

APPEAL COMMENTS OF THE CHIGWELL PARISH PLANNING COMMITTEE

The development was originally approved under EPF/1919/16 with subsequent variations on the basis that Condition 8 required the installation of 1.8m high opaque privacy screens. This condition was imposed specifically to safeguard the amenity of neighbouring occupiers on Dickens Rise and to prevent overlooking between the new flats themselves. The applicant has not complied with this requirement which resulted in a Breach of Condition Notice served on 1 October 2024. The present appeal is an attempt to retrospectively justify a lesser standard of screening rather than meeting the approved scheme.

The appeal proposal seeks to replace the conditioned 1.8m opaque privacy screens with a combination of 1.2m balustrades and trellis or obscure glazing set back from the boundary. These alterations do not provide equivalent levels of protection to adjoining residents. The reduced height, materials and siting would fail to prevent direct overlooking into the private gardens and rear elevations of Dickens Rise properties. The Planning Authority has already refused a similar variation under EPF/2109/24 on 15 January 2025 for reasons of poor design, insufficient height and demonstrable harm to neighbouring privacy.

The site backs directly onto the gardens and living areas of Dickens Rise. Without full height opaque screening, clear and prolonged overlooking would occur which would materially harm the living conditions of existing residents. While there is some seasonal vegetation along the boundary this cannot be relied upon to ensure privacy throughout the year, particularly in winter months. The applicant's argument that lower screens provide a more suitable outlook for future residents cannot outweigh the established and ongoing duty to protect the privacy of existing neighbours.

The appellant has referenced EPF/2868/20. However, that scheme differs materially as the relevant part of the building is set significantly further away from the Dickens Rise boundary and does not incorporate such large rear facing balconies. Furthermore, intervening buildings and distances mitigate overlooking. This precedent therefore cannot justify relaxing the safeguards required on the appeal site.

The proposal is contrary to Policy DM9 of the Epping Forest Local Plan (2011–2033, adopted 2023) which seeks to ensure development protects the amenity of existing and future residents. It also conflicts with the National Planning Policy Framework 2024 which requires high standards of design and the safeguarding of residential amenity. Planning permission has already been granted for a scheme that meets these policy requirements and it is the applicant's responsibility to comply with those conditions.

Chigwell Parish Council objected to the original variation application on the grounds that the applicant failed to demonstrate that reducing the privacy screen height would maintain the privacy of Dickens Rise residents. That objection remains valid and is reinforced by the refusal reasons already set out by the Local Planning Authority.

In conclusion the Parish Council respectfully submits that the appeal should be dismissed. The conditioned 1.8m opaque privacy screens are both necessary and reasonable to safeguard the privacy of neighbouring occupiers. The proposed alternative falls demonstrably short and results in harm to residential amenity contrary to local and national planning policy.

The Parish respectfully ask that the Inspector gives weight to the Parish objections and comments as an interested party when deciding the appeal