

25 November 2022

Mr John-Paul Robertson  
Crab Lane, Fearnhead, Warrington, WA2 0XR

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

**Application Type:** Prior notification: Development by telecoms operators

**Application Ref:** EPF/2391/22

**Site Address:** Rear of the footpath adj. to Nazeing Road, Lower Nazeing EN9 2NL

**Proposal:** Telecoms application for a proposed electronic communications base station mast and cabinets.

In pursuance of the powers exercised by the Local Planning Authority this Council do hereby give notice of their decision that **prior notification is required and refused** for the development described above, for the reason below.

**Signed**



Nigel Richardson  
Planning Service Director

Case Officer | Alastair Prince | [aprince@eppingforestdc.gov.uk](mailto:aprince@eppingforestdc.gov.uk)

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

- 1 The proposal would be an incongruous addition that would be detrimental to the character and appearance of the surrounding area, contrary to policies DBE10 of the Adopted Local Plan and Alterations 2006, policy DM9 of the Epping Forest District Local Plan (Submission Version) 2017, and the NPPF 2021.
  
- 2 The proposal would cause excessive harm to the living conditions of neighbours in relation to loss of visual outlook, contrary to policies DBE9 and DM9 of the Adopted Local Plan and Alterations 2006 and the Epping Forest District Local Plan (Submission Version) 2017.

### **Informatives: (1)**

- 3 This decision is made with reference to the following plan numbers: 100/A, 200/A, 201/B, 300/A, 301/B

### **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.

Applicants must satisfy themselves that all further consents have been obtained including, where appropriate, those affecting protected trees and Public Rights-of-Way.

Applications relating to Council-owned or former Council-owned dwellings must meet the requirements of covenants of their lease or deeds by obtaining consent for any works from the Communities Directorate.

Applicants are advised not to store building materials on the highway and not to damage highway verges, so please avoid parking construction vehicles and machinery on verges. If any damage occurs, the Council will require verges to be restored at the applicant's expense. Please be aware that highway damage is easily reported through the Council's website and will be investigated by Essex County Council officers.

#### **b The Council's recommended hours of construction work**

7.30am – 6.30pm Monday to Friday

8.00am – 1.00pm Saturday

No noisy work on Sundays and Bank/Public Holidays

#### **c 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.

**d Appeals to the Secretary of State**

If you are aggrieved by the decision of your Local Planning Authority to grant permission subject to conditions you may wish to consider making an appeal.

Details of how to appeal can be found at

<https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

**e 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

**f 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.

