Our Ref: EPF/2607/21

TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning General Development Orders
PLANNING DECISION NOTICE

Epping Forest District Council

Planning Services Directorate
Civic Offices,
323 High Street,
Epping,
Essex CM16 4BZ

An electronic version of this decision notice is available on our website:
www.eppingforestdc.gov.uk/iplan

Case Officer was: Muhammad Rahman
Direct Line: 01992 564415
Email:
mrahman@eppingforestdc.gov.uk

To: e-gg
Telecom House
125-135 Preston Road
Brighton
BN1 6AF

Proposal: Demolition of existing dwelling and erection of replacement dwelling and ancillary garden outbuilding.

Location: Wayback, 179 Lambourne Road, Chigwell, IG7 6JU

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, for the reasons listed below.

Signed

N. Richardson
Planning Services Director.

Date: 30 March 2022

Reasons for Refusal

1 The proposed new dwelling would appear as an alien and incongruous building in relation to its surroundings and the wider setting of the adjacent Grade II listed building, contrary to policies CP2 and DBE1 of the adopted Local Plan and Alterations, policies DM 9 and DM 10 of the Submission Version Local Plan (2017), and the guidance contained within the National Planning Policy Framework.

2 The proposed dwelling, due to its scale in relation to its plot size, would result in an cramped and overdeveloped site, contrary to policies CP2 and DBE1 of the adopted Local Plan and Alterations, policies DM 9 and DM 10 of the Submission Version Local

Plan (2017), and the guidance contained within the National Planning Policy Framework.

3 The proposal, due to a lack of soft landscaping, fails to lay out its grounds sympathetic to the surrounding area in which it is situated, which is detrimental to the overall character and appearance of the area, contrary to policies CP2, DBE1 and LL11 of the adopted Local Plan and Alterations, policies DM 3, DM 9 and DM 10 of the Submission Version Local Plan (2017), and the guidance contained within the National Planning Policy Framework.

Informatives:
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 is willing to provide post-application advice in respect of any future application for a revised development.

This decision is made with reference to the following plan numbers: L9523, P-000, P-001, P-002, P-003, P-004, P-005 Rev P01, P-006 Rev P01, P-007 Rev P01, P-008 Rev P01, P-009 Rev P01, P-010 Rev P01, P-011 Rev P01, and P-012 Rev P01.

NOTES RELATING TO PLANNING APPLICATIONS TOWN AND COUNTRY PLANNING ACT 1990

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, he may appeal to the Secretary of State for Communities and Local Government, in accordance with Section 78 of the Town and Country Planning Act 1990. If an Enforcement Notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the Local Planning Authority's decision on your application, then you must do so within 28 days of the date of the Enforcement Notice or within 6 months of the date of this notice, whichever period expires earlier. In all other cases, if you want to appeal then you must do so within 6 months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel: 0303 444 5000, or online at the following website: www.planningportal.gov.uk/pcs) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. There is no time limit for appealing against a decision relating to a Certificate of Lawful Use or Development.

2. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for Communities and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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