

Appeal Decision

Site visit made on 4 October 2016

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th October 2016

Appeal Ref: APP/J1535/D/16/3157704

**Willow Tree House, 23A Shooters Drive, Nazeing, Waltham Abbey
EN9 2QA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Simon Roberts against the decision of Epping Forest District Council.
 - The application Ref EPF/1341/16, dated 14 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension at Willow Tree House, 23a Shooters Drive, Nazeing, Waltham Abbey EN9 2QA in accordance with the terms of the application, Ref: EPF/1341/16 dated 14 May 2016 subject to the conditions set out below:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DRS-196-01, DRS-196-02, DRS-196-03, DRS-196-04, DRS-196-05, DRS-196-06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary matter

2. The Council's second reason for refusal refers to 5 and 7 Whitehall Road, however I saw on site that the two properties to the west of the appeal site were 5 and 7 Whitehall Close. I have therefore taken this to be an administrative error by the Council.

Main Issues

3. The main issues are firstly, the effect of the proposal on the character and appearance of the host building and the surrounding area, and secondly, the effect of the proposal on the living conditions of the residents of 5 and 7 Whitehall Close with particular regard to outlook.
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Reasons

Character and appearance

4. 23a Shooters Drive is a large bungalow sited to the rear of 23 Shooters Drive a two storey house. As a result it is surrounded by residential properties. Surrounding dwellings are mainly bungalows and dormer bungalows of various designs and styles. Most are set back from the road with planting and parking spaces to the front. Land levels vary within the area and properties on Whitehall Close are sited at a lower level than the appeal site. Overall therefore the area has a mixed character and appearance.
5. As a result of the location of No 23a it has restricted views from Shooters Drive, along the driveway adjacent to No 23. It therefore makes a very limited contribution to the character and appearance of the street scene. Furthermore, the dense vegetation and high close boarded fencing around the garden of No 23a means occupiers of neighbouring properties would have limited views of the proposed extension.
6. The south elevation of the extension would be visible from Shooters Drive but only within the localised area of the driveway to No 23a. Moreover, the design of the extension together with the construction materials would match and complement the host dwelling so that it would be a subservient addition.
7. Although the extension would be close to the boundary with properties on Whitehall Close there would still be a reasonable gap maintained to allow the overhang of trees within neighbouring gardens. The resultant dwelling would be large, but not unacceptably so given that No 23a would retain a rear and front garden area which would be comparable to, if not larger, than those in surrounding plots.
8. For the reasons above I conclude that the proposal would not be harmful to the character and appearance of the area or the host building. There would therefore be no conflict with saved Policy DBE 10 of the Epping Forest Local Plan 1998 with Alterations 2006 (the Local Plan) which requires that residential extensions will be required to complement and where appropriate enhance the street scene and the existing building.

Living conditions

9. 5 and 7 Whitehall Close are both dormer bungalows sited at a lower level than the appeal site. Both share their rear boundary with the appeal site marked by a high close boarded fence and trees. There is a particularly large conifer tree in the corner of the garden of No 7.
10. The proposed extension would only slightly extend adjacent to the rear boundary of No 7, but across a large extent of the boundary with No 5. Due to the trees and fencing I could not see No 7 from the position of the proposed extension.
11. I could see large windows in the rear elevation of No 5 which would have a view directly towards the extension. However, No 5 is sited some distance from the appeal proposal and already has a view towards the side gable elevation of No 23a. The extension would though be closer to the boundary of No 5 and be of a greater width than the existing gable at 23a. Nonetheless, it would be about 2 metres from the boundary with No 5 and would have a low

eaves height. Furthermore, it would have a hipped roof which would slope away from the boundary. These factors together with the lengthy intervening distance and boundary treatment between the existing properties and the extension would mean, even taking into account the differing land levels, that the proposed extension would not have a significantly overbearing or unacceptable effect on No 5 or No 7.

12. For the reasons above the proposal would not be significantly harmful to the living conditions of the occupiers of 5 and 7 Whitehall Close. There would therefore be no conflict with saved Policies DBE2 and DBE9 of the Local Plan which require that extensions and development do not result in excessive loss of amenity for neighbouring properties in respect of visual impact and amenity terms.

Conditions

13. In the interests of clarity it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. Furthermore, in the interests of the character and appearance of the area the materials used to construct the extension should match those on the host dwelling.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Zoe Raygen

INSPECTOR