

Appeal Decision

Site visit made on 25 November 2020

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2021

Appeal Ref: APP/J1535/D/20/3258545

163 Roding Road, Loughton IG10 3BS

- 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 Mark Anthony against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/1205/20, dated 3 June 2020, was refused by notice dated 5 August 2020.
 - The development proposed is described as 'extension to a garage at the end of the property so that the garage door will open on to the pavement. At the moment the garage is set back 3m from the edge of the property boundary and I wish to create more space and a more secure entrance to the road to allow for bicycle access directly from the garage'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed garage extension on the character and appearance of the street scene.

Reasons

3. The appeal property is an end-of-terrace dwelling in a residential area similarly laid out in terraces. It is located on a corner plot next to the junction of Roding Road with Southern Drive. The side garden boundary of No 163 runs along Southern Drive while the end garden boundary and existing garage is adjacent to the side on No 1 Southern Drive, which is also part of a terrace.
 4. The garage is positioned on a similar alignment to No 1, although the front building line is slightly forward of the neighbouring dwelling. No 1 and the terrace of which it is part has a mono-pitch roof between the ground and upper floors and the pitch and appearance of this is replicated by the roof of the garage at No 163. As such, there is a degree of visual continuity and uniformity between this terrace in Southern Drive and the outbuilding directly next to it.
 5. The proposed extension would bring the side of the garage forward to the boundary with the pavement and would include a new door to provide access. This would materially alter the relationship with No 1 and the terrace of which it
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is part. In particular, it would change the pitch of the garage's roof so that it would no longer replicate that of the adjacent terrace and would add substantive bulk forward of the terrace's front building line. As such, it would become a visually dominant rather than complementary feature to the terrace, which would appear incongruous and an unbalanced element in the street scene. Moreover, the relatively large door on the boundary directly next to No 1 would be an incongruous addition in this setting.

6. I accept the appellant's contention that a garage of similar height with a flat roof could be built as permitted development without the need to seek planning permission. However, it is not clear that the appellant would wish to replace the garage or that an extension with a flat roof would be practical given the existing form of the garage. Therefore, I give this limited weight as a credible 'fallback' to the proposal before me.
7. I have also had regard to the appellant's contention that there are other examples of garages with higher roofs, which border the street. However, no specific examples are provided and none are readily visible within the street scene surrounding the appeal property. I acknowledge that there were no objections to the proposal. However, given the permanent nature of the change proposed, the effects need to be considered in the long term, with regard to both current and future occupiers of neighbouring properties and those using the public realm.
8. I acknowledge that the National Planning Policy Framework (the Framework) requires the effective use of land¹, but it also requires decisions to ensure that developments are sympathetic to local character, including the surrounding built development². In this case, it has been found that the extension proposed would harmfully affect local character in conflict with the development plan. As such, the use of land for the intended purpose does not outweigh this permanent harm and does not alter the overall conclusion.
9. Therefore, for the reasons given, I conclude that the proposed garage extension would have an unacceptably harmful effect on the character and appearance of the street scene. Consequently, it is contrary to Policy DBE10 of the Epping Forest District Local Plan and Alterations, which requires residential extensions to complement the street scene. This policy reasonably applies in this instance given that the proposed extension is to a building incidental to a residential use. This policy is consistent with the Framework, particularly section twelve concerning good design.
10. The Council also refers to Policy DM9 of its Submission Version Local Plan 2017, concerning high quality design. The Framework indicates that weight may be given to relevant policies in emerging plans depending on a number of factors³. I accept that the plan is at a relatively advanced stage in its preparation following independent examination. As such, I give it weight for the purposes of determining this appeal and, therefore, the proposal is contrary to this policy also.

¹ Paragraph 117.

² Paragraph 127c).

³ Paragraph 48.

Conclusion

11. For the reasons given I conclude that that the appeal should not succeed.

J Bell-Williamson

INSPECTOR