



Appeal Decision

Site visit made on 1 March 2024

by S. Hartley BA(Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 05.03.2024

Appeal Ref: APP/J1535/D/23/3334914

39 Old Nazeing Road, Nazeing, Waltham Abbey, Essex EN10 6RU

- 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 R Ahir against the decision of Epping Forest District Council.
 - The application ref: EPF/2076/23, dated 16 September 2023, was refused by notice dated 21 November 2023.
 - The development proposed is described as inclusion of approved single storey rear large home extension, two storey side extension and part single storey extension with loft conversion including dormers with crown to reduce overall height.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The National Planning Policy Framework 2023 (the Framework) was amended on 19 December 2023. The amendments made did not have a material bearing upon the main issues in this appeal, and it was therefore not necessary to seek comments from the main parties upon it. Where I have referred to the Framework, it is that of the December 2023 version.

Main Issues

3. The main issue is whether the proposal constitutes good design and its effect upon the character and appearance of the area.

Reasons

4. The appeal property is a detached dwellinghouse located immediately off Old Nazeing Road. It is a two-storey building finished in white render. The height and design of the dwellinghouses in Old Nazeing Road is varied. Nonetheless, and while there is the odd exception, there is nevertheless a distinctiveness to the character and appearance of the area in terms of either gabled or pitched roofs. Furthermore, where dormers do exist, they are not prominent in view from Old Nazeing Road as they are on side roof slopes. Consequently, the front roof slopes of most of the properties in the street are generally unobstructed. In addition, many of the detached dwellinghouses in this street either have no development to their sides or have single storey additions to their sides,

thereby providing some welcome open relief between buildings in what is otherwise a built-up residential street. The above attributes add positively and distinctively to the character and appearance of the area.

5. Permission is sought for the removal of the existing garage, roof extensions involving the raising of the height of the existing roof, front and rear dormers, and single and two storey side and rear extensions.
6. While the proposed development to the rear would be acceptable in terms of its design and effect upon the living conditions of the occupiers of neighbouring properties, I do not consider that the two-storey side extension, roof lift and front dormers would assimilate well in the street-scene. The crown roof would be higher than the roofs of other properties in this part of the street. Given its height and width, it would have the effect of unacceptably enclosing the space between it and the neighbouring dwellinghouse, thereby departing from the distinctive open relief that exists between the existing dwelling and No. 41 Nazeing Road.
7. Furthermore, given the staggered position of the appeal property, the crown roof would be highly visible in the street-scene and, to this extent, its departure from the mainly gabled/pitched roofs in the locality would be unacceptably apparent to passers-by.
8. Overall, I consider that the roof alterations and two storey side extension would result in a dwellinghouse which appears cramped within its plot, and which has a dominating and imposing impact when experienced within the street-scene. The unacceptable bulk and massing associated with the two-storey side extension and roof lift would be compounded owing to the inclusion of roof dormers in the front roof slope. Front facing dormers are not a prevailing characteristic in this part of Nazeing Road. This element of the proposal would constitute poor design.
9. For the above reasons, I conclude that when the development is considered as whole, it would constitute poor design and would cause significant harm to the character and appearance of the area. Therefore, it would not accord with the design requirements of policies DM9 of the Epping Forest District Local Plan 2023 (LP) and chapter 12 of the Framework. The Council has made reference to policy DM10 of the LP, but this is not directly relevant to the main issue.

Other Considerations

10. I do not doubt the appellant's requirement for additional floorspace and bedrooms to accommodate the needs of his children and elderly relatives. However, this has to be weighed against the significant harm that would be caused to the character and appearance of the area in the public interest. The personal needs of the appellant and his family are not, in this case, sufficient to outweigh my conclusion upon the main issue. Moreover, dismissing this appeal does not necessarily mean that the appellant would not be able to pursue other sympathetic options relating to the extension of this property which would likely give at least some additional floorspace and/or bedrooms.

Conclusion

11. For the reasons given above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no

material considerations that indicate that the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S.Hartley

INSPECTOR