



MINUTES OF THE PLANNING COMMITTEE

Date: Thursday 25 January 2024

Time: 6:30pm

Location: Chigwell Council Parish Offices, Hainault Road, Chigwell, IG7 6QZ

Members present:

CLlr Celina Jefcoate(Chair)

CLlr. Elliot Costa (Vice Chair)

CLlr Rashni Chahal Holden#

CLlr Lisa Skingsley Morgan

CLlr Faiza Rivzi

Members of the Public and Councillors were asked to **NOTE** that in accordance with Standing Orders 3 (i) and the Local Government Transparency Code 2015, photographing, recording, broadcasting, transmitting or otherwise reporting the proceeding of a meeting may take place.

Members were asked to **NOTE** that if a planning issue is for discussion at both Parish and District level and Councillors sit on both authorities, the Councillor/s will reconsider the matter at District level, taking into account all relevant evidence and representations made at District level.

Councillors were asked to **NOTE** that in the exercise of their functions, they must take note of the following: equal opportunities; crime and disorder; human rights; health and safety and biodiversity

PL358/23 - APOLOGIES FOR ABSENCE

Apologies were received and accepted from Councillors Akhtar, Gaffar, Hodds, Raza and Chahal Holden

PL359/23 - DECLARATIONS OF INTEREST

CLlr Jefcoate declared personal interests in item 20 (i) on the grounds she knew the architect and had been contacted by residents regarding it and in item 7 on the grounds of living in the same road but deemed it would not influence her decisions and she would remain in the meeting. CLlr Rizvi declared a personal interest in item 20 (i) on the grounds of living in the same road but deemed it would not influence her decisions and she would remain in the meeting

All Councillors declared a pecuniary interest in item 14 on the basis of being the landowner and as such would not take part in any discussion.

PL360/23 - MINUTES

The minutes of the meeting held 11 January 2024 were **APPROVED**

PL361/23 - PUBLIC PARTICIPATION

There were speakers on items 9, 14 and 20(i)

PL362/23 - [EPF/2528/23](#) - 22, Ely Place, Chigwell, IG8 8AG

Proposed two storey side extension with subservient roof, alterations to the external fenestrations and installation of new glazing.

Chigwell Parish Council comment:

No objection although the Council noted with disappointment the proposal may not adequately comply with Policy DM9 iii (sustainable design and construction), DM19 (sustainable water) and/or DM20 (the incorporation of low carbon and renewable energy measures) and/or fail to make sufficient contribution to meeting the EFDC objective of net zero by 2030 or 2050

PL363/23 - [EPF/2757/23](#) - 34, Lechmere Avenue, Chigwell, IG7 5ET

Proposed single storey side extension.

Chigwell Parish Council comment:

No objection although the Council noted with disappointment the proposal may not adequately comply with Policy DM9 iii (sustainable design and construction), DM19 (sustainable water) and/or DM20 (the incorporation of low carbon and renewable energy measures) and/or fail to make sufficient contribution to meeting the EFDC objective of net zero by 2030 or 2050

PL364/23 - [EPF/2781/23](#) - Derwen, Vicarage Lane, Chigwell, IG7 6LS

The proposal is for an outbuilding to be located in the rear garden, existing access arrangements to remain unaltered.

Chigwell Parish Council comment:

The Council **OBJECTS** to this proposal on the following grounds:

Fails to comply with Local Plan policy DM9, D (i) and (ii) - (fails to have regard to build heights, form, scale and massing)

Fails to comply with Local Plan policy DM9 F (i) - (the proposal fails to respond to the topography of the surroundings)

Fails to comply with Local Plan policy Policy DM3 (i) - (the proposal fails to be sensitive to its setting in the landscape in a settlement edge location)

The Council **OBJECTS** on the grounds of the scale and mass of the proposal and the potential visual impact from adjoining properties and Green Belt land. The Council note point 4.23 of the Local Plan with notes particular regard should be given to the manner in which the edges of settlement are treated is particularly important as is the protection of, and where possible the enhancement of, long distance views.

