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## Appeal Decision

Site visit made on 19 January 2016

**by Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM**

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

**Decision date: 6 February 2016**

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### **Appeal Ref: APP/J1535/W/15/3133888**

### **34 Barrington Green, Loughton, Essex, IG10 2BA**

- 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 and Mrs L Schalkwyk against the decision of Epping Forest District Council.
  - The application ref. EPF/0530/15, dated 4 March 2015, was refused by notice dated 1 July 2015.
  - The development proposed is described as: demolition of single storey flat and redevelopment to provide 3 flats in a three storey building with accommodation within the roof and provision of 1 parking space at the rear and 3 off street parking spaces at the front with one space allocated to the adjoining dwelling at number 36 (revised scheme).
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### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The main issue is the scheme's effect on the area's character and appearance.

### **Reasons**

3. The appeal site is occupied by a single storey flat at the end of a terrace of houses. To the south, the site is adjoined by a lane providing access to the rear of the property and its neighbours to the north. Land to the south of the access lane is currently under development for a mixed-use scheme.
4. The appeal scheme would have a strong visual association with the adjoining terrace of houses. The proposed ridge and eaves lines would be consistent with those of its neighbours. Matching materials would be used. However, although the existing flat occupies a raised position, the intended creation of a lower ground floor unit would be out of keeping with the characteristically two-storey nature of the dwellings to the north.
5. While the entrance to the lower unit would not be easily seen from the front of the site, the scheme's uncharacteristic nature would be apparent in views towards its side elevation. This would contain windows on four levels – a design that would be at odds with the prevailing character noted above. To my mind, the resulting scale of this elevation, which would be amplified by a proposed rear projection, would appear as an over-dominant addition to the terrace rather than a subordinate side extension. Bearing in mind that the appeal site is narrower than the plots occupied by the dwellings to the north,

I agree with the Council that the resulting effect would appear cramped. For these reasons I also agree that it would amount to overdevelopment of a restricted site.

6. Although the Council also considers that the proposed arrangements would create a visually intrusive amount of parking at the front of the property, I do not feel that this would be markedly out of keeping with other dwellings to the north, many of which contain front garden parking areas. The detailed layout of the parking spaces themselves could be addressed by a planning condition were matters otherwise acceptable. However, these matters do not over-ride the adverse effects described above.
7. For these reasons, I conclude that the proposal would unacceptably harm the area's character and appearance. This would conflict with relevant policies of the Epping Forest District Local Plan and Alterations (LP), notably policies CP2(iv), CP7 and DBE1(i).
8. With reference to an appeal decision dated February 2015<sup>1</sup>, the appellants state that the Council cannot demonstrate a five year supply of land for housing. This is not disputed by the Council. As such, the appellants consider that the LP is substantially out of date. They point to the likely benefits of the appeal scheme, most particularly in terms of its ability to provide smaller market dwellings in a location with good accessibility to services and facilities, including local bus routes and Debden station.
9. Nevertheless, I am satisfied that the relevant requirements of the above-noted LP policies in respect of the design and layout of new development reflect objectives of the Framework, notably the core principle that planning should always seek to secure high quality design. I consider that the adverse effects that I have described above in respect of harm to the area's character and appearance are such as to significantly and demonstrably outweigh the scheme's benefits. The proposal would not therefore amount to sustainable development in the terms of the Framework.
10. I note the appellants' concern that the Council's Planning Committee decided to over-ride an officer-level recommendation that planning permission should be granted for the proposed development. I am also aware that the scheme took into account changes intended to satisfy the Council's objections to a previous proposal. Nevertheless, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

*M J Hetherington*

INSPECTOR

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<sup>1</sup> Appeal ref. APP/J1535/A/14/2228901 The Paddock, Grove Lane, Chigwell.