
Appeal Decision

Site visit made on 25 October, 2016

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 25th November, 2016

Appeal Ref: APP/J1535/W/16/3155373
8 Whitehall Close, Chigwell, IG7 6EQ

- 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. Julian Karczewski against the decision of Epping Forest District Council.
 - The application Ref EPF/1027/16, dated 14 April, 2016, was refused by notice dated 15 June, 2016.
 - The development proposed is sub-division of rear garden to 8 Whitehall Close (fronting Orchard Way) to create a single level courtyard house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has submitted further plans as part of the appeal process; F1820_202A showing a second parking space to the front of the property and F1820_204A showing a revised proposed elevation to Orchard Way. They represent minor alterations to the original scheme, and I do not believe that any party would be unfairly prejudiced by my determining the appeal with regard to these amended plans and on this basis therefore I have done so.

Main Issues

3. The main issues in this case are:
 - a) the effect on the character and appearance of the area; and
 - b) whether the proposal makes adequate provision for off-street parking and the effect of any lack of provision on the living conditions of the occupiers of adjoining dwellings.

Reasons

The effect on the character and appearance of the area

4. Orchard Way is a road of mixed character. To the west side is late twentieth century housing set in two closes running off the road, and on the east towards Lambourne Road are some more recently constructed houses in a loose vernacular style. The east side of Orchard Way around the appeal site is characterised by the rear boundary of the large back gardens to houses on Whitehall Close and greenery, much of which is located in a narrow planting
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strip on the Orchard Way side. The appeal site boundary is of close boarded fencing, and also contains two large cypress trees.

5. The appeal proposal would insert a single storey dwelling into the rear garden of no. 8 Whitehall Close. The dwelling would be set at right angles to Orchard Way and presenting a gabled flank elevation to the street. It would have parking spaces and bin storage concealed from Orchard Way behind a sliding timber gate.
6. While some care has evidently been taken in the design of the proposed house in a pleasing vernacular idiom, and with its siting within its site, it would introduce an active housing frontage to this side of Orchard Way. The introduction of vehicle access would generate the activity of cars entering and leaving the site, cause the loss of boundary planting and introduction of features such as a dropped kerb. Although only of single storey, the dwelling would nonetheless appear relatively large and high in relation to the small outhouses which currently represent the only built form visible on or near the boundary.
7. As a whole the development would therefore appear as an uncharacteristic, built-up element in a currently secondary and relatively greened road frontage which offers to Orchard Close a visual break from the otherwise continuous run of housing in the immediate area and lends it a more rural character. This would therefore have a harmful effect on the character and appearance of the area.
8. The Council has expressed a concern that to grant planning permission for the appeal proposal would set a precedent for the introduction of further housing frontages along Orchard Way. I consider that there would be a reasonable prospect of similar development being repeated along Orchard Way if the appeal were allowed, and that this concern is not therefore a generalised one. I also consider that the cumulative effects of such development would be harmful to the character and appearance of the area, which adds to my assessment of the likely harm to be caused by the proposal.
9. The timber gate would effectively disguise the frontage parking and bin storage area of the appeal dwelling for the time that it was closed, and I consider that removing views of them it would alleviate any harmful effect of the proposal on the streetscape in that respect. However, I do not consider that it would overcome the harm I have identified above, and it does not therefore cause me to alter my decision.
10. As I have found that the appeal proposal would cause harm to the character and appearance of the area, as set out above, I consider therefore that it conflicts with Policy DBE1 of the Epping Forest District Plan 1998 (the LP) which seeks development which respects its context, Policy CP2 of the Local Plan and Alterations 2006 (the LP&A) which seeks to ensure the enhancing and managing, by appropriate use, of land in the urban fringe, and CP7 of the LP&A which seeks to maintain the environmental quality of existing urban areas. It would also fail to comply with the requirements of the Framework.
11. I do not, however, find that the development conflicts with Policy DEB6 of the LP which requires that car parking for new residential development is located in such a way that cars do not visually dominate the streetscape.

Whether the proposal makes adequate provision for off-street parking and the effect of any lack of provision on the living conditions of the occupiers of adjoining dwellings.

12. The revised appeal scheme shows two car parking spaces to the front of the site. While this would meet the number required by the County Council's Parking Standards Design and Good Practice September 2009, the spaces appear undersized and potentially cramped, and also likely when in use to obstruct access to the front door of the house and to the bin/cycle store. These factors would be likely to provide a disincentive for parking of more than one car within the appeal site. I consider it likely therefore that the appeal proposal would give rise to some on-street parking, although, as the dwelling would be a small one, this is likely to be limited.
13. Although most of the houses located on Orchard Way are provided with off-street spaces, some degree of on-street parking is evident. At its south end, the road is relatively wide, and appears capable of accommodating some on-street parking. Local residents have, however, pointed out periodic high parking demand associated with The Maypole pub, on the corner of Orchard Close and Lamborne Road. While this was closed for refurbishment at the time of my site visit and I was not able to observe its effect on parking, it is a large pub with a restaurant and I have no reason to doubt the observations of local residents in this respect.
14. Therefore, taking into account all these factors, I consider that the appeal proposal is likely to cause some harm to the living conditions of the occupiers of adjoining houses by generating some additional on-street parking and thereby, on occasion, exacerbating an existing chronic problem. The harm would, however, be limited. Nonetheless, the proposal would conflict with Policy ST6 of the LP&A, which requires development proposals to provide on-site parking in accordance with approved standards.

Conclusion

15. For the reasons given above, and taking into account matters raised, I conclude that the appeal should be dismissed.

S J Buckingham

INSPECTOR