



Appeal Decision

Site visit made on 27 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: 07 June 2016

Appeal Ref: APP/J1535/W/16/3142875 94-96 High Road, North Weald Bassett, Essex CM16 6BY

- 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 Michael Osborne against the decision of Epping Forest District Council.
 - The application Ref EPF/1737/15, dated 14 July 2015, was refused by notice dated 14 October 2015.
 - The development proposed is 1no. 2 bed flat and 1no. 1 bed flat in existing roof of property and front, rear and side dormer and raised ridge height level to rear roof.
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Decision

1. The appeal is dismissed

Main Issues

2. The main issues are:
 - the effect of the proposed development on the living conditions of existing residents with particular regard to outlook and daylight.
 - the effect of the development on the character and appearance of the building and the surrounding area;

Reasons

Living conditions

3. The appeal proposes the addition of two flats in the roof of the building with a part single storey and part two storey front extension providing access. This would result in the flank wall to the proposed extension being positioned in close proximity to a ground floor kitchen window and first floor bedroom window of existing flats in the building. Having regard to outlook, I acknowledge that both these windows are already affected by the flank wall of the existing building, which is approximately 2 metres to the side. The proposed front extension would bring this flank wall to around half a metre away from these windows. I consider that as a result of this proximity, together with the height and length of the extension, it would have a significantly greater enclosing effect than the existing building on the outlook from these windows. In terms of daylight, I consider for the same reasons, that there would also be a loss of light to these windows. Whilst this would be minimised to an extent by the orientation of the building, I consider it would be
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significant enough to cause an adverse effect on the level of daylight to these rooms.

4. I therefore consider that the proposed front extension would have an overbearing effect and result in a loss of outlook and daylight causing material harm to the living conditions of the occupiers of the existing ground floor and first floor flats. The proposal would conflict with saved policies DBE9 and CP7 which aim to achieve high quality design and ensure that new development does not result in an excessive loss of amenity for neighbouring properties. I consider these policies to be generally consistent with the National Planning Policy Framework (the Framework) in particular paragraph 17 which seeks to secure a good standard of amenity for all existing and future occupiers of land and buildings.

Character and appearance

5. The appeal property forms a large detached two storey brick and rendered building providing six flats. The property is staggered giving it the appearance of three adjoined buildings. The area is residential in character with two storey dwellings and bungalows of different designs and ages constructed in brick, some with render and predominantly pitched tiled roofs.
6. The appeal proposes the addition of 2 flats in the roof of the building. Dormers to the front, side and rear are proposed as well as the raising of the ridge height of a section of the rear roof and the provision of a front extension to provide access to the two proposed flats.
7. In relation to the alterations to the front elevation, I noted on my site visit that whilst there are few dormers in the area, the development at Lysander Court close to the appeal site on High Road does have these features. This aspect of the scheme would not be out of character with the area. I acknowledge that the proposed front dormers are of different widths and proportion however this appears to me to reflect the proportions of the existing first floor windows below. Having regard to the scale of the dormers, I do not consider that they would appear overly dominant in the roof plane.
8. The proposed two storey front extension would add to the mass of the building but would not be so dominant as to unacceptably accentuate the width of the central part of the building unbalancing its design. The proposed single storey front porch element would project further forward than the central part of the existing front elevation but due to the staggered nature of the front elevation as a whole, it would not project further forward than the most forward sitting part of the building. Furthermore having regard to the canopy over the entrance to two of the existing ground floor flats, which project forward of the front elevation of the building and to the mixed character and design of properties in the vicinity of the appeal site, I consider that the works proposed to the front elevation would not adversely affect the character or appearance of the building or be out of keeping with the street scene.
9. The proposed rear and side dormers would be appropriate in scale, would not dominate the roof slope of the building and would not appear incongruous or out of keeping with the design and character of the host building. The section of rear roof proposed to be raised would not be any higher than the ridge line of the main roof and would predominantly be screened by the main roof so that it would have little if any impact on the street scene.

10. Currently the appeal property has eight parking spaces, four to the front and four to the rear of the building. It is proposed to increase the parking to the rear with the provision of 3 additional spaces. This would have no visual impact on the street scene and could be adequately accommodated within the site.
11. Bringing the above points together, I consider that the appeal proposal would not result in unacceptable alterations to the building or overdevelopment of the site that would adversely affect the character or appearance of the property or that of the wider surrounding area. The proposal would therefore comply with saved Policy CP7 of the Epping Forest District Local Plan Alterations 2006 which aims to maintain the environmental quality of existing urban areas and provide high quality design. I consider this policy to be generally consistent with the Framework; in particular paragraphs 17 and 56 which seek to achieve high quality design and have regard to the character of different areas.
- Conclusion**
12. Whilst I have found that the appeal proposal would not cause material harm to the character and appearance of the building or surrounding area, this would not significantly or demonstrably outweigh the harm I have found to the living conditions of the occupants of the existing flats.
13. For the reasons given above and having regard to all other matters raised I dismiss this appeal.

Helen Hockenfull

INSPECTOR