PL365/23 - [EPF/2796/23](#) - 44, Millwell Crescent, Chigwell, IG7 5HY

Conversion of a garage into habitable room, infill single storey side and single storey rear extension.

Chigwell Parish Council comment:

No objection

PL366/23 - [EPF/2806/23](#) - 96, Langley, High Road, Chigwell, IG7 6PJ

Construction of garden shed at rear of property.

One member of the public spoke in objection

Chigwell Parish Council comment:

The Council **STRONGLY OBJECTS** to this proposal on the following grounds:

Fails to comply with Local Plan policy DM9, A (the proposal fails to achieve a high quality of design), Local Plan policy DM9, D (iii) - (fails to relate positively to its context, fails to draw on the local character), Local Plan policy DM9, D (i) and (ii) - (fails to have regard to build heights, form, scale and massing) and DM9 I (iv) - (results in an overbearing form of development which materially impacts on the outlook of occupiers of neighbouring properties) and Local Plan policy DM9 I (v) - (the proposal fails to address the issue of noise)

The Council considers the nature of scale and mass and the overbearing nature of the proposal unacceptable. The Parish considers the visual impact on adjoining properties is unacceptable. The proposal is considered too close to the boundary of neighbouring properties in the High Road and Meadow Way and as such will impact on the ability of the neighbouring dwellings to properly enjoy the amenity of their outdoor space

PL367/23 - [EPF/2447/23](#) - 233-235 Fencepiece Road, Chigwell, IG7 5EB

Demolition of two semi-detached dwellings and replacement with 6 apartments

The Chigwell Residents Association spoke in objection to the proposal

Chigwell Parish Council comment:

The Parish **NOTED** the previous dismissal at appeal. The Parish remain disappointed that the aspects of the proposal it considers to be non compliant with adopted policy were not considered a matter of dispute between the two main parties and that substantive evidence was not submitted with the appeal to support the Council's opinion that the parking provision of the proposal would lead to unacceptable highway conditions

The Council **NOTED** the following comments received from the Highways Authority

It should be noted that Epping Forest District Council (EFDC) are the Parking Authority for the District, and the Highway Authority only assesses parking proposals from a highway safety point of view, the actual provision of parking numbers is ultimately down to EFDC.

As EFDC are the Parking and Local Planning Authority it is entirely their prerogative to apply their policies as they see fit. If there are no highway safety issues associated with a reduction from the parking standards, then the Highway Authority would not comment on this, or raise it as an issue.

Consequently, it is down to the EFDC planning officers, and Members at planning committee, to assess, and or agree, whether or not a development is contrary to Local Plan Policy or not.

The Council **STRONGLY OBJECTS** to the proposal on the following grounds:

Fails to comply with Local Plan policy DM9 I (v) - (the proposal fails to address the issue of noise)

The proposed car lift will have an unacceptable impact on the living conditions of the future occupants of Flat 4 of the development with regard to privacy, noise and disturbance. The Inspector concluded that overall, the proposed development would not have an unacceptable impact on the living conditions of the occupants of surrounding residential properties but failed to consider the living conditions of future occupants of the proposed development itself, particularly Flat 4, the bedroom window of which is located less than 1m from the car lift. The Parish consider the impact on the amenity of future residents of the development unacceptable

Fails to comply with Local Plan policy T1, E iv (the proposal fails to have regard to adopted Parking Standards)

Parking spaces nos: 3, 4 and 6 do not comply with 3.2.7 of the Essex Parking Standards namely, *"Parking areas that have end bays adjacent to solid structures (e.g. 1m fence or wall) should increase the width of these bays by 1m to allow for improved manoeuvrability and entry/exit of people to/from the vehicle."* As such the proposal fails to comply with policy T1 E (iv) - (the proposal fails to have regard to adopted Parking Standards)

Fails to comply with Local Plan policy T1 E (iv) - (the proposal failed to provide appropriate parking and servicing provision, in terms of amount, design and layout)

Policy T1 of the EFDC adopted Local Plan states that reduced parking will be considered when practicable and within 400m of a station. The Parish consider the proposed car lift and basement parking is not practicable or convenient for the occupants of 6 dwellings. The proposed site is 1.12km from the nearest station therefore any reduction in the quantum of nine spaces required under Parking Standards is not compliant with Policy T1.

Fails to comply with Local Plan policy T1 E (iv) - the proposal fails to mitigate any impact on on-street parking within the locality.

The Planning Inspector previously considered there was limited substantive evidence provided to show the parking provision of the proposal would lead to unacceptable highway conditions.

The Inspector was not advised that within 400m of the proposed site there are already several blocks of flats, none of which meet Essex Parking Standards, being granted permission before the adoption of the Local Plan. The cumulative effect of these developments is a provision of 54 spaces against the Parking Standard of 125, a shortfall of 71 spaces for flatted developments already in the immediate vicinity.

In addition there is a 40 bedroom residential nursing home with 10 parking spaces opposite the proposed site and another 92 bed residential nursing home with 24 parking spaces 300m away; visitors, particularly at weekends, add to the significant on street parking stress in the nearby area.

Car parking capacity in the area has been exceeded and the additional parking on the street this proposal will cause is detrimental to the amenity of neighbours in Shrublands Close and The Shrubberies. The on-street parking stress situation has become so severe that parking restrictions near the location of this site are being proposed to the local Highways Panel by local Councillors. The Parish considers this to be substantive evidence of existing unacceptable highway conditions.

The EFDC Plan South committee, as the Parking Authority, previously resolved the development had inadequate provision for parking and was thus contrary to Local Plan policy. They did this contrary to officer's recommendations, as is their gift. The Inspector noted that the Highways Authority did not raise an objection to the proposed development in terms of parking - as ECC has confirmed, the provision of parking numbers is down to EFDC and the HA would not comment unless the reduction from parking standard directly impacted on highway safety. The Parish do not agree that the finding of an absence of harm in relation to highways safety by the Highways Authority amounts to a positive endorsement of the parking quantum or practicality, as these are requirements of other local and national planning policies.

PL368/23 - [EPF/2782/23](#) - 33, Fontayne Avenue, Chigwell, IG7 5HD

Proposing a two storey side extension and a single storey front Porch.

Chigwell Parish Council comment:

The Council **OBJECTS** on the following grounds:

Fails to comply with Local Plan policy T1, E iv (the proposal fails to provide appropriate parking and servicing provision, in terms of amount, design and layout) and Local Plan policy T1, E iv (the proposal fails to mitigate any impact on on-street parking provision within the locality)

On the grounds of the loss of a garage and lack of street scene or evidence of mitigation of the impact of on-street parking. The Council **NOTED** the lack of a street scene prevented it from considering the impact on the local area.

PL369/23 - [EPF/0002/24](#) - 16, Chigwell Rise, Chigwell, IG7 6AB

Alteration to planning approval [EPF/0433/23](#), Raising of the roof ridge as approved, Loft conversion with rear dormer window.

Two storey Rear and part side extensions.

Chigwell Parish Council comment:

The Council **OBJECTS** on the following grounds:

Fails to comply with Local Plan policy DM9, E (the proposal fails to respect and/or complement the form, setting, period and detailing of the original building)

The proposal is of poor design and damaging to the host building and the surrounding area and is thus contrary to Policy DM9.

