



Appeal Decision

Site visit made on 8 May 2025 by S Jamieson BA (Hons) MPlan

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/J1535/D/25/3363423

97 Oakwood Hill, Loughton, Essex IG10 3ER

- 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 Mr Manpreet against the decision of Epping Forest District Council.
 - The application Ref is EPF/2593/24.
 - The development proposed is a single storey rear extension and part double storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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.

Preliminary Matter

3. The second reason for refusal on the Council's decision notice identifies harm to outlook for occupiers of the neighbouring dwelling at 95 Oakwood Hill but also refers to the proposal 'contributing to a sense of enclosure to its adjoining neighbour'. This is clarified further in the officer report which identifies the adjoining neighbour as being 99 Oakwood Hill. I have taken this into account in defining the second main issue.

Main Issues

4. 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 occupiers of 95 Oakwood Hill (No 95) and 99 Oakwood Hill (No 99), with particular regard to outlook.

Reasons for the Recommendation

Character and appearance

5. The area surrounding the appeal site has a suburban character and predominately comprises two storey, brick-built dwellings of traditional design. The appeal site sits in a group of four similar semi-detached pairs. These properties are orientated at an acute angle to Oakwood Hill in a staggered formation to the front and rear. Each of the dwellings in the group has a generously proportioned rear garden. Many of the properties near to the appeal site have been altered and extended. There is

notable variation in the size and design of rear projections, including two-storey extensions to some of the dwellings in this group of semi-detached pairs.

6. At first floor level the depth of the extension would not be dissimilar to some of the other two storey rear projections in the area, including those to some of the other semi-detached dwellings in the group. Due to its hipped roof design and matching materials, I also agree with the Council's officer report which acknowledges that the first floor element of the extension is of an acceptable form. Although the overall footprint of the extensions would be considerable, the single storey element would have a discreet presence within the rear garden setting.
7. For the above reasons, the proposed development would have an acceptable effect on the character and appearance of the surrounding area. It would therefore comply with Policy DM9 of the Epping Forest District Local Plan – Part One (2023) (LP) which requires residential extensions to respect the form, setting, period and detailing of the appeal site. In this regard, it would also be consistent with requirements to respond to local character at paragraph 135 of the Framework (2024).

Living conditions

8. No 95 has a two storey rear projection, set in from but close to the boundary with the appeal site. This has windows to the rear elevation at ground and first floor level which look across the patio and rear garden serving this dwelling. The trees and gardens of the properties on Oakwood Hill and River Way also sit within this view. Due to the staggered position of the properties, with the front elevation of the host dwelling sited almost parallel with the rear elevation of No 95, the side elevation of the appeal dwelling is a prominent feature within the rear aspect of this neighbouring dwelling.
9. Even accounting for the gap between the respective dwellings, due to its close proximity and the expanse of the brickwork to the two storey side elevation, the extension would be a stark and dominant feature when appreciated from the nearest windows and immediate garden area to the rear of No 95. Furthermore, in combination with the existing side elevation of the host dwelling, it would result in an elongated built form alongside the shared boundary with No 95 which would have an unacceptable enclosing effect when experienced by occupiers of this neighbouring dwelling. Consequently, the proposal would unacceptably reduce the quality of the outlook from No 95.
10. Turning to the adjoining occupiers at No 99, the two storey part of the extension would be set away from the shared boundary with this neighbouring dwelling. This separation distance would be sufficient to ensure that it would not have an overbearing or enclosing effect when experienced from the first floor rear windows or garden of No 99. With regards to the single storey part of the rear extension, given the relative depth of the single storey rear projection at No 99 which would sit alongside it, this element of the proposal would also not have any significant effects on outlook for occupiers of No 99. Even so, this does not overcome the harm identified in respect of living conditions for No 95.
11. For the reasons set out above, the proposal would have a harmful effect on the living conditions of occupiers of No 95, with particular regard to outlook. Thus, it would conflict with Policy DM9 of the LP which requires development to take account of the amenity of the neighbouring occupiers and, amongst other things, to

not result in an overbearing or overly enclosed form of development. It would also conflict with Paragraph 135 of the Framework which seeks a high standard of amenity for existing users.

Other Matter

12. My attention has been drawn to development approved at 87 Oakwood Hill (No 87) which the appellant suggests is larger than the appeal proposal. Whether or not that be the case, No 87 is angled differently and does not share an identical relationship with its immediate neighbouring properties. Therefore, it is not comparable to the appeal proposal which I have assessed on its own merits.

Conclusion and Recommendation

13. I have found that the proposal would not harm the character and appearance of the area or the living conditions of occupiers of No 99. However, it would be harmful to the living conditions of occupiers of No 95 and would conflict with the development plan in that regard. Therefore, I recommend that the appeal should be dismissed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR