



Appeal Decision

Site visit made on 12 November 2024

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th December 2024

Appeal Ref: APP/J1535/D/24/3342768

10 Firs Drive, Loughton, Essex IG10 2SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Amala Charles against the decision of Epping Forest District Council.
 - The application Ref is EPF/2379/23.
 - The development proposed is 4m rear first floor extension over part of 4m ground floor extension to profile of existing chalet bungalow roof.
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Decision

1. The appeal is allowed and planning permission is granted for 4m rear first floor extension over part of 4m ground floor extension to profile of existing chalet bungalow roof at 10 Firs Drive, Loughton, Essex IG10 2SL in accordance with the terms of the application, Ref EPF/2379/23, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: MDP.FD/0111; MDP.FD/0211; MDP.FD/0212; MDP.FD/0213 and MDP.FD/0311.
 - 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.
 - 4) Access to the flat roof shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Preliminary Matters

2. At my site visit I noted that a single storey rear extension had been constructed, along with dormer extensions to either side of the roof. My assessment of this appeal is necessarily based on the drawings considered by the Council in the planning application, that is, a first-floor extension which would continue the gable end roof form to be flush with the ground floor extension as already permitted under a lawful development certificate¹.

¹ Reference EPF/1822/23

Main Issues

3. The main issues are the effect of the appeal proposal on:
- the character and appearance of the surrounding area, and
 - the living conditions of the occupiers of 11 Firs Drive and 25 The Summit with particular regard to outlook.

Reasons

Character and appearance

4. 10 Firs Drive comprises a chalet style detached dwelling located on the east side of the cul-de-sac. Its rear garden borders Goldings Hill. The surrounding area has a suburban residential character, with Firs Drive largely comprising detached chalet style dwellings with front and rear gardens. There is variety in the detailed design and use of materials in the immediate area.
5. The dominant features in the view towards the appeal site from Goldings Hill are the rear elevation of the house at 12 Firs Drive, along with the roof of 25 The Summit. The trees and vegetation along the rear gardens largely obscure views of Nos 10 and 11 Firs Drive from Goldings Hill.
6. I note the views of interested parties regarding the scale and design of the proposal, and I acknowledge the extension of the roof gable to the rear would be a reasonably substantial addition. It would not, however, extend over the full width of the rear ground floor extension, being confined to the side closest to the allotment path. The pitch of the roof would also assist in reducing the perception of bulk at first floor and would be consistent with the existing roof form. In terms of the scale of development, it would be comparable to the scale of buildings within the immediate area relative to their plot sizes.
7. The roof form and materials would match those in the existing building and would be acceptable in terms of detailed design and appearance.
8. For the reasons set out above, the proposal would be in line with the aims of Policy DM9 of the Epping Forest District Local Plan 2011-2033 (adopted 2023) (Local Plan). Amongst other things, the policy requires development proposals to relate positively to their locality, having regard to matters including form, scale and massing around the site, building lines and the rhythm of local plot and building widths.

Living conditions

9. The first-floor extension would be significantly set back from the boundary with the adjacent dwelling at 11 Firs Drive. To the other side, the house at 25 The Summit is set at a higher level due to the topography and it is separated from the appeal site by an access track to the nearby allotments. The proposed roof form would be sloping away towards the central ridge, and in any event is set back from the boundary with the access track.
10. Taken together, the position of the extension relative to the side boundaries, along with the pitch of the roof and local topography mean that the proposed extension would not cause harm to the outlook from the windows or gardens of the neighbouring dwellings.

11. I therefore conclude that the proposal would not harm the living conditions of the occupiers of 11 Firs Drive and 25 The Summit with particular regard to outlook. The proposal would accord with Policy DM9 of the Local Plan which, amongst other things, requires proposals to not result in an overbearing or overly enclosed form of development.

Other Matters

12. I note the Council's comments regarding the useable space in the first-floor bedrooms. Although the rooms created would be narrow, I am satisfied that there would be sufficient useable space and that they would be well lit.
13. I note the additional concerns of interested parties regarding matters including loss of light and other non-planning matters. The extension, due to its degree of set-back from the side boundaries, would not cause a material loss of daylight or sunlight to neighbouring properties.

Conditions

14. I have considered the necessary conditions against advice in the National Planning Policy Framework and Planning Practice Guidance. I have attached the standard time limit condition (1) and a plans condition (2) in the interests of certainty.
15. In the interests of ensuring the proposal would not result in harm to the appearance of the area, condition 3 is necessary to ensure the materials to be used would match those of the existing dwelling. Condition 4 restricts access to the flat roof to ensure it is not used for sitting out, to protect the privacy of neighbouring residents.

Conclusion

16. For the reasons given above the appeal should be allowed.

L Francis

INSPECTOR