



Appeal Decision

Site visit made on 11 December 2023

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2024

Appeal Ref: APP/J1535/D/23/3327874

143 Princes Road, Buckhurst Hill, Essex IG9 5DS

- 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 Dmitry Veselov against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0720/23, dated 29 March 2023, was refused by notice dated 26 May 2023.
 - The proposed development is erection of single storey front and rear extension, two storey side extension and loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the impact on (a) the character and appearance of the host dwelling and street scene, (b) the living conditions of the occupiers of No. 147 and (c) the health of adjoining trees.

Reasons

3. The appeal site comprises an end of terrace of three properties located along a main street within Buckhurst Hill. Princes Road is on a slope such the dwelling on the appeal site is at a higher level than the other dwellings in the terrace with No. 147 to the north at a slightly higher level again. The immediately surrounding properties are predominantly residential but there are some commercial uses within the wider area. The street consists of properties of varying age, size and design. Those within the immediate street scene comprise older detached, Victorian dwellings as well as modern infill terraces and semi-detached properties. The dwellings are generally sited quite close to the road providing a relatively continuous built frontage to the street.
4. The dwelling on the appeal site has been previously extended to the rear with two-storey flat roofed extensions and a single storey side extension to the rear of the attached garage. The proposed extensions would result in a two-storey building that would occupy the whole plot width with an additional bedroom created within the extended roofspace.

Character and appearance

5. The Council's objections in this regard appear to relate to the overall size of the extensions relative to the original property and the potential 'terracing' effect resulting from the first-floor side element.

6. The original dwelling appears to be of relatively modest proportions, particularly compared to some of the other properties within the immediate street scene and I agree that the proposed extensions would add considerable further bulk to what is an enlarged dwelling compared to its original form. However, in terms of the street scene views, the additions would not be unduly prominent, with the single-storey front extension and the first-floor part of the two-storey extension being 'new' elements that would add to the bulk of the dwelling.
7. The single-storey element would appear suitably subservient to the host dwelling, notwithstanding its forward siting. The first-floor element, whilst appearing to 'fill the gap' to the boundary at this level would nevertheless be designed with a hipped roof sloping away from the boundary and would be set back from the front elevation of the main dwelling such that overall, it would also appear as a subservient addition. The upper part of the flank elevation and the roofslope of the side extension would also be visible above the single garage of the adjoining property, No. 147, which lies right on the boundary. However, given the shape of the roof sloping away from the boundary, it would not appear as an overly large addition. Furthermore, it would have the benefit of replacing the flat roof of the existing rear extension, part of which can currently be viewed in the street scene.
8. The additions to the rear of the dwelling would have the benefit of replacing one of the existing flat roofs which currently appears as an unsympathetic addition in terms of design. The rear dormer would occupy the whole of the roof width and a part of the roofslope of the new rear hipped roof and the new single storey addition would extend across the whole width of the plot. Overall, these would amount to considerable additions, but would not add to the footprint of the dwelling in a way that is out of proportion with the overall plot size. Furthermore, their design complements the original dwelling and would not disproportionately add to its bulk given their overall form and size with the bulk being added at ground floor level.
9. Whilst the proposal would result in additions that would change the appearance of the dwelling compared to the others in the terrace, I do not consider this of itself to result in any harm, particularly given that in the street scene view, where the terrace is mainly appreciated, there would not be a significant change and the original form of the dwelling as part of the terrace would still be identifiable.
10. Overall, I find that the proposal would not harm the character and appearance of the host dwelling or the street scene. It would thereby accord with Policy DM9 of the Epping Forest District Local Plan (2023) (EFDLP) which, amongst other things, seeks development of high-quality design that contributes to the distinctive character and amenity of the local area, relates positively to its context, respects and complements the form and detailing of the original building and incorporates sustainable design principles.

Living conditions

11. The single storey front extension would extend forward of the front elevation of the adjoining property. However, the garage is the nearest part of this property, beyond which is located a ground floor bay window. The Appellant has provided a plan which shows that the 45-degree angle drawn from the

centre of this window would not be encroached. Furthermore, No. 147 lies on a slightly higher level than the dwelling on the appeal site.

12. Overall, in these circumstances, I do not consider that the proposal would result in any undue loss of light or outlook. The proposal would therefore safeguard the amenities of the occupiers of the adjoining property, in accordance with Policy DM9 of the EFDLP which seeks to ensure that proposals provide good daylight, sunlight and open aspect to all parts of adjacent buildings as well as not materially impacting on outlook.

Effect on Trees

13. Policies DM3 and DM5 of the EFDLP seek to ensure that development does not cause significant harm to landscape character and that it has been designed to retain and where possible enhance green infrastructure assets, including trees, and is accompanied by sufficient evidence to demonstrate that their protection will be secured.
14. There appears to be only one plan that identifies trees within the appeal site and on neighbouring properties. However, whilst the location of the trees appears to be accurate, there is no clear indication of the extent of their canopies or root areas; nor is there any information assessing the amenity value or health of the trees. However, as they are both within proximity of the proposed works, I would agree with the Council that such information is needed to fully assess the impact of the proposal on their future health. It is not appropriate to seek the relevant information via condition as that would not enable any necessary design amendments to be secured.
15. I therefore find that it is not possible to conclude that the proposal would appropriately secure the future protection of the trees. Thus, it conflicts with policies EFDLP Policies DM3 and DM5.

Conclusions

16. I have taken into account the National Planning Policy Framework, but whilst the proposal would contribute to achieving well designed places and would be sympathetic to the surrounding built environment, it has not been demonstrated that it would conserve the natural environment and that existing trees are retained wherever possible.
17. I have noted the Appellants personal circumstances and acknowledge that the proposal would provide much needed and enhanced family accommodation.
18. However, I find that there is conflict with the development plan as a whole and there are no material considerations that indicate a decision otherwise.
19. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR