

Appeal Decision

Site visit made on 16 September 2015

by Claire Victory BA (Hons) BPI MRTPI

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

Decision date: 07/01/2016

Appeal Ref: APP/J1535/W/15/3028109

Trevelyan House, Arewater Green, Loughton, Essex IG10 2SP

- 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 Trevelyan House Ltd. against the decision of Epping Forest District Council.
 - The application Ref EPF/2608/14, dated 4 September 2014, was refused by notice dated 4 February 2015.
 - The development proposed is the demolition of three existing properties and associated buildings to be replaced with 10 no. new dwellinghouses, new access road, parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has confirmed that the red line boundary as originally submitted included a strip of land not within their ownership. This has now been corrected and I was aware of the correct boundary in determining this appeal.

Main Issues

3. The main issues in the appeal are:
 - the effect of the proposed parking and access arrangements on the safety and convenience of users of the highway network in the vicinity of the appeal site; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

4. Trevelyan House is a detached property, with several outbuildings, including a large workshop in the north east of the appeal site. Two semi-detached cottages also form part of the site, which is bounded by allotment gardens, known as the Loughton Potato Ground to the north, Grade II listed almshouses to the south west, residential properties on Monkchester Close to the north east, and Arewater Green, a wooded green space to the south east that forms part of Epping Forest.
5. Ground levels vary significantly throughout the site, with the land rising towards the Potato Ground and Monkchester Close, and sloping down towards the south east. The site is generally secluded, with screening from mature

trees along the south east and south west boundaries, although the northern part of the site is overlooked by the rear gardens of properties on Monkchester Close, that are set higher than the ground level within the site.

Proposed parking and access arrangements

6. The proposal would involve the demolition of the existing buildings and construction of 10 new dwellings. Policy ST6 of the Epping Forest District Council Local Plan and Alterations (LP) (2008) requires developments to provide on-site car parking in accordance with the Essex County Council Car Parking Standards 2001 or successor document. The latest iteration of the parking standards (2009) require minimum car parking standards for dwelling houses. It notes that the 2001 maximum standards for residential uses were ineffective in discouraging car ownership and dwellings, as trip origins, should provide sufficient vehicle parking arrangements for residential properties in Essex.
7. The parking standards require 2 off-street car parking spaces for each dwelling formed of two bedrooms or more, and 0.25 visitor spaces per dwelling, rounded up to the nearest whole number. 10 allocated car parking spaces are proposed, one for each dwelling, and six unallocated spaces for visitors. The appellant contends that there would be a minor shortfall against these standards. However, whilst the full requirement for unallocated visitor parking would be met, there would be a 50% shortfall of allocated parking for each dwelling when assessed against the standard.
8. The parking standards state that a relaxation of the standards may be appropriate within urban areas with good links to sustainable transport. Although there are local shops nearby on Goldings Hill and Lower Road, and bus stops some 200m from the site, serving the centres of Loughton and Debden centres, the site is on the edge of Loughton, and the dwellings are all large three or four bedroom properties. It is reasonable to expect that the occupiers of some of these family dwellings would have at least two cars.
9. The proposed layout includes a shared pedestrian and vehicular access road, and the sole access for the site would be from Monkchester Close via Old Lane. However, space is limited within the site itself for additional on-street parking as there are parking spaces along much of the length of the access road. The Highway Authority made no comment on the assessment of parking provision, noting that it was the remit of the Council as Parking Authority. Whilst there is provision for flexibility in applying the car parking standards, in these particular circumstances, the level of off-street car parking proposed is inadequate to serve the needs of the future occupiers of the development, and the shortfall of 10 allocated car parking spaces within the site would be likely to result in vehicles parking within the road or turning area. This would cause inconvenience for pedestrians, cyclists and drivers of other vehicles using the shared space and increase risks to highway safety.
10. Within the wider area, parking is restricted along Goldings Hill, but not on Monkchester Close. Houses in that road have some off-street parking and there is some on-street parking capacity, albeit this is reduced somewhat by the garages serving properties on Firs Drive. It has also been pointed out that there is a greater level of parking demand within Monkchester Close during particular times, for example school drop off and pick up times.

11. Photographs submitted by the appellant, taken at approximately 11:30 on a weekday indicate that there was some capacity for on-street parking in this location at that time. This correlates with observations at the site visit, undertaken at about the same time of day. Photographs submitted by a third party show a greater number of cars parked on-street, albeit the time the photographs were taken is not stated. Although the photographs submitted are merely a snapshot in time, on balance, the available evidence does not suggest that the area currently suffers from a high level of parking stress.
12. Due to the high gradient leading up from the site to Monkchester Close and the distance from the site access to most of the proposed dwellings, I consider most occupants would choose to park within the appeal site closer to their properties, but it is likely that there would be some overspill parking on Monkchester Close. Whilst this would not be a sole reason to justify dismissal of the scheme, it would add to the harm I have already identified.
13. Turning to the adequacy of the site access, whilst the access would be relatively narrow in width, a tracking plan has been submitted to show that a refuse vehicle could enter and leave the site in forward gear, and the proximity to the Potato Ground access combined with the gradient of the road within the appeal site means that vehicles would be expected to travel at low speeds when entering and leaving the site. In addition, the existing access road from Goldings Hill would be blocked up with bollards to prevent vehicular access to the proposed dwellings, and this could be secured by condition. As such I find no compelling evidence to disagree with the Highway Authority's view that there would be no highway safety or capacity issue with the proposed access.
14. Taking all of the above into account, I conclude that although the access would be satisfactory, the proposed parking arrangements would have an adverse effect on the safety and convenience of users of the highway network. The development would thus be contrary to policies ST6 and CP7. Policy CP7 states that development in all urban areas which results in overdevelopment, unsympathetic change or loss of amenity will not be permitted. It would also conflict with the Framework, insofar as it requires a high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Character and appearance

15. The site is situated on the edge of Epping Forest and adjacent to the Potato Ground, but lies within the built up area and the proposed houses would cover broadly the same footprint as existing buildings on the site. Although the orientation of the dwellings and plot layout would be different to the nearby almshouses and dwellings in Monkchester Close, the height, scale and form of dwellings would be appropriate for the surrounding area, and the density would be broadly comparable. The dwellings on plots 3 to 6 would be three storeys in height. Whilst most dwellings in the immediate vicinity are two storeys, the proposed three storey houses would not be significantly out of scale with other dwellings in the locality, taking into account the lower ground level at the south western end of the site.
16. The proposed dwellings are of a simple contemporary design. The appellant has indicated that traditional materials would be used in their construction, such as weather-boarding, render, and brick and the details of exact types and

colours of the external materials could be secured by condition. Turning to landscape, the scheme would retain the large Monkey Puzzle tree and a number of other significant trees within the site which are covered by a Tree Protection Order. Conditions could be put in place to ensure that these trees, along with the hedge and sections of the original fence along the boundary with the Loughton Potato Ground would be retained and protected during construction, should the development be acceptable in all other respects.

17. Whilst the general design, scale and form of the dwellings would be acceptable, for the reasons I have described, the parking provision would be inadequate for the number of dwellings proposed. The shortfall in parking provision would lead to vehicles being parked on the road within the development. This would dominate the street scene, and would result in an unacceptably cramped appearance.
18. For these reasons I conclude that the proposal would cause material harm to the character and appearance of the surrounding area. It would be contrary to policies CP2 (iv), CP7 and DBE (i), which seek, amongst other things, to safeguard and enhance the setting, character and townscape of the urban environment, make the fullest use of existing urban areas whilst protecting them from overdevelopment, unsympathetic change or loss of amenity, and respect their setting in terms of scale, proportion, siting, massing, height, orientation, roof-line and detailing. It would also conflict with the Framework, insofar as it seeks to reinforce local distinctiveness.

Other Matters

19. The Almshouses to the west of the appeal site are grade II listed. However, due to the separation of the proposed dwellings from these buildings and the substantial screening provided by a tall Yew hedge along the common boundary, I concur with the Council that the effect of the proposed development on these listed buildings would be neutral.
20. It has been put to me that the appellant has no rights of access across a section of the access road immediately adjacent to the appeal site. However, this is a private legal matter and outside the scope of this appeal. I have had regard to all other matters raised, including biodiversity, subsidence, and potential for noise and disturbance arising from the location of the site access, but none of these matters, either individually, or cumulatively, would lead me to any different overall conclusion.

Conclusion

21. For the above reasons I conclude that the appeal should be dismissed.

Claire Victory

INSPECTOR