

APPEAL COMMENTS OF THE CHIGWELL PARISH COUNCIL PLANNING COMMITTEE - Land Adjoining 33, Maypole Drive, Chigwell, IG7 6DE

Chigwell Parish Council supports the decision of Epping Forest District Council to refuse planning permission and respectfully invites the Inspector to dismiss the appeal. In summary the proposal would cause harm to the character and appearance of Maypole Drive, would fail to provide satisfactory parking and access arrangements, and does not demonstrate that the impact on the Epping Forest Special Area of Conservation is properly and lawfully mitigated. The limited benefits of one additional dwelling do not outweigh these harms and the clear conflict with the development plan.

In terms of character and appearance the existing building already reads as an anomalous structure in the street. It does not follow the established pattern of terraced dwellings fronting the road with simple rear gardens. Instead it sits in a large plot close to the head of the cul de sac and presents as an ancillary outbuilding. The Council has correctly concluded that the creation of a separate dwelling in this position would give rise to a layout and form of development that is significantly at odds with the prevailing arrangement in Maypole Drive. Turning this structure into an independent dwelling would introduce an additional frontage and associated domestic activity in a position where the estate layout clearly anticipated openness and separation. The Parish Council agrees that this runs contrary to policy DM9 which requires new development to respond positively to the form grain and pattern of its surroundings.

The appellant places great weight on the fact that no further external alterations are proposed and argues that therefore there can be no additional impact. That approach misunderstands the nature of town planning control. A change of use to a separate dwelling would inevitably introduce more intensive occupation, comings and goings at unsocial hours, additional domestic paraphernalia and parked cars, and would increase the perception of built form in the street. The effect of those activities on character and appearance is a legitimate concern. The previous Inspector identified this general location as containing an oddity within the street, even before the present proposal. Consolidating that oddity by granting it full status as a separate dwelling would not remedy that concern, it would entrench it.

The appellant also seeks to rely on wider national housing policies including references to rural exception sites community led development and self build provision. The Parish Council does not accept that these concepts apply here. Maypole Drive is a planned suburban style estate within the settlement, not an edge of village site brought forward through a community led process with secured affordable housing. No planning obligation or condition is offered to secure the unit as affordable housing in perpetuity or to reserve it for local people or older residents. It is simply a small private dwelling, and it should be judged on that basis against the detailed policies of the adopted Local Plan. The attempt to categorise the site as a rural exception location with special status is therefore misplaced.

The appellant refers to a shortfall in housing land supply and suggests that the presumption in favour of sustainable development should therefore apply. Even if there is some degree of undersupply the Parish Council submits that the conflict with specific policies on design and the protection of the Epping Forest Special Area of Conservation attract significant weight. The contribution of a single additional dwelling to the overall supply is very modest and cannot justify poor design or an unsuitable layout that would harm the established character of Maypole Drive.

The Parish Council is aware of the consultation exercise undertaken by the appellant and does not doubt that some neighbours expressed support or at least no objection. Those views are noted, but planning is not determined by a head count. The decision must turn on compliance with the

development plan and on the wider public interest including the impact on the settlement as a whole and on the Epping Forest Special Area of Conservation. Local support cannot in itself make unacceptable development acceptable.

On parking and access the Parish Council shares the Council concern that the proposal fails to provide robust and policy compliant parking. The physical space on the site is constrained and any attempt to accommodate two vehicles within it is likely to result in cramped manoeuvring close to the head of the cul de sac. In practice overspill parking is likely to occur in the turning area, with consequent obstruction and harm to highway safety and convenience for residents and service vehicles. This is inconsistent with policy T1 and with the current Essex parking guidance. There is very limited realistic prospect that future occupiers would rely primarily on public transport given the location at the edge of the settlement and the nature of the housing.

A further matter of concern is the approach taken to mitigation for the Epping Forest Special Area of Conservation. The Council set out a clear expectation that mitigation should be secured through a planning obligation, reflecting its adopted strategy for addressing both recreational pressure and air quality impacts from new dwellings within the zone of influence. The appellant indicates that a payment has been made directly to the Council and contends that this is sufficient. The Parish Council does not accept that this approach provides the same certainty and legal robustness as a formal obligation or unilateral undertaking tied to the development. In any event the resolution of this issue would not overcome the more fundamental objection based on harm to character, appearance and layout.

Drawing these matters together, the Parish Council considers that the proposal conflicts with the development plan when read as a whole, particularly policies DM9 and T1 and the policies that safeguard the Epping Forest Special Area of Conservation, and that it does not meet the design and place making aims of the National Planning Policy Framework. The social and economic benefits of one additional dwelling in this location carry only limited weight. Those limited benefits do not outweigh the identified harm or justify setting aside the clear requirements of the plan.

For these reasons the Parish Council respectfully requests that the Inspector dismisses the appeal and upholds the decision of Epping Forest District Council to refuse planning permission for the change of use of the outbuilding to a dwelling C3 at land adjacent to 33 Maypole Drive.