



Appeal Decision

Site visit made on 16 May 2025

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Appeal Ref: APP/J1535/D/25/3360277

36 Scotland Road, Buckhurst Hill, Essex IG9 5NR

- 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 Craig Martin against the decision of Epping Forest District Council.
 - The application Ref is EPF/1593/24.
 - The development proposed is a first floor extension with internal alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. the main issues are the effect on:
 - The character and appearance of the appeal building and that of the local area;
 - The living conditions of neighbouring residential occupiers; and
 - The housing stock in the Council area.

Reasons

Character and Appearance

3. The appeal dwelling is a detached bungalow set up from street level, with a significant change in level mediated by steps up from the street and a main access door on the side elevation. It is located in an immediate local area made up of detached and semi-detached houses in a variety of architectural idioms. Within this context the proposal appears as an outlier, in its bungalow form and scale, as well as its extremely plain design.
4. The proposed first floor extension would extend over the majority of the existing ground floor, aligning with the existing front and side elevations, but would be set back from the rear elevation. This would result in the appeal dwelling being a two storey house with a hipped with crown roof form. The proposal also includes the exaction of the existing front garden to create parking for 2 cars, with steps to one side and at a relocated main entrance to the front of the property.
5. Whilst the proposal would significantly increase the height and volume of the appeal dwelling, this would result in it appearing to reflect the height and scale of

neighbouring houses and those in the immediate local area. When combined with the proposed main entrance being moved to the front of the appeal dwelling, the addition of a porch canopy and hipped roof form, it would appear as a more expressive design, reflective of the type and design of surrounding properties.

6. As such, I find that the proposal would result in the appeal dwelling having an improved appearance and appear more congruent with its neighbours and a concomitant improvement to the local street scene, when viewed from all vantage points. In these regards I find that the proposal would be of moderate public benefit and accord with Policy DM9 of the Epping Forest District Local Plan (2023) (the Local Plan), which seeks, amongst other matters, development that is of high quality design and contribute to the character and amenity of the local area.

Living Conditions

7. Given the extent of the proposed set back of the first floor extension and its hipped roof form, when considered alongside the distances to neighbouring properties, I do not find that the proposal would result in any significant degree of overshadowing or result in the appeal dwelling having an overbearing impact on the outlook of neighbouring residential occupiers at 34 and 38 Scotland Road.
8. As such I find that the proposal would accord with Policy DM9 of the Local Plan that seeks, amongst other matters, development that takes account of the amenity of neighbouring occupiers, including their access to daylight and sunlight and their outlook. In this regard I find that the proposal would not result in any significant harm to the living conditions of neighbouring occupiers. Within the context of this appeal, lack of harm in this regard is a neutral factor in my considerations.

Housing Stock

9. Policy H1 of the Local Plan seeks to ensure, amongst other matters, that development takes into account the existing housing stock, providing for housing mix and accommodation types. This policy states at part E that the loss of bungalows and specialist accommodation will be resisted.
10. Although the existing dwelling would provide for a single storey of level accommodation that would meet a variety of needs, including the elderly or with mobility need. However, due to the raised position of the existing bungalow with stepped access from the street, the bungalow as existing is not easily accessible from the street for those with walking impairment or a wheelchair users.
11. The Council's reasoning set out in the in the Local Plan for Policy H1 states that it considers that bungalows can play an important role in the Council area's housing mix and accommodation types, due to their potential ease of adaptation such that they can provide choice for people with accessibility requirements, including the current and future needs of older people.
12. Given the extent of the existing front garden it would appear to provide the area necessary to allow for the requisite ramps and landings that would the necessary allow for the appeal dwelling to be made accessibility compliant in this regard. The appellant has not provided any details of why this would not be feasible from either regulatory or cost perspectives.

13. The appellant's Planning Note¹ makes reference to an allowed appeal in the Council area for a refused planning application² for the replacement of a bungalow with a two storey dwelling at Kenswal, Grove Lane, Chigwell. The appellant has only provided me with limited excerpts from this decision and not the full copy of the full decision or details or plans of the proposal. Whilst the allowed appeal relates to a proposal that would result in the loss of a bungalow, without such material I have no ability to assess whether this provides an exemplar decision in relation to the appeal proposal.
14. This allowed appeal would have been considered on its own individual merits, and I have done likewise in my consideration of the proposal, which is a main tenet of the planning system. I have therefore afforded this allowed appeal limited weight in my considerations.
15. The appellant's Planning Note draws attention to a legitimate fallback position with regard to roof extensions under permitted development rights. Whilst this fall back would allow for some extension, it would not allow for the scale of the proposal but would be of the scale of dormer bungalows with an amount of living space at first floor level, which make a small proportion of housing types in the wider area. In this regard the proposal would result in the loss of a bungalow rather than an extension to create a dormer bungalow and would constitute the full loss of a bungalow to the housing stock of the Council area.
16. For these reasons I find that the proposal would result in substantial harm to the existing housing stock and the provision of housing mix and accommodation types within the Council Area. As such it would be in conflict with Policy H1 of the Local Plan which resists the loss of bungalows.

Planning Balance and Conclusion

17. I have considered the benefit of the proposal in providing a larger dwelling on the appeal site, although this is primarily of private rather than public benefit and can only afford the limited public benefit of providing a two storey dwelling into the housing mix where such accommodation is not in short supply. When considered along with the moderate benefit of the proposals effect on the character and appearance of the local area, I find that this does not outweigh the substantial harm to the provision of housing mix and accommodation types within the Council Area. The appeal is dismissed accordingly

Victor Callister

INSPECTOR

¹ Planning Note: Hybrid Planning & Development (November 2024)

² Planning Ref: EPF/2688/22