
Appeal Decision

Site visit made on 26 November 2021

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2021

Appeal Ref: APP/J1535/D/21/3278832
84 Goldings Road, LOUGHTON, IG10 2QN

- 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 Jack Warner against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2831/20, dated 26 November 2020, was refused by notice dated 20 April 2021.
 - The development proposed is the construction of a single-storey rear extension with a raised terrace.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single-storey rear extension with a raised terrace at 84 Goldings Road, LOUGHTON, IG10 2QN in accordance with the terms of the application, Ref PL/EPF/2831/20, dated 26 November 2020, and the plans submitted with it, 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: W.6.A, W.6.B, Location Plan, Block Plan.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is the effect of the proposed extension and terrace on the living conditions of the occupiers of No 82 Goldings Road by way of light and outlook.

Reasons

3. The appeal property (No 84) is a semi-detached house situated on the southern side of Goldings Road. Along with the adjoining No 82, it is set much closer to the road than the properties on either side and it has a very long, south-facing rear garden. No 84 currently has a rear conservatory extension which has a flat roof and a depth of around 2 metres. Because of the slope of the site down from front to back, the conservatory is around 1.6 metres above the garden level below, to which it is connected by an external staircase.

4. The adjoining No 82 has a rear conservatory extension of the same depth as that at No 84 but with a mono-pitch roof. In addition, it has a raised terrace with a depth of a little over 2 metres beyond the conservatory. The raised terrace has a privacy screen along the boundary with the appeal property that has a height of around 1.8 metres.
5. The Council contends that the proposed extension and privacy screen, by reason of its scale and siting, would have an excessively overbearing impact when viewed from the rear garden and habitable room windows of No 82 Goldings Road, leading to a significant increase in the sense of enclosure and loss of light for occupants of the property. However, the Officer's Report indicates that, while the proposal would extend 1m beyond the rear building line of No 82, this in itself would not give rise to any significant loss of light nor would it appear as particularly overbearing when viewed from the rear garden and habitable rooms of this property. I concur with this view, and the issue of any potential harmful effect on light and outlook from the proposal, therefore, relates to the proposed privacy screen.
6. The appellant notes that there is already an existing raised terrace at No 82, beyond the current rear elevation of the two properties, which has a privacy screen along the boundary between the two properties.
7. Policy DBE2 of the Council's Combined Policies Local Plan and Alterations (LP) indicates that planning permission will not be granted for new buildings which have a detrimental effect upon existing neighbouring properties in amenity terms. Policy DBE9 indicates that the Council will require that an extension does not result in an excessive loss of amenity for neighbouring properties with regard to visual impact and loss of sunlight/daylight.
8. The proposed development would involve the construction of a new conservatory across the rear elevation of the appeal property. This would have a mono-pitch roof similar to that of the conservatory at No 82, and would extend a further 1 metre beyond the rear elevation of the existing conservatory at No 84. The proposed raised terrace beyond the conservatory would have a depth of a little over 2 metres along the boundary with No 82, extending to around 3 metres depth from a point around 3.5 metres away from that boundary.
9. Given that there is a boundary privacy screen, a little over 2 metres in depth, already in place at No 82, the net effect of the proposed raised terrace at the appeal property would be a 2 metre high privacy screen at No 84 projecting only a little over 1 metre beyond the screen currently existing at No 82. I do not consider that the very limited scale of this development would have any significant adverse effect on the outlook from the rear of No 82, particularly given the extensive depth of the rear gardens at the properties and the open views to the south at the rear.
10. No 86 Goldings Road is a two-storey house set much further back in the plot than Nos 84 and 82. I have no details from either party as to sunlight and daylight factors across the appeal property and No 82, but from my site visit it would appear unlikely that the proposed privacy screen at No 84 would have any significant detrimental impact on light currently received at the rear of No 82, particularly given the open southerly aspect of the two properties, and the scale and location of the house at No 86 to the south-west.

11. In conclusion, I find that the proposed extension and raised terrace would not have an excessively overbearing impact when viewed from the rear of No 82 Goldings Road, or lead to a significant increase in the sense of enclosure and loss of light for occupants of that property. On this basis, it would not be harmful to the living conditions of the occupiers at No 82, and it would not conflict with Policies DBE2 or DBE9 of the LP.

Conditions

12. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to materials in the interests of the visual amenities of the area.

J D Westbrook

INSPECTOR