



Appeal Decision

Site visit made on 26 May 2020

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th June 2020

Appeal Ref: APP/J1535/W/19/3243048

3 Ardmore Place, Buckhurst Hill, Essex IG9 5PN

- 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 & Mrs Paul & Jane Nash against the decision of Epping Forest District Council.
 - The application Ref EPF/1044/19, dated 23 April 2019, was refused by notice dated 19 June 2019.
 - The development proposed is described as "The proposal is for a modest two bedroom house, part single storey and part two storey, on a vacant piece of land opposite the existing house at 3 Ardmore Place".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has referred to Policies DM4 and SP6 of the Epping Forest District Council Local Plan Submission Version, 2017 (LPSV) in their reason for refusal. I note that the LPSV is yet to be adopted, and in their evidence, the Council advise that there are unresolved objections to the plan. It is therefore subject to change and while I have not been made aware of the specific nature of the unresolved objections, this limits the weight that I afford to these policies.

Main Issues

3. The main issues are the effect of the development on 1) the character and appearance of the area and 2) Epping Forest Special Area of Conservation (SAC).

Reasons

Character and Appearance

4. Ardmore Place is a gated development of three detached dwellings and is accessed off Ardmore Lane. The appeal site lies opposite No. 3 Ardmore Place and forms a parcel of land that is mainly laid to grass and is bounded on three sides by mature hedging and trees and contains a single storey garden shed type building on its eastern boundary. The area is mainly residential and has a pleasant open and spacious suburban character.
5. The proposal seeks to erect a detached two bedroom dwelling on the site that would be constructed over two storeys with a further single storey rear addition. The building would be set back from Ardmore Lane to allow a parking area and garden to the front of the property. A further private garden area would be provided to the rear of the dwelling.

6. The area has a degree of openness created by the pattern of development that is arranged in a linear manner with properties set back from the road with private gardens to the rear. However, I acknowledge that the area contains a wide range of dwelling size and types, which includes those that have been developed in close proximity to each other and indeed flatted development, such as that at Hawstead.
7. Ardmore Place itself contains three large dwellings set within spacious plots. The road has a verdant and spacious quality created by the setting back of the properties and landscaping to the front of the dwellings which gives Ardmore Place an open and leafy suburban character. The appeal site forms part of the more open development that exists along Ardmore Place, to which it makes a positive contribution.
8. Notwithstanding that the proposal would be part two and part single storey, as a result of the scale of the development in relation to the size of the plot, especially its overall depth, the proposed dwelling would appear unusually large within the site. This would result in a development that would appear as though it had been squeezed into the site without regard to the prevailing, more open character that exists in the area. The proposal would dominate the site and appear as an excessively large building that would erode the openness that the site provides within the enclave of residential development at Ardmore Place, resulting in material harm to the character and appearance of the area. This harm would be clearly visible from the other properties that form Ardmore Place.
9. Thus, the proposal would be in conflict with Policies DBE1, CP2 and CP7 of the Epping Forest Local Plan and Alteration 1998 and 2006 which seek, amongst other things, that developments safeguard and enhance the character of the urban environment, is compatible with the character of an area and respects its setting in terms of scale, siting and massing.

Epping Forest SAC

10. Epping Forest SAC is a European site of nature conservation importance. It is established that any development resulting in a net increase in the number of dwellings, without avoidance measures, would be likely to have a significant effect on the SAC within the meaning of the Conservation of Habitats and Species Regulations 2010. This effect principally derives from identified recreational pressures on the SAC associated with additional residential development and atmospheric pollution on the SAC.
11. As the appeal is being dismissed on another substantive issue, it is not necessary to look at this matter in detail. Moreover, had I been minded to allow the appeal, I would have explored the necessity for undertaking an Appropriate Assessment and the requirement for any payments to off-set the impact of the development on the SAC, and whether this could have been secured by the condition as suggested by the appellant.

Other Matters

12. I acknowledge that the design of the proposal is acceptable, that suitable materials could be employed and that the development is unlikely to impact on the living conditions of adjoining occupiers. I also acknowledge the principle of a development on the site, which would provide a family home and is close to services, facilities and transport links, is acceptable. While noting the benefits that would result in this respect, I do not consider that either individually or cumulatively they outweigh the harm identified above.

13. I note that representations were made by local residents, some of whom raise additional concerns. However, given my findings on the main issues, it is not necessary to consider these matters in detail.

Conclusion

14. For the reasons given above, and having regard to the development plan when read as a whole, the appeal is dismissed.

Graham Wyatt

INSPECTOR