



Appeal Decision

Site visit made on 7 August 2015

by Timothy C King BA (Hons) MRTPI

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

Decision date: 25/08/2015

Appeal Ref: APP/J1535/D/15/3038247
24 Alderton Hill, Loughton, Essex, IG10 3JB

- 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 Balbir Bagria against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/3012/14, dated 24 December 2014, was refused by notice dated 1 April 2015.
 - The development proposed is '*Proposed two storey side extension, part two storey, part single storey rear extensions, dormer windows and associated alterations.*'
-

Decision

1. For the reasons that follow I dismiss the appeal insofar as it relates to the two-storey side extension to the dwelling's east facing flank wall. I allow the appeal, however, insofar as it relates to the remainder of the application and grant planning permission for a two-storey side extension to the dwelling's west facing flank wall, a single storey rear extension, installation of two dormer windows in the front roof-slope, one dormer window in the rear roof-slope and associated alterations at 24 Alderton Hill, Loughton, Essex, IG10 3JB in accordance with the terms of the application Ref PL/EPF/3012/14, dated 24 December 2014, subject to the following conditions:
 - a) The development hereby permitted shall begin not later than three years from the date of this decision.
 - b) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings Nos 1406/102, 1406/103, 1406/104, 1406/105, 1406/106 and Site Location Plan.
 - c) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
 - d) Prior to occupation of the two storey side extension, hereby approved, the first floor side window shall be obscurely glazed, and maintained as such thereafter.

Procedural Matter

2. I have slightly re-worded the proposal's description to more closely focus on the development involved.
-

Main Issue

3. The Council has not raised any objections to the proposed extensions in respect of their effect on the character and appearance of the host dwelling or the surrounding area. I do not disagree with this approach and, although I have had regard to the concerns raised by the occupiers of No 22, due to the explanation in my reasons, I consider that the only source of material contention relates to the two storey side extension proposed to the dwelling's eastern flank wall. In the circumstances, and with regard to the wording of the Council's Reason for Refusal, the main issue in this appeal is the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to those at No 26 Alderton Hill and any resultant loss of light and sunlight thereto.

Reasons

4. The two-storey side extension facing No 26 would significantly increase the dwelling's depth, involving also the projection of the roof's gable end and also the creation of an additional gable feature to the dwelling's rear. Given the properties' respective orientations, with the appeal dwelling to the south west of No 26, I consider that the increased depth, the extension's massing and the proximity of the extended roof planes would impact upon the neighbouring property.
5. Policy DBE9 of the Epping Forest District Local Plan LP) indicates that an extension should not result in an excessive loss of amenity for neighbouring properties. Factors to be taken into account in this regard include, amongst other things, loss of daylight and/or sunlight. I note the appellant's consideration that No 26 is already significantly overshadowed and, at the time of my site visit during the mid-morning, a cast shadow was in evidence. However, due to the extent of the proposed additions the current situation must, to some degree, worsen particularly during the afternoon.
6. The appellant has provided a series of shadow diagrams, apparently generated by way of computer models of the building. However, this does not constitute a full assessment of the resultant change to daylight and sunlight levels in respect of No 26, as might be produced by a specialist light consultant who would carry out a proper comprehensive study of the factors involved. The appellant's rather limited findings, by way of the shadow diagrams, show only marginal change from that put forward as of the current situation. In the circumstances and, as it would appear that the findings have not previously been seen and verified by the Council, I consider that this matter requires further assessment.
7. I have had regard to the concerns raised by other interested parties, the occupiers of No 22, and have noted the proximity of this property to that of the dwelling, if extended. However, as No 24 is positioned north east of No 22 and that the proposed extension would be significantly set down from the main ridgeline, I do not consider that this neighbouring property would be unduly impacted upon.
8. I have concluded that the proposed two-storey extension to the eastern flank would, due to its height, depth and orientation, be harmful to the living conditions of the neighbouring occupiers and, in the absence of compelling information and detail to suggest otherwise, the proposal would be contrary to

LP Policy DBE9 and also relevant advice within the National Planning Policy Framework.

9. That element of the proposal which I have found to be unacceptable is severable from the remainder of the proposed development. Therefore, for the reasons given above, I conclude that the appeal should succeed in relation to the proposed two-storey side extension to the dwelling's west facing flank wall, a single storey rear extension, the installation of two dormer windows in the front roofslope, one dormer window to the rear roofslope and associated alterations. However, in relation to the proposed two storey addition to the eastern flank, the appeal fails.
10. As regards conditions, I am imposing one relating to the statutory time limit and a requirement for the use of matching materials to ensure a satisfactory appearance. For the avoidance of doubt, and in the interests of good planning, I have imposed a condition which requires that the development be built in accordance with the approved plans. I have also imposed a condition requiring that the first floor window in the approved extension's side elevation shall be obscurely glazed but, despite the Council's suggestion, given that the first floor 'granny flat'/studio would not be accessed independently, I see no need to attach a condition in respect of its future occupation.

Timothy C King

INSPECTOR