

Appeal Decision

Site visit made on 23 June 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6TH July 2022

Appeal Ref: APP/J1535/D/22/3298533

Penaj, Hamlet Hill, Roydon Hamlet, Nr Harlow, CM19 5JU

- 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 Christopher Guillet against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2455/21, dated 9 September 2021, was refused by notice dated 16 February 2022.
 - The development proposed is a mesh barrier bolted onto the side of a flat roof single-storey extension, made of galvanised steel (1.80 metres high by 3.00 metres long).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description that was given on the decision notice and which was repeated on the appeal form as this is accurate but is more succinct than the description that was given on the application form.
3. The planning application was made retrospectively but at the time of my visit only the support frame for the mesh barrier was in place.

Main Issue

4. The appeal site is located within the Green Belt. The Council does not consider the proposal to be inappropriate development within the Green Belt. I have no reason to disagree and am satisfied that the proposal would not amount to an alteration to the building that would result in disproportionate additions over and above the size of the original building. The main issue therefore is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property is a detached, two-storey dwelling within a ribbon of development to the north side of Hamlet Hill. The property is positioned approximately 1m away from the plot's boundaries to either side and has a single-storey, flat roof extension to the rear, across the full width of the dwelling. The proposal is to erect a galvanised steel mesh barrier to the east

side of the 3m deep rear extension, projecting above the flat roof by 1.8m. It would be held in place by steel supports which are bolted to the side wall of the extension.

6. The appeal property is typically residential in form and appearance, as are the other dwellings along this part of Hamlet Hill, despite the wide range of types and styles. Penaj has a particularly close relationship with Rivar to the east and is separated from it by an approximate 1.8m high timber close-boarded fence along the side common boundary adjacent to the flank wall of the house and extension.
7. Although not erected, I saw the barrier during my visit and I have taken note of photographs supplied that show it in-situ. Rather than appearing as a typical domestic balustrade designed to complement the style of the dwelling, the barrier has a harsh and somewhat industrial look about it. I appreciate that the mesh installation would be out of sight from public views, but it would be clearly seen from the garden and rear outlook at Rivar, rising above the height of the extension and in close proximity. If installed, the galvanised steel finish and reasonably tight mesh would appear as an alien and incongruous addition to the rear extension which is otherwise in-keeping with the residential character of the setting. This would be harmful to the residential character and appearance of the area.
8. By failing to enhance the appearance of the existing building the proposal would be contrary to Policies CP2 and DBE10 of the Epping Forest Local Plan (1998) and Alterations (2006) which seek to ensure that residential extensions respect and/or complement the form, setting and detailing of original buildings and the character of the local area. There would also be conflict with the emerging Policies DM9 and DM10 of the Epping Forest District Local Plan Submission Version 2017, to which I have attributed some weight. These take a similar approach in terms of the quality of design and respect for original buildings and local context.
9. I recognise that there has been some support for the barrier by some local residents and I appreciate the appellant's desire to secure his safety and well-being from alleged actions by others, and rubbish/debris depositing upon the roof of the extension. However, the weight I attach to these factors does not outweigh the harm that I have identified.

Conclusion

10. For the reasons given, I find that the proposal would be harmful to the character and appearance of the area. By failing to protect or enhance the built environment, and due to the conflict I have identified with the development plan, it would not achieve a sustainable development and therefore the National Planning Policy Framework's presumption in favour of sustainable development is not invoked. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR