

LOUGHTON TOWN COUNCIL

PLANNING AND LICENSING COMMITTEE

MINUTES of the Meeting held on Monday 10 October 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 J Riley G Wiskin (from min no 277)

Also Present Councillors: D Wixley (from min no 279)

Officers: Debra Paris (Planning Committee Clerk)
Jonathon Glynn (Finance Officer)

2 Members of the Public.

PL276 Apologies for Absence

The Planning Committee Clerk reported that Cllr Wiskin had sent apologies that he may be late or unable to attend this evening's meeting, as his flight back to the UK had been delayed.

Cllr Wiskin arrived during the following item.

PL277 Declarations of Interest

The Committee declared a non-pecuniary interest in agenda item 5, planning application CC/EPF/88/22 – Loughton Library, Traps Hill; and planning applications: EPF/1248/22 - 58 Hanson Drive; EPF/2053/22 - 69 Church Hill; and EPF/2136/22 - Corner Garth, Nursery Road, owing to comments received from the LRA Plans Group.

Cllr Riley declared a non-pecuniary interest in agenda item 8.1.1 – Application for a new Street Trading Consent – El Cafecito Ltd, Loughton Club, as he is a member of Loughton Club.

Cllr Wixley declared a non-pecuniary and non-prejudicial interest in these proceedings as a dual-hatted councillor and member of Epping Forest District Council Area Planning Subcommittee South. He stated that any views he gave at this meeting would be considered afresh if the applications came before a District Council committee, in light of all the evidence available at the time.

PL278 Confirmation of Minutes

The Minutes of the meeting of the Planning and Licensing Committee held on 26 September 2022 were CONFIRMED as a correct record and signed by the Chairman.

The Committee AGREED to bring forward planning application EPF/2053/22 – 69 Church Hill, as a member of the public present had an interest in this application.

Cllr Wixley arrived during the following item.

PL279 Planning Application

279.1 Application No: EPF/2053/22

Officer: Sukhvinder Dhadwar

Location: 69 Church Hill, Loughton, IG10 1QP

Proposal: 2no semi-detached houses and 1no detached house.

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 was advised that planning notifications for this proposal had not been issued/posted by the Local Planning Authority (LPA), Epping Forest District Council. The LPA therefore agreed to extend the time limit for comments on this application from residents until 28 October 2022. Committee members believed that this application should therefore be invalidated, and as they did not have authority to formally postpone this matter it would be prudent to submit comments.

The Committee OBJECTED to this application on the grounds that the proposal was overbearing and an overdevelopment of the site. This is due to the height and bulk of the proposal, the fact that it is building edge to edge and too close to both boundaries. This would create a negative impact on the amenity and outlook of neighbours both up and down hill. It was garden grabbing and would result in the loss of greenery and gardens which will have a negative impact on the street scene.

Members also supported the comments of the Loughton Residents Association Plans Group which were:

“Although this is a considerable improvement on the previous application the scheme still proposes additional dwellings which means more car pollution and a subsequent impact on the air quality to the SAC. Any additional dwelling that leads to more traffic in the SAC is unacceptable. The additional dwellings will also result in more pressure for the overstressed recreational services and subsequent damage to the SAC.

The current proposed solution to bring in a Clean Air Zone (CAZ) in 2025 is not guaranteed to happen and in any event does not stop additional cars associated with new dwellings from polluting the SAC before the CAZ is brought into operation.

We are very concerned that the Council has been giving planning approvals for housing developments near to the Epping Forest Special Area of Conservation (EFDSAC); in doing so it is requiring sums to be paid under s106 agreements with reference to the Council’s Interim Air Pollution Mitigation Strategy (IAPMS).

Not only is it impossible for the Council to know whether or not the sums required under the s106 agreements will turn out to be adequate, the mitigation measures are not being implemented in advance of the new dwellings being built and the subsequent harm to the SAC from the additional traffic. This approach is in clear breach of UK law, as set out in Holohan and other related judgements.

We consider the front elevation should not project beyond the front walls of the 67A and 73 Church Hill in order to avoid it dominating the views along this part of Church Hill.

We object to the barren look of the front to the building, which is dominated by parking for cars. The number of spaces should be reduced, and planting of suitable native species and soft landscaping introduced and conditioned. We note the link to the highway assessment is missing.”

The Committee was also concerned that no bats are harmed and requested a suitable survey should be carried out to confirm their presence.

The Committee AGREED to bring forward agenda item 5, Essex County Council planning application CC/EPF/88/22 – Loughton Library, Traps Hill, Loughton, IG10 1HD, as a member of the public present was interested in this item.

PL280 Essex County Council planning application CC/EPF/88/22 – Loughton Library, Traps Hill, Loughton, IG10 1HD – Demolition of the existing building and the construction of new part 5/part 4/part 3 storey building to provide (i) a public library; (ii) space for offices, community use and Jazz Archive; (iii) the provision of 38 residential apartments; and (iv) associated access, parking, servicing, utilities, and landscaping.

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application on the grounds that the proposal was an overdevelopment, by reason of its bulk and height. A five storey building was considered excessive and would set an unwelcome precedent. A building of that height would be out of character with the area, creating a negative impact on the street scene.

Members had no objection in principle, to a proposal for residential properties, particularly if it included affordable housing, but felt that the 38 dwellings proposed were too many for the site; and no reference was made to affordable housing. A two or three storey building would be more acceptable and in character with the area.

The Committee further supported the comments of the Loughton Residents Association Plans Group which were:

“The existing library, at two storeys, dominates this part of Traps Hill which is characterised by open spaces before it meets the three-storey high street retail buildings. The proposed five storey building, by reason its height and bulk is wholly out of character with the area and will dominate the setting of Traps Hill. Because of the lack of buildings at the Church Hill side of the cricket ground, the new building will also stand out like a sore thumb to anyone walking or driving south down Church Hill, against a background of much lower buildings. It will also significantly harm the setting of the cricket ground which is one of the very few grounds still located in the centre of such a large urban settlement like Loughton.

It is utter nonsense to claim in the design and access statement the playing fields justify the increase in height. On the contrary, in townscape terms, with nothing on the opposite side of Traps Hill the site should be a transitional height and certainly no higher than the ambient heights of the domestic dwellings further up Traps Hill.

The extensive bulk of the new building will impact on the setting of the Grade Two listed 2 Traps Hill. This is a very important local building; the renowned Victorian architect James Cubitt (1836 – 1912) lived and died here and was buried in an unmarked grave next to his wife in Loughton Cemetery. We ask officers check the view on Figure 8 of the Heritage Statement is actually “verified”. The view of 2 Traps Hill from the High Street (arguably the most important view) will be compromised by

the new development and cause harm to its setting. Whilst the impact may be less than substantial harm it is on the high end of the less than substantial harm test under the NPPF. The pleasure of viewing this local treasure of a building is greatly distracted by the new development. Epping Forest's Heritage Policy HC12 states *'The Council will not grant planning permission for development which could adversely affect the setting of a listed building.'*

The basement car park is unworkable; many of the spaces such as spaces 26 to 30 and space 37 lack a turning circle for cars to manoeuvre out of the spaces. We do not agree the swept path analysis is right in the Transport Statement; many cars are longer than 5.079m. We note staff will be expected to park in the public car park. This car park is heavily used; expecting staff to park in the public car park as well as visitors to the residential development will further erode the spaces available for members of the public.

The application proposes 38 additional dwellings which means more car pollution and a subsequent impact on the air quality to the SAC. Any additional dwelling that leads to more traffic in the SAC is unacceptable. The additional dwellings will also result in more pressure for the overstressed recreational services and subsequent damage to the SAC.

The current proposed solution to bring in a Clean Air Zone (CAZ) in 2025 is not guaranteed to happen and in any event does not stop additional cars associated with new dwellings from polluting the SAC before the CAZ is brought into operation.

We are very concerned that the Council has been giving planning approvals for housing developments near to the Epping Forest Special Area of Conservation (EFDSAC); in doing so it is requiring sums to be paid under s106 agreements with reference to the Council's Interim Air Pollution Mitigation Strategy (IAPMS).

Not only is it impossible for the Council to know whether or not the sums required under the s106 agreements will turn out to be adequate, the mitigation measures are not being implemented in advance of the new dwellings being built and the subsequent harm to the SAC from the additional traffic. This approach is in clear breach of UK law, as set out in Holohan and other related judgements.

It is not sustainable to knock down existing buildings and replace them with completely new builds. The existing building represented an enormous investment in carbon and energy already, and to simply throw it into the skip is unacceptable.

Historic England's Heritage Counts report confirms knocking down buildings releases embodied carbon dioxide (CO₂) which is stored inside them and contributes to climate change. An owner can adapt an old building and reduce CO₂ emissions by more than 60%. Historic England claim replacing a traditional Victorian terrace property with a new building of the same size produces up to 13 times more embodied carbon, which equates to about 16.4 tonnes of CO₂. This proposed development will be significantly higher than that.

It is irresponsible for a public authority to argue the cost of repairs is too great, to justify such a large development. The council has let the building get into its current condition and should find the funds to repair it and responsibly retain the embodied carbon dioxide which is stored inside it. The council needs to resist the loss of existing fabric and insist the existing dwelling is retro fitted with sustainable energy efficiencies and improved rather than allowing it to be demolished and sent to landfill. Any scheme that replaces an existing building should have a carbon assessment of the whole-life carbon footprint of it compared to the option of re-use.

The existing building is not that old and should be refurbished.

