



COMMENTS OF THE CHIGWELL PARISH PLANNING COMMITTEE

Planning Committee meeting of 22 February 2024

The minutes to be confirmed at the Planning Committee
meeting of 14 March 2024

MINUTE REF: PL424/23 - EPF/0047/24 - Chigwell Primary Academy, Mandir Lane, Chigwell, IG7 6ED

Deed of Variation to s106 Legal Agreement attached to [EPF/1681/19](#) (Construction of new Chigwell Primary Academy school, followed by demolition of existing buildings and creation of new playing field and playground, together with residential development comprising 59 number dwellings, together with car parking, garden spaces, vehicular access from High Road (A113), external landscaping and associated development).

Two MOP spoke expressing concern about the lack of consultation and the legality of the amending a S106 given officers advised DDMC that a material start had already been made to Planning Application EPF/1861/19. A MOP further noted that a recent communication between Chigwell Primary School and another local school subsequent to the DDMC decision had indicated the rebuild of Chigwell Primary may not now be proceeding

Chigwell Parish Council Comment:

The Committee were advised this item had come before District Development Management Committee on Tuesday 13 February 2024 and a decision to approve the Deed of Variation to the S106 agreed on 26 Feb 2021 had been made. It was proposed this was necessary as an easement to the applicant's cashflow given borrowing costs. The Chair confirmed the Parish had not been notified of this application and her request to EFDC that the matter be deferred to enable to Parish to consider its position and thus be able to make representations to DDMC was refused.

The lack of financial evidence presented or reviewed to evidence the applicant's claim was **NOTED**. The Council **AGREED** the matter of risk management when delaying infrastructure contributions for some years appears not to have been properly addressed. It was **AGREED** that the previous obligation of infrastructure contributions to Chigwell Parish served a useful purpose but the modification of the obligation will result in that useful purpose not being served equally well. It was **AGREED**, given ECC were a co-signatory of the original S106, the Chair would write to ECC legal officers and the Chigwell County Councillor with regard to the decision by DDMC

Members expressed very strongly their disappointment at the lack of consultation with the Parish and the direct financial impact the decision to vary the terms of the S106 would have on Parish finances. It was **AGREED** that now sustainable transport funding, instead of being due was now not anticipated for several years, the Council now needs to urgently consider the immediate disposal of the two Parish owned buses.

It was **AGREED** a formal complaint would be made to EFDC regarding the lack of consultation. It was **AGREED** the matter of a material start would be assessed and the implications of those findings raised with EFDC. It was **AGREED** a resolution would be sought for the consequences for Chigwell Parish Council of the decision made.

It was **AGREED** the Council would seek to establish whether the proposal was still to re-build or was now to re-furbish Chigwell Primary

The Council **AGREED** the feasibility of challenging the decision should be investigated. The Chair of Planning was asked to do so