



Appeal Decision

Site visit made on 2 November 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 25 November 2021

Appeal Ref: APP/J1535/D/21/3277184

35 Oak Lodge Avenue, Chigwell IG7 5JA

- 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 Ola Akinboh against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0457/21, dated 17 February 2021, was refused by notice dated 21 May 2021.
 - The development proposed is the erection of a ground floor rear extension, first floor front side & rear extension, loft conversion with a rear and side dormer, including new terraced areas.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) character and appearance of the host property and the streetscene, and (b) the living conditions of the occupiers of 37 Oak Lodge Avenue.

Reasons

Character and Appearance

3. The appeal property is a 2-storey dwelling located within a predominantly residential area. Adjacent to the property are dwellings of a similar form and design as the property. Several of these dwellings have been altered, including by side extensions at first floor level, hip to gable roof extensions and front additions of varying designs.
4. The proposed development includes a single storey front addition and a first floor side extension. In principle, these additions would not detract from the existing character and appearance of the streetscene because of the other extended semi-detached dwellings of similar form and design. However, unlike these other alterations the appeal scheme includes a crown roof and a side facing dormer. These elements would not complement the character and appearance of the existing property and are not a characteristic of the other altered dwellings within the streetscene. The combination of the crown roof and side facing dormer would result in an unduly bulky and visually prominent form of development when viewed from the road.

5. Further, the significant scale of the proposed development, which also includes a large rear extension, would represent a substantial increase in the size of the property. By reason of its scale, the appeal scheme would not complement the host property by being a subservient addition.
6. On this issue it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the streetscene and, as such, it would conflict with Policies CP2 and DBE10 of the Epping Forest District Local Plan (as Altered) (LP). Amongst other matters, these policies seek to safeguard the townscape of urban areas and for extensions to complement the appearance of the streetscene and the existing building.

Living Conditions

7. The 2-storey flank wall of the proposed side/rear extension would be sited approximately 1 metre away from the shared boundary with 37 Oak Lodge Avenue. This neighbouring property has been altered by the addition of a first floor side extension and a rear single storey addition.
8. Within the first floor extension of No. 37 there is a rear window which the evidence identifies as serving a landing. A first floor bathroom window within this dwelling's side elevation was noted during the site visit. At ground floor level there is a patio window within the addition serving a habitable room.
9. A 2-storey flank wall associated with the proposed side/rear extension would project about 4.1 metres beyond the original rear elevation of No. 37. A single storey flank wall would then extend about 1.1 metres further rearwards. However, by reason of orientation, the size and massing of the proposed single/2-storey extension would not materially affect levels of daylight and sunlight reaching the rear windows of No. 37.
10. By reason of siting, the outlook from the ground floor opening of No. 37 would not be materially altered by the proposed development. There would be a view towards the single storey flank wall rather than the 2-storey side elevation of the side/rear extension. Although there would be a change in the outlook from the first floor windows, these openings serve non-habitable rooms.
11. The proposed 2-storey side/rear extension would be seen from the garden of No. 37 but this addition would be viewed against the context of the alterations already undertaken to this neighbouring dwelling. As such, the proposed extension would not be either an unacceptably overbearing or a visually dominant form of development which would result in an excessive reduction in the living conditions of the occupiers of No. 37. The modest difference in ground level between No. 37 and the appeal property does not alter this assessment.
12. For the reasons given, the proposed development would not cause unacceptable harm to the living conditions of the occupiers of 37 Oak Lodge Avenue and, as such, it would not conflict with LP Policy DBE9 which, amongst other matters, refers to extensions not causing an excessive loss of amenity for neighbouring properties, including by reason of visual impact.

Conclusion

13. Although unacceptable harm would not be caused to the living conditions of the occupiers of 37 Oak Lodge Avenue this matter is significantly and demonstrably outweighed by the unacceptable harm caused to the character and appearance of the host property and the streetscene. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR