
Appeal Decision

Site visit made on 25 May 2021

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd June 2021

Appeal Ref: APP/J1535/D/21/3271444

The Barn, Rats Lane, Loughton, IG10 4AQ

- 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 Andrew Goad against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0121/21, dated 15 January 2021, was refused by notice dated 11 March 2021.
 - The development proposed is renovation and extensions including a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for renovation and extensions including a two storey side extension at The Barn, Rats Lane, Loughton, IG10 4AQ in accordance with the terms of the application, Ref PL/EPF/0121/21, dated 15 January 2021, 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: 382-PL-02, 382-PL-03 and 382-PL-04.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. 382-PL-04.
 - 4) Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/Arboricultural Method Statement reports and Tree protection shall be installed as shown on Moore Partners Ltd drawing number CA/BARN/01 dated 08/01/2021 unless the Local Planning Authority gives its prior written approval to any alterations.

If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another

tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

Preliminary Matters

2. The appeal site is located within the Metropolitan Green Belt. The Council has identified no conflict with the development plan in this regard and considers that the proposal would involve a limited extension that does not constitute inappropriate development in the terms of the National Planning Policy Framework. I have no reason to take a different view on this matter.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. Despite its name, the existing property does not resemble a barn and in fact comprises of a dormer style bungalow with a basement underneath. Whilst pleasant enough, it presents a modest and unremarkable appearance. It stands within a spacious and verdant terraced plot with large amounts of trees and landscaping. This is consistent with other plots in this part of Rats Lane, many of which accommodate houses that appear larger and of varying designs and materials.
5. Policy DBE10 of the Epping Forest District Local Plan (1998) (LP) seeks to ensure that residential extensions complement and, where appropriate, enhance the appearance of the streetscene, the existing building and the Green Belt. It also provides detail on how this will be achieved and consideration of the factors listed has clearly taken place having regard to the submitted Planning, Design and Access Statement and other appeal documents.
6. The development would not fully align with all the guidance contained in the supporting text to the policy but this very detailed and prescriptive design advice does not fit well with every proposal and should not be applied too rigidly. It is not, after all, part of the policy wording and its application is not necessary in every case to achieve the aims of the policy. This proposal is one such case.
7. The proposed development is design led and seeks to improve the appearance of the existing building through the addition of a contemporary two storey extension. This would be accompanied by alterations to the existing building to ensure that the building is read as a consistent whole. The extension would be sizeable, but the plot is more than spacious enough to accommodate the addition whilst retaining important trees and landscaping and a sense of spaciousness. The resulting size and height of the building would not be at odds with that of surrounding buildings and the overall appearance of the development would be of a modern and well-conceived dwelling, contributing positively to the mixture of varied properties in this Green Belt location, as well as the streetscene overall.
8. For the above reasons, I find no conflict with Policy DBE10 of the LP or with Policy DM9 of the emerging Epping Forest District Local Plan (Submission Version) (2017), which seeks a high specification of design that contributes to the distinctive character and amenity of the local area, amongst other things.

Other Matters

9. Whilst some noise and disturbance may result to neighbouring occupants during the course of development, this would be short term during the period of construction and would not unacceptably harm living conditions.

Conditions

10. In addition to the standard three year time period for commencement of development, I have attached a condition specifying the approved plans in the interests of certainty and proper planning.
11. I have not attached a condition requiring the development to use materials matching those of the existing building as requested by the Council since the materials specified by the appellant are clearly different to the existing building and are an important component of the design. Instead, I have attached a condition which requires use of the materials specified on the submitted plans, which is sufficient to ensure an appropriate appearance for the development.
12. The existing trees within the site make an important contribution to the character of the area and it is necessary to impose a condition requiring protection of those to be retained.
13. I have not imposed the Council's suggested condition requiring the removal of material excavated from below ground level as no justification for such a requirement has been provided that would allow me to establish necessity in accordance with the relevant tests for conditions. Nor does it seem likely that this would be a particular issue in this case.

Conclusion

14. In light of the above, the appeal is allowed.

Michael Boniface

INSPECTOR