



Appeal Decision

Site visit made on 1 December 2021

by Mark Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6TH December 2021

Appeal Ref: APP/J1535/D/21/3282057

17 Weald Bridge Road, North Weald Bassett, Epping CM16 6ER

- 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 Keith Daughters against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/1234/21, dated 30 April 2021, was refused by notice dated 25 June 2021.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The National Planning Policy Framework (Framework) was revised on 20 July 2021. It replaces the version from 2019 that the Council took into account when it determined the planning application. The appellant provided comments on the current version of the Framework with the grounds of appeal. In any event, there are limited differences between the 2 versions of the Framework in respect of the specific issues in contention, and so it has not been necessary to seek further views from the parties regarding this matter.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of 19 Weald Bridge Road, with particular regard to outlook.

Reasons

4. The appeal site includes a bungalow that adjoins the residential property at No 19. The rear extension is proposed close to the shared boundary with the neighbouring property. A brick wall and close boarded fencing are located along the boundary. The extension would be 4.5 metres in depth, 3.5 metres in eaves height and 4 metres in overall height according to the Council.
5. The dwelling at No 19 features full length glazed doors and windows close to the site's boundary and thus the proposal. It has a modestly sized garden. The extension would project significantly above the boundary wall and fence. As a result of the siting, height and depth of the extension, outlook from the rear of the dwelling at No 19, and particularly the room nearest the boundary, would be significantly affected. Outlook from No 19's garden immediately to the rear of the dwelling would also be harmed. The proposal would reduce outlook to the extent that No 19 would feel enclosed and the development would be

overbearing. The mostly flat roof design of the extension would not overcome these impacts.

6. I find that the proposal would have a significantly harmful impact on the living conditions of the occupiers of No 19 in respect of outlook. It thus conflicts with Policy DBE9 of the Epping Forest Local Plan and its subsequent Alterations, which requires that development would not result in an excessive loss of amenity for neighbouring properties.
7. The proposal also conflicts with Policy DM9 of the Epping Forest District Local Plan Submission Version, which is currently subject to examination and expects proposals to avoid overbearing or overly enclosed development that materially impacts on the outlook of neighbouring properties. Having regard to the stage of the examination and the appointed Inspector's interim advice following the hearing sessions, this conflict attracts significant weight.

Other Matters

8. The appellant contends that the extension would be a moderate and congruous addition to the site and I note that the Council did not object on character and appearance grounds. However, the proposal would nevertheless significantly harm the living conditions of the occupiers of No 19 for the reasons set out above.
9. I acknowledge that the Framework is supportive of effective, efficient and optimal use of land, housing that meets different needs, the development of small sites and the avoidance of low density schemes and underutilised land. However, the proposal would not increase housing supply and the land would not be used effectively or efficiently because of the harm identified. Moreover, these matters do not outweigh the conflict with the development plan.

Conclusion

10. For the above reasons, the appeal is dismissed.

Mark Philpott

INSPECTOR