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Our ref: PRE/0101/25



Mr. Steven Barlow

**Planning Services**

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**Case Officer:** Yee Cheung  
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Dear Mr. Steven Barlow

**Town and Country Planning Act 1990**

**Address:** 14 Brook Way, Chigwell, Essex, IG7 6AW

**Proposal:** Erection of new replacement dwelling and garage outbuilding with associated external works; following demolition of the existing dwelling and garages.

Thank you for your pre-application enquiry and I apologise for the delay of this response.

This letter is a formal response to your pre-application submission for the above proposed development. The letter will provide you with the relevant material considerations and a general opinion on your development proposal. Please note that this letter is for advisory purposes only and is not binding on the Council or its Members when assessing the merits of any planning application subsequently received.

**Information submitted**

- Proposed ground floor level plan – 0781.01.007 Rev 02
- Proposed second floor level plan – 0781.01.009 Rev 02
- Proposed indicative outbuilding elevations – 0781.01.011 Rev 02
- Proposed first floor level plan – 0781.01.008 Rev 02
- Location Plan and Block Plan – 0781.01.001 Rev 02

**Site Description**

The application site is located on the corner plot at the junction of Brook Way and Brook Rise. The site comprises of a traditional two-storey detached dwelling house with facing brickwork at ground floor and rendered walls at first floor level. The property has two single garages, connected to each other, with a twin-gabled end roof and are located to the rear garden of the property with access off Brook Rise. Brook Rise gradually rises towards the rear of Brook Way.

Brook Way comprises of residential detached houses with open frontages, it is noted that the houses in this section of Brook Way comprises of modest size traditional dwellings similar in character, front alignment, off set from the boundary. Many of the properties have been extended and altered at some point.

The Council's Interactive Planning Map shows that the property is not in the Green Belt, sited in a conservation area or is listed. It lies within the 0km-3.2km radius of the Epping Forest Special Area of Conservation known as "EFSAC".

### **Development Proposal**

The development proposal seeks to demolish the existing dwelling house and garages and to construct a new two-storey dwelling arranged over three floors with two front and rear gables and a stretched flat roof, a basement, rear sedum flat roof double garage/outbuilding, front and rear gates with associated external works following demolition of the existing garages.

### **Planning History**

- EPF/1200/24 - Erection of new replacement dwelling and garage outbuilding with associated external works; following demolition of the existing dwelling and garages. Refused
- EPF/0721/93 – First Floor Side Extension. Refused
- CHI/0198/68 – Addition to House. Approved
- CHI/0231/59 – Addition to Garage. Approved
- CHI/0156/58 – Detached house. Approved

### **Planning Considerations**

It is noted that the previous planning application EPF/1200/24 was refused with five reasons relating to the design of development, impact on residential amenity, landscaping, boundary treatment, and parking standards. This pre-application response will look at each of the reason for refusal in turn, provide relevant planning guidance to enable a more favourable outcome should the Applicant wish to submit a new planning application for the redevelopment of the site.

### **Design of Development**

*"The proposal by reason of its design, scale, height, forward projection, bulk, mass and siting would cumulatively result in a visually intrusive, cramped, conspicuous and incongruous development, inappropriate in its context and harmful to the open character and appearance of the property and wider semi-rural surrounding area. The proposal is therefore contrary to policy DM9 and DM10 of the Local Plan, 2023 and the National Planning Policy Framework, 2024, the policies which seek to ensure, amongst other things, that new development is of a high-quality design, that respects its setting and the character and environment of the locality."*

The submitted plans with this pre-application do not appear to show any differences to the recently refused scheme under planning reference: EPF/1200/24. Whilst there is no objection in principle to the contemporary design and appearance of the replacement dwelling. The plot is on a corner where its open characteristic to the front is highly notable and that the development, as it stands, would amount to harmful overdevelopment of the site by reasons of its height, scale, depth, mass and bulk. It is considered that the development of this site would result in a far more imposing building when compared to the compact property to be replaced. The proposed development would therefore fail to respect and enhance the character and local context, thus contrary to Policy DM9 of the adopted Local Plan.

It is recommended that any future planning applications for the replacement dwelling should be supported with overlays (preferably with dotted lines on the block plans and elevational drawings) to show the mass, height, bulk, depth, and scale of the development have been reduced. This will demonstrate to the Council that the reason for refusal has been carefully considered and the concerns have been addressed accordingly.

## **Residential Amenities**

*"The development by reason of its design, height, scale and siting would cause a significant degree of demonstrable harm in the form of overbearing, intrusive impact, overlooking and a loss of privacy to the neighbouring properties. Such substantial harm to the living conditions of the adjoining properties is contrary to policy DM9 of the Local Plan, 2023 and with the core objective of the National Planning Policy Framework, 2024 to secure a good standard of amenity for all existing and future occupiers."*

It is noted on the submitted illustrative drawing: 0781-01.008. Rev 02 that the openings on the eastern and western flank wall of the replacement dwelling - serving the family bathroom and ensuites to Bedrooms 2, 3 and 5 will all be obscured glazed. This is considered acceptable. With regards to the window serving Bedroom 4, the Council is not convinced that by constructing and installing it at an angle would address the overlooking / loss of privacy to the existing occupiers at No. 13 Brook Way.

Concern is raised regarding the large openings at second floor level, serving Home Office 2 and the Master TV Suite, as they could potentially in overlooking / loss of privacy to the neighbouring properties. It is important to note that existing residents are entitled to a greater degree of privacy to their garden. As such reducing the size of the openings and adding louvre detailing could potentially address this issue.

The rearward projection to form Bedroom 3 adds considerable depth to the replacement dwelling thus resulting in an overbearing development visually impacting the streetscene. It is recommended that this element be reduced and in line with the rear wall of Bedroom 2 prior to the resubmission of a new application thus addressing the reasons for refusal.

## **Highway**

*"The overall parking provision for the site is not in accordance with the current EPOA parking standards and is considered to be inadequate for the proposal. Together with a lack of sufficient space and manoeuvrability within the site, this will likely lead to vehicles parking on and/or overhanging and obstructing the footways/carriageway on Brook Rise and Brook Way, to the detriment of highway safety and efficiency".*

Any new development on this site, irrespective of it being a replacement, must meet up to date planning rules and regulations. Essex County Council Highways was consulted as part of this submission and had raised an objection to the parking standards and availability in relation to a 6/7-bedroom house for the reasons stated above.

Therefore, it is important that you refer to ECC Highways Parking Standards (December 2024) for further guidance to ensure that the correct standards have been met prior to the submission of any future planning applications to prevent further refusals on this site. Pre-application advice can be sought on the Essex County Council website at: [Pre-application advice | Essex County Council](#)

To meet the reason for refusal, it would require the depth of the dwelling to be reduced to accommodate vehicles on this site at the front. The proposed garage building would also need to be set back within the plot to allow sufficient off-street parking in front of the garage which would reduce the size of the private amenity space for the future occupiers of this site. Until the issues of off-street parking, dimension of parking spaces, and maneuverability within the site have been addressed, the reason for refusal still stands as the development would fail to meet Policies T1 and DM9 of the adopted Local Plan.

## **Trees and Landscaping**

*"Insufficient information has been submitted that the proposed development adequately demonstrates retention/replacement of suitable landscaping. In the absence of detailed*

*information, it is considered that the proposed development is contrary to policy DM5 of the Epping Forest Adopted Local Plan, (2011-2033) and NPPF, 2024”*

Further dialogue has been undertaken with the Tree and Landscaping Officer and concerns were raised that a total of 18 trees have already been removed from site, which is quite a substantial number. Very little landscaping detail was submitted with the original planning application for the Council to assess new soft landscaping and the acceptability of the landscaping to replace the trees and hedgerows that were lost.

Having reviewed the submitted illustrative plans, the Council is not convinced that the narrow strip of land between the eastern flank wall of the proposed dwelling and the new boundary fence would provide sufficient space for soft landscaping to be introduced and enough light to thrive. This strip of land should be made wider by reducing the width of the proposed dwelling, to allow a decent amount of planting to grow and mature successfully to soften the development proposal on this prominent corner plot.

A detailed landscaping scheme to show native plant species, type, stock etc. should be submitted to accompany any future planning applications in accordance with Policy DM5 of the adopted Local Plan.

#### **Other Considerations**

*“The front boundary gates and enclosure by reason of its design and height represent a visually intrusive, conspicuous and incongruous addition, detrimental to the visual open character and appearance of the wider area, contrary to policy DM9 of the Epping Forest District Adopted Local Plan 2011-2033 (2023) and of the NPPF 2024.”*

It is noted that existing dwellings along Brook Way and Brook Rise have open frontages which provide a sense of space and contribute to the verdant character of the area. The proposed boundary gates would result in an enclosure to the property, an intrusive feature that is considered of keeping with the area and will not be supported.

Any boundary walls and pillars to be introduced to the front curtilage of the property should be at a low level and no more than 1 metre in height to reflect the character and appearance of the area in accordance with Policy DM9 of the adopted Local Plan.

#### **Biodiversity Net Gain (BNG)**

Biodiversity Net Gain (BNG) is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The legislation states that developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development. Please be mindful of this should you wish to pursue with a formal planning application for this site as it is noted that existing trees and hedgerows are or will be removed to facilitate the development proposal.

#### **Epping Forest Special Area of Conservation (EFSAC)**

Should the Applicant wish to pursue with a planning application for the development of this site, it is strongly recommended that you familiarise yourselves with the EFSAC and any potential financial contributions that may be required towards recreational pressures and atmospheric pollution. More information can be found at: [Epping Forest Special Area of Conservation - Guidance for applicants - Epping Forest District Council \(eppingforestdc.gov.uk\)](#)

#### **Appeal Procedure**

If the Applicant disagrees with the Council's decision (planning reference: EPF/1200/25) and advice provided above, there is the option under [section 78 of the Town and Country Planning Act 1990 \(as amended\)](#) to appeal against the refusal of the planning application. More information can be found at: [Procedural Guide: Planning appeals – England - GOV.UK](#)

I hope the above comments are useful, however, please note that these views are purely the officer's opinion and are given without prejudice to the final decision of the Council on any planning application received, particularly as no consultation has been carried out with the Parish/Town Council, residents living within close proximity to the site etc. Should you require further advice please note that there is a charge rate of £200 per hour.

Yours sincerely,

Yee Cheung  
Senior Planning Officer