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## Appeal Decision

Site visit made on 19 January 2016

**by Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 26<sup>th</sup> January 2016**

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### **Appeal Ref: APP/J1535/D/15/3135339**

### **Haylands, 48 High Road, Chigwell, Essex, IG7 6DL**

- 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 Bambi Sofroniou against the decision of Epping Forest District Council.
  - The application ref. PL/EPF/1301/15, dated 1 June 2015, was refused by notice dated 26 August 2015.
  - The development proposed is: demolish the garage and hall and part of the front wing and build new 2 storey side extension.
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### **Decision**

1. The appeal is allowed and planning permission is granted to demolish the garage and hall and part of the front wing and build a new two storey side extension at Haylands, 48 High Road, Chigwell, Essex in accordance with the terms of the application, ref. PL/EPF/1301/15, dated 1 June 2015, 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 the following approved plans: C14/12/01, C14/12/02, C14/12/03, C14/12/04, C14/12/05, C14/12/06, C14/12/07A, C14/12/08A, C14/12/09A, C14/12/10A, C14/12/11A, C14/12/12, C14/12/13.
  - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling.

### **Main Issues**

2. The main issues in this appeal are:
  - (a) whether the scheme would amount to inappropriate development in the Green Belt; and
  - (b) its effect on the character and appearance of the area.

### **Reasons**

3. Paragraph 89 of the National Planning Policy Framework (the Framework) states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in

disproportionate additions over and above the size of the original building. Policy GB2A of the Epping Forest District Local Plan and Alterations (LP) allows limited extensions to existing dwellings subject to LP policy GB14A: however the latter policy has not been saved and is not part of the development plan.

4. Haylands is a large detached dwelling occupying a generous plot within the Green Belt. It represents a replacement dwelling that was erected after 1997. The Council states that it is that structure that represents the original building in terms of Green Belt policy and I have no reason to take a different view. While further additions to the dwelling took place in 2012 these are not considered to form part of the original building.
5. The existing dwelling comprises an L-shaped two storey section with single storey wings to the side and rear. In summary, it is proposed to remodel the building to create a more symmetrical structure. The two-storey section that projects to the front of the building would be substantially reduced, while the single storey northern wing (comprising a lobby linking to a garage with a pitched roof) would be replaced by a two-storey structure. This would be of a similar style to the building's existing two-storey element.
6. The Council calculates that, taking into account the demolitions that are intended, the present scheme would represent a roughly 20% increase above the volume of the original building (as defined above). While Council officers stated that this would not be considered disproportionate, Council members felt that the scheme would amount to more than limited additions to the dwelling. However, their reasons for taking a different view on this matter are not explained in any detail in the relevant Committee minutes.
7. When applying the Framework's Green Belt policy in this regard it is clearly necessary to take into account the scale of the original building. To my mind, the *relative* size of the increase that is described above, taking into the account the demolitions that are proposed, would not be sufficiently great to be considered as being disproportionate in that context. While there would be some reduction in openness resulting from the net increase in accommodation at first floor level, this would not amount to material harm to the Green Belt given the circumstances of this already-large dwelling set within its substantial grounds. Accordingly, the scheme would not amount to inappropriate development in the Green Belt in the terms of the Framework.
8. As already noted, policy GB2A of the LP provides for an exception in the case of limited extensions to existing dwellings. It does not explicitly set out what would constitute a limited extension in that context. However, this wording is consistent with the national policy on house extensions in the Green Belt that applied at the time of the LP's adoption, as set out in paragraph 3.4 of Planning Policy Guidance: *Green Belts* (PPG 2). That policy was subject to paragraph 3.6 of PPG 2 which stated that 'provided that it does not result in disproportionate additions over and above the size of the *original* building, the extension or alteration of dwellings is not inappropriate in the Green Belt'. It therefore seems to me that LP policy GB2A can reasonably be considered in the same terms. For the reasons set out above, the appeal scheme would therefore amount to a limited extension in the terms of that policy. Drawing the above matters together I conclude that the proposal would not amount to inappropriate development in the Green Belt.

9. Paragraph 60 of the Framework states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
10. In the present case, it is noted that there are local objections to the particular architectural style that is proposed, notably the addition of a central portico feature. However, given the degree of separation between the house and its neighbours, the building appears as a somewhat isolated feature within the large grounds referred to above. Views from the public road are limited by boundary fencing and mature landscaping, including protected trees.
11. It is clear that the appeal scheme would both derive from and respond to the dwelling's existing style and appearance. Articulation would be provided by the inclusion of a number of design features including the above-noted central portico. The resulting main façade of the building would be marginally shorter than the existing front elevation. Although the bulk of the building at first floor level would be greater, this would not amount to a substantial overall increase in volume at first floor level given the intended demolition of part of the front wing as already described.
12. Taking these factors together, it seems to me that the proposed extension would complement the existing dwelling. For these reasons, I conclude that the character and appearance of the area would not be materially harmed. This would accord with LP policies DBE4 and DBE10.
13. Otherwise than as set out in this decision and conditions, it is necessary that the development should be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. In order to ensure a satisfactory appearance, it is necessary that the external materials of the proposed extension should match those of the existing dwelling.
14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

*M J Hetherington*

INSPECTOR