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16 January 2025

**TOWN AND COUNTRY PLANNING ACT 1990**  
**Town and Country Planning (Development Management Procedure) Order 2015**  
**s73 DECISION NOTICE**

**Application Type:** Removal or variation of conditions

**Application Ref:** EPF/2329/24

**Site Address:** 233, Fencepiece Road, Chigwell, IG7 5EB

**Proposal:** Variation of condition 2 'Plan no's' on planning permission EPF/2447/23 (Demolition of two semi-detached dwellings and replacement with 6 apartments).

In pursuance of the powers exercised by the Local Planning Authority this Council do hereby give notice of their decision to REFUSE PERMISSION for the development described above.

**Signed**



Nigel Richardson  
Planning Service Director

Case Officer | Yee Cheung | [ycheung@eppingforestdc.gov.uk](mailto:ycheung@eppingforestdc.gov.uk)

### **Refusal Reasons: (2)**

- 1 The proposal seeks to remove the previously approved basement parking areas resulting in an overall reduction in parking provision for the development. The proposed remaining number of parking spaces would be inadequate for the proposed development and likely lead to parking on the A123 Fencepiece Road to the detriment of highway safety. The development would therefore be contrary to Policy T1 of the Epping Forest District Local Plan (2023) and the National Planning Policy Framework (2024).
- 2 The Applicant has not demonstrated that sufficient turning space is available within the site boundary to allow for vehicles to enter and exist in a forward gear. The lack of turning space would lead to vehicles reversing out of the site with restricted visibility which would result in an unacceptable degree of hazard for both emerging and approaching vehicles and to all other highway users to the detriment of highway safety. The development would therefore be contrary to Policy T1 of the Epping Forest District Local Plan (2023) and the National Planning Policy Framework (2024).

### **Informatives: (2)**

- 3 The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Council's website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.
- 4 This decision is made with reference to the following plan numbers:
  - GAF\_100 Rev E
  - GAF\_101 Rev F
  - GAF\_110
  - TQI\_101
  - TQI\_100
  - Planning Statement

### **It is important that you read and understand all the following:**

#### **a Limitation of Permission**

This decision is for planning purposes only and for no other purpose including Building Regulations. Separate approval may be required for these works.

#### **b Sustainable Drainage Systems**

The Council encourages all developers to follow the principles of Sustainable Drainage Systems (SuDS) in designing facilities for the handling of rainwater run-off. Furthermore, if storm drainage discharges to an existing ditch or watercourse and/or if any works are to take place to, or within 8 metres of, any open or piped watercourse, then Land Drainage

Consent is required from the Council under its byelaws.

**c Appeals to the Secretary of State**

If you are aggrieved by the decision of your Local Planning Authority to refuse to grant permission you may wish to consider making an appeal, which can be done for up to 6 months from the date on the decision letter.

Details of how to appeal can be found at <https://www.gov.uk/appeal-planning-decision>

**d Purchase Notices**

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council of the District or London Borough in which the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Act 1990

**e Compensation**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Act 1990.

## EFDC Householder & Other Minor Applications Check List

Application Details & Constraints					
Case Ref:	EPF/1457/24	PL No:	013676		
Site Address:	9, Glebelands, Chigwell, IG7 4QG				
Proposal:	Increasing the ridge of the roof to construct loft conversion and single storey ground floor extension.				
Green Belt	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	TPO	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Conservation Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Heritage Asset (Listed)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Flood Zone	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Enforcement	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Representations					
Town/Parish Council Comments, if any:					
Objection <input type="checkbox"/>	No Objection <input type="checkbox"/>	Comment <input type="checkbox"/>	None Received <input checked="" type="checkbox"/>		
Neighbour Responses, if any:		None received.			

Planning Considerations		
<p><b>Character and Appearance:</b>  The site consists of a detached dwelling, located on a cul-de-sac in the built-up area of Chigwell.</p> <p>The proposal seeks to increase the ridge of the existing roof, loft conversion and single storey ground floor extension.</p> <p>The ground floor extension will measure approximately 4m deep and 9.2m wide with a flat roof and roof light. This element of the proposal is considered to be acceptable in design terms.</p> <p>The application also proposes an increase of the ridge height by 500mm to accommodate a loft conversion and rear dormer. Given the staggered orientation of dwellings in the existing streetscene, an increase in roof height will not appear overly prominent. A flat roof dormer is proposed to the rear roof slope. The dormer will cover the whole roof plane and is not inset from the eaves or ridge, creating a dominant, bulky addition to the rear. The design of the dormer due to its scale and massing is considered unacceptable, it does not respect the existing dwelling and will have a negative impact on the character and appearance of the surrounding area.</p>		
Acceptable <input type="checkbox"/>	Unacceptable <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<p><b>Neighbouring Amenities:</b>  The neighbour at no. 8 is set further back in its plot compared with the host dwellings and there will be no net projection as a result of the single storey rear extension and therefore it will not have a negative impact on neighbour amenity. There will be a net projection of approximately 6m with the adjacent dwelling at no.10 however the dwelling is not attached, and it is not considered that the proposal would have any significant negative impact on the occupier's amenity.</p>		
Acceptable <input checked="" type="checkbox"/>	Unacceptable <input type="checkbox"/>	N/A <input type="checkbox"/>

## EFDC Householder & Other Minor Applications Check List

Green Belt:			
Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>
		N/A	<input checked="" type="checkbox"/>
Highway Safety/Parking:			
Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>
		N/A	<input checked="" type="checkbox"/>
Trees and Landscaping:			
Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>
		N/A	<input checked="" type="checkbox"/>
Comments on Representations, if any:			
Additional Notes:			
<b>Officer Recommendation:</b>		<b>Approve</b>	<input type="checkbox"/>
		<b>Refuse</b>	<input checked="" type="checkbox"/>

## EFDC Householder & Other Minor Applications Check List

Application Details & Constraints					
Case Ref:	EPF/1903/24	PL No:	032238		
Site Address:	2, Audleigh Place, Chigwell, IG7 5QT				
Proposal:	First floor side extension.				
Green Belt	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	TPO	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Conservation Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Heritage Asset (Listed)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Flood Zone	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Enforcement	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Representations					
Town/Parish Council Comments, if any:					
Objection <input type="checkbox"/>	No Objection <input checked="" type="checkbox"/>	Comment <input type="checkbox"/>	None Received <input type="checkbox"/>		
Neighbour Responses, if any:		<p>The neighbour objects to the proposal on several grounds, including concerns that works have already commenced and that a rear extension is being undertaken despite only applying for a first-floor side extension. They highlight the close proximity of the proposed extension to the boundary wall, which they argue will significantly obstruct views from their sitting room and patio, reduce natural light, and diminish their enjoyment of the property. The neighbour also raises concerns about potential harm to trees near the boundary and notes that they had a similar application refused previously. Additionally, they argue that the proposed front window would overlook their garden and living space, adversely impacting their privacy and ..</p>			

### Planning Considerations

## EFDC Householder & Other Minor Applications Check List

### Character and Appearance:

The application site is a detached, two-storey dwelling located at the end of a cul-de-sac within a built-up area of Chigwell. The property is characterised by a traditional brick façade and a central portico that serves as a focal architectural feature. The central front element of the house projects forward and is defined by a pitched roof, the remainder of the property features a hipped roof. Additionally, a subordinate single-storey side element, also incorporating a hipped roof, is attached to the main dwelling. The overall design and appearance of the application site are reflective of the surrounding area, which is typified by similarly scaled, brick-built detached houses of complementary design and character. A detached garage, situated to the side of the property, is consistent in style with the main dwelling and contributes to the coherence of the site.

The proposal seeks to construct a first-floor side extension above the existing single-storey side element. The proposed extension will measure approximately 4.75m in depth, 3.45m in width and will add an additional height of approximately 3.76m above the roof of the existing single-storey side element. The proposed eaves height will align with the existing building, ensuring a cohesive relationship with the original structure. The extension has been designed to appear as a clearly subservient addition, with a noticeably smaller hipped roof that complements the architectural character of the main dwelling. The front elevation of the extension will include windows measuring 1.4m by 0.7m, designed in a sash style to match the existing fenestration. The rear elevation will include one window at both ground and first floor levels, also replicating the style of the existing windows. No windows are proposed for the side elevation.

The generous plot size of the application site ensures that the proposed extension can be accommodated without appearing overdeveloped. The subservient design, sympathetic roof profile, and matching architectural detailing ensure the proposal integrates harmoniously with the character of the main dwelling and the surrounding area.

Acceptable	<input checked="" type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input type="checkbox"/>
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## EFDC Householder & Other Minor Applications Check List

### Neighbouring Amenities:

The NPPF and Policy DM9 of the Epping Forest District Council both emphasise the importance of protecting neighbouring amenity. In this context the proposed first-floor side extension is deemed to negatively affect the residential amenity of the adjacent property at 1 Audleigh Place, particularly due to its close proximity to the shared boundary. The bulk and scale of the proposal in isolation may be deemed acceptable, however, when coupled with its position relative to the neighbouring site, it is deemed that the proposal would negatively alter the outlook from the rear living space of 1 Audleigh Place. The proposal would contribute to an increased sense of enclosure which is likely to diminish the quality of the living environment for the neighbouring occupiers.

