

Appeal Decision

Site visit made on 19 July 2023

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th August 2023

Appeal Ref: APP/J1535/D/23/3322785

35 Barfields, Loughton, Essex IG10 3JH

- 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 Admir Permalaj against the decision of Epping Forest District Council.
 - The application Ref EPF/0695/23, dated 16 March 2023, was refused by notice dated 10 May 2023.
 - The development proposed is single storey ground floor front and rear extension, two storey side and part first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey ground floor front and rear extension, two storey side and part first floor rear extension at 35 Barfields, Loughton, Essex IG10 3JH. The permission is granted in accordance with the terms of the application Ref EPF/0695/23, dated 16 March 2023, 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 extensions hereby permitted shall be carried out in accordance with the following approved plans: D03 (ground floor plan), D04 (first floor plan), D06 (roof plan), D09 (elevations), D10 (elevations), D11 (section), D12 (block plan) and D13 (site location).
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal property is a two-storey semi-detached dwelling in a residential road of similar dwellings and short terraces. The surrounding area is residential in character.
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4. An extant permission exists for the same form of single storey front, side and rear extension as proposed here¹. Therefore, the principal consideration is the effect of the proposed upper storey side and rear extension, and any cumulative effects of the proposal as a whole.
5. Seen from the front, the upper storey side extension would be set back from the original front elevation, would be of limited additional width and would have a lower roof height than the two storey dwelling. As such, in public views from the road frontage, the upper storey extension would add limited bulk to the existing built form and would appear subordinate to it. The rear two storey element would be of proportionate depth to the scale of the existing dwelling and would have a lower roof height than that of the two storey dwelling. Despite the gap between the neighbouring dwellings, the rear extension would not readily be visible from the road frontage.
6. The ground floor extension would be built up to the shared boundary, but due to the more limited width of the upper storey element, the effects of the proposal as a whole would be proportionate to the scale of the host dwelling. As such, there would be no material harm arising to the character and appearance of the host dwelling.
7. The appeal property and the other semi-detached dwellings in this part of Barfields are largely uniform in their appearance and layout. Generous gaps exist between the paired dwellings, including between the appeal property and its neighbour, No 37. The gap between the side of the upper storey extension and the boundary would be 0.7 of a metre, which is only marginally less than the recommended gap of a metre. While there are no examples of similar extensions in this part of the street scene, the proposal would nonetheless appear subordinate to the host dwelling and a substantive gap would remain between Nos 35 and 37. Consequently, there is no basis to find that the proposal would result in a terracing effect or would otherwise be harmful to the character and appearance of the street scene.
8. Therefore, for these reasons, I conclude that the proposed extensions would not have a harmful effect on the character and appearance of the host dwelling and the surrounding area. Consequently, the proposal is not contrary to Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023), which requires all new development to achieve a high quality of design. There is also no conflict with the National Planning Policy Framework, which promotes well-designed places.

Other Matters

9. I have had regard to the representation made by Loughton Town Council, which largely concerns matters addressed under the main issue. Concerns about the current proposal setting a precedent for further development in the area cannot have a direct bearing on the outcome of this appeal. Any future development proposals would need to be considered on their merits against policies and circumstances pertaining at the time.
10. Concerns are also raised about the effects of the larger upper floor rear window and Juliet balcony on the living conditions of neighbouring occupiers. However,

¹ Ref EPF/0449/23.

direct views from this window would be towards the host dwelling's rear garden as is currently the case. As such, there is no basis to find that there would be any harmful overlooking of neighbouring properties and resultant loss of privacy.

Conclusion and Conditions

11. For the reasons given above it is concluded that the appeal should be allowed. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match those of the existing building is needed in the interests of the appearance of the host dwelling and wider area.

J Bell-Williamson

INSPECTOR