
Appeal Decision

Site visit made on 4 October 2016

by Zoe Raygen Dip URP MRTPI

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

Decision date: 11th October 2016

Appeal Ref: APP/J1535/D/16/3152307

**Crown Lodge, The Street, Sheering, Bishop's Stortford, Hertfordshire
CM22 7LT**

- 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 Michael Russ against the decision of Epping Forest District Council.
 - The application Ref EPF/0044/16, dated 22 December 2015, was refused by notice dated 17 February 2016.
 - The development proposed is to construct a new garage in the front of the site and to convert the existing garage into home office with en-suite bathroom above.
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Decision

1. The appeal is dismissed insofar as it relates to the detached garage. The appeal is allowed insofar as it relates to the conversion of the existing garage with dormer windows to the front and rear and planning permission is granted for the conversion of the existing garage into a home office with en-suite bathroom over with insertion of front and rear dormer windows at Crown Lodge, The Street, Sheering, Bishop's Stortford, Hertfordshire CM22 7LT in accordance with the terms of the application Ref: EPF/0044/16 dated 22 December 2015, and 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: site location plan, 01, 02, 03, 04, 05 only in respect of the conversion of the existing garage into a home office with en-suite bathroom over with insertion of front and rear dormer windows.
 - 3) The materials to be used in the construction of the external surfaces of the dormers hereby permitted shall match those used in the existing building.

Preliminary matter

2. Although not referred to in the description of proposed development on the planning application form, the new dormer windows to the front and rear of the existing garage are included in the appeal papers and drawings. Furthermore, it is clear that the Council consulted interested parties on this basis and gave
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formal consideration to the dormer windows as part of the proposal. I shall therefore have regard to them in my determination of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. Crown Lodge is a detached house sited in a line of dwellings all with a small set back from The Street. Some front gardens are enclosed with planting and fencing, others are open. In the immediate surrounding area a small number of properties are sited at the back edge of the pavement, but the majority have some form of set-back creating an open character to the road. There are a variety styles of architecture along The Street and as a consequence the area has a mixed character and appearance in this respect.
5. Crown Lodge contributes to the area through its set back from the main road and the presence of a front hedge behind a close boarded fence. This feature is shared with the neighbouring properties creating a lengthy stretch of a hedge which contributes positively to the area, and is a feature seen elsewhere along the road side in the vicinity of the appeal site.
6. The proposed garage would be sited about half a metre from the front boundary and be 2.1 metres high to the eaves with a hipped roof sloping away from the road to a height of 3.6 metres. It would be 5.4 metres long leading to it being sited along much of the front boundary of Crown Lodge. As a result, even though the materials would match the existing house, it would be a substantial structure set well forward of the front wall of the dwelling, rendering it a dominant and intrusive feature in the street scene considerably eroding the open character of the road.
7. I note the appellant's assertion that it would take up only 15% of the land within the front garden space. Nonetheless, the length of the proposal together with its siting close to the footway and proximity to the host dwelling would give it a particularly tight urban grain which I did not see similar examples of elsewhere in the immediate surrounding area. This would be reinforced by the loss of the boundary hedge and its replacement by trellis panels with little room for planting between the fence and the garage. Even if some planting were capable of being established it would be likely to take several years to reach a degree of maturity to offset any of the harm I have identified.
8. In reaching these findings I am mindful of other garages that are present in the front gardens of properties to the west of the appeal site that have been brought to my attention by the appellant and that I had the opportunity to view on site. I saw that the majority of these garages were contained within larger front gardens than that at the appeal site. As a result the open character of the area has been retained.
9. Furthermore, a number were set back from the road by a distance greater than that which would be available at the appeal proposal. Consequently, it has been possible to retain the front hedge to provide some relief to the blank, large side elevation of the garages. Other examples only served to reinforce my view that the proposal would not constitute an example of sympathetic

development in this residential area. Therefore they do not justify the appeal proposal. Moreover, I am not aware as to when any permissions were approved and if these were under the same planning policy regime which currently exists.

10. The proposal also involves the erection of a dormer window to the front and rear of the existing garage at the property to facilitate its conversion to a home office with en-suite bathroom accommodation above. The design and materials of the dormers would match the existing one at the property and therefore they would integrate satisfactorily into the existing building.
11. For the reasons above I conclude that the proposed garage would be significantly harmful to the character and appearance of the area. It would therefore be contrary to saved Policies DBE1 and DBE10 of the Epping Forest Local Plan 1998 with Alterations 2006. These require, amongst other things that new buildings respect their setting in terms of scale, siting, massing and orientation and complement the street scene. However, the proposed dormers would not be harmful to the character and appearance of the area and therefore there would be no conflict with saved Policies DBE1 and DBE10 with respect to this part of the proposals.

Other matters

12. The adjacent property at Crown House is sited some distance from Crown Lodge. Therefore the intervening distance between the two properties would ensure that the living conditions of the occupiers of Crown House would not be harmed by the proposed dormer windows.

Conditions

13. In the interests of clarity it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. Furthermore in the interests of the character and appearance of the area the materials used to construct the dormers should match those on the host dwelling.

Conclusion

14. The two distinct elements of the appeal proposal are capable of separate decisions. Although I have found that no material harm would result from the dormers, this does not outweigh the harm that the garage would cause to the character and appearance of the area. Accordingly, I conclude that the appeal insofar as it relates to the garage should fail, and insofar as it relates to the dormers should succeed.
15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed only in part but otherwise dismissed.

Zoe Raygen

INSPECTOR