The additional vehicular movements to remove the entire existing building and replace it with a brand new one will also impact on the EPSAC.

We object to the lack of any affordable housing. If councils are providing zero affordable housing in their schemes, how can they expect private developers to provide any? There needs to be an independent viability report commissioned from Epping Forest District Council to ensure there is no bias in the report.

No statement of community involvement (SCI) has been submitted with the planning application. We ask that an SCI is provided. In the absence of this we ask under the Freedom of Information Act for all correspondence at the pre app stage including emails, survey responses, letters etc received be shared with the LRA Plans Group.

We disagree the reduction in library space is made up by a better layout for the new premises. Not only is there no staff parking (see above), there are far too many blind areas that are unobserved by staff. It is not good enough to rely on CCTV as an alternative.

No details have been provided regarding the relocation of the existing recycling bins. This will cause problems in the future; the new residents in the development are likely to complain about the general disturbance recycling bins cause.

Overall, this large unwelcome lump of a development causes substantial harm to the character and function of this part of Loughton. There is no public benefit, particularly in the absence of any affordable housing, and planning permission should therefore be refused.”

PL281 Matters for Report

281.1 Planning Re-consultation

EPF/1266/22 – 121 Roding Road, Loughton IG10 3BS. Proposal: Extensions and alterations to provide 1x new retail premises on the ground floor and 5x new residential apartments over with associated amenity space. *AMENDED PLANS* – Min no PL260.1

In the absence of any resident comments to these amendments members expressed concern, as to whether neighbours had received their notifications, in light of the current postal strikes.

The Committee **OBJECTED** to this application, considering the amended plans failed to address its previous objections.

The Committee reiterated its previous comments which were:

“The Committee NOTED the contents of 12 letters of objection.

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

*The Committee OBJECTED to this application stating the proposal was for five additional dwellings which 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 also commented on the close proximity of the site to the Roding Road Nature Reserve, and the negative impact the extra pollution would have on that.

The application would set a precedent for additional floors being erected on buildings in this area. This site was a regular array of small local shops set in double storey buildings within close proximity to neighbouring double storey residential properties – not the High Road. The effect of this proposal would be detrimental to the amenity and outlook of neighbours, in particular the occupants of nos 123 – 133 Roding Road, and possibly beyond, who would suffer a sense of enclosure and loss of outlook to their rear gardens.

The proposal may be a car free development but that does not stop the occupants from having cars. The site is located at a very busy junction, where illegal double parking regularly occurs from both private and commercial vehicles. Buses were often unable to turn right into Valley Hill causing severe congestion and highway safety issues at this busy junction, which has resulted in several collisions. Although double yellow lines are in situ no apparent enforcement is taken in this area. The additional residences would exacerbate this problem. No consideration had been given either to allow safe waste removal from the site.

Members believed that any proposal needed to provide suitable parking for visitors and delivery vehicles to ameliorate these issues.”

PL282 Planning Applications

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

282.1 Application No: EPF/1248/22

Officer: Sukhvinder Dhadwar

Location: 58 Hanson Drive, Loughton, IG10 2EA

Proposal: Proposed demolition of existing bungalow & x2 new build two bedroom dwellings.

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application stating the proposal was garden grabbing and would set an unwelcome precedent. The loss of this bungalow would reduce housing choice, particularly for people with disabilities, which is contrary to the council's policy on mixed and balanced communities.

The proposal would have a negative impact on the street scene and result in a detrimental impact on the amenity of the neighbours. This would cause neighbouring properties along the terrace to experience a loss of outlook, giving their back gardens a 'shut in' feel. Members believed it also failed to provide sufficient amenity space for the residents of the proposed new dwellings.

To facilitate the proposed crossover it would cause the loss of the grass verge, which was unacceptable, and would take away the roadside parking space of the neighbouring property, in an area where parking stress was already at its limit. Further, the position of the proposed driveway on the bend was dangerous.

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.

Application No: EPF/2064/22

Officer: Sukhvinder Dhadwar

Location: 13 Wellfields, Loughton, IG10 1PB

Proposal: Erection of single-storey rear extension on the existing conservatory footprint and infill first-floor extension with a flat roof.

The Committee had NO OBJECTION to this application.

Application No: EPF/2107/22

Officer: Loredana Ciavucco

Location: 15 Woodland Road, Loughton, IG10 1HQ

Proposal: Double rear extension & single front extension.

The Committee OBJECTED to this application on the grounds that the proposal would have a negative impact on the visual amenity and loss of sunlight to the neighbours at no 17.

Application No: EPF/2114/22

Officer: Rhian Thorley

Location: 11 Poets Place, Alderton Hill, Loughton, IG10 3FS

Proposal: Facade changes to improve overheating of building. Addition of opening casements, vents, grills and window film.

The Committee had NO OBJECTION to this application.

Application No: EPF/2124/22

Officer: Mohinder Bagry

Location: 22 Harwater Drive, Loughton, IG10 1LW

Proposal: Garage conversion and alteration of roof to existing extension.

The Committee had NO OBJECTION to this application.

Application No: EPF/2136/22

Officer: Loredana Ciavucco

Location: Corner Garth, Nursery Road, Loughton, IG10 4EF

Proposal: Proposed improvements and extensions.

The Committee NOTED the contents of two letters of objection.

Members noted the application description was misleading, as the proposal amounted to complete demolition and redevelopment for a larger house.

The Committee OBJECTED to this application stating that due to its mass and bulk, it was an overdevelopment. The proposal was too large for the plot, which would result in a detrimental effect on the street scene and loss of garden; and created no amenity space for the residents of the new dwelling. The development would be very overbearing on the neighbouring property and out of keeping.

Further, the increase in the number of bedrooms from 4 to 6 is contrary to the SAC and would result in more car pollution and a subsequent impact on the air quality to the 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.

Application No: EPF/2169/22

Officer: Rhian Thorley

Location: 241 Chester Road, Loughton, IG10 2LL

Proposal: Application for a proposed ground floor rear, side & porch extensions.

The Committee OBJECTED to this application, stating that the proposal, by reason of its size and design would be incongruous and harmful to the character and appearance of the existing building and street scene.

Application No: EPF/2224/22

Officer: Robin Hellier

Location: J Sainsbury Plc, Old Station Road, Loughton, IG10 4PE

Proposal: TPO/EPF/16/02 (Ref: T1), TPO/EPF/17/02 (Ref: T2)

T1 & T2: Ash - Face back overhanging branches up to 1.5m 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/2233/22

Officer: Robin Hellier

Location: Naivasha, 51 Alderton Hill, Loughton, IG10 3JD

Proposal: TPO/EPF/17/08 (Ref: T2)

T2: Ash - Crown reduce by 4-5m, 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.

282.2 Deemed Permission – provided for information only:

The Committee NOTED the following applications:

Application No: EPF/2086/22

Officer: Muhammad Rahman

Location: Debden House, Debden Green, Loughton, IG10 2NZ
Proposal: Certificate of Lawful Development for proposed use of land as a site for caravans, motor caravans and tents on the land edged red on site plan ref. AY/02C204360/01 in accordance with planning permission ref: A.294 (1947).

Application No: EPF/2117/22
Officer: Mohinder Bagry
Location: 37 Colson Road, Loughton, IG10 3RL
Proposal: Certificate of Lawful Development for proposed single storey side extension.

Application No: EPF/2123/22
Officer: Mohinder Bagry
Location: 22 Harwater Drive, Loughton, IG10 1LW
Proposal: Application for a Lawful Development certificate for a proposed loft conversion.

Application No: EPF/2153/22
Officer: Mohinder Bagry
Location: 2 Felstead Road, Loughton, IG10 3AZ
Proposal: Application for a Lawful Development certificate for a proposed loft conversion.

Application No: EPF/2161/22
Officer: Alastair Prince
Location: 36 Ibbetson Path, Loughton, IG10 2AS
Proposal: Application for a Lawful Development certificate for a proposed loft extension.

Application No: EPF/2167/22
Officer: Marie-Claire Tovey
Location: 62 Colson Road, Loughton, IG10 3RJ
Proposal: Application for a Lawful Development certificate for a proposed loft conversion, consisting of a creation of a rear dormer with x2 no. windows & x2 no. pitch roof windows to the front roof.

282.3 Others – provided for information only: EPF/2118/22, EPF/2154/22, EPF/2175/22, EPF/2178/22 and EPF/2210/22

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

Re: EPF/2118/22 – 1 Forest Lodge, Fairmeadside

The Committee would like to draw the attention of the Planning Officer to this Planning Permission. Members expressed concern that the applicant is not fully complying with the original planning approval and conditions for this development and would request strict adherence to the stipulations imposed. In particular, the Committee's request, when commenting on the original planning application, for a condition "**to keep the green boundary, as its just metres from the forest**".

PL283 Decisions

283.1 Decisions by Epping Forest District Council

The Committee NOTED the decisions received for August 2022.

PL284 Licensing Applications

**284.1 Application for New Street Trading Consent - El Cafecito Ltd,
Loughton Club, 8 Station Road, Loughton, IG10 4NX**

The Committee OBJECTED to this application on the grounds that the proposal would negatively impact on the amenity of the residents of neighbouring properties due to the cooking odours emitted. Members also raised a concern for possible noise disturbance from the vehicle engine or generator; and that the proposal would encourage litter in the surrounding area.

PL285 Enforcement and Compliance

285.1 No reports had been received.

Signed:
Date: 24 October 2022