Additionally, while the proposed windows on the front elevation are designed in a style sympathetic to the host dwelling, they are positioned in a manner that could result in overlooking into the far west side of No.1's garden. Policy DM9 I (iii) highlights that developments should avoid loss of privacy and this aspect of the proposal risks breaching this guidance. It is also accepted that on the neighbouring site are a number of mature trees that provide screening. These trees, however, cannot be relied upon as permanent mitigation measure due to the potential for future pruning or possibly removal.

Given the proposal's adverse impact on the outlook and increased sense of enclosure experienced by the occupiers of the neighbouring property, coupled with the potential for overlooking into their private garden space, the proposal is deemed to conflict with the NPPF and Policy DM9 of the Epping Forest District Local Plan. These policies require developments to safeguard residential amenity and ensure high-quality design that respects the living conditions of neighbouring occupiers.

Acceptable	<input type="checkbox"/>	Unacceptable	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
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### Green Belt:

Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
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### Highway Safety/Parking:

Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
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### Trees and Landscaping:

Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
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### Comments on Representations, if any:

Relevant planning representations duly noted. Planning decisions are made based on the individual merits of the application in question. Rear extension was approved under PD rights.

### Additional Notes:

Drawings/Plans: gla-01 to gla-09

<b>Officer Recommendation:</b>	<b>Approve</b> <input type="checkbox"/>	<b>Refuse</b> <input checked="" type="checkbox"/>
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## **EFDC Householder & Other Minor Applications Check List**

## EFDC Householder & Other Minor Applications Check List

Application Details & Constraints					
Case Ref:	EPF/0913/23	PL No:	031655		
Site Address:	33 and 35 Oak Lodge Avenue, Chigwell, IG7 5JA				
Proposal:	Two storey side extension, two storey rear extension following demolition of side garage at 33 Oak Lodge Avenue. First floor infill extension at 35 Oak Lodge Avenue.				
Green Belt	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	TPO	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Conservation Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Heritage Asset (Listed)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Flood Zone	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Enforcement	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Representations					
Town/Parish Council Comments, if any:					
Objection <input type="checkbox"/>	No Objection <input checked="" type="checkbox"/>	Comment <input type="checkbox"/>	None Received <input type="checkbox"/>		
Neighbour Responses, if any:		1 objection from joint applicant at no. 35 summarised as: Loss of light from first storey infill.			
EFDC Environmental Protection and Land Drainage		Is satisfied that the proposal will not significantly impact on the current surface water drainage arrangements.			

Planning Considerations		
<p><b>Character and Appearance:</b>  The application sites are a pair of semi-detached dwellinghouses with front driveways and lawned areas, side access leading to private rear amenity space. Siting is to the northeast side of Oak Lodge Avenue a built-up urban area of Chigwell. Surrounding area is characterised by its linear street morphology mostly semi-detached dwellings using a mix of materials.</p> <p>The main issue for consideration is the design of the full width double storey rear extension sitting flush to the rear elevation with part gable end roof and part flat roof at no.33; and infill part first floor extension adjoining no.33 with flat roof.</p> <p>The proposed flat roof form above first floor is not supported. Roof forms must as far as possible match the existing or at least create synergy with the main roof. At 3.5m depth, the flat roof offers a heavy quality that does not integrate well with the existing building and is therefore not supported.</p>		
Acceptable <input type="checkbox"/>	Unacceptable <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

## EFDC Householder & Other Minor Applications Check List

### Neighbouring Amenities:

It is noted that since submitting, the applicant from no.35 objects to the proposal. Based on the assumption that both parties implement the proposal, there is no significant loss of neighbour amenity in terms of outlook, loss of light/privacy or overlooking. In the event of either party not implementing the proposal to the first floor, will deprive the other of light and create an enclosed and overbearing form of development to the other.

Acceptable	<input type="checkbox"/>	Unacceptable	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
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### Green Belt:

Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
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### Highway Safety/Parking:

Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
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### Trees and Landscaping:

Acceptable	<input type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
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Comments on Representations, if any:  
None

### Additional Notes:

The proposed development due to its discordant flat roof form to the first-floor rear extension/ infill will result in adverse harm to the visual amenity and character and appearance of the setting. It is therefore recommended for refusal.

<b>Officer Recommendation:</b>	<b>Approve</b>	<input type="checkbox"/>	<b>Refuse</b>	<input checked="" type="checkbox"/>
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## EFDC Householder & Other Minor Applications Check List

Application Details & Constraints					
Case Ref:	EPF/1052/24	PL No:	004323		
Site Address:	1, Great Owl Road, Chigwell, IG7 6AL				
Proposal:	Addition of basement, fenestration, and internal lift, to the approved planning application ref EPF/0377/24 (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)				
Green Belt	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	TPO	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Conservation Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Heritage Asset (Listed)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Flood Zone	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Enforcement	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Representations					
Town/Parish Council Comments, if any:					
Objection <input type="checkbox"/>	No Objection		Comment <input type="checkbox"/>	None Received <input checked="" type="checkbox"/>	
Neighbour Responses, if any:		2 letters of objection received with following comments – <ul style="list-style-type: none"> <li>- object to any windows or doors with balconies on side extensions that would overlook our property leading to loss of privacy in our garden or overlooked downstairs or upstairs windows in our house.</li> </ul>			

### Planning Considerations

## EFDC Householder & Other Minor Applications Check List

Character and Appearance: Policy DM9 of the adopted Local Plan seeks to ensure that all new development, amongst other things, must achieve high quality design and contribute to the distinctiveness character and amenity of the local area. All new development must also relate positively to their locality having regards to the rhythm of any neighbouring or local plots, building widths and existing building lines.

The proposal is for the addition of a basement, fenestration, and internal lift, to the approved planning application ref: EPF/0377/24 (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).

Previous applications (EPF/2399/22 and EPF/ 0182/23) were granted for the following: a garage conversion, front extension, single storey rear extension and partial first floor extension. The most recent application includes approved plans from the most recent approval (EPF/0377/24). These are applications which can be implemented and therefore form a material consideration.

The current scheme seeks further amendments to the previous approvals which include the creation of a new storey at basement level to create further living/leisure space for the occupiers. The space would include a cinema room, a gymnasium, an office and a utility room. Internal access to this level will be via staircase and also by an internal lift. There would be two external access points: steps leading down from the rear garden to the western side of the property and bi-folding patio doors at the rear.

Focusing on just the design and appearance of the proposed dwelling within the street scene, it is considered that the new build would have a neutral impact on the street scene and to the wider area as the prevailing pattern and character when viewed from the highway would be followed within the locality.

However, the changes now proposed would increase the overall footprint and form of the dwelling and create a very imposing exterior when viewed from the rear, creating an overbearing appearance. This new scheme in combination with the previously approved extensions would, due to the cumulative form and design, result in a prominent rear façade with three full storeys visible creating a significant sense of scale tantamount to overdevelopment when set against the against the form of the existing host dwelling currently in situ.

Though the wider area does feature many large, detached properties that are variable in terms of style and design with many having been modernised and/or extended in some capacity, this scheme would on balance result in a form of overdevelopment when taking account of the previous approvals at the site.

Therefore, the proposal due to its scale and design is considered to be unacceptable with regards to its impact on character and appearance.

Acceptable	<input checked="" type="checkbox"/>	Unacceptable	<input type="checkbox"/>	N/A	<input type="checkbox"/>
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## EFDC Householder & Other Minor Applications Check List

### Neighbouring Amenities:

There would be additional fenestration over that previously approved however these will be at lower ground floor level, lower than adjoining garden boundaries and will therefore not impact on the neighbouring amenities.

Despite the increased depth of the property there are no concerns or perceived loss to the amenity currently enjoyed by neighbouring occupiers.

Acceptable	x	Unacceptable	<input type="checkbox"/>	N/A	<input type="checkbox"/>
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### Green Belt:

Acceptable	x	Unacceptable	<input type="checkbox"/>	N/A	<input type="checkbox"/>
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### Highway Safety/Parking:

Acceptable	x	Unacceptable	<input type="checkbox"/>	N/A	<input type="checkbox"/>
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### Trees and Landscaping:

Acceptable	x	Unacceptable	<input type="checkbox"/>	N/A	<input type="checkbox"/>
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Comments on Representations, if any:

Additional Notes: Drawings submitted –325/B; 322/B; 319/B; 317/B; 315/B; 308/B; LIVARCH/1GOR/307/B; 306/B; 323/A; 320/A; 316/A; 311/A; 310/A; 1:1250 - LOCATION PLAN.

<b>Officer Recommendation:</b>	<b>Approve</b>	<b>Refuse</b>	X
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