
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/20/3256651

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 Mr and Mrs Thiara against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0843/20, dated 24 April 2020, was refused by notice dated 18 June 2020.
 - The development proposed is erection of metal fence and proposed landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At my site visit I observed that metal railings have been erected to the front and side of the appeal property. I cannot be certain that what I have seen on site is exactly the same as the development shown on the proposed drawings. I have therefore considered the proposal as presented upon the drawings that are the subject of the appeal and not in regard to what has actually been built.
3. I have omitted the word 'retrospective' from the description in the heading above because this is not an act of development as described in Section 55 of the Town and Country Planning Act 1990.
4. There is another appeal (Ref: APP/J1535/D/20/3253182) on this site. That appeal is the subject of a separate decision.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the street scene.

Reasons

6. The appeal property is a bungalow, which occupies a corner plot. The front elevation of the dwelling faces Alderton Hall Lane and its northern elevation is roughly level with the front of the neighbouring houses in Alderton Rise. The properties to the north of the appeal site on the eastern side of Alderton Hall Lane, and the adjacent dwellings in Alderton Rise, have their front elevations set back from the road behind open front gardens. This provides a spacious and green feel to the street scene, and the appeal site is seen in this context.

7. The proposed metal fence would enclose part of the front garden, which would appear prominent in the street scene and erode the open aspect of the front garden. I note the proposal for planting to soften the appearance of the railings, however this would not sufficiently mitigate the harm to the spacious character of the area, where the front gardens of properties in the immediate context of the appeal site are generally open.
8. I appreciate that No 2 Greenfields has an adjacent fence and hedging that faces Alderton Hall Lane. Nevertheless, this encloses the rear garden of the neighbouring property and it would not justify the erosion of the open aspect to the front of No 8 Alderton Hall Lane. Furthermore, the nearby properties on the western side of Alderton Hall Lane do not face the road and so they are not viewed in the same context as the properties on the eastern side. Consequently, the boundary fence, wall and gate of those properties would not justify the metal fence at the appeal property.
9. I acknowledge the appellant's need to provide security, however the development is not the only method of providing security, and for these purposes I do not consider that it is necessary to enclose the land to the front of the dwelling. I therefore attach limited weight to this consideration.
10. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the street scene. The Council has referred to saved Policy DBE10 of the Epping Forest District Local Plan Alterations 2006, however I do not consider this to be directly relevant as it relates to residential extensions. Nevertheless, the proposal would be contrary to Policy DM9 of the emerging Epping Forest District Local Plan Submission Version 2017, which states that all new development must achieve a high specification of design and contribute to the distinctive character and amenity of the local area. It would also be contrary to chapter 12 of the National Planning Policy Framework, which states, amongst other things, that planning decisions should ensure that developments are sympathetic to local character.

Conclusion

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

C Osgathorp

INSPECTOR