



Appeal Decision

Site visit made on 13 September 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2021

Appeal Ref: APP/J1535/D/21/3274507

147 Lambourne Road, Chigwell, Essex IG7 6EJ

- 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 Dev Patel against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0066/21, dated 6 January 2021, was refused by notice dated 9 March 2021.
 - The development proposed is described as an extension to the first floor bedroom and alteration to the existing dormer to the rear bedroom to provide a balcony.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the application was determined, the National Planning Policy Framework 2021 ('Framework') has been published. I have therefore considered this scheme against, amongst other things, its policies, whose broad stance on the main issues in this appeal is similar to the now superceded version.

Main Issues

3. The main issues are the effect of the proposed development on:
 - The character and appearance of the host property and the area; and
 - The living conditions of adjacent occupiers, with particular regards to overlooking.

Reasons

Character and appearance

4. The host sits well back from the buildings which front on to Lambourne Road, and to the east of the nearest dwellings on Whitehall Close. It comprises a bungalow with a fairly simple form, and principally hipped or half-hipped roofs. Its first floor accommodation is contained within the roofspace, with a dormer window to the front and rear.
5. The proposed bedroom extension to the front of the property would be faced in matching materials, and it would have a half-hipped roof. However, its roof pitch would be significantly steeper than the host, and its ridge would be at 90

degrees to the main roof line. Given its length, particularly at roof level, and its front-facing first floor wall, it would add significant mass to the host property; and its form would be at odds with it.

6. The proposed flat roofed dormer either side of the front extension would add further mass and, in combination with that extension, would result in a complex roof form, with awkward junctures between the various elements. That discordant relationship would also be evident to the side of the property, where 'side elevation 2' on drawing no. 2002/2 depicts that the side of the dormer would be contiguous with the host's side wall, thus giving that part of the building a bulky, flat roofed two storey form.
7. Policy DBE10 of the Epping Forest District Local Plan Alterations 2006 ('EFLP') sets out that extensions will be required to complement and, where appropriate, enhance the appearance of the streetscene and the existing building, by paying close attention to matters including scale, form, elevations, roof treatment and setting.
8. For the reasons above, whilst this building is not prominent in the streetscene, as the design would not complement the host, the scheme would conflict with that policy. It would also conflict with the more general stance in EFLP Policy CP2 to safeguard the townscape, and with the Framework's approach to good design in paragraphs 126 and 130.
9. Whilst it would also fail to accord with the similar approach in Policies DM9 and DM10 of the Epping Forest District Local Plan Submission Version 2017 ('EFLPSV'), as those policies do not form part of the development plan, I have given them limited weight in my decision.

Living conditions

10. The host's existing rear dormer, and its proposed front extension, would be provided with balconies. The outlook from these would be principally down the property's own garden and its driveway. However, whilst a degree of overlooking is common in residential areas such as this, as a result of this scheme there would also be scope for an elevated view looking down into some nearby end sections of the adjacent long private gardens on Whitehall Close and Lambourne Road.
11. Those views would be partially restricted by existing trees, fences and outbuildings, and the appellant has offered to provide obscure glass screening if necessary. However, I have no such details before me. In the absence of that, from the evidence before me, I cannot be certain that there would not be a harmful degree of overlooking of adjacent properties from these elevated outdoor positions, to the detriment of those neighbouring occupiers' living conditions.
12. On this issue the scheme would therefore conflict with those parts of EFLP Policies CP7 and DBE9 which seek to prevent a loss of amenity, having regard to matters such as overlooking. It would also conflict with the Framework's requirement at paragraph 130 to provide a high standard of amenity, and with the broadly similar approach in EFLPSV Policy DM9(H).

Planning Balance and Conclusions

13. I have found that the scheme would harm the character and appearance of the host property and, on the basis of the information before me, would also harm adjacent occupiers' living conditions.
14. The scheme would conflict with the development plan and, having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR