

CHIGWELL PARISH COUNCIL
Planning Committee Officer Report

Application No.: EPF/0484/26

Site: 13 Brook Parade, Chigwell, IG7 6PF

Proposal: Variation of Condition 2 (approved plan numbers) of planning permission EPF/2701/19, allowed on appeal, for the construction of an additional storey comprising 6 two-bedroom flats.

Introduction and Summary for Members

This application needs to be understood against the appeal decision for EPF/2701/19. The appeal did not approve a general right to build any form of extra rooftop storey on this parade. What the Inspector allowed was a very particular design, and the Inspector explained why that design was acceptable. The approved scheme worked, in the Inspector's view, because it had a descending roofline, sat lower than Claremont Place where it came closest to that building, was set back from the front elevation, aligned with the upper floor footprint to the rear, and used a subdued palette including grey zinc. The Inspector found that those features gave the development an acceptable balance within Brook Parade and the wider street scene.

For members, the key point is simple. This current application is presented as a change to plan numbers, but in substance it appears to seek approval for a different and more assertive rooftop form than the one the Inspector actually approved. The Parish Council's concern is not with re-opening the original appeal decision. It is that the applicant is trying to move beyond that carefully judged appeal scheme by using a variation of plans route. That is why the design history of the site matters so much.

Site and Surroundings

Brook Parade is a substantial mixed-use parade with shops at ground floor and residential accommodation above. The building has a stepped roofline reflecting the slope of the street. The neighbouring Claremont Place building is five storeys, No. 185 Brook Parade is four storeys, and Dolphin Court is a four-storey building opposite. To the rear, Brook Mews runs behind the site, with garages beyond and the rear gardens of homes in Dickens Rise on the opposite side. The area is therefore varied, but the parade itself has an established stepped form and a clear roofscape which is important to how the building is seen in the street.

Relevant Planning History

Planning permission EPF/2701/19 for an additional storey of 6 two-bedroom flats was originally refused by the District Council but allowed on appeal on 2 October 2023 under appeal reference APP/J1535/W/22/3293716. In that appeal decision, the Inspector identified the main issues as the effect on the Epping Forest SAC, the character and appearance of the area, and parking, public transport and services. The appeal was allowed because the Inspector found the particular scheme before him acceptable in those respects.

The later planning history is also important. Under EPF/2527/25, an application to increase the height of the approved development by 900mm was refused. That officer report records that the approved appeal scheme had been found acceptable because of its proportions, roofline and overall balance, but that adding height would produce a more dominant and intrusive roof addition. The report states that the increase from 2.7 metres to 3.6 metres externally would make the development appear awkward and incongruous in the public domain and visually harmful in the street scene and at a distance.

Under EPF/2519/25, a further section 73 application relating to balcony railing height and design was also refused. That delegated report is relevant because it found the submission unclear and inaccurate. It records confusion over whether Condition 5 or Condition 6 was actually being varied, and concludes that the Council could not support the application because the information submitted was inadequate to allow a proper assessment. It also confirms that Condition 5 relates to external materials, while Condition 6 requires privacy screens between adjoining balconies at a minimum height of 1.7 metres.

The condition discharge application under EPF/1679/25 was also refused. That application related to Condition 8, the Construction Method Statement. The refusal records that Essex Highways could not support discharge because no Traffic Management Plan had been submitted and essential details were missing. It also records earlier Parish concerns that the Construction Method Statement was generic, inaccurate and not site-specific. While that is not the main reason for objecting to the present application, it forms part of the wider picture and does not inspire confidence in the way changes at this site have been presented.

What the Current Application Means in Practice

Although the current application is described as a variation of the approved plan numbers, members should be cautious about treating it as a simple administrative update. The submitted March 2026 drawings appear to show a materially different upper-level form from the appeal-approved drawings. The proposed front elevation includes repeated 1600 annotations at the upper edge and new height notations including 3300, 3400, 3150 and 3100. The proposed section drawing also shows a 1600 railing and a 3045 dimension to the upper roof build-up, whereas the approved section shows a 2550 dimension and a handrail height of 940. The proposed rear elevation likewise carries upper-level dimensions such as 3300, 3400, 3150 and 3100. Taken together, those drawings suggest a rooftop addition that is taller, heavier and more visually prominent than the scheme allowed on appeal.

That matters because the appeal approval was tied to a particular balance of form. The Inspector accepted the development because it stepped down, sat lower than its taller neighbour at the critical point, was set back, and remained visually balanced across only part of the parade. If the upper storey becomes noticeably taller or bulkier than the approved appeal version, then the design logic that persuaded the Inspector no longer applies in the same way. In plain terms, the original approval was for a carefully controlled rooftop addition, not for a larger one.

Assessment

The principle of an additional storey in the exact form approved on appeal has already been established. This report does not suggest otherwise. However, that is not the same as saying that all later changes are acceptable. The question for members is whether this new plan package still reflects the same development that was found acceptable at appeal. In the officer's view, it does not. The current submission appears to move beyond the approved appeal envelope and towards the sort of taller and bulkier form that was already refused under EPF/2527/25.

The strongest planning objection is therefore one of character and appearance. Brook Parade has a stepped roofline, and the Inspector was satisfied with the appeal scheme because it respected that stepped composition and retained an acceptable visual balance. The refusal of EPF/2527/25 is highly relevant because it states clearly that increasing the height would create a more dominant and intrusive roof addition and would be visually harmful. The Parish Council is entitled to give that significant weight, because the same core concern arises again here. This application appears, in substance, to be another attempt to secure a more prominent rooftop structure than the one actually approved.

There is also a second and separate objection about clarity and reliability of the submission. The earlier EPF/2519/25 refusal shows that there has already been confusion on this site about what is being varied and under which condition. That report found that the Council was not given enough clear information to understand the requested change to balcony railings, external treatment and conditions. In the present case, the Parish Council is again being asked to deal with a revised plan package affecting the upper part of the building, while the planning history already shows uncertainty between approved plans, materials details, balcony railings and privacy screens. For a section 73 application to be properly assessed, the changes must be transparent and precise. On the evidence before the Council, that standard has not been met.

The unresolved Construction Method Statement history does add to the Parish Council's concern about the overall handling of this site. The refusal of EPF/1679/25 shows that important practical matters remained unresolved even after appeal permission had been granted. Members may reasonably take the view that, on a constrained mixed-use site with occupied shops and homes, the Council should expect a high standard of accuracy and openness in every follow-on submission. The planning history suggests that this has not happened.

Officer Conclusion

For members, the conclusion is straightforward. The appeal scheme was approved because it was a carefully judged and tightly controlled design. This application appears to seek something more than that. The revised drawings point to a roof addition that is more prominent than the one the Inspector assessed. That would risk turning an acceptable, subordinate top-floor addition into a top-heavy and intrusive feature on an already sensitive parade.

The Parish Council can therefore object on a clear and sensible basis. The objection is not to the original appeal scheme in principle. The objection is to this later attempt to alter that scheme through revised plans in a way that appears to increase its visual impact and in circumstances where the submission does not provide a sufficiently clear and reliable basis for proper assessment. On that basis, the application should be refused as contrary to the design aims of Policies SP2 and DM9 of the Epping Forest District Local Plan and the general design objectives of the National Planning Policy Framework.

Recommended Resolution

Resolved that Chigwell Parish Council strongly objects to application EPF/0484/26 and recommends that Epping Forest District Council refuse planning permission. The Council considers that the application is not a minor or technical amendment to the appeal-approved scheme under EPF/2701/19, but a substantive attempt to alter the height, bulk, massing and visual presence of the rooftop extension that was approved only because of its very specific design characteristics. The proposed variation of Condition 2 would substitute the appeal-approved drawings with a plan package that appears materially to alter the scale, height, bulk, massing and visual profile of the approved rooftop extension. In doing so, it would move away from the specific scheme found acceptable by the Planning Inspector under appeal reference APP/J1535/W/22/3293716, whose decision relied on the descending roofline, front set-back, alignment, subdued material treatment and overall balanced proportions of the approved design. The amended development would appear more dominant, top-heavy and incongruous in the street scene and would fail to preserve the character and appearance of Brook Parade. The proposal is therefore contrary to Policies SP2 and DM9 of the Epping Forest District Local Plan 2011–2033 and the design objectives of the National Planning Policy Framework.

The application also fails to provide a sufficiently clear, accurate and transparent basis for assessment of the amended development. In particular, the planning history demonstrates

previous uncertainty and inadequate information in relation to the upper-level form, balcony or railing treatment, and the distinction between conditions dealing with approved plans, materials and privacy screens. The Council cannot therefore be satisfied that the amended proposal represents a coherent, properly explained and policy-compliant revision to the appeal-approved scheme. The proposal is accordingly contrary to Policies SP2 and DM9 of the Epping Forest District Local Plan 2011–2033 and the National Planning Policy Framework.