

Appeal Decision

Site visit made on 26 April 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 19 May 2017

Appeal Ref: APP/J1535/D/16/3166286
2 Hill Top Loughton IG10 1PX

- 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 Miss Hoffman against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2259/16, dated 14 August 2016, was refused by notice dated 21 November 2016.
 - The development proposed is a double storey extension to right hand side of front of property.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the building and the area; and b) the living conditions of the occupiers of neighbouring dwellings with specific regard to Number 6 Hill Top.

Reasons

Character and Appearance

3. The appeal building is a detached two storey dwelling located on raised ground at the junction of Hill Top and Marjorams Avenue. Due to its siting, the majority of its elevations are visible in both street scenes. It is of an individual design featuring both a hipped and mansard style roof, prominent slim external chimney stack, horizontal and vertical glazing features and is finished in part brick and part painted render.
 4. The proposed development would comprise a two storey side extension which would then project beyond the rear elevation and terminate in a flat roof to the rear which would be box like in its appearance. The new hipped roof to the side would extend from the existing ridge height. The scheme would also include a two storey high solid brick wall projecting still further beyond the flat roof rear section which would sit almost on the boundary with Number 6 Hill Top.
 5. The design and roof shape of the extensions would, for the most part, take reference from the existing dwelling. However, the overall size, bulk and mass
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of the extensions would, when taken together, be significant in context and given the siting of the existing dwelling, the majority would be highly noticeable in the public realm. They would result in non-subservient built form that would sit awkwardly in visual terms in the context of the existing dwelling.

6. The proposed development would therefore be, for the reasons I have set out, harmful to the character and appearance of the building and the area. Consequently, it would fail to accord with saved Policies DBE10 and CP2 of the Local Plan and Alterations¹. These Policies, amongst other things and along with section 7 of the Framework², seek to ensure that new development (extensions to dwellings specifically) is of a high quality and contextually appropriate design and appearance and safeguards the setting, character and townscape of the urban environment.

Living Conditions

7. The two storey side extension, along with the flat roof rear element and the aforementioned brick wall, would be located close to the shared boundary with Number 6 Hill Top. Whilst this neighbouring dwelling has a side extension of its own, the proposed works would extend further rearwards of it. Owing to the height and siting of the extensions (mostly the proposed wall) users of the garden area to the immediate rear of No 6 would experience a tall, stark and oppressive structure which would be overbearing. For the same reasons, the outlook from the ground floor windows closest to the shared boundary would be compromised to an unacceptable degree.
8. For these reasons, the proposed development would cause harm to the living conditions of the occupiers of No 6 Hill Top. It would therefore conflict with saved Policy DBE9 of the Local Plan. This Policy, amongst other things and along with one of the core principles of the Framework, seeks to ensure that new development is not harmful to the amenities of existing or future occupiers of land and buildings.

Other Matters

9. I note the Council's concerns over the potential future terracing effect that would be borne out of the lateral spread of the resulting building. Looking at this matter in the context of the Hill Top street scene however, there are a number of wide buildings in both detached and semi-detached forms. Some have also benefitted from two storey side extension that has, over time, had an eroding effect on any defined gaps there were between buildings. Whilst this may not therefore result in harm specific to this effect, this does not lessen the harm that the proposed development would cause in the manner that I have described it above.
10. I also note the appellant's comment that the wall was a 'blip' and amended plans were submitted to the Council omitting it. The wall is however shown on the plans before me as part of this appeal. There have been no amended plans submitted to me omitting the wall. I have therefore considered it accordingly as part of the proposed development.

¹ Epping Forest District Local Plan 1998 and Alterations 2006

² The National Planning Policy Framework 2012

Conclusion

11. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR