



Appeal Decision

Site visit made on 4 December 2025

by R Lawrence BSc (Hons), PGDip (TP), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2025

Appeal Ref: APP/J1535/D/25/3375809

18 Sylvan Way, Chigwell, Essex IG7 4QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Nigel Berg against the decision of Epping Forest District Council.
 - The application Ref is EPF/0708/25.
 - The development proposed is to: Convert part of garage to ancillary accommodation and alter elevations.
-

Decision

1. The appeal is allowed and planning permission is granted to: Convert part of garage to ancillary accommodation, and alter elevations at 18 Sylvan Way, Chigwell, Essex IG7 4QB in accordance with the terms of the application, Ref EPF/0708/25, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: 4D-567 P01, 4D-567 P02, 4D-567 P03, 4D-567 P04, 4D-567 P05, 4D-567 P06 and 4D-567 P07.
 - 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 18 Sylvan Way.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The existing detached garage is already a prominent feature within the street scene. Its large size is closer in scale to a main dwelling than a typical subsidiary outbuilding, and its siting does not follow the consistent building line seen in most properties along Sylvan Way. While many other properties benefit from garages, these are generally integral to the main dwelling rather than detached structures. The differences here are partly explained by the larger than average plot size and its corner position at the end of a cul-de-sac.
4. The proposed uses, including a games room and single garage, together with the existing music room upstairs, would retain a functional link with the host dwelling. These uses remain secondary to the primary living accommodation, and the garage would continue to share the curtilage, parking area and entrance with the

host property. Furthermore, although detached, the space between the garage and the main house is extremely modest.

5. While the garage is large, it remains clearly subordinate in height to the host property and has a smaller footprint than it, as well as compared with other buildings in the street scene. Given these factors, I have no reason to doubt that the appeal building would remain ancillary to the host dwelling, and no harm has been identified from the proposed use of the ground floor.
6. Turning to the appearance, at present, the garage doors help convey the building's ancillary purpose. Their removal, particularly with the addition of a front door, would weaken this understanding. The increase in habitable room windows and the new front door would create an elevation that appears to provide primary accommodation.
7. However, the garage already appears as a unique building within the street scene, which does not follow the prevailing pattern or style. In my judgement, an appearance more akin to primary accommodation would sit more comfortably within the existing context than the current triple garage, which there are no other similar buildings locally.
8. The footprint would remain unchanged, and the proposal would continue to share the curtilage and access with the main house. Given the absence of other physical changes, I am not persuaded that the proposal would create a more cramped appearance than exists at present.
9. Policy DM9 of the Epping Forest District Local Plan 2023 (LP) sets out a comprehensive range of requirements. Of those relevant here, it requires extensions and alterations to complement the form and detailing of the original building and to provide active frontages to the public realm.
10. The proposal would retain matching materials to those of the existing garage, preserving a similar appearance. The physical form would remain largely unchanged, and while the building would resemble primary accommodation more closely than at present, this would not result in harmful impacts.
11. In light of the above, I am satisfied that the proposal would be acceptable in terms of its effect on the character and appearance of the area, such to accord with Policy DM9 of the LP. Furthermore, the proposal would accord with the requirements of the Framework which seek to achieve well-designed and beautiful places.

Other Matters

12. I note the objections to the potential for the building to be used as an independent dwelling, as well as the lack of any physical attachment to the host building from both an interested party and the Parish Council. However, the appeal building is already detached, and the proposal before me relates to minor external alterations, and a change to the nature of the residential use of the ground floor only. The proposal before me does not relate to the creation of a new dwelling, this would require separate planning permission and the merits of such could be considered at that time.
13. The appellant has referred me to a previous application and the acceptability of the change of use in that case. However, given my comments above, and as that

application was refused on other grounds, there is no merit in my considering it further and it has not been determinative.

Conditions

14. The Council has suggested a number of conditions in the event of my allowing the appeal, I have considered these in accordance with the Planning Practice Guidance and the Framework. I have edited some of the suggested conditions for clarity and enforceability.
15. A time limit and plan numbers conditions are required in the interest of certainty.
16. A condition requiring the building to be used for purposes ancillary to the main house is necessary to accord with the terms of the application and in the interests of certainty.
17. The Council seeks a materials condition requiring compliance with the submitted plans. While I agree in principle as the proposed plans provide sufficient detail, this is already secured by the plan numbers condition. A separate condition is therefore unnecessary.

Conclusion

18. For the reasons given above, the scheme would comply with the development plan when considered as a whole and other material considerations do not indicate that a decision should be made other than in accordance with the development plan.
19. Therefore, the appeal is allowed.

R Lawrence

INSPECTOR