

Appeal Decision

Site visit made on 4 October 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 28th October 2016

Appeal Ref: APP/J1535/W/16/3151176

171 High Road, North Weald, Epping, Essex CM16 6EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Chris Trussell against the decision of Epping Forest District Council.
 - The application Ref EPF/2460/15, dated 29 September 2015, was refused by notice dated 18 March 2016.
 - The development proposed is the demolition of existing house and construction of 3 pairs of semi-detached houses.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. In the vicinity of the appeal site, High Road is a residential area with a wide variety of differing property sizes and styles, including a mixture of terraced, semi-detached and detached properties. The width of the surrounding plots also varies with wider more spacious plots on the northern side of the road with the southern side being more densely developed. To the east of the site are the properties of Princes Close which back onto High Road.
 4. The appeal site currently comprises of a large bungalow with dormer windows and garaging which has been extended to the rear to include an indoor swimming pool. The property has a street frontage of approximately 39 metres in width and is the widest plot in the area. The frontage of the site is mainly laid out to lawn with numerous shrubs.
 5. The appeal proposal would divide the site into 6 plots, the width of which would be narrower than any of the existing properties on the north side of High Road. They would also be narrower than the properties on Princes Close which back onto the rear of the site and those to the east. Given the width of each of these dwellings, the resultant effect of the development is that it would appear cramped compared to the surrounding development on the north side of High Road to the detriment of the character of the area.
 6. I have also had regard to the properties on the south side of High Road and how they influence the overall character of the area. Whilst I noted the two
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blocks of terraced properties to the west of the site, the wider overall character of the south side is more varied than the north side, with the existing development giving rise to a less spacious character. To my mind, the less spacious character of the south side of the road does not outweigh the harm that I have found.

7. Turning to the effect of the parking arrangements, the development would result in a significant change from the current situation, as the majority of the site frontage would be hard surfaced to facilitate parking and turning facilities for the new dwellings. Whilst there would be some landscaping provided to the frontage it would still be dominated by hard surfacing which adds to the adverse impact of the development.
8. The Appellant has indicated that the parking layout is indicative and it would be subject to further approval. However, whilst this is an outline application layout and access is being considered at the outline stage. Notwithstanding that, an amended layout plan has been submitted with this appeal (drawing 839/15). Whilst this plan provides for some additional landscaped areas, and is an improvement to the original layout, it would still result in a significant amount of hard surfacing to the front of the properties.
9. As I understand it, the site was originally intended as three separate plots. However, the development proposal is for 6 dwellings and therefore is significantly different. I therefore give this very limited weight.
10. For the above reasons, I conclude that the dwellings would lead to unacceptable harm to the character and appearance of the area contrary to the provisions of Policy DBE6 of the Epping Forest District Local Plan (1998) and Policy CP7 of the Epping Forest District Local Plan Alterations (2006) which amongst other things seeks to protect the character and appearance of the area, including the location of parking spaces. This would also be at odds with the National Planning Policy Framework which seeks to secure good design.

Other matters

11. I have also had regard to the representations made in respect of the effect of the development on the living conditions of the occupiers of neighbouring properties and in relation to drainage and highway safety.
12. In respect of living conditions, the two properties which the development would have the greatest effect on are 169 High Road and 36 Princes Close. As the application is in outline, albeit with layout considered at the outline stage, the exact effect of the development would need to be considered as part of the reserved matters consideration. However, from the details submitted as part of the outline application some assessment can be carried out.
13. In respect of No 169, plot 1 would be sited close to the boundary and would extend approximately 3.5 metres beyond the rear of the property. However, given the siting and orientation of the property I consider it would not result in any significant loss of daylight or sunlight. In terms of potential privacy issues, the development may have some effect. However, the detailed design of the properties, and position of any windows which may cause some overlooking, is not known at this stage. This would therefore need to be considered at the reserved matters stage should the appeal be allowed.

14. Plot 6 of the development would be closest to No 36 which is sited at an angle to the appeal development. The rear of No 36 would look out over the front corner of plot 6 and its front garden. Given the relationship between the two properties I am satisfied that an overall design could be achieved which would not result in any significant loss of outlook, daylight or sunlight from the side or rear of No 36 or their garden.
15. In respect of the potential of increased noise and disturbance, the development would be for a residential development in a primarily residential area. I therefore consider that the development would not give rise to any significant increase in noise levels.
16. The development would have two access points onto High Road. The Highway Authority has not raised any objections to the development, subject to conditions. From my site visit I saw that there would be good visibility in both directions from these accesses and I have therefore no reasons to disagree with the views of the Highway Authority.
17. I have also had regard to potential drainage issues. However, given the scale of the development, any drainage issues arising from the development could be addressed through a suitably worded planning condition.
18. In addition to the above, concern had been raised over the large Alder tree in the rear garden. However, given the distance between the tree and the proposed dwellings, I consider that it could be retained and construction works undertaken without any significant harm to the tree.

Conclusion

19. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR