
Appeal Decision

Site visit made on 22 September 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 October 2020

Appeal Ref: APP/J1535/D/20/3253182

8 Alderton Hall Lane, Loughton IG10 3HJ

- 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 Mrs Thiara against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0063/20, dated 9 January 2020, was refused by notice dated 5 March 2020.
 - The development proposed is demolition of existing roof, erection of new roof with an increase in height, loft conversion involving 3no front and 1no rear dormers together with internal and external alterations including rebuilding of garage to be used as habitable accommodation.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing roof, erection of new roof with an increase in height, loft conversion involving 3no front and 1no rear dormers together with internal and external alterations including rebuilding of garage to be used as habitable accommodation at 8 Alderton Hall Lane, Loughton IG10 3HJ in accordance with the terms of the application, Ref PL/EPF/0063/20, dated 9 January 2020, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan; Location Plan; S101; S102; P101; and P102.
 - 4) The loft conversion hereby permitted shall not be occupied until the proposed first floor bedroom window in the southern elevation of the dwelling (facing No 2 Greenfields) has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. The obscured glazing shall be permanently retained thereafter.

Preliminary Matter

2. There is another appeal (Ref: APP/J1535/D/20/3256651) on this site. That appeal is the subject of a separate decision.

Main Issues

3. The main issues are:

- The effect of the proposed development on the character and appearance of the area; and,
- The effect of the proposed development on the living conditions of the occupiers of No 16 Alderton Rise and Nos 2 & 4 Greenfields.

Reasons

Character and appearance

4. The appeal site is located in a residential area, which includes dwellings of varied design and form. The appeal property is a bungalow located on a corner plot. The main entrance faces Alderton Hall Lane and the northern elevation is roughly level with the front of the adjacent row of 2 storey detached dwellings in Alderton Rise. The dwelling is designed with a dual-pitched roof, and the form and design of the external elevations provides a simple appearance. There is a similar bungalow on the opposite side of the road at the entrance of Alderton Rise, which is sited on a higher ground level.
5. The appeal scheme proposes to increase the eaves line of the roof by enlarging the height of the external walls. The height of the ridge line would also be increased and 4no dormer windows would be installed in the front roof slope. I appreciate that these alterations would increase the scale of the dwelling, and it would provide a different appearance to the bungalow on the opposite side of the road. However, given the variation in design and form of the buildings in the area, this would be acceptable.
6. The proposed roof alterations would screen the 2 storey side wall of No 16 Alderton Rise, which projects noticeably above the existing dwelling, and would not harm any public views along Alderton Rise or Alderton Hall Lane.
7. The scale of the proposal would be in keeping with neighbouring properties, and the gabled roof form would respect the roof forms seen in the area. The front dormers would appear proportionate to the scale of the roof, and they would be positioned evenly along the roof which would provide an acceptable appearance. The dormer on the eastern elevation would be set in from the edges of the roof and there would be limited views from the public realm.
8. For these reasons, I conclude that the proposed development would maintain the character and appearance of the area. The proposal would therefore comply with saved Policy DBE10 of the Epping Forest District Local Plan Alterations 2006 and Policy DM9 of the emerging Epping Forest District Local Plan Submission Version 2017, which, amongst other things, seek high quality design and residential extensions that complement or enhance the appearance of the existing building and the street scene. The proposal would also accord with chapter 12 of the National Planning Policy Framework, which, amongst other things, states that planning decisions should ensure that development are sympathetic to local character and history.

Living conditions

9. The neighbouring detached dwelling at No 16 Alderton Rise has an existing single storey rear extension, which includes a rooflight. The existing bungalow projects beyond the rear elevation of No 16. There is a dense hedge adjacent to the boundary, and the roof of the bungalow pitches away from the neighbouring property, which limits its dominance and overshadowing of No 16.
10. The proposal would increase the eaves and ridge heights of the bungalow by around 1 metre and 1.5 metres respectively, and the roof would pitch away from the neighbouring property. There would be a dormer window on the eastern facing elevation, which would be set in from the edges of the roof. The additional bulk arising from the proposal would be limited and so it would not appear overbearing or cause a significant loss of outlook to the habitable rear windows and garden of No 16.
11. For the same reasons, the proposal would not cause a significant loss of daylight or sunlight to the rear windows and garden of No 16. This is supported by the appellant's External Daylight and Sunlight Study¹, carried out using the Building Research Establishment methodology for the assessment of daylight and sunlight.
12. Furthermore, the window in the southern elevation of the proposed dormer would not directly face the garden of No 16 and so it would not cause a significant loss of privacy to the occupiers of Nos. 16.
13. The limited additional bulk of the proposal and the level of separation to Nos 2 & 4 Greenfields would ensure that there would not be a significant loss of daylight, sunlight or outlook to the rear windows and gardens of the neighbouring properties.
14. The appeal property is sited on a higher land level than Nos 2 & 4 Greenfields and the proposed first floor bedroom window in the southern elevation would be positioned closer to the boundary than the rear windows of the adjacent row of properties in Alderton Rise. This would afford close views into the gardens of Nos 2 & 4 Greenfields. Nevertheless, the bedroom would also be served by 2nd dormer windows facing Alderton Hall Lane and so a planning condition could be imposed to require the first floor window in the southern elevation to be fitted with obscured glass and for the part of the window less than 1.7 metres above floor level to be fixed closed. This would protect the privacy of the occupiers of the neighbouring properties.
15. The first floor window in the southern elevation of the dormer would be further away from the boundary therefore it would not cause an unacceptable level of overlooking into Nos 2 & 4. Furthermore, views from the proposed ground floor patio doors towards these neighbouring properties would be limited by their ground floor position and the boundary screening.
16. For the above reasons, I conclude that the proposed development would not cause significant harm to the living conditions of the occupiers of neighbouring properties. The development would therefore comply with saved Policy DBE9 of the Epping Forest District Local Plan Alterations 2006, and emerging Policy DM9 of the Epping Forest District Local Plan Submission Version 2017, which,

¹ Prepared by Base Energy dated 1 April 2020

amongst other things, seek to protect the privacy and amenity of neighbouring occupiers. It would also accord with paragraph 127 of the National Planning Policy Framework, which, along with other things, seeks to create places with a high standard of amenity for existing users.

Other Matters

17. I have had regard to the representations from local residents and Loughton Town Council. I acknowledge the Town Council's reference to the loss of bungalows. The officer's report states that the loss of a bungalow is not relevant as it will be modified and altered, and will not be omitted. I see no reason to take a different view.
18. Noise associated with construction works would be short-lived and there are legislative controls outside of the planning system.
19. Furthermore, I have had regard to the concerns raised in respect of the main issues above, however these representations would not alter my decision.

Conditions

20. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of certainty.
21. In order to maintain the character and appearance of the dwelling and the surrounding area, I have imposed a condition requiring the external surfaces of the proposed development to be finished in materials to match those used in the existing building.
22. I have also imposed a condition to require the proposed first floor bedroom window in the southern elevation of the dwelling to be fitted with obscured glass and for the part of the window that is less than 1.7 metres above the internal floor level to be fixed closed. This is to protect the privacy of the occupiers of Nos 2 & 4 Greenfields.

Conclusion

23. For the above reasons, and having had regard to all other matters, I conclude that the appeal should be allowed.

C Osgathorp

INSPECTOR