



Appeal Decision

Site visit made on 25 March 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2024.

Appeal Ref: APP/J1535/D/23/3333953

16 Bracken Drive, Chigwell, IG7 5RF

- 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 Riqbal Sidhu, Golden Roack Investments Ltd against the decision of Epping Forest District Council.
 - The application Ref EPF/1517/23, dated 4 July 2023, was refused by notice dated 24 October 2023.
 - The development proposed is a single-storey side and rear extension with flat roof, 3 no. roof lights and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey side and rear extension with flat roof, 3 no. roof lights and internal alterations at 16 Bracken Drive, Chigwell, IG7 5RF in accordance with the terms of the application, Ref EPF/1517/23, dated 4 July 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: Location Plan dated 5 July 2023; Proposed Block Plan – RA515/015; Proposed Ground Floor Plan – RA515/07PLNG; Proposed Roof Plan – RA515/09PLNG; Proposed Front Elevation – RA515/10PLNG; Proposed Rear Elevation – RA515/11PLNG; Proposed Side Elevation A – RA515/12PLNG; and Proposed Side Elevation B – RA515/13PLNG.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of both the existing dwelling and the area.

Reasons

3. The appeal property is a semi-detached bungalow, which is situated in a suburban residential area. Dwellings in the vicinity of the appeal site vary in terms of their age, scale and design and includes bungalows, chalet style bungalows and two-storey houses. Bracken Drive slopes down from north to

south and the appeal property is at a lower level than the neighbouring property on its northern side, number 14 Bracken Drive.

4. The proposal is to erect a relatively large single-storey, flat-roofed extension that would wrap around the side and rear of the property. It would provide additional kitchen and living space, plus an en-suite and walk-in wardrobe. The section at the side would be built adjacent to the side boundary with number 14 and the overall, the extension would project 6m into the rear garden.
5. The Council contends that the proposal would be harmful to both the character and appearance of the existing dwelling and the area, because of its prominence and "overdeveloped character." It considers that the proposal would conflict with Policy DM9 of the adopted Epping Forest District Local Plan 2011 – 2013 (LP). This policy seeks to ensure (amongst other things) that the design of new development is of high quality that relates positively to local characteristics. This accords with paragraph 135 of The National Planning Policy Framework 2023 (The Framework), which contains similar provisions.
6. The appellant argues that the proposal is acceptable, because only a small part would be visible from the street and it would only take up a small proportion of the garden. He also points to similar extensions elsewhere. In addition, it is pointed out that the Council decided, on 4 August 2023, that prior approval was not required for a 6m deep single-storey rear extension (Council reference: EPF/1521/23). Furthermore, a Certificate of Lawfulness (Council reference: EPF/1520/23) for a hip to gable roof extension and single-storey side extension was issued on 30 August 2023. In my opinion, these are a material consideration in the determination of this appeal.
7. Whilst the appeal proposal would result in a wrap around extension that would have a larger footprint than the extensions referred to above, I am not persuaded that it would result in a development that would be unacceptably harmful. The side part of the extension would be visible when viewed from the front, but it would not appear as dominant addition in comparison to the existing dwelling, nor would it be incongruous in the streetscene.
8. The remainder of the extension would be barely visible from Bracken Drive and its flat roof would minimise any visual impact. I consider that adequate garden space would be retained and its size and shape would be similar to other rear gardens in the locality. Therefore, I am not persuaded that the proposal would result in overdevelopment of the site.
9. For the above reasons, I conclude that the extension would not have an adverse effect on the character and appearance of either the existing dwelling or the local area. Accordingly, the proposal would not conflict with Policy DM9 of the LP.

Conditions

10. The Council has suggested conditions in the event of the appeal being allowed. In addition to the standard conditions relating to the commencement of development and the list of approved plans, a condition is also imposed requiring the use of matching external materials. This is necessary to ensure a satisfactory external appearance.

11. In addition, the Council has suggested a condition that would prevent the flat roof from being used as a seating or amenity area. However, access would be difficult as there is no first-floor accommodation/access and no external stairs are proposed. Consequently, I am not persuaded that such a condition is necessary.

Conclusion

12. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR