



Appeal Decision

Site visit made on 10 March 2026

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th May 2026

Appeal Ref: APP/J1535/W/25/3376480

Corner Garth, Nursery Road, Loughton, Essex IG10 4EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr & Mrs Laysmith against the decision of Epping Forest District Council.
 - The application Ref EPF/2036/25, dated 7 October 2025, was refused by notice dated 24 November 2025.
 - The application sought planning permission for proposed improvements and extensions without complying with a condition attached to planning permission Ref EPF/1780/23, dated 4 October 2023.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 2322-200.09, 2342-202.09, 2322-500.09.
 - The reason given for the condition is: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The extensions had been largely constructed at the time of my site visit, and the appellant seeks the retention of a larger side dormer in place of a smaller dormer and alterations to the fenestration. The Council have not objected to the alterations to the fenestration and based on the evidence before me I have no reason to conclude otherwise. I shall therefore focus on the large side dormer.

Main Issue

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

Reasons

4. The appeal property comprises a bungalow on a corner plot in a residential area. There is a wide range of designs and materials to the dwellings along Nursery Road and in High View Close to the rear of the appeal site. Several of the properties have front or rear dormers of varying designs, however there are very few side dormers in the locality.
5. The larger side dormer is considerably bigger than the other side dormers and takes up a substantial portion of the roof slope. When viewed together with the approved smaller dormer, the resultant roof slope has an unbalanced and cluttered appearance. Furthermore, the larger dormer is visible from Nursery Road and is at

odds with the street scene given the very few side dormers in the locality. For these reasons, the larger dormer is therefore an incongruous addition which results in a cluttered appearance and dominates the roof slope.

6. The previously approved dormers on both side elevations are modest in size which do not dominate the roof slopes and have a balanced appearance. The approved rear dormer is larger and takes up a significant part of the roof slope. However, it is the only dormer to the rear and is centrally positioned within the roof slope and therefore does not result in a cluttered or unbalanced appearance. As such, the approved dormers do not justify the larger side dormer.
7. I note that there is an extant planning permission for a roof extension¹ at the adjacent property "Glentarras". However, in the evidence before me there is no guarantee that this extension would be constructed. I therefore afford limited weight to the extant planning permission at "Glentarras".
8. Longfield is a residential road and cul-de-sac off of Nursery Road. The dwellings in Longfield share similarities in design and materials, including a number of flat-roof front dormers. However, the properties in the cul-de-sac are not visible from public viewpoints at the appeal site and therefore have little bearing on the street scene at the appeal site. The flat-roof dormers in Longfield therefore do not justify the larger side dormer.
9. Amending condition 2 of the original planning permission would therefore cause harm to the character and appearance of the appeal property and the area and, consequently, would conflict with Policy DM9 of the Epping Forest District Local Plan 2011-2033 Part One. This policy requires, amongst other things, for development to relate positively to its context and contribute to the distinctive character of the local area.

Other Matters

10. Even if obscure-glazed windows would prevent any harm to the living conditions of the occupiers of neighbouring properties, this would not alter the harm identified above.

Conclusion

11. I conclude that 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. The appeal should therefore be dismissed.

D Ellis

INSPECTOR

¹ Planning application ref. EPF/0473/18