



Appeal Decision

Site Visit made on 28 September 2021

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th October 2021

Appeal Ref: APP/J1535/D/21/3268792

11 Tower Road, Epping CM16 5EL

- 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 & Mrs Rob Jones against the decision of Epping Forest District Council.
 - The application Ref EPF/2500/20, dated 25 October 2020, was refused by notice dated 21 December 2020.
 - The development is described as a "proposed loft conversion with rear dormer, velux windows and 3 No petite dormers facing east".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appellant's appeal, the revised National Planning Policy Framework (the Framework) was published and came into force on 20 July 2021. Whilst I have had regard to the revised Framework as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
3. I note the references to the Epping Forest District Local Plan Submission Version 2017 (LPSV), which is at an advanced stage of examination. I am not aware of any unresolved objections to policy DM10 cited on the decision notice in relation to residential extensions. Significant weight can therefore be accorded to this policy in the determination of this appeal.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site contains a detached two storey dwelling that is located within an area that is primarily residential in character. Although there is no prevailing architectural style that characterises the area, the vast majority of properties are detached dwellings that face onto the road and are arranged side to side in a linear manner. The appeal property differs as a result of its location on the corner of Tower Road as it bends northwards. Consequently, the side elevation of the appeal property faces west onto No. 9 Tower Road and its rear elevation faces north onto

13 Tower Road. As a result, the existing dwelling prominent in the street scene and both sides of its roof are readily visible from the public domain.

6. The proposal seeks to convert the loft space through the insertion of three dormer windows on the east elevation and a box type dormer with a rooflight either side on the western elevation. The proposed loft conversion would introduce a large amount of development on both sides of the roof. The differing size and type of dormer results in an unbalanced and somewhat cluttered and top heavy design that would appear as bulky and incongruous additions when view from the public domain. This would alter the appearance of the dwelling so that it would be markedly out of keeping with the majority of properties on Tower Road and those within close proximity to the appeal site, resulting in material harm to the established character and appearance of the area.
7. I noted that some properties in the vicinity of the appeal site had benefitted from roof extensions through the insertion of dormer windows. However, those that I observed had been placed in the side elevation of the roof plane and were largely obscured from view as a result of the linear layout of properties. Therefore, they do not have the same prominence in the street scene as the appeal proposal.
8. Thus, the development would result in harm to the character and appearance of the area. It would be in conflict with Policy DBE10 of the Epping Forest District Council Local Plan 1998, Policy DM10 of the LPSV and paragraph 130 of the Framework which seek, amongst other things, to ensure that developments complement and where appropriate, enhance the appearance of the street scene.

Other Matters

9. I acknowledge that paragraph 120¹ of the Framework states that planning policies and decisions should, amongst other things, allow upward extensions. However, such extensions should be consistent with the prevailing height and form of neighbouring properties and the overall street scene. For the reasons as set out above, I do not find that to be the case in this instance.
10. The appellant refers to a development approved by the Council at 32 The Avenue, Loughton². However, I have not been provided with the approved drawings for this development to enable me to make a direct comparison between that approved by the Council and the appeal proposal before me. In any event, I have considered this appeal on its own merits which is a fundamental principle that underpins the planning system.
11. Reference has also been made to the potential to carry out elements of the scheme as 'permitted development'. However, whether or not planning permission is required for the proposal is not a matter that is before me as part of this appeal, as other mechanisms exist to resolve such issues.

Conclusion

12. Thus, I conclude that there are no material considerations of such weight as to indicate that a decision be taken other than in accordance with the development plan. Therefore, the appeal is dismissed.

Graham Wyatt

INSPECTOR

¹ Previously paragraph 118

² EPF/2541/19