

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: 25 September 2023.

Appeal Ref: APP/J1535/D/23/3319476

77 Grosvenor Drive, Loughton, Essex IG10 2LA

- 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 Y Dyravvy against the decision of Epping Forest District Council.
 - The application Ref EPF/2650/22, dated 28 November 2022, was refused by notice dated 25 January 2023.
 - The development proposed is part first floor side and 1.5 storey side/front extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since it made its decision, the Council has adopted the Epping Forest District Local Plan 2011-2033. As this plan replaces the previous Local Plan, I have had regard only to the policies referred to in the decision notice from the newly-adopted plan.

Main Issues

3. The main issues are the effect of the proposed extension on the character and appearance of the host dwelling and the street scene; and the effect on the living conditions of the neighbouring occupiers of No 3 Wren Terrace, with regard to outlook.

Reasons

Character and Appearance

4. The appeal property is a two storey semi-detached dwelling in a residential road of mixed property types, including terraces and bungalows. The surrounding area is residential in character.
 5. The proposed extension would create an upper storey on the footprint of the existing single storey element to the side of the appeal property. This would be subordinate in height and width to the principal two storey built form and so would not be harmful to the appearance of the host dwelling.
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6. The semi-detached dwellings and terraces in this part of Grosvenor Drive are characterised by relatively large gaps between the built forms. As with the gap between the appeal property and its neighbour, No 3 Wren Terrace, these are most apparent at first floor level. The gaps between pairs and groups of dwellings enables views of the trees and greenery to the rear of the street, as well as providing some visual relief between the built environment within the street scene.
7. The proposed extension would be built up to the shared boundary with the neighbouring dwelling and would, therefore, result in a material change in the extent of separation between the dwellings above first floor level. The remaining gap would be the width of the passage to the side of No 3 Wren Terrace, which would not reflect the generally spacious character of the layout of dwellings with larger gaps between them. Consequently, the proposal would result in an incongruous and uncharacteristic change within the street scene that would be readily visible from the public realm and nearby dwellings.
8. I accept the appellant's contention that extending a dwelling in a residential location such as this is appropriate in principle and I note that the Council does not dispute this. However, as a general principle this cannot outweigh the specific effects of the proposal in its particular setting, as found above.
9. The appellant also provides photographs of extended dwellings within the surrounding area. However, based on the site inspection, the street scene surrounding the appeal property does not include examples of similar extensions to the appeal proposal and properties maintain substantive gaps between them. A number of specific examples of permitted first floor side extensions are referred to. However, these are not within the same street scene as the appeal property and, therefore, the effects cannot be considered to be directly comparable.
10. Therefore, for these reasons, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the street scene. Consequently, it is contrary to Policies DM9 and DM10 of the Epping Forest District Local Plan 2011-2033 (2023), which require all new development to achieve a high quality of design. It is also contrary to the National Planning Policy Framework, which promotes well-designed places.
11. In reaching this conclusion I have had regard to the representation made by Loughton Town Council.

Living Conditions

12. Policy DM9 also includes the requirement that development proposals must take account of the privacy and amenity of neighbouring occupiers. Amenity in this respect includes providing good natural light and that the development is not overbearing and does not detract from neighbouring occupiers' outlook.
13. No 3 Wren Terrace includes a single upper floor window to the side elevation facing the proposed extension. This appears to serve a bathroom or toilet as it includes obscured glass. As a result, despite the proximity of the extended dwelling there would be no material harm to use of this room in terms of outlook. The front building line of the extension would not project beyond that of the neighbouring dwelling and No 3 has a rear building line beyond that of

the appeal property. Consequently, the only possible harm to the outlook from No 3 would be use of the side passage.

14. The proposal would result in a greater sense of enclosure to use of the passage, but it is relatively short and is of practical use to enable external access to the rear garden. As such, I conclude that there would be no material harm to the outlook from this practical external space and, therefore, there is no conflict with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023), as described above.

Conclusion

15. I have found in the appellant's favour with regard to one main issue, concerning the effect on living conditions. However, this is not sufficient to outweigh the material harm and conflict with the development plan with regard to the other main issue concerning the effect on character and appearance. There are no other material considerations that outweigh the conflict with the development plan. Accordingly, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR