
Appeal Decision

Site visit made on 17 December 2020

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Reference: APP/J1535/D/20/3261045

18 Courtland Drive, Chigwell, Essex IG7 6PN

- 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 Ms F Miah against the decision of Epping Forest District Council.
 - The application (reference PL/EPF/1424/20, dated 6 July 2020) was refused by notice dated 21 September 2020.
 - The development proposed is described in the application form as “ground and first floor rear extension, front porch and new boundary walls and gates”.
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Decision

1. The appeal is allowed and planning permission is granted for “ground and first floor rear extension, front porch and new boundary walls and gates”, at number 18 Courtland Drive, Chigwell, Essex IG7 6PN, in accordance with the terms of the application (reference PL/EPF/1424/20, dated 6 July 2020), subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:

- unnumbered Ordnance Survey site plan (1:1250);
- unnumbered Ordnance Survey block plan (1:500);
- drawing number 6690/1 (Existing Layout);
- drawing number 6690/2 (Ground and first floor rear extension and new porch structure);
- drawing number 6690/3 (Elevations);
- drawing number 6690/4 (Existing Layout);
- drawing number 6690/5 (New Front Boundary Wall, Gates, Railings and New Vehicle Cross Over).

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.

Main issues

2. There are two main issues in this appeal. The first is the effect of the proposed development on the host buildings and its surroundings. The second is the

effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or overshadowing).

Reasons

3. Courtland Drive marks the southern edge of a suburban residential area, with open farmland opposite the houses that have been built along the northern frontage of the road. The residential area is extensive and, in the vicinity of the appeal site, it is characterised by substantial properties constructed in traditional styles, on large plots.
4. Number 18 Courtland Drive is a large house at the corner of Courtland Drive and Meadow Way. Like its near neighbours, it is designed in a Tudor style, with partially timbered elevations under traditional tiled roofs. The front elevation has been adapted to its corner location, with an entrance porch that is angled on plan to face the corner of the road. In the past, the house has been extended at the rear but its essential character has been retained.
5. It is now proposed that the house should be further extended. At the front of the house, the existing porch would be replaced by a new larger version and the scheme also includes new boundary walls on both the Courtland Drive and Meadow Way frontages. At the rear, various further extensions would be added. These would comprise single-storey elements at the side and rear of the house, with a second-storey extension above an existing single-storey element. On the ground floor the living accommodation would be extended, incorporating a re-ordered kitchen and utility room, while on the first floor an en-suite shower room would be added to an existing bedroom.
6. The 'National Planning Policy Framework' (which was revised in February 2019) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation in new development.
7. An emphasis on the importance of good design is also to be found in the Development Plan. Policy DBE10 of the 'Epping Forest District Local Plan' (adopted in January 1998) is concerned with design issues in relation to residential extensions, while Policies DBE2 and DBE9 deal specifically with the impact of proposed development on neighbours. Thus, Policy DBE9 points out the need to prevent an "excessive loss of amenity" for the neighbours of new development. These objectives of achieving good design are carried forward in Policies DM9 and DM10 of the emerging 'Epping Forest District Local Plan' (Submission Version 2017).
8. The Council's Planning Decision Notice includes references to other planning policies which are concerned with development in the Green Belt. Nevertheless, the Council have confirmed that the site does not lie within the Green Belt (in the Questionnaire) and Green Belt considerations are not raised explicitly in either the Planning Decision Notice or the planning officer's "Delegated Report".

9. The proposed new front porch would be larger than the existing porch and would provide a more useful entrance area. Even so, it would occupy the same angle in the front elevation as the existing porch and would not extend beyond the ends of the wings that it unites. It would be constructed in the same style as the existing house and would be in harmony with the overall design and architectural composition. It would not have an undue impact on the streetscape. Thus, the proposed new porch would accord with the Development Plan and, specifically, with Policy DBE10 of the 'Epping Forest District Local Plan'.
10. The proposed new boundary treatment would involve the replacement of the boundary wall on the Meadow Way frontage that protects the privacy of the back garden at the appeal site. The new boundary treatment for the front garden, around the front corner of the plot, would be traditional and rather formal in character, in keeping with the surroundings. Thus the proposed boundary treatment is not objectionable in planning terms.
11. The proposed rear extensions would encroach into the garden at number 18 Courtland Drive but both this property and its neighbour at number 16 have relatively large gardens and the extensions would not have an undue impact on the garden spaces. Moreover, the new extensions at the rear of the property would, again, be in harmony with the host building and would not have an undue impact on either the host building or the townscape. The finished building would meet the relevant architectural design standards.
12. In the "Delegated Report" on the application it is suggested that the proposed extensions would amount to a "disproportionate addition" to the original building but they would be in keeping with their surroundings in this suburban setting and, in this context, such a generalised objection would not justify a refusal of planning permission.
13. The proposed extensions would include a very small addition to the rear of an existing element that is constructed on the boundary with number 16. It would also include a new element at second floor level, incorporating a shower room, set back from the side boundary. Neither of these elements would have an unacceptable impact on the neighbours' residential amenities, however, either by overbearing appearance or overshadowing.
14. Evidently, the appeal site lies within an established residential suburb, which is "sustainable" in planning terms, and the proposed extensions would make useful additions to the accommodation at number 18 Courtland Drive. The contribution that the appeal scheme would make to the provision of residential accommodation in the locality, even though it would be limited, weighs in favour of the appeal.
15. I have concluded that the project would not be in conflict with the Development Plan, in principle, and I am persuaded that the scheme before me can properly be permitted, subject to conditions. Although I have considered all the matters that have been raised in the representations I have found nothing to cause me to alter my decision.
16. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). I

have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.

Roger C Shrimplin

INSPECTOR