



Appeal Decision

Site visit made on 28 May 2025 by Sara Manson DipTP

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th June 2025

Appeal Ref: APP/J1535/D/25/3362399

22 Eleven Acre Rise, Loughton IG10 1AN

- 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 KDD Construction Ltd against the decision of Epping Forest District Council.
 - The application Ref is EPF/2462/24.
 - The development proposed is described as alterations to existing property, including: infill side extensions; changes to doors and windows; replacement roof; minor rear extensions at ground and first floor; formalisation of the existing flat roof wrap-around and incorporation of railings.
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Decision

1. The appeal is allowed and planning permission is granted for development described as alterations to existing property, including: infill side extensions; changes to doors and windows; replacement roof; minor rear extensions at ground and first floor; formalisation of the existing flat roof wrap-around and incorporation of railings at 22 Eleven Acre Rise, Loughton IG10 1AN in accordance with the terms of the application, Ref EPF/2462/24, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed North Gable RK-PL-003 P04, Proposed South Gable Elevation RK-PL-004 P04, Proposed Rear Elevation RK-PL-005 P04, Proposed Ground Floor Plan RK-PL-007 P04, Proposed First floor Plan RK-PL-008 P03, Proposed Second floor & Basement Plan RK-PL-009 P03, Proposed Roof Plan RK-PL-010 P03, Proposed Material Finishes RK-PL-011 P02, Proposed Front Elevation showing street view RK-PL-014 P03, Proposed Basement floor plan showing structural alterations RK-PL-015 P02, Proposed Ground floor plan showing structural alterations RK-PL-016 P0, Proposed First floor plan showing structural alterations RK-PL-017 P02.

Appeal Procedure and Preliminary Matter

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal. In addition, the development subject of the appeal has begun. Consequently, it has been considered on a partly retrospective basis.

Main Issues

3. The main issues are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of the occupiers of Number 23 Eleven Acre Rise (No. 23) with specific regard to privacy.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is a generous plot located in an attractive verdant residential area, with many properties having been significantly adapted and enlarged over time. Consequently, there is a wide variety of styles and sizes within the street scene all set back from a mature tree-lined, steep inclined street with front gardens incorporating off-road parking. All of which contribute positively to the character and appearance of the area.
5. The proposals would noticeably enlarge and patently lack subservience to the host dwelling. However, its width and height would still retain the character of a large, detached home with an individual design, consistent with the street's pattern of equally sizeable, detached properties featuring different architectural styles. Moreover, the design, once completed, will give the appearance of a whole, coherent building.
6. Although not a dominant characteristic, the proposed dormer windows would not be an alien feature within this varied street scene. Numerous properties have incorporated such. The positioning and style of the proposed dormers would not detract from the character or appearance of the wider area. In addition, there are a number of dwellings of a similar overall height despite being on different ground levels. This aspect of the scheme would not therefore detract from the area's qualities.
7. For these reasons, the development would not harm the character and appearance of the host dwelling or surrounding area and would not conflict with Policy DM9 of the Epping Forest District Local Plan 2023 (LP), or guidance contained in paragraph 135 of the National Planning Policy Framework (Framework), which, amongst other things, seek to ensure new development contributes positively to its context drawing on local character and rhythm of neighbouring plot and building widths.

Living Conditions

8. The appeal site sits on a higher ground level than No. 23. Development would not project closer to it and the number of openings on this side elevation would be reduced from four to one. Other than a few small openings and solid external door, all at ground floor level, the remaining elevation of No. 23 is blank. The terrace area is existing and although the inclusion of railings, would potentially encourage the occupants of the appeal site to sit out more frequently, views into No. 23's rear garden would not materially increase as a result. Furthermore, the garage of No. 23 would partly obscure views from the terrace area in any event. As such I am content that the occupiers of No. 23 would still be afforded a good standard of privacy.
9. Likewise, given the distances involved, the privacy of occupiers of properties along the Uplands to the rear of the appeal site would be maintained and the new dormer windows would not introduce any new overlooking.
10. As a result, the proposals would not cause harm to the living conditions of neighbouring occupiers. Consequently, they would accord with Policy DM9 of the LP, and guidance contained in paragraph 135 of the Framework, which, amongst

other things, seek to ensure that development does not result in a loss of privacy detrimental to the living conditions of neighbouring occupiers.

Conditions

11. Since works in pursuant of the appeal have started, a time condition is not required. I have set out a condition requiring the development to accord with the approved plans for certainty and enforcement purposes. As they provide details of the materials there is no need for a further condition. Regarding the construction hours of operation, I have no evidence before me to suggest that such a condition is necessary or reasonable given the scale of development proposed, I have not therefore included one.

Conclusion and Recommendation

12. The appeal scheme would comply with the development plan for the reasons I have set out and there is nothing to suggest a decision other than in accordance therewith. I therefore recommend the appeal is allowed, subject to the condition specified.

Sara Manson

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, and planning permission granted, subject to the condition set out.

John Morrison

INSPECTOR