



MINUTES PLANNING COMMITTEE

Date: Thursday 22 February 2024

Time: 6:30pm

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

Members present:

Cllr Celina Jefcoate(Chair)

Cllr Rashni Chahal Holden #

Cllr Lisa Skingsley Morgan #

Cllr. Elliot Costa (Vice Chair)

Cllr Rochelle Hodds

Cllr Faiza Rivzi

Members of the Public present:

14 #

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

1. **PL402/23 - APOLOGIES FOR ABSENCE**

Apologies were received and **ACCEPTED** from Cllr: Gaffar, Phull and Raza. No other apologies were received

2. **PL403/23 - DECLARATIONS OF INTEREST**

Cllrs: Jefcoate, Rivzi, Chahal Holden, Costa, Hodds and Skingsley Morgan declared a personal interest in item 12 (40 Ely Place) on the grounds of knowing the applicant but deemed it would not influence their decisions and they would remain in the meeting.

Cllrs Jefcoate, Rizvi, Chahal Holden, Costa, Hodds and Skingsley Morgan declared a personal interest in item 21 (Land at MOD site) on the grounds of the applicant being a fellow Councillor but deemed it would not influence their decisions and they would remain in the meeting.

3. **PL404/23 - MINUTES**

The minutes of the meeting held 8 February 2024 were **AGREED** and signed by the Chair

4. **PL405/23 - PUBLIC PARTICIPATION**

MOP made representation on items 12 (40 Ely Place), 20 (177 High Road), 23 (Chigwell Primary) and 24 (Licence Application, 783 High Road)

5. **PL406/23 - [EPF/0087/24](#) - 50, Lechmere Avenue, Chigwell, IG7 5ET**

2 Storey wrap around extension over ground and 1st floor, forming new rear kitchen dining area at GF and Bedroom, en-suite and family bathroom at 1st floor.

Chigwell Parish Council comment:

No objection

6. **PL407/23 - [EPF/0184/24](#) - 33, Millwell Crescent, Chigwell, IG7 5HX**

Proposed part single part double storey rear and side extensions and a front porch extension along with associated internal alterations.

Chigwell Parish Council comment:

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

Local Plan policy DM9, D (ii) - fails to have regard to the rhythm of the neighbouring plots

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

Local Plan policy DM9, I (iv) - results in an overbearing and overly enclosed form of development

It is considered the scale, massing and bulk results in a disproportionate and overbearing form of development and harmful to the character and appearance of the area.

The Parish **NOTED** that officers considered the approved proposal for EPF/2313/23 to be on the limit of what is acceptable to ensure that extensions to this property are not disproportionate.

7. **PL408/23 - [EPF/0195/24](#) - 34, Oak Lodge Avenue, Chigwell, IG7 5HZ**

Double-storey rear, Front extension, and Loft Conversion

Chigwell Parish Council comment:

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

Local Plan policy DM9, A - the proposal fails to achieve a high quality of design

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

Local Plan policy DM9, D (ii) - fails to have regard to the rhythm of the neighbouring plots

Local Plan policy DM9, I (iv) - results in an overbearing form of development

It is considered the cumulative scale, massing and bulk results in an overly dominate and overbearing form of development built to the shared boundary with the neighbouring dwelling and harmful to the character and appearance of the area.

8. PL409/23 - [EPF/2697/23](#) - 37, Coolgardie Avenue, Chigwell, IG7 5AX

Demolition of rear conservatory; proposed single storey rear extension; two-storey side extension; loft conversion with rear dormer and 3no. front roof lights; proposed outbuilding in rear garden

Chigwell Parish Council comment:

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

Local Plan policy DM9, D (ii) - fails to have regard to the rhythm of the neighbouring plots

Local Plan policy DM9, I (iv) - results in an overbearing and overly enclosed form of development

The proposed outbuilding, by nature of its mass, scale and proximity to the boundary is considered overbearing. It was **NOTED** that, whilst not a planning issue, Buildings Regulations prefer a minimum 1m distance from the boundary and a non-combustible barrier

Given the size and location of the proposal, should officers be minded to approve, the Parish request a planning condition that commercial use or overnight occupation of the outbuilding is not permitted and its use remains ancillary to the main building

9. PL410/23 - [EPF/0124/24](#) - 14, Stradbroke Drive, Chigwell, IG7 5QX

Extension to existing rear patio/terrace area

Chigwell Parish Council comment:

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

The Council remain concerned with regard to potential overlooking and a loss of green infrastructure. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive this objection

10. PL411/23 - [EPF/0175/24](#) - 75, Hainault Road, Chigwell, IG7 5DL

Part 2 storey front infill extension with main roof reconfiguration. Part single storey rear extension with lantern roof window.

Chigwell Parish Council comment:

No objection although the Council **NOTED** with disappointment the absence of a Sustainability Statement detailing how the admirable claims made on a Refurbishments and Extensions Sustainability Checklist will be achieved. In the absence of such explanation, it was not clear whether the finished development will adequately comply with Policy DM9 A (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

11. PL412/23 - [EPF/0202/24](#) - 21, Lyndhurst Rise, Chigwell, IG7 5BB

Removal of garage door and replace with bay window to match first floor.

Chigwell Parish Council comment:

No objection although the Council **NOTED** with disappointment the absence of a Refurbishments and Extensions Sustainability Checklist and noted the proposal may not adequately comply with Policy DM9 A (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

12. PL413/23 - [EPF/0214/24](#) - 40, Ely Place, Chigwell, IG8 8AG

Loft conversion, rear dormer and 3 no. rooflights on the front elevation.

The applicant spoke in support of the proposal

Chigwell Parish Council comment:

No objection

13. PL414/23 - [EPF/0215/24](#) - 74, Grange Crescent, Chigwell, IG7 5JF

Single storey side extension (at first floor level). Alterations to main roof to suit.

Chigwell Parish Council comment:

No objection

14. PL415/23 - [EPF/0223/24](#) - 51, Lee Grove, Chigwell, IG7 6AD

Two storey side extension, first floor front extension, single storey rear extension, loft conversion with rear dormer and front roof lights.

Chigwell Parish Council Comment:

No objection although the Council **NOTED** with disappointment the lack of sustainable design principles and noted the proposal may not adequately comply with Policy DM9 A (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

15. PL416/23 - [EPF/0201/24](#) - Millstone, 6 Lingmere Close, Chigwell, Essex IG7 6LH

TPO/EPF/111/10 (Ref: T19)

T2: Oak - Crown reduce by up to 1.5m, as specified.

Chigwell Parish Council Comment:

The Council **OBJECTS** to applications which may result in inappropriate treatment or felling of a protected tree. The Council, therefore, **OBJECTS** to this application. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive this objection

16. PL417/23 - [EPF/0219/24](#) - Millstone, 6 Lingmere Close, Chigwell, IG7 6LH

TPO/EPF/111/10 (Ref: T18)

T1: Yew - Fell and replace, as specified.

Chigwell Parish Council Comment:

The Council **OBJECTS** to applications which may result in inappropriate treatment or felling of a protected tree. The Council, therefore, **OBJECTS** to this application. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive this objection

17. PL418/23 - [EPF/0210/24](#) - 5A, Longview, Lingmere Close, Chigwell, IG7 6LH

TPO/EPF/111/10 (Ref: T15 & T16)

T1 & T2: Lime - Re-pollard, as specified.

Chigwell Parish Council Comment:

The Council **OBJECTS** to applications which may result in inappropriate treatment or felling of a protected tree. The Council, therefore, **OBJECTS** to this application. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive this objection

To **NOTE** and **COMMENT** if appropriate, the following Prior Notification Applications

18. PL419/23 Prior Notification Applications - NONE

To **NOTE** and **COMMENT** if appropriate, the following Ls

19. PL420/23 Lawful Development Application - NONE

To **NOTE** and **COMMENT** if appropriate, the following Approval of Details Reserved by A Condition. This type of application is needed where a condition in a planning permission or a listed building consent requires details of a specified aspect of the development which wasn't fully described in the original application. These details need to be submitted for approval before the development can begin

20. PL421/23 - [EPF/0206/24](#) - 177 High Road, Chigwell, IG7 6NX - Approval of Details Reserved by A Condition

Approval of Details Reserved by Conditions 5 Landscaping, 6 Surface Water Drainage, 9 Levels, 16 EVP and 17 Broadband of EPF/2868/20 (Proposed mixed-use development to provide 35 residential dwellings (Use Class C3) and 512 sqm of commercial floorspace (Use Class E) together with cycle and car parking, landscaping, provision of new pavement and loading bay on Brook Mews and associated infrastructure).

