



MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

Date: Tuesday 26 March 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:

16 #

For part of the meeting

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

PL458/23 - APOLOGIES FOR ABSENCE

Apologies were **ACCEPTED** from Cllr Syed Raza, Cllr Tes Gaffar, Cllr Renu Phull. No other apologies were received or accepted

PL459/23 - DECLARATIONS OF INTEREST

All Councillors declared a personal interest in item 24 (40 Ely Place) on the grounds of knowing the applicant. They deemed it would not influence their decision and they would remain in the meeting.

PL460/23 - MINUTES

The minutes of the meeting held 14 March 2024 were **AGREED**

PL460/23 - PUBLIC PARTICIPATION

Members of the public spoke on items 5 (783 Chigwell Road) and Item 6 (2 Smeaton Road)

PL460/23 - [EPF/0391/24](#) - 783, Chigwell Road, Chigwell, IG8 8AU

Retrospective planning application - Single storey side extension to create toilets for the ground floor restaurant.

Five members of the public spoke in an objection

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

The applicant has failed to provide satisfactory reasons or justification as to why the original conditions of the approved planning were not met and the development was not carried out in accordance with those conditions

The proposal is detrimental to the host building and the proposal has led to the loss of a parking space. The proposal does not appear to take into account the health and safety of the users in that the fire exit is obstructed.

The drawings before the Council do not appear to accurately reflect what has been built

PL460/23 - [EPF/0424/24](#) - 2, Smeaton Road, Chigwell, IG8 8BD

Variation to condition 1 'Opening times' on planning permission EPF/0470/96 allowed on appeal (Change of use of ground floor from builders merchants to Restaurant)

Five members of the public spoke in an objection

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

The proposal to extend the opening hours will adversely impact on the amenity of the neighbours. There is no mitigation of the additional noise from the kitchen from the proposed extended hours.

The application site is adjacent to a sheltered living accommodation for young adults, including those with learning disabilities and behavioural issues. The impact of the noise outside of the current opening hours is considered a risk to their health and safety

The Council further **NOTED** Condition 1 of planning application EPF/1433/09 (*The restaurant hereby permitted shall not be open to customers outside the hours of 09:00 to 22:00 Mondays to Saturdays and 12:00 midday to 18:00pm on Sundays*) and views the reasons for this being made a condition of permission remain in effect. The Parish considers there would be a breach of control if the hours the restaurant is open to customers are outside these conditioned times. The Parish considers that being "open to customers" includes the provision of takeaways and/or deliveries to customers

Cllr Rizvi left the meeting

PL460/23 - [EPF/0100/24](#) - 3 Broadhurst Gardens, Chigwell, IG7 5HE

Proposed extensions and internal alterations.

Chigwell Parish Council comment:

No objection

PL460/23 - [EPF/0377/24](#) - 1, Great Owl Road, Chigwell, IG7 6AL

Conversion of garage into habitable room, two storey front extension. two storey rear extension part single storey rear extension, loft conversion with front dormer and skylights

Chigwell parish Council comment:

The Council **OBJECTS** to this on the grounds of the similarity of the proposal to the previous. Refused EPF/0842/22. The Parish considers the grounds for the previously refusal have not been adequately addressed by the current proposal and the building has a bulky, top heavy appearance that is not in keeping with the local area.

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

Cllr Rizvi rejoined the meeting

PL460/23 - [EPF/0383/24](#) - 16, Audleigh Place, Chigwell, IG7 5QT

Erection of double garage to serve 16 Audleigh Place

Chigwell Parish Council comment:

The Council **OBJECTS** on the grounds of a potential impact on visibility due to the proposal being in front of the building line

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

PL460/23 - [EPF/0414/24](#) - 122, Hainault Road, Chigwell, IG7 5DL

Single Storey rear extension

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

#Cllr Chahal Holden joined the meeting

PL460/23 - [EPF/0439/24](#) - 29, St Marys Way, Chigwell, IG7 5BX

Double storey rear and side extension, first floor side extension, front porch.

Chigwell Parish Council comment:

No objection

PL460/23 - [EPF/0040/24](#) - 40 Chigwell Grange, High Road, Chigwell, IG7 6BF

Construction of an outbuilding ancillary to the host property.

Chigwell Parish Council comment:

No objection although the Council requests a condition that the building is incidental to the host property and that overnight accommodation should not be permitted.

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

PL470/23 - [EPF/0407/24](#) - 29, Ely Place, Chigwell, IG8 8AG

Chigwell Parish Council comment:

No objection

PL471/23 - [EPF/0422/24](#) - 28, Hycliffe Gardens, Chigwell, IG7 5HJ

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

Cllr Hodds joined the meeting

PL472/23 - [EPF/0468/24](#) - 11, Audleigh Place, Chigwell, IG7 5QT

Part single, part double storey side and rear extension, raising roof ridge for loft conversion.

Chigwell Parish Council comment:

No objection

PL473/23 - [EPF/0485/24](#) - 34 Forest Avenue, Chigwell, IG7 5BP

Chigwell Parish Council comment:

No objection

PL474/23 - [EPF/0489/24](#) - 34, Broad Oaks, High Road, Chigwell, IG7 6DW

Application for drop pavement to facilitate vehicle crossing to create access for maintenance vehicles to serve the Electrical Sub Station which was granted planning permission on 19/12/2023, ref [EPF/1849/23](#).

Chigwell Parish Council comment:

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

PL475/23 - [EPF/0500/24](#) - 146, Langold, High Road, Chigwell, IG7 5BQ

Proposed two storey and single rear extensions with additional dormers to attic.

Chigwell Parish Council comment:

No objection

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

None

To **NOTE** and **COMMENT** if appropriate, the following Lawful Development Applications - Proposed (prospective applications where works have not yet been carried out). If a property owner wants to be certain that the existing or proposed use or development of a building is lawful for planning purposes or that their proposal does not require planning permission, they can apply for a 'Lawful Development Certificate' (LDC)

PL476/23 - [EPF/0492/24](#) - 26, Coolgardie Avenue, Chigwell, IG7 5AY

Certificate of lawful development for a proposed hip to gable loft conversion with a rear dormer and front rooflights.

Chigwell Parish Council comment:

No comment

PL477/23 - [EPF/0273/24](#) - 30A, Roseacre, Stradbroke Drive, Chigwell, IG7 5QY

Certificate of lawful development for the construction of a single storey office outbuilding.

Chigwell Parish Council comment:

No comment

PL478/23 - [EPF/0418/24](#) - Rolls Park Farm, 25 High Road, Chigwell, IG7 6DL

Certificate of lawful development for a proposed single storey swimming pool outbuilding with facilities and a single storey gym outbuilding for the purposes incidental to the enjoyment of the main dwelling house.

The Parish Council consider the development to be **UNLAWFUL** on the following basis:

The proposed new buildings exceed what may be reasonably considered as incidental to the enjoyment of the dwelling house. The land use, by nature of the footprint, of the buildings would be much larger than the house itself. Although the activities designated on the plans of the new building fall into categories that, individually, may be acceptable as incidental to the enjoyment of the dwelling house, taken together they occupy an unreasonable amount of space for those activities. Thus as a matter of fact and degree the proposals do not come within the terms of Class E of Part 1 of GPDO. due to the size of the proposed buildings being far greater than that reasonably required or necessary in order to accommodate the proposed use for activities and thus achieve that purpose

The total proposed land use footprint for the gym and pool building is 349.8 sq m.

According to historic records the original dwelling had a footprint of 87 sq m. A series of applications has increased the footprint to its current land use to circa 280 sq m.

Previous decisions support the Parish Council position, namely In Emin it was said that “the fact that such a building had to be required for a purpose associated with the enjoyment of the dwelling house could not rest solely on the unrestrained whim of him who dwelt there. It connoted some sense of reasonableness in all the circumstances of the particular case.....the word ‘incidental’ connoted an element of subordination in land use terms in relation to the enjoyment of the dwelling house itself.”

The subordination in terms of land use is not provided by this proposal which proposes land use far in excess of that used by the main dwelling. The applicant has provided no explanation for the unusually large size of the buildings and has not answered the question as to whether the proposed building is genuinely and reasonably required or necessary in order to accommodate the proposed use or activity and thus achieve that purpose.

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

[EPF/0426/24](#) - Derwen, Vicarage Lane, Chigwell, IG7 6LS

Application for approval of details reserved by condition 4 'Surface Water Disposal' on planning permission EPF/2781/23 (The proposal is for an outbuilding to be located in the rear garden, existing access arrangements to remain unaltered)

Chigwell Parish Council comment:

No comment

APPEALS RECEIVED

[EPF/2218/23](#) - [AP-13360](#) - 40, Ely Place, Chigwell, IG8 8AG

[APP/J1535/D/24/3339592](#) - Loft conversion facilitated by raising the ridge by 0.35m, rear dormer and 3 no. rooflights on the front elevation.

Chigwell Parish Council comment:

The Parish previously had not objected to this application and whilst supporting the officer's decision, resolved to make no further comment

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

DATE OF THE NEXT MEETING

The next meeting will be Thursday 11 April at 6.30pm