



Appeal Decision

Site visit made on 19 October 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30.10.2023

Appeal Ref: APP/J1535/D/23/3327619

Apple Croft, Middle Street, Nazeing, Waltham Abbey, Essex EN9 2LB

- 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 Gary Branch against the decision of Epping Forest District Council.
 - The application Ref EPF/2802/22, dated 9 December 2022, was refused by notice dated 22 June 2023.
 - The development proposed is described as 'retrospective garden wall fronting the property'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development is already in place. I have therefore dealt with the appeal on the basis of its retention. Whilst the appellant states that he was unaware of the need for planning permission, and that the Planning Officer who visited indicated that the development was acceptable, I have dealt with the scheme before me on its planning merits.

Main Issue

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

Reasons

4. Apple Croft sits amongst residential properties, which are set back from both sides of Middle Street. Whilst the form and style of the buildings are diverse, the properties' frontages on this stretch of the road are predominantly unenclosed to the highway, or are characterised by low boundary treatment and landscaping. This gives this part of the streetscene an open, and in places, fairly verdant, character.
5. The front boundary at Apple Croft comprises a 1 metre high wall, with 2 metre high piers and gates, and slightly lower wrought iron railings. I do not doubt that the masonry, coping stones and railings are high quality materials. However, in this part of the streetscene, this tall boundary structure abutting the edge of the pavement, is a dominant, fairly stark feature, which diminishes the locally distinctive sense of openness and landscaping. It thus appears at odds with the area's prevailing character and appearance.

6. I observed on my visit a front boundary wall broadly opposite this site, and a wall and gates nearby at Danbank. However, according to the Council, neither of those appears to have planning consent, and those examples are not typical of this stretch of the road.
7. The appellant has drawn my attention to a number of front boundary walls and railings elsewhere on Middle Street, with photographs provided at pages 6 to 9 of his statement. However, many of these are a considerable distance from this site, particularly along a stretch of Middle Street to the east, where the prevailing character is less open; and the visual impact of some is softened by landscaping.
8. For the above reasons, the boundary treatment at Apple Croft has harmed the character and appearance of the local area. It therefore conflicts with those parts of Policy DM9 of the Epping Forest District Local Plan 2011-2033 Part One (2023) which require development to relate to its context, drawing upon local character, and to make a positive contribution to a place. It also conflicts with the similar stance at paragraphs 126 and 130 of the National Planning Policy Framework (2023) that development should contribute to beautiful places and be sympathetic to local character.
9. Having regard to all other matters raised, including representations by interested parties, the appeal is therefore dismissed.

Chris Couper

INSPECTOR