrance to the site. Members questioned ownership of the verge, which it believed was owned by the District Council or Essex Highways and not the applicant. The removal of this verge would result in a negative impact on the street scene. It was also noted that this was a very narrow part of Traps Hill and would therefore have a detrimental impact on Highway safety issues.

The proposed second property on this site would place extra stress on the EF SAC. Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet be considered justified, effective or consistent with national policy in relation to detriment to the SAC. Therefore, we **object to this application** because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects, will engender.

Members considered the application was garden grabbing and would set an unwelcome precedent for the area.

Application No: EPF/0889/22

Officer: Rhian Thorley

Planning File No: 003190

Location: 2 Garden Way, Loughton, IG10 2SF

Proposal: Proposed single storey rear extension with Velux rooflights. Proposed flat roof to mono-pitch roof to front elevation & conversion of existing garage.

The Committee had NO OBJECTION to this application.

However, Members expressed concern for light pollution caused by the excess glass to the rear elevation in this proposal, and the negative impact this would have on wildlife, in particular for moths. The Committee requested that the applicant consider using tinted glass to mitigate this, and to comply with the council's sustainability policy.

Application No: EPF/0984/22

Officer: Alastair Prince

Planning File No: 006346

Location: 236 High Road, Loughton, IG10 1RB

Proposal: Proposed pergola with flexible blinds

The Committee OBJECTED to this application, stating the permanent structure was too imposing, resulting in a negative impact on the street scene. It would intensify noise and light on the pavement area.

The application would set a precedent, influencing neighbouring businesses and others along the entire High Road to follow suit, resulting in the loss of the open aspect of the High Road.

Application No: EPF/1013/22

Officer: Muhammad Rahman

Planning File No: 009457

Location: 83 Bushfields, Loughton, IG10 3JR

Proposal: Single storey ground floor front and side extension.

The Committee NOTED the contents of a letter of concern.

The Committee OBJECTED to this application considering the garage was too narrow to accommodate a car. Concern was expressed that the front extension would prevent a car from accessing the front drive.

Members requested that the council's highways officers check that a car could comfortably manoeuvre onto and fit on the drive, in order to prevent further pressure for on-street parking.

The Committee suggested the front extension should be stepped back.

Application No: EPF/1023/22

Officer: Caroline Brown

Planning File No: 030263

Location: 158 Colson Road, Loughton, IG10 3RA

Proposal: A single storey rear and side wrap around extension with associated internal changes.

The Committee OBJECTED to this application believing it would impact negatively on the neighbour's amenity.

Members would waive their OBJECTION if the proposal was taken back to match the footprint of the neighbouring extension.

Application No: EPF/1040/22

Officer: Muhammad Rahman

Planning File No: 030187

Location: 35 Tycehurst Hill, Loughton, IG10 1BX

Proposal: Variation of condition 3 and 4 on EPF/3234/18 (Proposed rear/side extension with conversion of loft space)

The Committee had NO OBJECTION to this application.

Application No: EPF/1058/22

Officer: Muhammad Rahman

Planning File No: 015003

Location: 79 Baldwins Hill, Loughton, IG10 1SN

Proposal: Addition of a side extension and small wrap around extension to the rear of the property.

The Committee had NO OBJECTION to this application.

Application No: EPF/1072/22

Officer: Rhian Thorley

Planning File No: 031562

Location : 57 Avondale Drive, Loughton, IG10 3DE

Proposal: Remove existing rear conservatory and erect single storey rear and loft conversion with rear dormer window and front roof lights.

The Committee had NO OBJECTION to this application.

Application No: EPF/1144/22

Officer: Mohinder Bagry

Planning File No: 002444

Location: 222 High Road, Loughton, IG10 1ET

Proposal: Fascia sign plus projecting sign

The Committee had NO OBJECTION to this application.

Application No: EPF/1170/22

Officer: Robin Hellier

Planning File No: 001347

Location: 5 Salcombe Park, High Road, Loughton, IG10 4QT

Proposal: TPO/EPF/18/12

T1: Cedar - Specific target reduction of lateral branches overhanging garage by up to 3m, as specified.

