



Appeal Decision

Site visit made on 16 August 2022

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/J1535/D/22/3296395

12 Carroll Hill, Loughton, Essex, IG10 1NJ

- 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 Russell Huntley against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0054/22, dated 8 January 2022, was refused by notice dated 17 March 2022.
 - The development proposed is ground and first floor extensions and new pitched roof.
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Decision

1. The appeal is allowed and planning permission is granted for ground and first floor extensions and a new pitched roof at 12 Carroll Hill, Loughton, Essex, IG10 1NJ in accordance with the terms of the application, Ref PL/EPF/0054/22, dated 8 January 2022, subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 709/1; 709/2; 709/9; 709/10; 709/11.

Reasons

2. The main issue in this appeal is the effect of the proposed development on the availability of housing for people with accessibility needs and the range and mix of dwellings in the district. The development plan includes policy H4A in the Epping Forest District Local Plan & Alterations (1998 & 2006) (LP) which seeks to ensure that an adequate range and mix of dwellings is maintained, in order to maintain the stock of smaller dwellings in recognition of the needs of the ageing population and the increasing affordability problems within the district.
3. The Council's decision also refers to policy H1 F in the Epping Forest District Local Plan Submission Version 2017 (LPSV) which seeks to resist the loss of bungalows and specialist accommodation to meet the needs of those with accessibility needs. Although the inspector in the previous appeal at this site (APP/J1535/D/21/3267297 which was dismissed for other reasons) found that it was not relevant and applied only to new builds, inspectors in other similar appeal cases have found that it was relevant. Although the other parts policy H1 relate to new build housing, part F does not refer to any particular type of development and I therefore consider that it is relevant to this case.

4. I have noted that, although not yet adopted by the Council as part of its development plan, the LPSV has been through the examination process and has reached a very advanced stage. I am aware that no material changes to that part of policy H1 are proposed under the main modifications and it is generally consistent with national policy in the National Planning Policy Framework which seeks to ensure that the needs of groups with specific housing requirements are addressed in the supply of homes, including older people and people with disabilities. I have therefore attached substantial weight to this emerging policy which is an important material consideration.
5. The appeal site is located within a residential area of mainly large detached dwellings. It comprises a detached bungalow which has been built into the slope of the site on the steepest part of a steeply sloping road. There is an integral garage at ground floor with living accommodation on one level above that. The existing dwelling is of a modest size with three bedrooms and one bathroom.
6. The proposed development includes small ground floor extensions to the front and rear to increase the living accommodation and a new first floor extension providing a total of four bedrooms and two bathrooms.
7. The existing dwelling has an access drive on a sloping gradient and the front door is accessed by twelve steps directly from the footway. Therefore, despite the availability of living and bedroom accommodation on one level, it has very poor accessibility and very restricted potential for adaptation for those with limited mobility, including elderly people and those with disabilities and perhaps even those with very young children. Furthermore, the wider area is somewhat hilly and occupiers with limited mobility would be likely to be car dependent. It is clear then, that in terms of accessibility, the loss of the bungalow would not be harmful.
8. Although the Council says that emerging policy H1 F is not simply about ensuring a supply of accessible homes but also a mix of different size and type of dwellings (which echoes the objective of development plan policy H4A), I note that the emerging policy does not seek to resist the loss of smaller dwellings in general and that the supporting justification refers only to the role of bungalows in providing choice for people with accessibility needs rather than to any size or affordability criteria. In addition, the Council's officer's report focusses on the supply of housing for older residents.
9. Policy H4A does not define the size of smaller dwellings that it seeks to protect and I have no substantive evidence before me that would indicate the need for a particular size of dwelling in the district. In terms of bedroom numbers, given that the existing dwelling has three bedrooms it is a modestly sized rather than a small dwelling and the proposed development would result in only one additional bedroom. I am not persuaded then that the loss of this bungalow would be detrimental to the availability of smaller dwellings in the district.
10. The Council has referred to several other appeal decisions which were dismissed for the same reason. However, some of those were for significantly larger dwellings and from what I have seen, all of the decisions relate to sites which are located on generally level roads with reasonably level access from the road and as such have much better accessibility. They are not, therefore, directly comparable with this proposal and do not set a precedent for this case.

11. I conclude then that the proposed development would not harm the availability of housing for people with accessibility needs or the range and mix of dwellings in the district and would accord with the policies referred to above.

Other matters

12. The Council has not objected to the proposal in terms of any other matters and whilst I have had regard to its effect on the living conditions of neighbouring occupiers, on the basis of what I saw at my visit, I am satisfied that it would be acceptable in this regard.

Conditions

13. In addition to the standard commencement condition, a condition is necessary requiring that the proposal is carried out in accordance with the approved plans, in order to provide certainty. The external materials proposed in the application are acceptable given the mix of materials in the street and the contemporary style of the adjacent dwelling at no 14 and a condition requiring matching materials is therefore unnecessary.

Conclusion

14. For the reasons given above, I conclude that the proposed development would accord with the development plan and there are no material considerations that would outweigh this. The appeal should be allowed.

Sarah Colebourne

Inspector