
Appeal Decision

Site visit made on 4 October 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 25 October 2017

Appeal Ref: APP/J1535/D/17/3179940

Meadow View, High Street, Roydon, Harlow CM19 5EA

- 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 David Lawson against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0685/17, dated 6 March 2017, was refused by notice dated 10 July 2017.
 - The development proposed is the insertion of dormer windows to existing roof line to achieve economic usability of existing bathroom and roof room.
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Decision

1. The appeal is allowed and planning permission is granted for the insertion of dormer windows to existing roof line to achieve economic usability of existing bathroom and roof room at Meadow View, High Street, Roydon, Harlow CM19 5EA in accordance with the terms of the application, Ref PL/EPF/0685/17, dated 6 March 2017, subject to the following conditions;
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1021/2; 1021/3; 1021/4; 1021/5; 1021/6; 1021/7; 1021/8; 1021/21; 1021/22; 1021/30A; 1021/31A; 125/22 and 125/20.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to the occupation of the bathroom as identified on Drawing 1021/8 the dormer within the north elevation hereby permitted shall be fitted with obscured glazing and once installed the obscured glazing shall be retained thereafter.

Application for Costs

2. An application for costs was made by Mr David Lawson against Epping Forest District Council. This application is the subject of a separate Decision.

Procedural Matter

3. The appeal has progressed in the name of Mr David Lawson and, for this reason, the application for costs has proceeded in the same name.

Main Issue

4. It is considered that the main issue is whether the proposed development would preserve or enhance the character or appearance of the Roydon Conservation Area.

Reasons

5. The appeal property is a detached dwelling of an 'L' shaped form sited to the rear of 54 High Street. The property externally appears to be a single storey dwelling but does have first floor accommodation, including within the roofspace associated with a mono-pitched roof. This roof extends from a 2-storey high brick wall comprising the shared boundary with the adjacent public house. There is a clear view of this wall with its small windows at ridge level from High Street but other parts of the property are screened from public view from the road by other dwellings and trees.
6. The proposed development includes the erection of dormer windows and a rooflight which would enable the roofspace to be more effectively occupied as habitable accommodation. No specific objection has been raised by the Council to the erection of the proposed rooflight.
7. A previous scheme to erect roof dormers was approved by the Council in 2003 (EPF/166/03) but this was of a different design. Reference has been made by the appellant to the precedent for dormers associated with those at No. 54. These were observed during the site visit. However, given the design of the previous scheme and the individual circumstances of the neighbouring property, this appeal scheme has been assessed on its own planning merits.
8. The property is situated within the Roydon Conservation Area where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. This duty is echoed in Policy HC6 of the Epping Forest District Local Plan, including the Local Plan Alterations (LP). Adjacent to the property is a Listed Building but the Council has not assessed that the proposed development would conflict with the statutory duty to have special regard to the desirability of preserving its setting. There are no reasons to depart from the Council's assessment.
9. This Conservation Area is principally characterised by properties of varying sizes, types and designs fronting roads. The properties are predominantly 2-storey and of brick and tile construction albeit there are examples of rendered walls and more recent residential developments include accommodation within the roofspace. Some of the properties possess dormer windows which form part of the varied roofscape. Part of the Conservation Area extends to include paddocks to the east side of the High Street which complement the verdant character of The Green.
10. All the proposed dormers would be set well above the eaves of the roof and would not be sited close to the side elevations of the roof. By reason of size, the proposed dormers would appear subservient within the general extent of the roofslopes within which they are proposed to be erected. The single proposed dormer within the north elevation would be set down from the property's ridge. Within the eastern elevation, the roofs of the proposed dormers would only be just below the ridge of the roof. However, by reason of the space around and between these dormers, there would not be an

impression of an additional storey being added to the property. To assist with the assimilation of the proposed dormers within the roof slopes their external materials should match those of the property.

11. For the structural reasons explained by the appellant, the proposed dormers would not be aligned with the windows within the ground floor elevations. However, although within the Conservation Area, the property itself is not of high architectural merit and there are limited public and private views towards the property, especially the eastern elevation. Further, the size of the proposed dormers would be sympathetic in scale and proportion to the existing windows. Accordingly, although not aligned with the windows below, the proposed dormers would not result in an incongruous development which would be detrimental to the overall character and appearance of the Conservation Area, particularly its roofscape.
12. For the reasons given, it is concluded that the proposed development would preserve the character and appearance of the Roydon Conservation Area and, as such, it would accord with LP Policies HC6 and HC7. These policies also require development to be of a high quality of design which is sympathetic to the Conservation Area and for the roofscape to be in keeping with the Conservation Area. These policies are consistent with the National Planning Policy Framework's (the Framework) core principle of securing high quality design.

Other Matters

13. The appellant has identified a family circumstance for the additional habitable accommodation created by the proposed development. However, the appeal scheme has been assessed on its own planning circumstances.

Conditions

14. The Council has suggested conditions in the event this appeal succeeded which have been assessed against the tests in the Framework and the Planning Practice Guidance. A condition to secure the use of matching external materials is necessary for the reasons explained. For the avoidance of doubt and in the interests of proper planning, a condition is necessary to require the proposed development to be erected in accordance with the submitted drawings.
15. The Planning Officer's report identifies that, to preclude overlooking and loss of privacy to the occupiers of No. 54, the proposed bathroom window within the northern elevation should be obscurely glazed and this should be secured by condition. I share this assessment and a condition is necessary to require this dormer window to be obscurely glazed. For the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR