
Appeal Decision

Site visit made on 19 February 2014

by Nick Moys BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 April 2014

Appeal Ref: APP/J1535/A/13/2207443
20 Ollards Grove, Loughton, Essex IG10 4DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Hiam (L & C Design) against the decision of Epping Forest District Council.
 - The application Ref EPF/0941/13, dated 29 April 2013, was refused by notice dated 7 August 2013.
 - The development proposed is described as '4 bedroomed semi-detached house built on land adjacent to No 20 Ollards Grove'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case concern the effects of the proposal on: i) the living conditions of the occupants of 16 Ollards Grove in respect of outlook and visual impact, and ii) the character and appearance of the surrounding area.

Reasons

3. The appeal site comprises a detached house and garden, and is located within a residential area close to Loughton town centre. The proposed dwelling would occupy the side garden of No 20, and would be linked to the existing house to create a pair of semi-detached properties. An existing detached garage would be demolished to make way for the new house, and a second access onto to Ollards Grove would be formed to serve No 20. The appeal site is adjoined on both sides by semi-detached houses. Ollards Grove rises steeply from east to west.

Living conditions

4. The flank elevation of the neighbouring property at No 16 which faces the appeal site contains four windows: two ground floor openings which serve habitable rooms, and two first floor windows to bathrooms. Of the two ground floor openings, one is a secondary window to a habitable room that also has windows at the front of the property. However, as I was able to see during my site visit, the rearmost ground floor window serves a habitable room, which, contrary to the suggestion contained in the appellant's evidence, does not benefit from an additional window in the rear elevation.

5. The proposed dwelling would be located approximately 4 metres away from the flank elevation of No 16, and around 1.5 metres from the boundary. The side elevation of the proposed dwelling would be deeper than that of No 16, extending further to the rear, and due to the sloping nature of the ground, would sit at a noticeably higher level. Although the outlook from the side of No 16 is already partially restricted by the existing garage and the intervening boundary screening, the proposal would significantly worsen this situation, and would appear as a dominant and overbearing feature because of its close proximity, height and overall scale.
6. I appreciate that due to the orientation of the properties and the presence of trees on the side boundary to the west, the proposal would not result in a significant loss of sunlight. I note too that the roof of the proposed dwelling would slope away from No 16, and that the Council is satisfied that the proposal would meet appropriate standards in terms of daylighting. However, for the reasons set out above, I consider that the proposal would result in material harm to the living conditions to the occupants of No 16 due to its overbearing visual impact.
7. I acknowledge that the proposal would reduce the level of potential overlooking of No 16 from windows in the flank elevation of No 20. However, given the degree of separation between the properties and existing boundary screening, I do not consider that this benefit would be significant or would outweigh the harm caused to outlook.
8. I conclude therefore that the proposal would conflict with Policy DBE2 of the Epping Forest District Adopted Local Plan (1998) (the Local Plan) which seeks to prevent development that would have a detrimental effect on the amenity of neighbouring properties. The proposal would also be inconsistent with the objective of the National Planning Policy Framework (the Framework) of securing a good standard of amenity for both existing and future occupants of buildings.

Character and appearance

9. Development along Ollards Grove consists mainly of large detached dwellings, but also includes some semi-detached properties. Although not particularly widely spaced, most houses are set in generous plots, with good sized front gardens and long rear gardens. Established landscaping and trees enhance the pleasant suburban character of the area. Older properties are generally built in Tudor revival and Arts and Crafts styles, and typically feature extensive architectural decoration, projecting gables and bays, and half-timbering. Later infilling and additions have created a more varied pattern of development in terms of building design, plot width and building spacing.
10. Although narrower than immediately adjacent properties, the proposed plot, and that retained with No 20, would be of a similar width to a number of other properties nearby, including the semi-detached houses at Nos 10-12 and detached properties at Nos 15A, 17, 26, 30 and 46 and 50. I disagree with the Council's suggestion that these properties are not comparable with the appeal proposal. The situation of Nos 10-12 is similar to that of the appeal site, as that absence of houses on the opposite side of Ollards Grove gives both a similarly open aspect. Furthermore, I agree with the appellant that detached properties generally need more space around them than semi-detached dwellings to create a similar degree of spaciousness.

11. The set back of the new dwelling from the road would also be similar to that of other nearby properties, and ample garden space would be retained to the front and rear. The separation distance of approximately 4 metres to the neighbouring house at No 16 respectively would be consistent with, and in some instances greater, those seen elsewhere in the street. The proposed dwelling would be similar in size to the existing house at No 20, in terms of its built footprint and overall scale; and its gable ended design, projecting wings and staggered roofline would help to reduce its overall visual bulk and massing.
12. Taking these matters into consideration, I find that whilst the proposal would inevitably result in a loss of openness in the immediate vicinity of the appeal site, it would not appear unduly cramped or be out of keeping with the general pattern of surrounding development due its height, bulk and massing.
13. Although not forming part of the grounds of refusal, the Council contends that the design of proposed dwelling would not relate well to the host dwelling No 20. However, whilst the proposal would not create a symmetrical pair of dwellings, it would adopt the same architectural style as the host property, and with similar massing and materials would create a balanced composition. Moreover, many other properties in the vicinity are asymmetrical in form, including the semi-detached houses immediately to the north-west at Nos 22-24.
14. The difference in roof levels between the proposed house and No 20 would be more pronounced than is typical in the vicinity, and I accept that this would create a somewhat awkward visual relationship. However, this difference in levels is a function of the sloping nature of the site, and in the context of the varied rooflines of other nearby properties, this would not cause material harm to the appearance of the area.
15. I have taken into account the findings of the Inspector who determined the previous appeal for a dwelling adjacent to No 20 which was dismissed (Ref APP/J1535/A/88/102869). However, the proposal in that case was for a detached dwelling on a smaller plot, and is not therefore directly comparable with the scheme under consideration here.
16. I conclude therefore that the proposal would not result in material harm to the character and appearance of the surrounding area. Accordingly, there would be no conflict with Policy DBE1 of the Local Plan or Policy CP2 of the Epping Forest Local Plan Alterations (2006), which amongst other things require new development to respect its context and safeguard the character of the surrounding built environment. The proposal would also be consistent with the guidance set out in paragraph 58 of the Framework that development proposals should respond to local character, reflect the identity of their surroundings, and optimise the potential of sites to accommodate development. However, this does not outweigh the harm that I have found in respect of living conditions, as detailed above.

Other matters

17. In addition to the issues considered above, I have taken into account the objections raised locally, including in respect of loss of trees, increased on-street parking, lack of outdoor amenity and ground conditions. However, consideration of these matters has not led me to a different conclusion on the appeal.

Conclusion

18. I acknowledge that the proposal would add to the local housing stock and make efficient use of land in an established residential area with good access to local services and facilities. Whilst these factors weigh in favour of the proposal, the benefits of the scheme would be substantially outweighed by the harm that would result to the living conditions of the occupants of No 16 due to the overbearing visual impact of the development.
19. The Government's Planning Practice Guidance was published on 6 March 2014. I have considered the content of this guidance, but in the light of the facts of this case, the document does not alter my conclusions.
20. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Nick Moys

INSPECTOR