
Appeal Decision

Site visit made on 12 March 2024

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 APRIL 2024

Appeal Ref: APP/J1535/D/23/3332604

Fancy Free, 67 Hoe Lane, Lambourne, Romford, Essex RM4 1AU

- 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 Paul Gershon against the decision of Epping Forest District Council.
 - The application Ref EPF/1961/23, dated 30 August 2023, was refused by notice dated 25 October 2023.
 - The development proposed is addition of second floor, new roof structure with dormers towards rear of the property. Simultaneous application also submitted for ground floor extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The ground floor extension referred to in the description of development above is the subject of a separate appeal¹.

Main Issues

3. The main issues are:
 - whether the proposed roof extension would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - the effect on the character and appearance of the host dwelling and the surrounding area;
 - the effect on the living conditions of the occupiers of No 65 Hoe Lane, with regard to outlook; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

¹ Ref APP/J1535/D/23/3332595

4. The appeal property is a detached two storey dwelling within a rural setting, located at the end of a short row of properties on the north-eastern side of Hoe Lane.
5. Policy DM4 of the Epping Forest District Local Plan 2011-2033 Part One (2023) (DLP Part One) states that an exception to inappropriate development in the Green Belt is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. As such, the policy fully reflects the Framework in this regard².
6. The appeal property was originally a bungalow and has been extended both in its original form and following conversion to a two storey dwelling. The Council indicates that these changes have resulted cumulatively in a 119% increase in floorspace from that of the original building. Further additional extensions in the form of two conservatories and outbuildings have subsequently been approved, which add to the cumulative increase in floorspace, although no specific figures are provided. These facts are not disputed and there is no other evidence with regard to the changes by other measures, such as volume.
7. The proposed roof extension due to its additional height, bulk and creation of more floorspace would represent a further material addition to the dwelling, which has more than doubled in size by floor area from the size of the original building. Therefore, by any reasonable assessment the cumulative level of change resulting from the previous and proposed changes represents a disproportionate increase, judged against both Policy DM4 of the DLP Part One and the Framework. As such, I conclude that the proposal would be inappropriate development in the Green Belt.
8. The proposed changes would result in a bulkier, higher roof form that would have some effect on the openness of the Green Belt. However, the fact that they would occur within the footprint of the existing building means that the resultant harm would be moderate.

Character and appearance

9. The appeal property is a large detached dwelling with a relatively shallow pitch to the hipped roof. The proposed increase in height would create a bulkier roof form, but the changes would not be a disproportionate addition that would unbalance the overall built form of the existing dwelling. In particular, the roof would not give the extended dwelling a 'top heavy' appearance. Similarly, the crown roof form would not be so incongruous in relation to the property's overall design and appearance to result in material harm. The proposed dormers would be of proportionate size and appropriate design for the rear roof slope.
10. The heightened roof would further accentuate the contrast with the neighbouring bungalow, but there is little uniformity within the group of dwellings in this part of Hoe Lane. Moreover, there are examples of similarly large two storey dwellings on the opposite side of the road. As such, the proposal would not be uncharacteristic in its wider setting.

² Paragraph 154c).

11. Accordingly, for these reasons, I conclude that the proposed extension would not have a harmful effect on the character and appearance of the host dwelling and the surrounding area. Therefore, there is no conflict with Policies DM9 and DM10 of the DLP, which require development to meet high design standards. Also, it is not contrary to the Framework, which advocates good design.

Living conditions

12. No 65 and the appeal property have the same rear building line and so the extended roof would only be visible from the neighbouring rear garden. The appeal property is positioned on higher ground than No 65 and is a substantively larger building than the neighbouring bungalow, although there is a reasonable degree of separation between the dwellings.
13. The additional height and bulk of the extended roof would readily be seen from the neighbouring garden, but the alterations would not be sufficient in their extent or appearance to cause material harm to the neighbouring occupiers' outlook. Consequently, there is no conflict in this regard with Policy DM9 of the DLP, which includes the requirement that development should not adversely affect neighbouring occupiers' outlook.

Other considerations and whether very special circumstances exist

14. I acknowledge that additional space is required for home working and other uses, and that the proposal would be contained within an existing residential curtilage. These considerations attract moderate weight, but the fact that there were no objections to the proposal from neighbouring occupiers or other interested parties cannot weigh in its favour as this is a neutral factor. Similarly, the contention that the proposal has addressed the reason for refusal of an earlier application for a similar proposal cannot weigh in the current proposal's favour.
15. The proposal would represent inappropriate development, which is, by definition, harmful to the Green Belt. It would also result in moderate harm to the openness of the Green Belt. The Framework requires that substantial weight should be given to any harm to the Green Belt. While the proposal would not be harmful to character and appearance or adversely affect neighbouring occupiers' living conditions, there are no other considerations raised in support of the development that would outweigh the harm identified to the Green Belt and, therefore, very special circumstances do not exist.

Conclusion

16. The proposed roof extension is contrary to the development plan and there are no other considerations that outweigh this conflict. Accordingly, for the reasons given, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR