



Appeal Decision

Site visit made on 20 May 2026

by **I A Dyer BSc (Eng) FCIHT**

an Inspector appointed by the Secretary of State

Decision date: 22 May 2026

Appeal Ref: APP/J1535/D/25/3376650

32 Brook Road, Loughton, Essex, IG10 1BP

- 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 Dr Nadarajah Aravindhan against the decision of Epping Forest District Council.
 - The application Ref is EPF/1373/25.
 - The development proposed is raising height of current brick wall and inclusion of railings.
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Decision

1. The appeal is allowed and planning permission is granted for raising height of current brick wall and inclusion of railings at 32 Brook Road, Loughton, IG10 1BP in accordance with the terms of the application, Ref EPF/1373/25, and the plans submitted with it, subject to the following conditions: -
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The brickwork to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing wall.

Applications for costs

2. A separate application for costs has been submitted by Dr Nadarajah Aravindhan against Epping Forest District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The Council state in their decision notice that the submitted plans are not sufficiently clear or precise, causing confusion as to what exactly is being proposed and its siting in relation to the plot. On the basis of the information before me it is clear that the proposal is for a replacement wall with pillars no taller than 1.8 metres in the same locations as present, connected by lower sections of brick, no greater than 1 metre in height, surmounted by railings. I find this sufficient to determine the proposal before me and have proceeded on this basis.
4. The description of development provided on the application form is lengthy and contains information that is not descriptive of the development. I have, therefore, used the description of development as it appears in the Council's decision notice as this provides sufficient information to identify what is being proposed.

Main Issue

5. The Council cites conflict with Policy DM9 of the Epping Forest District Council Local Plan 2011-2033 (2023) (the Local Plan), which relates to design, in its single reason for refusal. Therefore the above the main issue in this appeal is the effect of the proposal on the character and appearance of the site and the surrounding area.

Reasons

6. At the time of my site visit I noted the presence in the immediate area, at 24 and 36 Brook Road, and 8 Alderton Hill, of boundaries that have a similar design to that of the proposal. Thus, the design of the proposal would not be out-of-keeping with the area and thus would not be visually harmful.
7. I therefore conclude that the proposal would not have a harmful effect on the site or the surrounding area. It therefore complies with the aims of Policy DM9 of the Local Plan in as much as this seeks, amongst other things, to ensure that all new development must achieve a high quality of design and contribute to the distinctive character and amenity of the local area, relating positively to its context, and drawing on the local character.

Conditions

8. I have considered the conditions proposed by the Council and have added, at their suggestion, a condition limiting the lifespan of the permission to prevent the accumulation of unimplemented permissions.
9. I have also included the condition suggested by the Council to ensure that the bricks used in construction match those in the existing wall to protect local visual amenity. In this way the aims of Policy DM9 of the Local Plan are achieved. However, I have amended the Council's suggested wording for clarity.

Conclusion

10. For the reasons given above the appeal should be allowed.

I A Dyer

INSPECTOR