The Planning Inspectorate

Appeal Decision

Site visit made on 13 August 2019

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2019

Appeal Ref: APP/J1535/D/19/3228858
35 Bury Road, Epping, Essex CM16 5ET

- 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 Anthony Oatham against the decision of Epping Forest District Council.
- The application Ref EPF/0114/19, dated 20 September 2018, was refused by notice dated 21 March 2019.
- The development proposed is a first floor extension over the existing garage.

Decision

1. The appeal is allowed. Planning permission is granted for a first floor extension over the existing garage at 35 Bury Road, Epping, Essex CM16 5ET, in accordance with the terms of the application Ref EPF/0114/19, dated 20 September 2018, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

    2) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building.

    3) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Location Plan, Site Plan, Street Scene, Elevations, Section and Floor Plan.

Procedural Matters

2. The Council is currently working on the emerging Epping Forest District Local Plan, Submission Version, published December 2017. I have not been provided with details of the extent to which any objections to its policies are unresolved. Therefore, I can only afford this plan limited weight, and have made my decision based upon the saved policies of the Epping Forest District Local Plan (1998) (the Local Plan) and other material considerations.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal site is located on the north side of Bury Road towards the end of the cul-de-sac. The road is residential in character with a mixture of semi-detached and detached properties. There is no distinct pattern or rhythm to the

development along Bury Road due to the variation in building design and type. There is no significant prevailing pattern of design or spacing between the existing properties, with a number of variations along the road and some properties being closer together than others. There are a number of trees at various intervals along the road, both within the front curtilages and on the footpath.

5. The host building has an existing side garage on which the proposed extension would be situated. The proposed first floor extension would be built to the same width as the existing garage. Whilst the proposal would be built in a gap between the host building and 41 Bury Road, there would still be a gap be between them. When approaching the property from the west the view towards the property is largely obscured by the existing trees that sit in front of the properties on the path. As the properties are slightly set back from the footpath the proposed extension would not be readily visible when travelling west along the road. Therefore, the effect of this proposal is localised in its extent and would not impact on the wider street scene.

6. The host building and the neighbouring property are different in their design, due to the differing rooflines and styles, this would help to differentiate the proposal from the neighbouring property and not cause a terracing effect. Therefore, I do not consider that the proposal would cause harm to the street scene.

7. The design of the proposal would follow the existing roofline of the host property. The proposed windows would also match the style of the existing windows of the property. I consider that the design of the proposal would be in keeping with the host property and would not harm the character and appearance of the host building or the surrounding area.

8. Consequently, the proposed development would accord with the requirements of policies DBE3 and DBE10 of the Local Plan and Alterations, adopted January 1998. These policies seek to ensure that new development respects the character and appearance of the local area and wider street scene.

Conditions

9. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity. In addition to the standard commencement condition, I have imposed a condition to ensure that the development is carried out in accordance with the approved plans in the interests of precision. It is also necessary to impose a condition to ensure that the external materials used in construction match those of the existing house in the interests of the character and appearance of the area.

Conclusion

10. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed, and that planning permission be granted.

D Peppitt

INSPECTOR