One MOP spoke in opposition to the proposal on the grounds the proposed parking was not adequate in terms of design
Chigwell Parish Council Comment:

The Council, having reviewed the the Electrical Car Charging Design Strategy, considered that Condition 16 (electric vehicles parking proposals) should not be approved. This is on the basis that parking bays 1, 5, 6, 9, 17 and 21 appear not to 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.”***

21. PL422/23 - [EPF/0259/24](#) - Former MOD Site, Roding lane, Chigwell - Approval of Details Reserved by A Condition

Application for approval of details reserved by condition 5 'Flood Risk Assessment' and condition 7 'Foul and Surface Water Disposal' on planning permission EPF/0635/20 (Demolition of all buildings & erection of one single storey house, parking and provision of garden space)

Chigwell Parish Council Comment:

No Comment

22. PL423/23 - APPEALS RECEIVED - NONE

ITEMS FOR DISCUSSION THAT REQUIRE A DECISION TO BE MADE

23. PL424/23 - [EPF/0047/24](#) - Chigwell Primary Academy, Mandir Lane, Chigwell, IG7 6ED

Deed of Variation to s106 Legal Agreement attached to [EPF/1681/19](#) (Construction of new Chigwell Primary Academy school, followed by demolition of existing buildings and creation of new playing field and playground, together with residential development comprising 59 number dwellings, together with car parking, garden spaces, vehicular access from High Road (A113), external landscaping and associated development).

Two MOP spoke expressing concern about the lack of consultation and the legality of the amending a S106 given officers advised DDMC that a material start had already been made to Planning Application EPF/1861/19. A MOP further noted that a recent communication between Chigwell Primary School and another local school subsequent to the DDMC decision had indicated the rebuild of Chigwell Primary may not now be proceeding

Chigwell Parish Council Comment:

The Committee were advised this item had come before District Development Management Committee on Tuesday 13 February 2024 and a decision to approve the Deed of Variation to the S106 agreed on 26 Feb 2021 had been made. It was proposed this was necessary as an easement to the applicant's cashflow given borrowing costs. The Chair confirmed the Parish had not been notified of this application and her request to EFDC that the matter be deferred to enable to Parish to consider its position and thus be able to make representations to DDMC was refused.

The lack of financial evidence presented or reviewed to evidence the applicant's claim was **NOTED**. The Council **AGREED** the matter of risk management when delaying infrastructure contributions for some years appears not to have been properly addressed. It was **AGREED** that the previous obligation of infrastructure contributions to Chigwell Parish served a useful purpose but the modification of the obligation will result in that useful purpose not being served equally well. It was **AGREED**, given ECC were a co-signatory of the original S106, the Chair would write to ECC legal officers and the Chigwell County Councillor with regard to the decision by DDMC

Members expressed very strongly their disappointment at the lack of consultation with the Parish and the direct financial impact the decision to vary the terms of the S106 would have on Parish finances. It was **AGREED** that now sustainable transport funding, instead of being due was now not anticipated for several years, the Council now needs to urgently consider the immediate disposal of the two Parish owned buses.

It was **AGREED** a formal complaint would be made to EFDC regarding the lack of consultation. It was **AGREED** the matter of a material start would be assessed and the implications of those findings raised with EFDC. It was **AGREED** a resolution would be sought for the consequences for Chigwell Parish Council of the decision made.

It was **AGREED** the Council would seem to establish whether the proposal was still to re-build or was now to re-furbish Chigwell Primary

The Council **AGREED** the feasibility of challenging the decision should be investigated. The Chair of Planning was asked to do so

24. PL425/23 - Application for Premises Licence - Chickaros Chicken Chigwell, 783 Chigwell Road, Chigwell, IG8 8AU - (Appendix 8)

Chigwell Parish Council Comment:

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

Public Nuisance - the application site is in a residential area and the proposed opening hours from 6am-1am and delivery hours up to 3.00am will severely impact on the amenity of the local area to an unacceptable level.

The outdoor seating area will be available until 11.00pm but the applicant has failed to show any mitigation of noise and the subsequent loss of amenity and nuisance for neighbours that this will cause

The application fails to demonstrate how cooking smells will be dealt with to ensure adjacent properties are not adversely impacted

It was **NOTED** that the premises currently have Class E usage (Restaurant) and a planning application for change of use to sui-generis (takeaway) is required. This has yet to come before the Council. It is considered this type of development has significant adverse health implications.

Crime and Disorder, Poses Harm to Children - The application site is 250m from West Hatch School and 300m from St John's SEN School - if it was 100m down the road in the London Borough of Redbridge it would not be permitted due to the proximity to schools. Hot food takeaways within easy walking distance of schools can provide an attractive and affordable food option for pupils. Research has indicated that children attending schools near fast food outlets are more likely to be obese than those whose schools are more inaccessible to such outlets. Researchers have found that schools have more fast food outlets in close vicinity than would be expected by chance and that banning any new fast food outlets opening within 400m of schools could help reduce children's exposure to fast food

The granting of this license will impact on their ability to choose healthy food and the school age children are particularly vulnerable and/or affected. This would be contrary to the requirements of government policy

A Parliamentary investigation has found that criminal "chicken shop gangs" are recruiting children to deal drugs with the offer of free food.

Findings from the Youth Select Committee suggested that "Chicken shop gangs" are often older men who groom children with the promise of free food, gifts or money in exchange for favours. While these 'favours' might not include carrying a knife, children's charities have warned that they do draw young people into a 'criminal lifestyle'. These same gangs have also been linked to the county lines network, where vulnerable young people are groomed into carrying drugs into and out of London.

This so-called "chicken shop grooming" has been around since 2008, according to Natasha Chopra, programme manager of The Children's Society. However, the recent report highlighted how street gangs are increasingly preying on school children who visit these fast food outlets. The report also highlighted how gangs are preying on school age children who visit

Allowing a chicken shop to open in close proximity to vulnerable young adults and schools will increase the risk of crime and disorder

As such, allowing this license will adversely impact on the safety of children and carries an unacceptable risk of an increase in crime and disorder

Public Safety - The proposal does not detail how deliveries will be carried to safely up to 3.00am. Chigwell is part of ECC PNL and the street lights in the area switch off at 1.00am. The hazards presented to drivers and residents are unacceptable.

The application site is adjacent to a sheltered living accommodation for young adults, including those with learning disabilities and behavioural issues. The Council consider locating a retailer of this nature would create a potential health and safety risk to those residents. It may impact on their ability to choose healthy food and the residents in supported living accommodation may be particularly vulnerable and/or affected. This would be contrary to the requirements of national and local policy which requires EFDC to promote healthy communities and to encourage healthy lifestyles for all.

25. PL426/23 - ITEMS TO BE BROUGHT FORWARD TO THE NEXT MEETING OR ITEMS FOR DISCUSSION THAT DO NOT REQUIRE A DECISION TO BE MADE

26. PL427/23 - DATE OF THE NEXT MEETING

The scheduled date of the next meeting is Thursday 14 March

Suggested wording when appropriate

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. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive this objection

The Council **OBJECTS** to applications which may result in inappropriate treatment of a listed building. The Council, therefore, **OBJECTS** to this application. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive this objection

The Council **OBJECTS** to applications which may result in inappropriate treatment or felling of a protected tree. The Council, therefore, **OBJECTS** to this application. If, however, all relevant Officers deem this application acceptable, whether with amendments or not, then the council is willing to waive this objection

The Council **OBJECTS** to new development that 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. 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

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

The Council asks that implementing the mitigation measures detailed in the sustainability submission is made a condition of planning being granted

Notes on Declarations of Interest

Members with a disclosable pecuniary interest in an item should withdraw from the room while that item is being considered. Members should also leave the room if their continued presence is not compatible with the Council's Code of Conduct or the Seven Principles of Public Life.

The disclosure must include the nature of the interest. If you become aware during meeting of an interest that has not been disclosed under this item you must immediately disclose it. You may remain in the meeting and take part fully in discussion and voting unless the interest is prejudicial.

A personal interest is prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice your judgement of the public interest and it relates to a financial or regulatory matter.

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

It is not practical to offer detailed advice during the meeting on whether or not a personal interest should be declared, or whether a personal interest should be regarded as a Disclosable Pecuniary Interest. Members are advised to seek the advice of the Monitoring Officer well before the meeting if needed.