

Statement of Reasons

1. On 25 October 2023 the Defendant approved planning permission for a development described as “Demolition of existing dwelling and replacement with two structures containing a total of 5 new dwellings” (Application Reference EPF/0625/23) (the “**Development**”) in respects of 2 Courtland Drive, Chigwell, Essex, 1G7 6PN (the “**Site**”).
2. The above-mentioned application was originally considered and recommended for approval by the planning officer in charge of the application. The application was sent to the Area South Planning Sub Committee (the **Committee**) on 11 October 2023 to be debated. At the Committee it was recommended for refusal. Subsequently, due to an administrative error the decision was recorded and published, via a decision notice dated 25 October 2023, as approved.
3. The reasons the decision should be quashed is two-fold. Firstly, the Interested Party was erroneously sent an approval decision notice rather than a refusal decision notice as per the Committee’s decision. Secondly, upon review of the Committee’s reasons for refusal both the Claimant and Defendant have noted that the Committee’s decision was based on incorrect evidence. Should the Committee hear the application based on all of the correct evidence their outcome may be different.
4. The Claimant and Defendant recognise the errors in this matter and so both seek an order to quash the approval decision, so that the matter can be resent to Committee to be re-debated on the basis of all of the supporting evidence obtained during the investigations ahead of these proceedings. Following the Committee’s decision, a new decision can be issued.
5. The Interested Party has indicated, via their solicitors, to the Claimant’s and Defendant’s solicitors that they consent to this Draft Order.

From: Graham Courtney <GCourtney@eppingforestdc.gov.uk>
Sent: 05 January 2024 3:56 PM
To: Cllr.K Rizvi <cllr.krizvi@eppingforestdc.gov.uk>; Cllr.R Baldwin <cllr.rbaldwin@eppingforestdc.gov.uk>; Cllr.I Allgood <Cllr.IAllgood@eppingforestdc.gov.uk>; Cllr.D Barlow <cllr.dbarlow@eppingforestdc.gov.uk>; cllr.pbhanot@eppingforestdc.gov.uk <cllr.pbhanot@eppingforestdc.gov.uk>; Cllr.R Brookes <cllr.rbrookes@eppingforestdc.gov.uk>; Cllr.E Gabbett <Cllr.EGabbett@eppingforestdc.gov.uk>; Cllr.S Heap <cllr.sheap@eppingforestdc.gov.uk>; Cllr.B Jennings <cllr.bjennings@eppingforestdc.gov.uk>; Cllr.J Jennings <cllr.jjennings@eppingforestdc.gov.uk>; Cllr.J Jogia <cllr.jjogia@eppingforestdc.gov.uk>; Cllr.H Kauffman <cllr.hkauffman@eppingforestdc.gov.uk>; Cllr.A Lion <cllr.alion@eppingforestdc.gov.uk>; Cllr.L Mead <cllr.lmead@eppingforestdc.gov.uk>; Cllr.L Morgan <cllr.lmorgan@eppingforestdc.gov.uk>; Cllr.S Murray <cllr.smurray@eppingforestdc.gov.uk>; Cllr.C Nweke <cllr.cnweke@eppingforestdc.gov.uk>; Cllr.M Owen <cllr.mowen@eppingforestdc.gov.uk>; Cllr.A Patel <cllr.apatel@eppingforestdc.gov.uk>; Cllr.S Patel <Cllr.SPatel@eppingforestdc.gov.uk>; Cllr.Caroline Pond <Cllr.CarolinePond@eppingforestdc.gov.uk>; Cllr.Chris Pond <cllr.chrispond@eppingforestdc.gov.uk>; Cllr.D Sunger <cllr.dsunger@eppingforestdc.gov.uk>; Cllr.K Williamson <cllr.kwilliamson@eppingforestdc.gov.uk>; Cllr.D Wixley <cllr.dwixley@eppingforestdc.gov.uk>
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Subject: RE: EPF/0625/23 - 2 Courtland Drive, Chigwell

Dear all,

I just wanted to write and provide an update on the situation with EPF/0625/23, 2 Courtland Drive, Chigwell.

We have now received the Consent Order overturning the incorrectly issued decision on this application. This now means that the decision has been quashed and the application becomes 'live' again.

One of the considerations of the Court was that the decision made by Members at Area Planning Sub-Committee South was based on incorrect evidence with respect of the date of the appeal decision in relation to the date of the Local Plan adoption, in that the previous appeal decision was issued after the adoption of the new Local Plan.

Attached is a copy of the Statement of Reasons providing justification for the Courts decision. In line with paragraphs 3 and 4, we intend to bring the application back in front of Area Planning Sub-Committee South so that the Committee Members can make a decision based on all of the correct evidence. This way, any decision issued should not be open to any further legal challenges.

We of course will aim to have this application on the agenda for the next South meeting.

Kind regards,

Graham Courtney
Planning Service Manager – Development Management

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To view details of procedures and processes please see the Development Management Service Charter on our website at <https://www.eppingforestdc.gov.uk/planning-and-building/development-management-service-charter/>

Further information and answers to some frequently asked questions is available on our [website here \(https://www.eppingforestdc.gov.uk/planning-and-building/\)](https://www.eppingforestdc.gov.uk/planning-and-building/).

Planning enquiries can be made by email to contactplanning@eppingforestdc.gov.uk

Epping Forest District Council

www.eppingforestdc.gov.uk



Safer spaces is a council-led programme to help kickstart the local economy and reopen high streets in the Epping Forest district [Click Here to have your say on social distancing and safer spaces](#)

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