



Appeal Decision

Site visit made on 26 November 2021

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 DECEMBER 2021

Appeal Ref: APP/J1535/D/21/3277264

9 Shelley Grove, Loughton, ESSEX, IG10 1BY

- 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 Brett Racher against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0633/21, dated 8 March 2021, was refused by notice dated 4 May 2021.
 - The development proposed is the construction of a two-storey front extension and first floor 'infill' rear extension; the replacement of a roof with a full hipped roof and additional dormer window to rear; the replacement of windows, and front porch canopy; and external re-rendering to main dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a two-storey front extension and first floor 'infill' rear extension; the replacement of a roof with a full hipped roof and additional dormer window to rear; the replacement of windows, and front porch canopy; and external re-rendering to main dwelling at 9 Shelley Grove, Loughton, ESSEX, IG10 1BY, in accordance with the terms of the application, Ref PL/EPF/0633/21, dated 8 March 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 002, 003, 004, 005
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan), shall be formed in the flank walls of the building hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Main Issue

2. The main issue in this case is the effect of the proposed front extension on the character and appearance of Shelley Grove.

Reasons

3. The appeal property is a detached house situated on the northern side of Shelley Grove. It currently has a half-timbered front elevation with a flat-roofed, two-storey side extension set-back around 2.5 metres from the front elevation and built up to the boundary with the adjacent No 10. Shelley Grove is a cul-de-sac with a small turning circle at its eastern end.
4. The appeal property has recently benefitted from a planning permission for, amongst other things, a forward projection of the existing two-storey side extension by some 4 metres. This development would be built up to the boundary at ground-floor level but set in by 0.5 metres at first-floor level. I consider this to be a realistic fall-back scenario to the current proposal, which differs from it only insofar that the first-floor of the proposed forward extension would also be built up to the boundary with No 10.
5. Policy DBE10 of the Council's Combined Policies Local Plan and Alterations (LP) indicates that a residential extension will be required to complement and, where appropriate, enhance the appearance of the streetscene and the existing building. This will be achieved by close attention to the scale, form, elevations, and detail of the building, and separation from any neighbouring buildings.
6. Policy DM9 of the Council's Local Plan (Submission Version 2017) (LPSV) requires development to relate positively to its context to create a harmonious whole, and to relate positively to its locality, having regard to form, scale and massing prevailing around the site. Policy DM10 of the LPSV indicates that extensions or alterations to residential buildings will be required to respect and/or complement the form, setting, and detailing of the original buildings. Matching or complementary materials should be used. In the light of the advanced stage of production of the LPSV, I afford it significant weight.
7. The Council contends that the proposed first floor side extension, by reason of its design and siting, would result in the closing of the gap with the adjoining property of No. 10 Shelly Grove, and therefore fails to sufficiently maintain the established open spatial pattern and character of this part of Shelly Grove. The proposal would therefore be harmful to the visual character and appearance of the surrounding properties and street scene.
8. The appellant contends that the appeal proposal would maintain a visual separation from the neighbouring building, thereby maintaining the detached built form of the host dwelling, and creating a separating distance with the neighbouring dwelling, which is commensurate with the prevailing pattern of development. Moreover, the proposal would not visually detract from the public realm, as the spatial separation and overall built profile would be consistent with the locality.
9. Shelley Grove is typified by detached houses of widely varying design. The gaps between the houses also vary with most houses being built up to, or close to the side boundary at either ground-floor level or on a two-storey basis. Existing very narrow gaps are in evidence between Nos 1 and 2, 3 and 4, 9 and 10, 12 and 14, 14 and 15, and 15 and 16. Plots widen out beyond the appeal property around the turning head but nevertheless the gap between No 9 and the newly constructed No 8 is also narrow. I do not consider that Shelley Grove is characterised by an open spatial pattern, particularly with regard to the street scene along the main section of the road.

10. In this case, the setting in of the first-floor of the proposed forward extension by 0.5 metres, as already permitted, would result in a somewhat incongruous appearance of the house in the street scene. This would be highlighted by the fact that the rest of the side extension would still be built up to the boundary and there would, therefore, be the same gap between Nos 9 and 10 as is currently the case, with a similar visual impact in the street scene. In my opinion, the setting in of the first-floor of the forward extension would not noticeably improve the character of the wider streetscape, but would arguably be more harmful to the visual appearance of the host property and its surroundings than the current proposal, which would result in a neater, more harmonious and less contrived appearance.
11. In conclusion, I find that the proposed development would not be harmful to the visual character and appearance of the host property, the surrounding properties, or the general street scene along Shelley Grove. On this basis, it would not conflict with Policy DBE10 of the LP or with Policies DM9 and DM10 of the LPSV.

Conditions

12. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to permitted development rights in order to protect the residential amenities of the occupiers of the neighbouring properties. I have not attached a specific condition relating to matching materials since the proposal would involve a change to the visual appearance of the existing house, as has already been permitted in the earlier scheme.

J D Westbrook

INSPECTOR