



Appeal Decision

Site visit made on 12 April 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 08.05.2024

Appeal Ref: APP/J1535/D/24/3337509
28 Barnaby Way, Chigwell Essex IG7 6NZ

- 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 Sen Kulendran against the decision of Epping Forest District Council.
 - The application Ref: EPF/166/23 dated 18 July 2023 was refused by notice dated 16 November 2023.
 - The application is for single storey/double storey rear first floor extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published in December 2023. I have therefore determined this appeal in accordance with the revised provisions within the Framework.
3. The Council's second reason for refusal relates to the absence of a Block Plan and the inability of Officers to understand any differences with the submitted Location Plan and the condition on site. I consider that this is supplementary matter and not one that I can determine with regards, nor within the context of, the Local Plan.

Main Issues

4. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

5. The appeal property is a detached two storey house occupying a fairly prominent corner plot within what is otherwise an area of mostly large, suburban type housing. The house is largely rendered with a rosemary tile roof and brick detailing. Most notably this detail extends to some ornate tile twisted columns supporting a porch over the front door. To the rear the property has been extended previously and presents two double hipped roof forms at first floor and a single storey hipped roof over existing kitchen and dining room at the ground floor.

6. The existing rear elevation is only partially visible from the cul de sac that terminates at this end of Barnaby Way due to the presence of very large coniferous type trees that largely obscure the rear elevation of the property. There is a public footpath that enters the cul de sac here from a linear woodland tree belt separating Barnaby Way from other streets nearby and from here would be the most likely visual impact. Otherwise the extent of any such visual effect would be confined to those people using this turning head or living in the immediately adjoining houses.
7. The proposal before me seeks permission to extend solely to the rear of the property so as to slightly increase the size of the rear dining room and kitchen at ground floor. It would also propose to increase the size of two bedrooms at first floor level, including the provision of an ensuite to each of the rear bedrooms.
8. In assessing this appeal I am aware of the requirements of DM9 of the Epping Forest District Local Plan (LP) that seeks to ensure high quality design through proposals responding positively to their local context and character and ensuring such proposals make a positive contribution to a place. In these respects the LP policies reflect the requirements for good design as required in The Framework.
9. Although the Council have found error on the part of the Appellants through them not supplying a block plan for the site I consider it possible to comprehend the extent of the proposed extension based upon the existing and proposed plans which appear to show existing and proposed design in relation to each other along with a scale bar. These elevations therefore show that the two storey extension would not protrude beyond that of the existing single storey rear extension that currently exists. There would then be a small single storey protrusion beyond the line of the existing.
10. In light of this I consider that the proposed extension would not be overly large when compared to the existing house in terms of footprint. However, the extension would lose the attractive hipped double roofs to the rear and would fail to accommodate a set down so as to ensure a level of subservience is achieved. The roof form would also appear to create a large expanse of flat roof and, at the junction between the existing single storey side extension and the proposed rear lean too extension, the roof form would appear to be very awkward.
11. As such the proposed extension would result in a contrived design that would rely solely upon the coniferous planting to be maintained in perpetuity were it to avoid creating undue harm to the streetscene. Even were this boundary planting to be retained however, the proposed extension would still be glimpsed as a high and long side elevation upon this plot which would ultimately be harmful to the character and appearance of the streetscene and would dominate the existing property.
12. Although there are undoubtedly ways to extend this property that could meet the Council's requirements for good design the proposal before me would ultimately appear as a poor design that would run the risk of causing harm to the character and appearance of the area. As such the proposal would be contrary to Policy DM9 of the Epping Forest LP as well as the requirements for good design as advanced in the Framework.

Conclusion

13. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR