

Our Ref: EPF/2662/17

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



Governance 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](http://www.eppingforestdc.gov.uk/iplan)

Case Officer was: Sukhvinder Dhadwar  
Direct Line: 01992564597  
Email: [sdhadwar@eppingforestdc.gov.uk](mailto:sdhadwar@eppingforestdc.gov.uk)

To: BHM Architects  
1 White Hart Lane  
Barnes  
London  
SW13 0RA

**Proposal:** Outline planning application (All Matters Reserved) for the demolition of existing Victory Hall, Chigwell Members Club and Library. Proposed construction of replacement Parish Council Offices, multi use (Victory Hall) hall, Chigwell Members Club and Public Library.

**Location:** Chigwell Library, Victory Hall, Chigwell Members Club, Hainault Road, Chigwell, Essex, IG7 6QX

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**

A handwritten signature in black ink, appearing to read 'N. Richardson'.

N. Richardson  
Assistant Director, Development Management.

**Date:** 28 March 2018

**Reasons for Refusal**

1

The site is located within land designated as Metropolitan Green Belt where there is presumption against inappropriate development. A Community Right to Build Order was not obtained prior to the submission of this application. The proposal also falls outside of all other exceptions to inappropriate development listed within paragraphs 89 and 90 of the NPPF. It is therefore inappropriate development in the Green Belt. In addition the proposal would result in a significant reduction in the openness of the Green Belt and would undermine the purpose of including land within it. No very special circumstances or other considerations have been advanced that would outweigh the harm caused by the inappropriateness and other harm identified. The development

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would therefore conflict with Chapter 9 of the National Planning Policy Framework and policy GB2A of the Combined Policies of Epping Forest District Local Plan and Alterations and policies SP6 and DM4 of the Submission Version.

- 2 Notwithstanding the lack of information submitted in relation to the height, scale, layout and appearance of the proposed development, given the number of uses proposed and their location it is likely to be an incongruous and dominant feature which will be visible from a number of long views of the site. It will therefore seriously undermine the distinctive natural landscape character of this edge of settlement location and is incompatible with the character and low density of development in close proximity to the site. It will therefore have a serious detrimental impact on the character and amenity of the surrounding area and as such is contrary to chapter 11 of the NPPF along with LL1, LL12 and CP2 of the Combined Policies of Epping Forest District Local Plan and Alterations and DM3 of the Submission Version.

**Informatives:**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

This decision is made with reference to plan numbers:

2756: A001, S002, A002, S004A, A041A, , Preliminary Feasibility Report by Tim Moya Associates 171024-FD--02, 171024-PD-10 Tree Schedule, 171024-PD-F-01, WIE14036-100-1-1-TS by Waterman Infrastructure and Environment Limited and Report and Assessment on Chigwell Community Hub by Rural Community Council of Essex dated December 2017, Information submitted by Chigwell Parish Council dated 13/3/18.

**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/pes](http://www.planningportal.gov.uk/pes)) 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

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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.