

# Appeal Decision

Site visit made on 21 September 2018

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

**an Inspector appointed by the Secretary of State**

**Decision date: 8<sup>th</sup> October 2018**

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## **Appeal A Reference: APP/J1535/D/18/3206113**

### **49 Manor Road, Chigwell IG7 5PL**

- 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 M Chaudhery against the decision of Epping Forest District Council.
  - The application (reference PL/EPF/0536/17, dated 18 February 2017) was refused by notice dated 18 April 2018.
  - The development proposed is described in the application form as a "first floor rear extension".
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## **Appeal B Reference: APP/J1535/D/18/3206115**

### **49 Manor Road, Chigwell IG7 5PL**

- 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 M Chaudhery against the decision of Epping Forest District Council.
  - The application (reference PL/EPF/0535/17, dated 18 February 2017) was refused by notice dated 18 April 2018.
  - The development proposed is described in the application form as a "first floor rear extension".
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## **Appeal C Reference: APP/J1535/D/18/3206120**

### **49 Manor Road, Chigwell IG7 5PL**

- 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 M Chaudhery against the decision of Epping Forest District Council.
  - The application (reference PL/EPF/2877/17, dated 23 October 2017) was refused by notice dated 18 April 2018.
  - The development proposed is described in the application form as a "ground floor rear storage shed".
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## **Decision**

1. Appeal A is dismissed.
  2. Appeal B is dismissed.
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3. Appeal C is dismissed.

### **Preliminary point**

4. This Decision relates to three separate appeals for different elements of work at the same address and planning applications have been made by the same applicant in each case. For practical reasons, therefore, this Decision deals with the three appeals together.

### **Main issues**

5. The main issue to be determined in each of these appeals is the effect of the proposed development on the character and appearance of the host building and its surroundings. In the case of Appeal A, an additional main issue is the effect of the development on neighbours' privacy and outlook.

### **Reasons**

6. Manor Road is a relatively busy road, a classified through route. Nevertheless, the road frontages are predominantly residential in the vicinity of the appeal site, characterised by grand houses, set back from the road in very large plots. The architectural quality of the buildings is variable and a mixture of styles is to be found.
7. Number 49 Manor Road is a large house with spacious interiors and a high quality of internal finishes. The submitted drawings indicate that, previously, the house had some Tudor-style details on the exterior but it is now finished with white painted, rendered walls on both the front and rear elevations. The roofs are intricate in form, with a number of small gables that are subservient to the main roof structure on the front elevation. The rear elevation also has some projecting dormers but an earlier addition has created a strongly horizontal feature that cuts across the elevation (with a small sloping section of roof), together with some single storey flat-roofed elements.
8. At the southern end of the back garden there is a substantial outbuilding in a very modern style, with a shallow pitched roof and extensive glazing. This building contains a swimming pool and ancillary spaces, though it has been extended by the addition of rooms that do not appear on the submitted drawings.
9. The appeal proposals involve works to the main house and to the rear outbuilding. Appeals A and B would involve the extension of the existing first floor element further across the rear elevation, above existing ground floor flat roofs, on each of the rear corners of the house (the south-east and south-west corners). Appeal C relates to the construction of a storage building at the rear of the plot, attached to the existing outbuilding. This storage building has already been constructed.
10. The 'National Planning Policy Framework' has the aim of making effective use of land but it also emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12) and it points out the importance of creating an attractive streetscape and maintaining the overall quality of the area. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.

11. An emphasis on the importance of good design is also to be found in local planning policies (including Policies in the Development Plan), notably in the 'Epping Forest District Local Plan' (and in the adopted 'Alterations') and in the emerging 'Epping Forest District Local Plan (Submission Version 2017)'. In particular, "saved" Policy DBE10 of the 'Epping Forest District Local Plan' and Policy DM9 of the emerging 'Local Plan' include a specific aim of ensuring that extensions should respect or complement the existing building to which they are to be attached.
12. The two proposed rear extensions to the main house at 49 Manor Road would raise similar architectural design issues. Each of them would extend the strong horizontal feature across the rear elevation of the house, reinforcing the awkwardness of the small pitched roof element. Either of the extensions would be ungainly and out of keeping with the design of the original building. If both were to be built, the effect would be magnified, of course.
13. The rear extensions would not be seen from the public highway but they would be visible from nearby properties and they would have a visual impact on the house itself. In spite of the relatively secluded nature of the plot, therefore, they would cause significant harm to the host building and hence to its surroundings, in design terms. Thus, they would conflict with local and national planning policies that are intended to promote good design.
14. The extension on the south-west corner of the house (nearest to number 47 Manor Road) would be closer to its side boundary, while the layout of the properties in relation to number 47 is more sensitive than is the case in relation to number 51. Nevertheless, the extensions would have only a limited impact on neighbours' residential amenities. The extensions would incorporate windows at first floor level looking towards the rear garden of the existing house and they would extend the flank walls of the building. Even so, they would not unduly dominate the outlook from neighbouring properties, nor intrude on their privacy to an undue degree, bearing in mind the suburban location.
15. The storage shed at the rear of the garden is small in comparison with other buildings on the site. It is poorly conceived, however, and does not relate well to the existing modern style outbuilding. Again, therefore, it is harmful to the host building in design terms, and hence to its surroundings, and is contrary to established planning policies.
16. In the context of these schemes, reference has been made to permitted development rights but no detailed submissions have been made in relation to the appeal proposals (or to the relevance of permitted development rights more generally) and the appeals have been determined on their own merits, in the light of the submissions made.
17. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development would make a useful addition to the existing house. Nevertheless, I am convinced that the harm that would be done to the architectural qualities of the existing house outweighs the benefits of the project. Hence, I have concluded that the various proposals that form the subject of these appeals would conflict with both national and local planning policies and that they ought not to be allowed.

18. 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. All three of these appeals are dismissed.

*Roger C Shrimplin*

INSPECTOR