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# Appeal Decision

Site visit made on 26 April 2016

**by Helen Hockenhull BA(Hons) B.PI MRTPI**

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

**Decision date: 25 May 2016**

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**Appeal Ref: APP/J1535/W/16/3142789**  
**16 Kendal Avenue, Epping, Essex CM16 4PW**

- 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 C/O Modern Mix Ltd against the decision of Epping Forest District Council.
  - The application Ref EPF/1783/15, dated 21 July 2015, was refused by notice dated 26 October 2015.
  - The development proposed is the demolition of existing dwelling, erection of two storey structure with rooms in the roof space providing 4 no. self contained flats. Removal of Cypress Tree.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

3. The appeal site comprises a large detached two storey residential dwelling with a detached single garage. The area is predominantly residential and is characterised in the main by large detached two storey dwellings set in spacious plots with mature front and rear gardens. There is a variety of architectural style and a range of materials including brick, render, timber boarding and uPVC cladding.
  4. The appeal proposes the demolition of the existing dwelling on the site and its replacement with a large two storey building providing 4 flats. The building would have a width of around 19 metres and would extend across the majority of the plot leaving a gap of approximately 1.6 metres from the side boundaries with neighbouring residential properties. The scale and width of the proposed dwelling would be out of character with the majority of existing properties on this part of Kendal Avenue, which whilst being large detached dwellings retain gaps between them providing a visual break in built form.
  5. The appellant has made reference to and I noted on my site visit, a number of properties in close proximity to the appeal site which have a footprint extending across most of their plot width. Nos. 14 and 14a Kendal Avenue are more modest size dwellings and are more closely sited than other properties in
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the vicinity and extend about a metre from their common boundaries. However they have single storey garage extensions to the side which whilst these extend built development across much of the plot, the subordinate nature of these extensions results in the retention of a visual gap and feeling of space between dwellings. No.18 Kendal Avenue is a large detached dwelling which again covers much of the plot but there is a lower height double garage extension with dormers above positioned close to the common boundary with No.16. This again reduces the bulk and mass of the dwelling and maintains a visual break. In contrast the appeal proposal would be two storey for its entire width and with the limited gap to the side boundaries of neighbouring dwellings would have a scale, mass and plot coverage at odds with the established pattern of development in the locality and the character and appearance of the area.

6. The appeal proposal has been designed to give the appearance of one large dwelling. This would in principle be appropriate for the area, however the development would result in a two storey building for a width of approximately 19 metres. In the context of dwellings many of which are part two storey and part single storey with varying ridge heights, it would in my view have a prominent appearance which would be out of character in the street scene.
7. I acknowledge that Policy H3a of the Epping Forest District Local Plan and Alterations 2006 looks to maximise the use of land and seeks to achieve densities of development between 30 and 50 dwellings per hectare. This policy is general consistent with the National Planning Policy Framework (the Framework) which in paragraph 17 seeks to make the effective use of land. The current density of development on the site is around 10 dwellings per hectare whilst the proposal would result in a density of about 40 dwellings per hectare in line with the objectives of this policy. Notwithstanding this compliance, regard must be had to the character of an area. In the context of a low density area as in this case, a higher density of development, would not be appropriate having regard to the character of the area. The Framework recognises in paragraph 47 advises that housing density should reflect local circumstances.
8. The Council has made reference to the design of the proposal in particular the off centre pediment which in their view would be out of keeping with surrounding dwellings. However there is a variety of design and architectural style in the locality and whilst the proposed design would be different to others in the area, I consider it would not in this regard be materially out of keeping with the locality.
9. Notwithstanding the above, the proposed development would result in a large detached dwelling which as a result of its scale, mass and plot width would not be in keeping with the established pattern of development in the area and would cause harm to the character and appearance of the area. The proposal would conflict with Policies CP7 and DBE1 of the Epping Forest District Local Plan and Alterations 2006 which aim to achieve high quality design and protect and enhance local character. These policies I consider to be generally consistent with the Framework in particular paragraph 17 which seeks to secure high quality design.

### **Other Matters**

10. I acknowledge that the appeal proposal would form a sustainable development

and would contribute to the supply of housing in the area, particularly for those seeking smaller properties. I also note that the Council has found the proposal to be acceptable in terms of highway matters, impact on the amenity of the occupiers of surrounding dwellings and in terms of arboricultural matters with particular regard to the trees on the site. Whilst these positive aspects of the scheme weigh in favour of the development they do not substantially or demonstrably outweigh the harm I have found to the character and appearance of the area.

**Conclusion**

11. For the reasons given above and having regard to all other matters raised, I dismiss this appeal.

*Helen Hockenhull*

INSPECTOR