



Appeal Decision

Site visit made on 21 January 2026

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 27th February 2026

Appeal Ref: APP/J1535/W/25/3374784

69 Church Hill, Loughton Essex IG10 1QP

- 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 Reformer Ltd against the decision of Epping Forest District Council.
 - The application Ref is EPF/1646/25.
 - The development proposed is the demolition of existing dwelling house and construction of 4 no. 4 bedroom houses, in a terrace configuration.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A reason for refusal relates to the fact that initially the Council were not satisfied that adequate information had been submitted to demonstrate there would be no likely significant effect on the Epping Forest Special Area for Conservation. However, given my findings in relation to the other main issue I will deal with this issue in the “Other Matters” section of the decision.
3. I have made a slight amendment to the description of development to remove reference to the previously approved scheme.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is located on Church Hill and comprises a rectangular parcel of land which accommodates a vacant part single, part two storey dwelling and garden area. Like the Inspectors who have determined appeals in relation to this site¹, I observed at the site visit that the site forms part of a long block of land which is bound by Church Hill and The Uplands roads and a public footpath. This block rises in a north easterly direction from Loughton Cricket Club. The appeal site is located towards the top end of this block, nearing the crest of Church Hill. This block of land is characterised by predominantly two storey houses of differing designs and periods which unlike some larger blocks on the opposite side of Church Hill present a cohesive lower-rise suburban character.

¹ APP/J1535/W/21/3270758 & APP/J1535/W/19/3224739

6. The appeal site is one of the widest plots in the block and given that it is located near the crest of the hill it is particularly prominent. This appeal proposal would be materially different from the previously dismissed appeal scheme involving a flatted development which would have involved excavation of the site to limit the impact of the proposed height of the development. Consequently, I accept that based on the available evidence this proposal would be less harmful on the character and appearance of the area than that scheme.
7. That said, I note that planning permission has been granted for a flat roofed scheme of four houses² which sits comfortably on the plot and relates well to the dwellings on either side. However, the same cannot be said of this proposed scheme.
8. Although the proposal would also involve four dwellings, it would materially increase the ridge height of the proposed development in comparison to the approved scheme to allow additional domestic floorspace at the second-floor level. This additional height when combined with the overall depth of development would result in a significant increase in the scale, massing and bulk of the proposed dwellings in comparison to both the existing property on the plot and the previously approved scheme.
9. The appellant highlights that the second floor of accommodation would be within the roof space. However, to accommodate the proposed second floor bedrooms the proposed dwellings would be effectively three storeys with flat roofed dormers in the rear roof slopes of each dwelling. Moreover, although there would be some elements of the roofs that would be hipped, these would connect to a large expanse of flat crowned roof incorporating rooflights to provide natural light to en-suite bathrooms and storage areas.
10. Notwithstanding the points made by the appellant in relation to the proposed scheme in comparison to the approved scheme and also in relation to the overall design approach including the level of the eaves and ridge height of the proposed development in comparison to surrounding properties, when the proposed design elements are taken together the resulting mass, scale and bulk of the upper part of the proposed dwellings within this setting would appear incongruous, bulky and would introduce an inharmonious development into the streetscene. Such an arrangement would be at odds with the prevailing cohesive lower-rise suburban character and appearance of the area.
11. I therefore conclude that the proposed development would unacceptably harm the character and appearance of the area. Consequently, the proposal would be at odds with Policy DM9 of the Epping Forest District Local Plan 2011-2033, March 2023 (EFDLP) which among other things seeks to ensure that development proposals contribute to the distinctive character of the local area and relate positively to their locality having regard to building heights and the form, scale and massing around the site.

Other Matters

12. The appeal site is located within the zone of influence of the Epping Forest Special Area of Conservation (EFSAC). This European site is afforded protection under the

² EPF/0489/25

Conservation of Habitats and Species Regulations 2017 as amended (The Habitat Regulations).

13. The proposal would result in the creation of four additional dwellings. Based on the available evidence the proposal would be likely to have a significant effect on the conservation objectives of the European Site due to recreational pressure and atmospheric pollution caused primarily by vehicles traveling on roads close to the forest.
14. The Council have confirmed that as the appellant has provided an executed planning obligation to secure appropriate mitigation measures and the proposal would involve the installation of electric charging points, they are satisfied that the appeal proposal would not have an adverse impact on the integrity of the EFSAC.
15. Regulation 63 of the Habitat Regulations requires the competent authority to carry out an Appropriate Assessment (AA). However, an AA is only required where the competent authority is minded to grant consent for the proposal. Although I have no reason to disagree with the Council's view, given my overall conclusions there is no need to further consider the implications of the proposal on the protected site because the scheme is unacceptable for other reasons.
16. I have taken account of the fact that the proposal would be acceptable in principle, and would make efficient use of the appeal site for much needed housing in a suitable location. Having visited a neighbouring property during my site visit and having considered the relationship of the proposal with surrounding properties I also agree with the findings set out in the Officer's report that the proposal would not harm the living conditions of the occupants of neighbouring properties or future residents of the proposed development. Moreover, the proposal would be acceptable in terms of highway safety, parking, ecology, impact on trees and landscaping, drainage and land remediation. However, these matters and any benefits associated with the proposal would be significantly and demonstrably outweighed by the harm I have identified above and certainly do not justify harmful development on the appeal site.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal should be dismissed.

S Rawle

INSPECTOR