The Planning Inspectorate

Appeal Decision

Site visit made on 23 May 2017

by Graham Wyatt BA (Hons) MRTPI

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

Decision date: 15th June 2017

Appeal Ref: APP/J1535/W/17/3168714
Land adjacent to 2 Spareleaze Hill, Loughton, Essex IG10 1BT

- 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 Jonathan Knapman against the decision of Epping Forest District Council.
- The application Ref EPF/1161/16, dated 22 April 2016, was refused by notice dated 19 September 2016
- The development proposed is a 4 bed detached dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The address for the appeal site is different on the application and appeal forms. The application form refers to "Land adjacent to 2 Spareleaze Hill" while the appeal form refers to "10 Tycehurst Hill". The appeal site is part of the rear garden of 10 Tycehurst Hill which extends, and sits adjacent to, 2 Spareleaze Hill. As the access is taken from Spareleaze Hill, I have used that address.

3. The appeal form also states that the date of the application was 28 April 2016. However, the date on the application form is 22 April 2016. I have also taken the description of the development from the application form.

Main Issue

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

Reasons

5. Spareleaze Hill and Tycehurst Hill are established residential areas with properties on either side of the road. As one travels along Spareleaze Hill in a north-easterly direction, you meet Tycehurst Hill as it forks to the left and continues in a northerly direction. The rear gardens of the first 6 properties along Tycehurst Hill extend to Spareleaze Hill until the roads separate further and houses are then developed back to back with private garden areas between. The proposed dwelling would be sited to the rear of 10 Tycehurst Hill with its access and front elevation on Spareleaze Hill.

6. The vast majority of dwellings along Spareleaze and Tycehurst Hill are set back from the road with parking areas to the front. The area is formed by mainly large detached dwellings that are a variety of size and designs with some closer

to the road than others. The area has a pleasant suburban quality that is reinforced by mature landscaping to the front of the majority of dwellings. The site is currently bounded on Spareleaze Hill by a fence of some 1.8 m that has been erected close to the footpath.

7. The proposed dwelling would be sited close to the front of the site, similar to the adjacent property at No. 2. The width of the site is the same as the host property on Tycehurst Hill although, narrower than the majority of plots along Spareleaze Hill. The proposed dwelling would take up most of the width of the site with a small gap of 1 m between the site and No. 2. The building would be sited very close to the road and would dominate the site at odds with the otherwise open character of Spareleaze Hill. It would result in a cramped form of development that would erode the spacious qualities of the area resulting in material harm to the character and appearance of the area.

8. Moreover, the front of the site leaves little area for meaningful landscaping which further erodes the quality of the built environment at the site. I appreciate that No. 2 has a very similar frontage in that it is paved for parking and is devoid of landscaping. However, this is very much the exception and, in any case, the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue.

9. Turning to the design of the building, there are a variety of house types and design along both Spareleaze and Tycehurst Hill. While the design of the dwelling is unremarkable it would not be unduly out of keeping and there are examples of smaller vertically designed dwellings in the area. However, I find the scale of the development in relation to its plot size harmful to the character and appearance of the area.

10. I conclude that the development would have an unacceptably harmful effect on the character and appearance of the area. The development would be in conflict with Policies CP2(iv), CP7, LL11and DBE1 of the Epping Forest Local Plan (1998) and Alterations (2006) which seek to ensure, among other things, that the scale and nature of development safeguards and enhances the setting and character of the urban environment.

Other Matters

11. I note that there have been a number of objections from local residents, some of whom raise additional concerns, but given my adverse findings on the main issue I do not consider it necessary to address those concerns in detail here.

12. I have taken into account the existing garage and fence at the site. However, the garage is a low building that the fence essentially hides from the street scene. Moreover, the detrimental impact of the proposed dwelling on the character and appearance of the area would be appreciably greater than the fence and garage.

13. I acknowledge that a similar application on the site was recommended for approval by Officer's that was subsequently overturned by elected Members. I have also taken into account the site's location which is close to shops, employment and transport links and the appellant's desire to make more efficient use of land within a sustainable location. However, these matters do

not outweigh the harm to the character and appearance that I have identified above.

Conclusion

14. Therefore, having regard to all other matters raised, I conclude that the appeal should be dismissed.

Graham Wyatt

INSPECTOR