



Appeal Decision

Site visit made on 12 February 2019

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2019

Appeal Ref: APP/J1535/W/18/3212404

12 High Elms, Chigwell IG7 6NF

- 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 Colin Medley, Goldberg Homes Ltd, against the decision of Epping Forest District Council.
 - The application Ref EPF/2758/17, dated 18 September 2017, was refused by notice dated 22 August 2018.
 - The development proposed is the demolition of existing property for 2x4b-8p houses with basement, ground floor and first floor.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council refers to policies in its draft Local Plan. While this may be at an advanced stage, I cannot be sure there have been no significant objections to those policies, and the Plan has not yet completed examination. Accordingly, I give these policies only limited weight.

Main Issue

3. This is the effect of the proposal on the character and appearance of the area.

Reasons

4. The entrance to Ely Place has a distinctive, green and spacious character determined by the low height of the bungalows which enclose it, and the set-back front building lines of these and the house opposite, which together provide attractive and broad, green frontages. It is notable for its variety of development patterns, which range from large bungalows to large well-spaced, 2-storey, detached houses, closer-set large houses and a terrace of 3-storey town houses.
 5. In the context of the town houses opposite the site, and the footprint of the existing house, I can see no incompatibility between the subdivision of the plot and the surrounding patterns of development. On this site, houses 2 storeys above ground with a parapet roof would not appear out of place against the other houses which include many with 2 and 3 storeys above ground. Nor would height alone undermine the spacious character in this section of the street. The proposed footprint and plot coverage would not be so dissimilar to
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- the existing patterns of development in this street to appear out of character. The houses appear to reflect some of the detailing of the listed house behind them, and against the facades of the surrounding houses they would sit well.
6. The height of the houses would be sufficiently close to the tall boundary wall of the early nineteenth century, grade II listed house in the grounds behind it, that its setting would be preserved. Indeed, the development would free the distinctive garden wall of the listed house from the extensive attachments of the present building, making a substantial improvement to the foreground setting of the listed building in views from the street.
 7. Notwithstanding this, the street-facing building lines of these houses would be uncharacteristically close to the footway compared to the houses in this section of the cul-de-sac. Two-storey buildings at such proximity to the street would crowd the street boundaries and appear at odds with the spacious character of the street in this section.
 8. In summary, I find no harm from the principle of sub-division, the plot coverage of the houses, their height, their design, or the access to them. In regard to my duty under section 66(1) of the Act, freeing the space beside the boundary wall of the listed house would better reveal its significance and enhance its setting. My single criticism is the street-facing building lines of the houses which are set too close to the street. This would undermine the distinctive, spacious character of this section of the street.
 9. For this reason, the proposed development would harm the spacious character of the area. It would conflict with policies CP2 and DBE1 of the Epping Forest District Local Plan Alterations adopted July 2006 which seek to safeguard and to enhance the character of the urban environment and require that new buildings respect their setting in terms which include siting. It would also be at odds with paragraph 127 of the National Planning Policy Framework, which indicates that developments should be sympathetic to local character including the surrounding built environment.

Other Matters

10. The Council considers that because of the proposal's proximity to the Epping Forest Special Area of Conservation (SAC), and the resulting increased visitor pressure and the air quality alongside the roads which cross it, the proposed development would have an adverse impact on the integrity of the SAC. It seeks a planning obligation in respect of mitigation measures. Whilst I note the appellant's comments in this respect, as I am dismissing the appeal for another reason, it is not necessary for me to consider this matter any further as it could not alter my decision. I have taken into account the representations of neighbouring occupiers, but they do not lead me to a different conclusion.

Conclusion

11. The proposed development would make efficient use of a site within an established residential area, providing a modest, social benefit of 1 additional house to local housing supply. It would bring economic benefits too, both during its construction and from the spending in the local economy of the future occupiers.

12. However, these benefits of the development would be outweighed by its harm to the character of the area, and its conflict with the development plan, as a whole. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR