
Appeal Decision

Site visit made on 31 January 2017

by Alex Hutson MATP CMLI MArborA

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

Decision date: 6 February 2017

Appeal Ref: APP/J1535/D/16/3165668
6A High Road, Loughton, Essex IG10 4QZ

- 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 Les Wynn against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2134/16, dated 4 August 2016, was refused by notice dated 3 October 2016.
 - The development proposed is raising of roof 1380mm to provide additional residential accommodation for a carer to reside and look after the applicants.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of the occupiers of 2 High Road with particular regard to outlook.

Reasons

Character and appearance

3. The appeal property is a part two/part single storey detached dwelling located in a prominent and elevated position on the northern side of High Road, opposite the junction with The Crescent. Dwellings in the area, including the terraced and semi-detached dwellings adjacent to the appeal property are typically two storeys in height. The ridge height of the appeal property broadly matches the ridge height of the adjacent dwellings. Notwithstanding that the appeal property is a more recent construction than its neighbouring dwellings, its two storey appearance in views from High Road and from The Crescent and its overall height is in keeping with the character and appearance of the area. Whilst the appeal property is set back from the road and comprises some vegetation within its front garden, I do not consider that this equates to it occupying a secluded location, given that it is clearly visible from the public realm.
 4. The proposal would raise the roof over the front part of the appeal property by 1.38 metres (m) and would introduce a front and rear dormer onto the resulting rooflope. This would provide additional internal living accommodation, including a bedroom, bathroom and kitchen/living room. A
-

terrace and associated glass balustrade would be incorporated into the front dormer element to provide some associated outdoor amenity space.

5. I acknowledge that the proposal would be constructed from high quality materials. Nevertheless, the resulting building, given the considerable width of the front dormer element and glass balustrade, would appear as three storeys. This would be at considerable odds with the prevailing two storey appearance of other dwellings in the area, including those immediately adjacent to the appeal property. Moreover, the considerable increase in the ridge height of the appeal property would appear incongruous in the context of the largely uniform height of dwellings along this part of High Road. Whilst the appellant suggests that balconies on front elevations are not uncommon, no specific examples have been brought to my attention. Furthermore, I did not observe any such features, or indeed any front dormers, on any other dwellings in vicinity of the appeal property.
6. The proposal would therefore fail to respect the prevailing pattern of development along this part of High Road and would result in significant harm to the character and appearance of the area.
7. This would be contrary to saved Policy DBE10, of the Epping Forest District Local Plan 1998 (Local Plan), which requires, amongst other things, residential extensions to complement the appearance of the streetscene and existing building. This policy is consistent with the aims and objectives of the National Planning Policy Framework (the Framework) which require planning to secure high quality design and to take account of the different roles and character of different areas.

Living conditions

8. The appeal property is set away from the boundary with the adjacent property, 2 High Road, by approximately 1m. No 2 is set away from the boundary by a considerably more generous degree, though is set back from the frontage of the appeal property by approximately 5m. The occupiers of No 2 are likely to obtain a reasonably open outlook across their front garden from any front windows to habitable rooms within the dwelling, notwithstanding that the appeal property is likely to be apparent in oblique views from some of these windows. The occupiers of No 2 are also likely to benefit from a good sense of space and openness when using their large front garden.
9. I recognise that the proposed increase in the height of the roof of the appeal property and the introduction of a front dormer and balustrading would result in a change in the view for the occupiers of No 2 from some front windows to habitable rooms. Nevertheless, given that the proposal would feature only in oblique views from these windows and given the generous degree of separation between these windows and the appeal property, I do not consider that the proposal would result in an overbearing form of development in any views from these windows. I also note that the increase in height of the roof and the rear dormer would be visible from a side bedroom window of No 2. However, this is likely to be a secondary window to this bedroom and is therefore unlikely to provide the main aspect from it. In addition, the rear dormer would be set a considerable distance away from this window and would represent only a modest overall increase in built form in views from it. As such, it would not appear overbearing in any views from this window.

10. The proposal would also result in a change in the view from the front garden of No 2. However, given the large size of the front garden and the existing presence of the appeal property along a short section of it, I consider that the proposal would not materially affect its overall sense of space and openness.
11. Consequently, I find that the proposal would not have a harmful effect on the living conditions of the occupiers of No 2 in respect of outlook and would not have a detrimental effect on the enjoyment of their home or garden.
12. The proposal would therefore comply with saved Policy DBE9, of the Local Plan, which requires, amongst other things, extensions not to result in an excessive loss of amenity for neighbouring properties, including in respect of visual impact. This policy is consistent with the aims and objectives of the Framework which seek to secure a good standard of amenity for all existing occupants of land and buildings.

Other matters

13. I have carefully considered the personal circumstances of the appellant and his wife and the desire to provide quality accommodation with private amenity space for a live-in personal carer to care for them as they get older. Nevertheless, any specific need in this regard would be temporary whilst the alterations to the appeal property would stand in perpetuity. Moreover, I have not been persuaded that there would not be any alternative solution in a manner more sensitive to the character and appearance of the area that could provide such a personal benefit. I therefore afford this matter little weight.
14. The appellant alleges that pre-application advice was provided verbally by the Council in favour of the proposal. However, there is no evidence of this in writing. Furthermore, I have no reason to suggest that any advice was anything other than informal advice that would not, in any case, have prejudiced the Council's decision on a subsequent planning application. In any event, it falls to me to assess the merits of the proposal.
15. I have had regard to the concerns of the occupiers of No 2 in respect of loss of light to some habitable rooms within their property. However, the Council did not raise any concerns in respect of living conditions matters beyond those relating to outlook. On the basis of the evidence before me, I have no substantive reasons to take a different view.

Conclusion

16. Whilst I have not found harm to the living conditions of the occupiers of No 2, I have found harm to the character and appearance of the area. Such harm would be significant and would outweigh any benefits. Thus, for the reasons set out above and having regard to all other matters, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR