
Appeal Decision

Site visit made on 20 August 2025

by **Jane Smith MA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 September 2025

Appeal Ref: APP/J1535/W/25/3361237

26 Ladyfields, Loughton, Essex IG10 3RP

- 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 Paul Riddle against the decision of Epping Forest District Council.
 - The application Ref is EPF/2468/24.
 - The development proposed is erection of new one bedroom, two person, two storey dwelling attached to the existing house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Both main parties have referred to a previous appeal decision on the site (Appeal Ref: APP/J1535/W/23/3315330), which also related to a single proposed dwelling. Neither has provided a copy of the full decision, but I have had regard to the relevant extracts quoted in the written submissions, as well as the amendments made to that earlier proposal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is at the end of a terrace of four dwellings, in a residential area characterised by similar terraces and semi-detached houses. Although there have been a variety of extensions and refurbishments, most of the existing dwellings remain of consistent form and proportions. The appeal site is near a crossroads, adjoining one of four small open spaces at the street corners. There is a generous grass verge opposite, including several street trees. Although the street frontages are fairly built-up, these green areas create a sense of space around the crossroads and along the length of Ladyfields.
5. The proposed development would introduce a new end dwelling, up to the boundary with the adjacent open space. Although its height and alignment would be consistent with that of the host dwelling, it would be narrower, with smaller window openings at the front and very limited space to the side and rear.
6. The design omits a triangular side projection included in the earlier proposal, and the front porch has been reduced. The amended porch and straightforward gabled flank elevation would reflect similar features nearby and would also respond to

some of the design concerns articulated in the previous appeal decision. However, the intended consistency with the neighbouring dwellings would be undermined by the fact that the site cannot accommodate a dwelling of the same proportions as its neighbours.

7. With few exceptions, most of the other corner dwellings include some space and/or single storey elements alongside the open spaces at the corners. In contrast, at the front of the site, the flank wall and porch would be tight to the boundary, in a highly conspicuous position. Compared to the generally well-proportioned fenestration on the other dwellings, the small front window openings would jar. Despite the amendments to the earlier proposal, the development would have a cramped appearance, at odds with the spacious aspects of the streetscape and the detailing of the other dwellings.
8. The appellant refers briefly to other similar developments, either built or consented by recent appeal decisions. But since no further details are provided, the proposal cannot readily be compared with any specific examples. While conditions could be imposed to secure a limited level of soft landscaping and appropriate external materials, neither measure would adequately mitigate the cramped layout.
9. For the reasons given, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. It would conflict with Policy DM9 of the Epping Forest District Local Plan 2023 which requires, amongst other things, that development proposals relate positively to their context, drawing on local character and having regard to design features including the rhythm of local plot and building widths and distinctive local architectural styles and detailing. It would also conflict with the approach in the National Planning Policy Framework (the Framework) to achieving well-designed places, including paragraph 135 which requires that developments are visually attractive as a result of good architecture and layout, as well as being sympathetic to the character of the surrounding built environment, while not preventing appropriate change.

Other Considerations

10. The Council's 2023 Housing Delivery Test (HDT) result of 66% indicated a significant shortfall in housing delivery, although the Council has challenged the data, claiming that delivery exceeded 75% of its housing requirement over the relevant period. The Council has also provided evidence of a housing land supply standing at 6.57 years, based on the housing requirement in its Local Plan, which is less than five years old. Therefore, while boosting the supply of housing is a key priority in the Framework, and the appellant alludes to an acute housing shortage, the evidence before me indicates a current housing land supply which exceeds the requirements in the Framework.
11. The development would provide one small dwelling, in an urban area, with easy access to a range of services and facilities, including public transport. As such, it gains some support from key policies in the Framework for directing development to sustainable locations. It would also make more intensive use of the site. However, policies in the Framework supporting more effective use of land, such as paragraph 129, make clear that should not be at the expense of good design.
12. Exemption was claimed from providing Biodiversity Net Gain on the grounds that the proposal would be for self-build and custom-build housing, but no mechanism is proposed to ensure that the dwelling would comply with the relevant legal

definition¹. Therefore, I have given no weight to any contribution to the supply of self-build housing in the District.

13. Although there were no objections from occupiers of neighbouring properties, the Town Council objected on several grounds. Another interested party expressed concern about the parking arrangements, albeit no parking shortfall was alleged by the Council.
14. There would be no effect on the Green Belt or heritage assets and the Council did not dispute that adequate internal floorspace or external amenity space would be provided. Nor was any harm alleged to living conditions for neighbouring occupiers, with the earlier appeal decision having concluded that a similar development was acceptable in that regard. However, these are neutral considerations, which weigh neither for nor against the proposal.
15. Even if paragraph 11d of the Framework is deemed to be applicable based on the published 2023 HDT result, any benefits of the proposal should be weighed against the harm to the character and appearance of the area. Taking into account the prominence of the site and the conflict with key policies in the Framework for securing well-designed places, I have given the harm to the character and appearance of the area significant weight.
16. Notwithstanding the sustainable location, the benefits would be inherently limited, since only a single dwelling is proposed. As such, even if the official HDT result is taken into account, the benefits of the proposal carry only modest weight. Consequently, the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole and the proposal does not benefit from the presumption in favour of sustainable development, as expressed in paragraph 11 of the Framework.
17. The second reason for refusal related to the absence of mitigation for likely significant effects of the development on the Epping Forest Special Area of Conservation (SAC), referring to recreational pressure and air pollution. Although the appellant has confirmed willingness to provide the required mitigation, the planning obligation submitted with the appeal remains in draft and does not fully align with the financial contributions listed in the Council's Statement of Case. Nevertheless, since I am dismissing the appeal for other reasons, there is no need for me to give further consideration to the effect of the proposal on the SAC.

Conclusion

18. The proposal would conflict with the development plan. No material considerations indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal should be dismissed.

Jane Smith

INSPECTOR

¹ Section 1(A), Self-Build and Custom Housebuilding Act 2015