The Planning Inspectorate

Appeal Decision

Site visit made on 17 October 2023

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th December 2023

Appeal Ref: APP/J1535/D/23/3324594
61 Baldwins Hill, Loughton, Essex IG10 1SN

- 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 Paul and Kathryn Matthews against the decision of Epping Forest District Council.
- The application Ref EPF/0479/23, dated 3 March 2023, was refused by notice dated 27 April 2023.
- The development proposed is loft conversion comprising replacement roof at a steeper pitch, rear facing dormer and front facing roof windows.

Decision

1. The appeal is allowed and planning permission is granted for loft conversion comprising replacement roof at a steeper pitch, rear facing dormer and front facing roof windows at 61 Baldwins Hill, Loughton, Essex IG10 1SN in accordance with the terms of the application, Ref EPF/0479/23, dated 3 March 2023, subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: 680/01, 680/02, 680/03, 680/04, 680/05, 680/06, 680/07, 680/08, 680/09, 680/10.

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

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

Reasons

3. Baldwins Hill is a leafy residential street, that lies adjacent to Epping Forest. It slopes upwards from the A121 and is comprised of large, detached dwellings, set back from the street behind driveways. The majority of dwellings on the street are constructed with red or buff brick and brown tiles, however there is little consistency in their form and height. Most roofs on Baldwins Hill are pitched, but there is huge variety in the angle and orientation of roof planes. This creates an uneven roofscape that has an attractive quality that contributes to local distinctiveness.

4. The appeal property, and the adjacent 63 Baldwins Hill, stand out within this context. The two dwellings appear to have been built as a pair, with near identical form and height. The properties have a contemporary appearance, and this contrasts markedly with neighbouring dwellings, which retain their original character. The stark difference in design and materials represents a divergence from the established local character.

5. The Council has not raised any objections to the character and appearance of the proposed rear facing dormer or the front roof windows. From the evidence before me, I have no reason to take a different view. I have therefore focused my attention on the proposed replacement roof structure.

6. The development would increase the ridge height of the roof and would alter the angle of the roof plane. This would cause the height of the host dwelling to rise above that of No 63 and would create a degree of contrast between the form and scale of the two dwellings. However, the altered relationship between the two properties would be more in-keeping with the variety in building styles on the wider street frontage and, therefore, would not have an incongruent appearance. Moreover, the development would be constructed with materials to match the existing building. This would secure harmonious architectural treatment and would assist in assimilating the development with the host property.

7. The appeal building is slightly lower in height than the adjacent 59 Baldwins Hill. Its roof ridge is also significantly below that of 65 Baldwins Hill, which has a prominent steep pitch facing the appeal site. Therefore, although the proposed roof extension would add height to the host building, it would not be taller than many others in the street and would not be unduly dominant when viewed in context with surrounding properties. Moreover, the addition of further variety to the roof heights on Baldwins Hill would be in keeping with the area, given that the roofscape is characteristically uneven in nature.

8. The Council considers the proposal would be a significantly prominent feature in the street. However, the host dwelling sits behind the front building line of Nos 59 and 65 and is therefore partly screened when approaching from both directions. Views of the appeal site are limited to within very close proximity, and therefore the development would not detract from local distinctiveness.

9. Accordingly, I conclude that the proposed development would not cause harm to the character or appearance of the host dwelling and the area. It would therefore be in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 Part One, and the National Planning Policy Framework, insofar as they expect development to achieve high quality design that relates positively to local character.

Other Matters

10. The rear boundary of the appeal site adjoins the Baldwins Hill Conservation Area. I have been provided with only limited information about the Conservation Area. However, based on the evidence, I consider its significance derives from the collection of historical buildings and spaces that lie within the designated area. The Council has not identified any harm in respect of the heritage asset. Given the very modest size of the proposal and its location outside the designated boundary, the development would preserve both the

character and appearance of the Conservation Area and would not harm its significance as a designated heritage asset.

11. The appeal site lies within the zone of influence for the Epping Forest Special Area of Conservation (SAC). The evidence indicates that the pathways of impact on the SAC are the effects of urbanisation with a particular focus on disturbance from recreational activities arising from new residents, and atmospheric pollution arising from increased traffic using roads in and around the SAC. The proposal would enlarge an existing dwelling but would not lead to an increase in the number of households in the area. On this basis, it is unlikely that there would be a material increase in annual average daily vehicle trips in or around the SAC or on recreational pressure on the SAC. The Council has stated that it does not consider the proposal would cause likely significant effects on the SAC either alone or in-combination with other plans or projects and, therefore, an Appropriate Assessment is not required. Based on the evidence, I have no reason to take a different view.

12. The evidence indicates that a willow tree within the rear garden of the appeal property is subject to a tree preservation order. The tree would not be adversely affected by the development. Furthermore, no harm has been identified in respect of living conditions, highway safety or any other matters. The absence of harm carries neutral weight in my decision.

Conditions

13. In addition to the standard time limit condition, I have attached a condition to define the approved drawings to provide certainty.

14. I have also included a condition requiring external materials to match those used in the existing building. This condition is required to protect the character and appearance of the host dwelling and the surrounding area.

Conclusion

15. The development would be in accordance with the development plan when read as a whole. Therefore, for the reasons given above I conclude that the appeal is allowed.

E Catcheside
INSPECTOR