Fails to comply with Local Plan policy DM9 A (iii) - (the proposal fails to incorporate sustainable design and construction principles that integrate adaption and mitigation measures to address climate change)

The Council expects householder applications to demonstrate they adequately comply with Policy DM9 iii (sustainable design and construction), DM19 (sustainable water) and/or DM20 (the incorporation of low carbon and renewable energy measures) and make sufficient contribution to meeting the EFDC objective of net zero by 2030 or 2050. The Council, therefore, **OBJECTS** to this application. If however a householder sustainability checklist is submitted to show 10 (ten) or more of the possible 19 (nineteen) sustainable design principles and building elements are being adopted and fulfilling these is made a condition of planning being granted, then the council is willing to waive this objection

PL370/23 - EPF/2786/23 - Midway Garage 91 London Road Chigwell RM4 1XL

Prior Notification for the proposed upgrade of an existing base station comprising the removal of the existing 17.10m lattice tower, headframe and 3 no antennas and replacement with 17.50m lattice tower with headframe supporting 6 no new antennas and the relocation of 3 no existing antennas and 2 no 300mm existing dishes, with ancillary development thereto. 17.50m lattice tower with headframe supporting 6 no new antennas and the relocation of 3 no existing antennas and 2 no 300mm existing dishes, with ancillary development thereto.

Chigwell Parish Council Comment:

No comment

PL371/23 - EPF/2805/23 - Land Adj. to Chigwell Library Hainault Road Chigwell IG7 6QX

Prior Notification for proposed telecommunication base station installation comprising a 25m lattice tower, supporting 6 no antennas, 2 no dishes, together with 3 no cabinets, and ancillary development thereto including compound fencing

Two residents spoke, highlighting whilst it was understood the proposal would bring benefits in terms of improved phone service, the mast at 25m high was considered overbearing and would have an adverse impact on the character of the area contrary to Policy DM9. It was noted a previous application by the King William had been reduced from 25m to 17.5m which was considered a more appropriate height and it was requested this be considered again.

Chigwell Parish Council Comment:

The Council excused itself from considering the proposal on the grounds it was the landowner and thus had a pecuniary interest

PL372/23 - [EPF/2417/23](#) - 26, Coolgardie Avenue, Chigwell, IG7 5AY

Certificate of Lawful Development for hip to gable loft conversion with rear dormer and front roof lights.

Chigwell Parish Council Comment:

No Comment

PL373/23 - [EPF/2556/23](#) - 44, Coopers Close, Chigwell, IG7 6EU

Certificate of lawful development for a proposed garage.

Chigwell Parish Council Comment:

No Comment

PL374/23 - [EPF/2819/23](#) - 5, Tudor Close, Chigwell, IG7 5BG

Certificate of Lawful Development for proposed single storey side/rear extensions, conversion of garage into habitable room and front porch.

Chigwell Parish Council Comment:

No Comment

PL375/23 - NONE

APPEALS RECEIVED

PL376/23 - APPEAL [AP-13281](#) - [EPF/2688/22](#) - Kenswal, Grove Lane, Chigwell, IG7 6JD

Proposed redevelopment of the site with erection of a 2 storey building which will accommodate 1 x residential unit.

It was **AGREED** the Chair would review the appeal documents and draft a suitable response

ITEMS FOR DISCUSSION THAT REQUIRE A DECISION TO BE MADE

PL377/23 - [EPF/0625/23](#) - Re-Consultation - 2 Courtland Drive, Chigwell, IG7 6PN

Demolition of existing dwelling and replacement with two structures containing a total of 5 new dwellings

Chigwell Parish Council comment

Procedural Matters:

The Parish considered the previous appeal decisions of 9 March 2023 and **NOTED** the Inspector did not reference the adoption by the Council of the Epping Forest District Local Plan 2011-2033 (2023) (the Local Plan), which replaces the Epping Forest District Local Plan (1998 and alterations 2006) and the emerging Local Plan (2017) nor did they consider the policies of the Epping Forest District Local Plan 2011-2033 (2023) when coming to their conclusions. This is contrary to later published appeal decisions which make specific reference to the adoption and make no consideration of previous policies.

The Parish does not place any weight on Planning Inspectorate's conclusions previously drawn in respect of now replaced local policies.

The Council **NOTED** the following comments received from the Highways Authority

It should be noted that Epping Forest District Council (EFDC) are the Parking Authority for the District, and the Highway Authority only assesses parking proposals from a highway safety point of view, the actual provision of parking numbers is ultimately down to EFDC.

As EFDC are the Parking and Local Planning Authority it is entirely their prerogative to apply their policies as they see fit. If there are no highway safety issues associated with a reduction from the parking standards, then the Highway Authority would not comment on this, or raise it as an issue.

Consequently, it is down to the EFDC planning officers, and Members at planning committee, to assess, and or agree, whether or not a development is contrary to Local Plan Policy or not.

The Council **STRONGLY OBJECTS** on the following grounds:

Fails to comply with Local Plan policy T1, E iv (the proposal fails to have regard to adopted Parking Standards)

Basement parking spaces nos: 1, 4, 5 and 6 do not comply with 3.2.7 of the Essex Parking Standards namely, *“Parking areas that have end bays adjacent to solid structures (e.g. 1m fence or wall) should increase the width of these bays by 1m to allow for improved manoeuvrability and entry/exit of people to/from the vehicle.”* As such the proposal fails to comply with policy T1 E (iv) - (the proposal fails to have regard to adopted Parking Standards)

Fails to comply with Local Plan policy T1, E iv (the proposal fails to provide appropriate parking and servicing provision, in terms of amount, design and layout)

The Local Plan states that parking reduction should only be reduced where practicable and within 400m of a station. Although within 400m the Parish considers the basement parking and car lift proposed to not be practicable. The Parish **NOTES** the comments of the Planning Inspector on 9th March 2023 when previously dismissing the appeal, *“I am not convinced that a shared basement carpark of the scale and nature proposed would be practical or convenient for the future residents of 5 separate households”*

Fails to comply with Local Plan policy T1, E iv (the proposal fails to mitigate any impact on on-street parking provision within the locality)

The Parish consider the proposed basement and car lift will lead to an increase in on-street parking by nature of both the reduction in parking allocation and the impracticality of the proposal. The Parish Council are able to evidence that the Parish-owned land opposite the proposed site already suffers damage due to on-street commuter parking. Any increase in on-street parking on this road, whilst not considered a risk to road safety by the Highways Authority, will lead to further damage of Parish owned land and loss of amenity to residents. All other properties in this road are single homes with extensive and adequate ground level parking. As noted by the Planning Inspector this proposal has sufficient ground level parking for a single dwelling but not for five dwellings.

Fails to comply with Local Plan policy DM9 A of the Epping Forest Local Plan (2023) - (fails to contribute to the distinctive character of the local area)

The street is made up of large single dwelling houses that are typical family sized, and family occupied. The spaciousness of the existing properties, including their plots, and the relatively quiet environment, are positive characteristics of the street.

The proposed development would be significantly at odds with the existing make-up of the street and there would be a greater intensification in the use of the application site for five dwellings. The function of the application site as five flats, as opposed to the single dwelling house of the type that is exclusively within the street, would be of a materially different nature and would harm the positive characteristics of the street.

The proposed development would therefore dramatically alter the character of the appeal site and how it relates to the other dwellings in the street. It would contribute to the erosion and dilution of the pleasant spacious character of the street that is otherwise made up exclusively of large dwellings in spacious plots.

Whilst each application must be considered on its individual merits, allowing the application could be used in support of such similar schemes. The Parish consider that this is not a generalised fear of precedent, but a realistic and specific concern given the shared characteristics with similar properties in the street. Allowing this application would make it more difficult to resist further planning applications for similar developments. The Parish consider that their cumulative effect would contribute to an overall erosion of the positive characteristics of the area and creation of harm to the wider area. Therefore, the Parish consider the proposed development would cause significant harm to the character of the area, contrary to Policy DM9 of the Epping Forest Local Plan (2023) which requires, amongst other things, that development must contribute to the distinctive character of the local area.

The Parish concur with the Plan South committee's previous concern that it would amount to overdevelopment of the site, not in terms of its scale or indicative physical appearance, but its concentration and quantum of dwellings and thus be contrary to policy DM9 of the Local Plan.

