



Appeal Decision

Site visit made on 11 July 2022

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2022

Appeal Ref: APP/J1535/W/21/3283343

36 Spareleaze Hill, Loughton IG10 1BT

- 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 Shan against the decision of Epping Forest District Council.
 - The application Ref EPF/1705/21, dated 18 June 2021, was refused by notice dated 27 August 2021.
 - The development proposed is the demolition of the existing detached dwellinghouse. Erection of a new build detached replacement dwelling with rear landscaping and alterations to the front fenestration and driveway.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit, the appeal site had been cleared and the dwelling demolished. I have considered the appeal on the basis of the submitted drawings.
3. The Council refers to policies from the Epping Forest District Local Plan Submission Version 2017 (LPSV). I note that the LPSV has been submitted for examination, that the hearings have taken place and that the Inspector has advised on the necessary main modifications to enable soundness issues to be addressed. I am not aware that the Inspector commented on the relevant policies in this case concerning design quality. As such, they can be given significant weight for the purposes of this appeal in accordance with paragraph 48 of the National Planning Policy Framework (the Framework).

Main Issue

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

Reasons

5. Spareleaze Hill is characterised by large-detached dwellings set back from the road by well-sized gardens and driveways. Whilst most dwellings are individual in style, form and use of materials there is a significant degree of consistency to the area given the traditional appearance of the dwellings. The area has a pleasant suburban quality that is reinforced by mature landscaping to the front of the majority of dwellings.
6. The proposed house would have a contemporary appearance. It would include full height glazing at first-floor level, a large central rooflight to the front as

well as vertical timber cladding and louvres. The area has no prevailing house style but the proposal would be viewed alongside other dwellings that are typically more traditional in appearance, particularly in respect of the amount of glazing and window styles. Additionally, properties nearby have predominantly more balance and less bulk and mass at first-floor and roof-level than the proposal. The sharp contrast between the contemporary design and materials of the development and the more traditional architectural styles of nearby dwellings would be an unsympathetic and harmful change to the street scene.

7. The appellant has submitted drawings to illustrate the difference between a previously approved scheme for the site and the proposed development. There are notable differences. The previous scheme was for the alteration of the original building whereas this proposal is seeking a new dwelling. Moreover, the previous scheme would have a significantly different design in terms of fenestration and roof arrangement. In particular, the current proposal would include large panes of glass compared to the approved scheme where windows would be of a more traditional design with smaller panes and vertical subdivision. Therefore, the approved scheme is materially different to the proposal before me and so it does not set a precedent that I am bound to follow in the determination of this appeal.
8. Examples of contemporary developments considered comparable to the appeal scheme are referred to by the appellant. One of these was allowed on appeal at No 13 Sparelease Hill (appeal reference number APP/J1535/W/20/3253711). Whilst noting the Inspector's conclusions in that appeal, the original building was a bungalow in an area of predominantly larger dwellings. In this regard, it is materially different to the appeal proposal.
9. From my observations of the area, many properties on Sparelease Hill maintain a traditional design. There are a small number of more contemporary designed properties in the wider locality but these are not within view of the appeal site. The existence of other contemporary housing within the wider area does not justify development that fails to take account of its specific context.
10. The proposed dwelling would keep to the general building line formed by houses on this side of the road. It would sit within a large plot and adequate distance from adjacent dwellings to avoid appearing cramped and benefit from parking to the front and a large rear garden. I find the proposed plot size would be acceptable and in-keeping. Also, the house would include 2 gable projections to provide a symmetrical frontage. However, these acceptable aspects of the proposal would not address or overcome the identified incongruity.
11. For these reasons, I conclude the development would harm the character and appearance of the area. As a result, it would be contrary to policies CP2, CP7 and DBE1 of the Epping Forrest District Local Plan 1998, Policy DM9 of the LPSV and the Framework. These seek, amongst other things, high-quality design which respects the character of the local area.

Other Matters

12. I have had regard to matters raised by interested parties in relation to the harmful effect upon the Epping Forest Special Area of Conservation (the SAC).

However, as I am dismissing the appeal no further assessment on the effect of the proposal on the SAC is necessary.

13. Specific details on the use of sustainable lower energy materials have not been supplied. Nevertheless, even if these were provided I am unconvinced that any benefits would overcome the identified harm.
14. I have had regard to the appellant's concerns over a lack of communication from Council officers. However, such matters do not alter my assessment of the appeal.

Conclusion

15. The proposal conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
16. Therefore, I conclude the appeal should be dismissed.

A Hickey

INSPECTOR