
Appeal Decision

Site visit made on 11 November 2025

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/J1535/D/25/3364819

26 Station Road, Loughton, Essex IG10 4NX

- 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 Ashish K Sood against the decision of Epping Forest District Council.
 - The application Ref is EPF/0012/25.
 - The development proposed is described as construction of an ancillary garden structure, serving as a home office. Construction had commenced, now paused until application determination.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit I observed development to have commenced.

Main Issues

3. The main issue are:
 - i) the effect of the proposal on living conditions of neighbouring occupiers; and
 - ii) the effect of the proposal on character and appearance.

Reasons

Living conditions

4. No 26 is a substantial two-storey residential property set within an extensive, and irregular shaped, plot.
5. The structure is sited directly against the boundary with neighbouring properties at Nos 28 and 30 Station Road. Due to the height of the proposal, combined with varying land levels, the proposal protrudes above the existing fence line. The structure extends across the entire width of the garden of No 28 Station Road and the majority of the width of No 30.
6. By reason of its height and width the appeal scheme would result in a visually prominent and overbearing form of development to the detriment of the outlook of the neighbouring occupiers, particularly from the garden of Nos. 28 and 30. The positioning of the structure close to boundaries exacerbates its overbearing impact causing harm to the amenity of the occupiers of this property.

7. No windows are proposed on the rear elevation which faces Nos 28 and 30 and accordingly no overlooking would arise. However, this does not overcome the harms identified.
8. I therefore conclude that the proposal causes unacceptable harm to the living conditions of neighbouring occupiers. Conflict therefore arises with Policy DM9 of the Epping Forest District Council Local Plan 2011-2033 (Local Plan) which, amongst other things, seeks to ensure development proposals protect the amenity of neighbouring occupiers.

Character and appearance

9. The appeal site lies within an established residential area where properties benefit from long rear gardens. Unlike the majority of properties in the locality the appeal site's garden wraps around that of neighbouring properties in an L-shaped manner.
10. The proposal would be positioned within an enclosed rear garden. Whilst the proposal would be of considerable scale, the garden area would not be unduly dominated by development and therefore the proposal would not be harmfully out of character with the surrounding area.
11. Whilst the proposal may be visible from the windows of nearby properties it would be of an appropriate design and materials of construction for its suburban context.
12. For these reasons, I conclude that the proposal would not be unacceptably harmful to the character and appearance of the area and would accord with Policy DM9 of the Local Plan, which amongst other things, emphasises the importance of high-quality design, requiring development to positively contribute to its surroundings and relate appropriately to the local character and context. seeks to promote good design.

Other Matters

13. The appellant advances that a similar proposal could be erected under the provisions of permitted development, presumably under the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). However, the evidence indicates that to comply with the provisions of the GPDO that the structure would need to be located away from the boundary and thus the impact upon living considerations is not comparable to the appeal scheme before me. Furthermore, it is understood that a Certificate of Lawfulness¹ was deemed unlawful and therefore I do not have a realistic fall-back position before me to add positive weight in favour of the proposal.
14. The proposal would provide additional home office space for the appellant and their family. However, this would be a private benefit and, as such, I afford it limited weight.
15. The appellant advances that the proposal would be highly sustainable and incorporate energy efficient measures. No specific measures are before me. Nevertheless, given the domestic scale of the proposal, any such benefits would carry limited weight in favour of the scheme.

¹ Office reference EPF/2048/24

16. The appellant submits that the proposal would encourage them to enhance and maintain the existing green space. Whilst this would constitute environmental benefits these would be limited by the small-scale nature of the proposal. In any event, I am not satisfied that the proposal is the only means of securing such enhancements.

Conclusion

17. By reason of the effect on outlook the proposal would result in unacceptable harm to the living conditions of neighbouring occupiers, in conflict with the development plan policy. Accordingly, it is concluded that this appeal should be dismissed.

R Gee

INSPECTOR