Fails to comply with Local Plan policy DM9 I (v) - (the proposal fails to address the issues of vibration and noise)

The Council notes the absence of a noise assessment for the car lift and turntable and considers the proposal fails to consider the impact of the same on future occupiers and neighbours

Fails to comply with Local Plan policy DM15 A - (the proposal fails to demonstrate it avoids and reduces the risk of flooding to future occupiers - required for all development proposals)

Whilst in Flood Zone 1, local Councillors noted the frequent flooding of the road from surface water run off. This alone during periods of heavy rain or in combination with overflow from Chigwell Brook which is in close proximity to the proposed basement parking will increase the risk of flooding for future occupiers of the site.

Fails to comply with Local Plan policy DM9 A (iii) - (the proposal fails to incorporate sustainable design and construction principles that integrator adaption and mitigation measures to address climate change)

The Council **OBJECTS** to new development that does not adequately comply with Policy DM9 iii (sustainable design and construction), DM19 (sustainable water) and/or DM20 (the incorporation of low carbon and renewable energy measures) and/or fail to make sufficient contribution to meeting the EFDC objective of net zero by 2030 or 2050. The Council, therefore, **OBJECTS** to this application. If however the sustainability checklist is revised to show in excess of 60% of the 40 possible mitigation measures in the sustainability checklist fall into the amber or green selections (Net Zero by 2050/20230) and fulfilling these is made a condition of planning being granted, then the council is willing to waive this objection

PL378/23 - [EPF/0895/23](#) - Re-consultation - Oakbrook, Pudding Lane, Chigwell, IG7 6BY

Replacement dwelling house

Chigwell Parish Council comment:

It was **NOTED** the replacement volume calculations appeared to include two outbuildings that will remain and the incorrect sustainability checklist was provided

The Council **OBJECTS** to applications which may result in inappropriate development in Green Belt whether with or without special circumstances. The Council, therefore, **OBJECTS** to this application.

Fails to comply with Local Plan policy DM9, A (the proposal fails to achieve a high quality of design) and Local Plan policy DM9, A (iii) - (fails to relate positively to its context, fails to draw on the local character and the natural environment)

The Council **OBJECTS** to this application on the grounds of poor design and lack of character

Fails to comply with Local Plan policy DM9 A (iii) - (the proposal fails to incorporate sustainable design and construction principles that integrator adaption and mitigation measures to address climate change)

The Council **OBJECTS** to new development that does not make sufficient contribution to meeting the objectives of Policy DM20 of the adopted Local Plan. The Council, therefore, **OBJECTS** to this application. If however the sustainability checklist is revised to show over 60% of actions fall into the amber or green selections (Net Zero by 2050/30) and fulfilling these is made a condition of planning, then the council is willing to waive this objection

PL379/23 - [AP-13315/3333953](#) - [EPF/1517/23](#) - 16, Bracken Drive, Chigwell, IG7 5RF

Single storey side and rear extension with flat roof. 3no flat roof lights. Internal alterations

The Chair confirmed a date for submission of comments by interested parties had yet to be published by the Planning Inspectorate

PL380/23 - ITEMS TO BE BROUGHT FORWARD TO THE NEXT MEETING OR ITEMS FOR DISCUSSION THAT DO NOT REQUIRE A DECISION TO BE MADE

It was **NOTED** that no reply had been received from Cllr Nigel Bedford regarding his mis-speak at EFDC Full Council and the Chair confirmed she would follow this up and escalate if necessary. The contents of the emails to the Planning Portfolio holder Cllr Ken Williamson and Mr Graham Courtney were **NOTED** and the committee thanked the Chair for her efforts. The Chair confirmed that Mr Nigel Richardson had yet to propose a date for meeting with the Parish Council.

PL381/23 - DATE OF THE NEXT MEETING

The scheduled date of the next meeting is Thursday 8 February