



Appeal Decision

Site visit made on 19 February 2026

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2026

Appeal Ref: APP/J1535/W/25/3367648

20 Pinnacles, Waltham Abbey, EN9 1TG

- 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 Ozcan Hassan against the decision of Epping Forest District Council.
 - The application Ref is EPF/0020/25.
 - The development proposed is a new self-build dwelling house with solar panels, cycle storage, bin storage etc.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Appeal site context

3. Pinnacles is a small cul-de-sac that forms part of a post-WWII estate characterised by consistent building lines and houses fronting onto pedestrian footpaths with small areas of greenspace and spacious corner plots. These are linked to public roads and private garage courts where residents park their vehicles. Overall, I found the estate to have an open and spacious character.
4. The appeal site, which has been subdivided from No 20 Pinnacles, previously formed its side garden. A particular feature of this part of the estate is the strong rhythm created by Nos 10 to 20 Pinnacles, 3 pairs of semi-detached dwellings constructed to the same architectural design with equal separation gaps. This is reinforced by 4 further pairs of semi-detached dwellings on Fairways, which are also of the same architectural design with equal separation gaps.

The effect of the development on the character and appearance of the area

5. The existing side elevation of No 20 aligns with the front building line of the 4 pairs of semi-detached properties on Fairways. The proposed scheme would obliterate this feature and substantially erode the openness of the appeal site. Furthermore, its narrow first floor rear elevation and lower roof ridgeline above the recessed link to No 20 would be wholly out of character with the consistent built-form rhythm of Nos 10-20. As a consequence, this would harm the spacious and open character of this part of Fairways and not respect the established urban grain, design context and layout of the area.

6. Although the proposed dwelling would be finished in similar materials to surrounding properties, this would not mitigate the harm identified above.
7. In light of the above, I conclude that the development conflicts with Policy DM9(D) of the Local Plan¹ which seeks, among other things, to ensure that development proposals relate positively to their locality having regard to:- (1) the form, scale and massing around the site; (2) the network of routes and spaces connecting locally; and (3) the rhythm of neighbouring plot/building widths and existing building lines.
8. I also find that the scheme conflicts with Paragraph 135 of the Framework² which seeks, amongst other things, development that:- (1) will add to the overall quality of the area; (2) is sympathetic to local character, including the surrounding built environment and landscape setting; and (3) will maintain a strong sense of place, using the arrangement of streets, spaces and building types to create attractive, welcoming and distinctive places to live.
9. Despite the Council having referred to Policy DM10 of the Local Plan in its reason for refusal, this is not applicable as it primarily relates to housing standards.

Other Matters

10. The appeal site is within the zone of influence for the Epping Forest Special Area of Conservation (SAC), which is protected by the Conservation of Species and Habitats Regulations 2017. Although the appellant has agreed to make a financial contribution to mitigate the effects on this, there is no signed and dated planning obligation before me to secure this. However, because I am dismissing the appeal for other reasons, I have not pursued this matter further because it would not have led me to a different conclusion.

Planning balance

11. The appellant asserts that the scheme accords with Paragraph 124 of the Framework in that it represents an effective use of land in meeting the need for homes. However, this paragraph also states that this should occur whilst 'safeguarding and improving the environment', which I have concluded that the development would not.
12. The scheme would result in benefits from; - (a) the provision of an energy-efficient dwelling in a sustainable location; (b) future occupiers contributing to the vitality and viability of shops, services, facilities, businesses and community organisations in the surrounding area; (c) improvements to the ecological value of the site from biodiversity net gain; and (d) local employment during construction. However, given the small size of the development in terms of housing units, I consider these benefits to be of limited value. On this basis, when assessed against the policies in the development plan and other material considerations, it is my view that the adverse impacts of the scheme outweigh these benefits.
13. My attention has been drawn by the appellant to an appeal decision for a nearby site where the Inspector held that 'modest infill development can be successfully accommodated without harm to local character where it respects established patterns of development'. However, I see no conflict between this and my decision

¹ Epping Forest District, Local Plan 2011-2033, Part One, Adopted March 2023, Epping Forest District Council.

² National Planning Policy Framework, Ministry of Housing, Communities and Local Government, 12 December 2024 (as amended on 7 February 2025).

as I have concluded that the scheme would not respect the established pattern of development.

14. In view of the above, I conclude that the proposal does not accord with the development plan and that other material considerations do not indicate that the proposal should be determined other than in accordance with this.

Conclusion

15. For the reasons given above the appeal should be dismissed.

Robert Fallon

INSPECTOR