Crown thin of congested & crossing top growth by up to 10%, as specified.

Specific limb removal, as specified.

The Committee objects to applications which will result in inappropriate treatment being carried out to any significant tree, and also objects to any application to fell such a protected tree. It therefore objected to this application.

If, however, the District Council's arboricultural officers deem this application acceptable, whether with amendments or not, then the Committee was willing to waive its objection.

Application No: EPF/1180/22

Officer: Robin Hellier

Planning File No: 000288

Location: 5 Woodcote Mews, Loughton, IG10 4QS

Proposal: TPO/EPF/04/98 (Ref: T113-T118 & W1)

G1: 4 x Poplars & T1: Oak - Fell and replace, as specified.

The Committee objects to applications which will result in inappropriate treatment being carried out to any significant tree, and also objects to any application to fell such a protected tree. It therefore objected to this application.

Application No: EPF/1201/22

Officer: Kie Farrell

Planning File No: 000173

Location: Roding Valley High School, Alderton Hill, Loughton, IG10 3JA

Proposal: Proposed replacement of existing single storey modular building with a new two storey, four classroom block.

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application on the grounds that the modular building would result in a very visible unpleasant blank slab wall from the gardens and rear rooms of the houses in Station Road, which have relatively short gardens.

Members considered changing this elevation for a green wall would greatly soften the impact on these neighbours. They also believed the school should consider a green roof (or substantial water harvesting) and permeable ground treatment to showcase sustainable development to its pupils.

Application No: EPF/1222/22

Officer: Robin Hellier

Planning File No: 000785

Location: 98 Goldings Road, Loughton, IG10 2QN

Proposal: TPO/EPF/04/79 (Ref: T17)

T1: Cedar - Remove specific limbs at NW & SE orientation, as specified.
Crown reduce lateral branches, as specified.

The Committee objects to applications which will result in inappropriate treatment being carried out to any significant tree, and also objects to any application to fell such a protected tree. It therefore objected to this application.

If, however, the District Council's arboricultural officers deem this application acceptable, whether with amendments or not, then the Committee was willing to waive its objection.

Application No: EPF/1228/22

Officer: Alastair Prince

Planning File No: 016672

Location: Police Station, 158 High Road, Loughton, IG10 4BE

Proposal: Flying of the "Progress Pride Flag" from the existing flagpole at Loughton Police Station.

The Committee had NO OBJECTION to this application.

Application No: EPF/1232/22

Officer: Mohinder Bagry

Planning File No: 004419

Location: Higher Still, 23 Church Lane, Loughton, IG10 1PD

Proposal: Single storey front extension, garage conversion, change of roof structure over existing garage

The Committee declined to comment on this application as the applicant was a member of Loughton Town Council.

Application No: EPF/1240/22

Officer: Marie-Claire Tovey

Planning File No: 030156

Location: 88 Smarts Lane, Loughton, IG10 4BS

Proposal: Application for Variation of Condition 2 for EPF/1022/19.

(Proposed part single and part double front / side and rear extensions, and loft conversion with front/side and rear dormers).

Members deplored the retrospective nature of this application.

The Committee OBJECTED to this application stating it was cramped and created a terracing effect resulting in a loss of symmetry and a negative impact on the street scene.

Application No: EPF/1247/22

Officer: Ian Ansell

Planning File No: 009691

Location: Consort House, 49 Forest View Road, Loughton, IG10 4DY

Proposal: Demolition of existing indoor swimming pool building and former extensions for a gym and a single storey garage - alterations and extensions to the existing detached house with one single storey & one two storey side extension & an extension to the rear of the existing basement, new raised decking & steps to the rear with alterations to the existing fenestration front & rear & loft conversion with rooflights to the rear separation of the site into two parts and construction of new detached house with off street parking, alterations to front boundary treatment with new piers, walls, railings & sliding gates & extended vehicular crossover.

The Committee OBJECTED to the proposal for the second property on this site on that grounds that it was out of character, creating a negative impact on the street scene. Members considered this part of the proposal was garden grabbing and too cramped.

The proposed second property on this site would further place extra stress on the EF SAC. Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet be considered justified, effective or consistent with national policy in relation to detriment to the SAC. Therefore, we **object to this application** because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects, will engender.

The Committee had NO OBJECTION to the proposal for the existing house. However, members OBJECTED to the proposed boundary treatment for this application, stating it would result in a negative impact on the street scene. It was out of character with the road which had an open aspect.

Application No: EPF/1254/22

Officer: Loredana Ciavucco

Planning File No: 018736

Location: 35 Forest Road, Loughton, IG10 1EE

Proposal: Re-submission of application EPF/0702/21 for two storey side extension, single storey rear extension and alterations to existing elevations.

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application believing it was not materially different from the previous refusal. The proposal would destroy the symmetry of the cottages and adversely affect the street scene. It would not be possible to match the bricks and roofing materials, resulting in an inappropriate appearance in relation to the rest of the terrace.

There was insufficient information to substantiate the claim the site could still take two off street parking spaces without cars sticking over the public

pavement. This happens at No 37 and the council should not be allowing this to occur.

The submitted daylight study was based on the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a good practice guide, 2nd Edition 2011. This had been superseded and replaced by Site layout planning for daylight and sunlight: a guide to good practice (BR 209 2022 edition). The applicant should submit a report based on current, not defunct advice.

Overall this was an overdevelopment of the site and the loss of green space to the rear would result in a negative affect on the street scene.

Application No: EPF/1290/22

Officer: Ian Ansell

Planning File No: 026602

Location: Land and Garages Whitehills Road, Loughton, IG10 1TS

Proposal: Existing garages enlarged, extended & raised in height and reduced from 27no. garages to 26no. garages.

The Committee had NO OBJECTION to this application, EXCEPT for the new garage no 13, as this impeded the established disabled access rights for the resident living behind.

245.2 Deemed Permission – provided for information only:

The Committee NOTED the following applications:

Application No: EPF/1033/22

Officer: Mohinder Bagry

Planning File No: 017993

Location: 6 Tewkesbury Close, Loughton, IG10 3NT

Proposal: Certificate of lawful development for a proposed large garden shed.

Application No: EPF/1255/22

Officer: Rhian Thorley

Planning File No: 31346

Location: 20 Goldings Rise, Loughton, IG10 2QP

Proposal: Certificate of lawful development for proposed garage conversion, and 2m rear single storey extension

245.3 Others – provided for information only: EPF/1154/22, EPF/1275/22 and EPF/1276/22

The Committee NOTED the information received from Epping Forest District Council.

PL246 Decisions

246.1 Decisions by Epping Forest District Council

The Planning Decisions for June 2022 received from Epping Forest District Council were NOTED.

PL247 Licensing Applications

247.1 Notice of application for a new premises licence under the Licensing Act 2003 in respect of Tom, Dick, and Harry's, 153 High Road, Laughton, IG10 4LF

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application on the grounds of public nuisance and crime and disorder. Members object to any extension of hours beyond 11pm.

Patrons leaving the premises after 11pm would pass through quiet resident streets on their way home disturbing residents. It is well known that late night premises in Loughton result in anti-social behaviour including crime and disorder. When this unit was occupied by Nu Bar there were numerous problems associated with the use. 1am is far too late for Loughton residents.

Patrons using the car park opposite in Smarts Lane/High Beach Road Car Park or on residential streets such as Ollard's Grove would disturb residents.

Members also considered the following conditions should be applied to prevent public nuisance to nearby residents.

1. No outdoor areas to be used after 10.00pm including those with temporary enclosures.
2. All doors and windows to be closed after 10.00pm each evening.
3. No music allowed on any outdoor areas.

PL248 Enforcement and Compliance

248.1 No reports had been received.

Signed:
Date: 8 August 2022