



Appeal Decision

Site visit made on 9 February 2021

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2021

Appeal Ref: APP/J1535/D/20/3263982

Grindelwald, Middle Street, Nazeing, Waltham Abbey EN9 2LB

- 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 G Branch against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2033/20, dated 10 September 2020, was refused by notice dated 10 November 2020.
 - The development proposed is described as 'existing bungalow roof removed & proposed 1st floor & two storey side/rear extension and alterations to create two storey dwelling & single storey side extension to create garage/utility room. Existing garage to be demolished'.
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Decision

1. The appeal is allowed and planning permission is granted for 'existing bungalow roof removed & proposed 1st floor & two storey side/rear extension and alterations to create two storey dwelling & single storey side extension to create garage/utility room. Existing garage to be demolished' at Grindelwald, Middle Street, Nazeing, Waltham Abbey EN9 2LB in accordance with the terms of the application, Ref PL/EPF/2033/20, dated 10 September 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 development hereby permitted shall be carried out in accordance with the following approved plans: 14152-S001-1st and 14152-P001-B.
 - 3) The external surfaces of the development hereby permitted shall be finished in the materials specified on drawing No 14152-P001-B.
 - 4) The proposed window openings at first floor level in the eastern and western flank elevations shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition.

Application for costs

2. An application for costs was made by Mr G Branch against Epping Forest District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the availability of housing for people with accessibility needs.

Reasons

4. Emerging Policy H1 of the Epping Forest District Local Plan Submission Version 2017 (the LPSV) resists the loss of bungalows. The LPSV identifies a requirement for accessible housing in the District and it states that the needs of those with accessibility needs, including older people, can be supported by bungalow accommodation. The Council considers that bungalows can play an important role because of their potential ease of adaptation such that they can provide choice for people with accessibility needs. The LPSV has not been adopted and so Policy H1 could be subject to further modification, however it attracts some weight.
5. The Council refers to the existing property as a bungalow, however the accommodation is situated on 2 floors rather than one level, which restricts its contribution towards the provision of accessible housing. The ground floor includes a living room; dining room; kitchen; study and W.C. A staircase provides access to 2no bedrooms on the first floor. I saw that the W.C. on the ground floor is very restricted; the staircase is steep, and the landing at the top is narrow. Consequently, I find the contribution of the existing dwelling towards the availability of accessible housing to be negligible.
6. The proposed development would provide improved circulation space due to the large hall and landing. Furthermore, there would be a large bathroom at first floor and other W.C's on the ground and first floors. The provision of W.C's on each level would be more accessible for residents than the current situation where there is only a W.C. on the ground floor. Accordingly, the proposed development would be more accessible for occupiers than the existing dwelling.
7. In respect of the mix of housing, the proposal would provide a larger family house and there is no substantive evidence before me to show that this would be harmful to the housing needs of the community. The LPSV specifically refers to bungalows in terms of supporting the needs for accessible housing.
8. For the above reasons, I conclude that the proposed development would not be harmful to the availability of accessible housing. The proposal would therefore accord with the objectives of emerging Policy H1 of the LPSV. It would also meet the objectives of Chapter 5 of the National Planning Policy Framework (the Framework), which seeks the delivery of a sufficient supply of homes that addresses the needs of groups with specific housing requirements.

Other Matter

9. I have had regard to the comments from a local resident, the Parish Council and the Council's Tree and Landscape Officer regarding the removal of trees at the site. However, the Council states that the removed trees were not protected by a tree preservation order.

Conditions

10. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty.
11. A condition to require the external surfaces of the proposed development to be finished in the materials shown on the proposed plan is necessary to maintain the character and appearance of the area.
12. A condition to require the proposed window openings at first floor level in both flank elevations of the dwelling to be fitted with obscured glass and fixed closed to a height of 1.7 metres above the floor of the room in which it is installed is necessary to protect the privacy of the occupiers of neighbouring properties.
13. The plans indicate that the only change to landscaping at the site consists of a small patio to the rear of the dwelling. The proposal would have no impact on trees as there are currently none that are close to the dwelling. Therefore, the Council's suggested conditions relating to surface water disposal and details of a proposed landscaping scheme are not necessary or reasonable and so would not meet the tests in paragraph 55 of the Framework.

Conclusion

14. For the above reasons, I conclude that the appeal should be allowed.

C Osgathorp

INSPECTOR