



## Appeal Decision

Site visit made on 6 June 2018

**by H Lock BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27<sup>th</sup> June 2018**

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**Appeal Ref: APP/J1535/D/18/3198288**

**1 Woodbury Hill, LOUGHTON, Essex, IG10 1JB**

- 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 Ms Samantha Jennings against the decision of Epping Forest District Council.
  - The application Ref. PLE/EPF/3036/17, dated 8 November 2017, was refused by notice dated 21 February 2018.
  - The development proposed is described as alterations and raising of the roof of ground floor back addition, representing a revision to previous approved scheme ref. EPS/2629/17.
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### Decision

1. The appeal is allowed and planning permission is granted for alterations and raising of the roof of ground floor back addition at 1 Woodbury Hill, LOUGHTON, Essex, IG10 1JB, in accordance with the terms of the application, Ref. PLE/EPF/3036/17, dated 8 November 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale location plan; J.5.B; and J.5.C 'A' revision 'A'.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 4) The flat roof hereby permitted above the ground floor rear sections of the dwelling shall not be used as a balcony, roof garden or similar amenity area.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene and the York Hill Conservation Area.

### Procedural Matters and Background

3. The description of development on the planning application and appeal forms include reference to previous applications, but the numbers differ. However, as the application number does not describe the development I have omitted

reference to it from my formal decision, and have otherwise used the description given on the original application form.

4. It would appear from details provided by the appellant that at least part of the single-storey rear element of the dwelling was originally flat-roofed. However, prior to the current renewal of the building its roof was mono-pitched. As a result of the staggered height and depth of the rear element there were two mono-pitched roofs of different pitch. A planning permission has been granted<sup>1</sup> which included the creation of 'wells' in these roofs below new first floor doors and 'juliet' balconies.
5. At the time of the appeal site visit the pitched roofs had been removed and the walls of the eastern side of the rear element had been raised to match that of the western half. However, there are some differences between the development as built and as shown on the plans, such as the position and number of openings, and I have therefore dealt with this appeal on the basis of the development 'as proposed' on the submitted plans.

### **Reasons**

6. The appeal property is a detached mid-twentieth century house located at a prominent point in the York Hill Conservation Area. It is one of a group of modern properties, but as a result of changes to materials and fenestration 1 Woodbury Hill has a more contemporary appearance distinct from its neighbours. Within this part of the conservation area there is a wide range of building styles which reflect their construction periods.
7. The appeal site is located adjacent to the triangular York Hill Green, a focal point of the conservation area, as identified in the York Hill Conservation Area Character Appraisal and Management Plan 2014 (CAMP). However, whilst the appeal property is next to this open space, its visual impact is ameliorated by the extensive landscaping around the site and in the vicinity. The effectiveness of the existing planting in screening the site would vary depending on the time of year, but even in winter months the planting would filter views of the site.
8. The appeal dwelling has an asymmetric roof form which already sets it apart from more traditionally designed pitched roofs in the area. From outside of the site the western half of the rear element would largely be screened by the deeper eastern half. Although the wall height of the eastern section would increase, this additional bulk would be offset by the removal of a significant section of roof. The CAMP identifies that due to the topography, roofs are a prominent feature in the conservation area as they are viewed from many angles, but that the variation in roof shapes and angles of pitch significantly add to the character to the area. I note that there is an array of building and roof forms in the conservation area, including brick parapet walls which hide shallow pitched roofs behind.
9. In this context, whilst I acknowledge that in some circumstances such a development could appear incongruous, I find that the flat-roof form of the rear element would complement the architectural style of this 1970s building. The existing dwelling appears contemporary as a result of its changes to external materials and detailing, and the removal of mono-pitched roofs to the rear of the building has not undermined its character and appearance. In this regard I

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<sup>1</sup> Application ref. EPF/2744/16

consider that the proposal would be of sufficiently high standard and sympathetic to the character and appearance of the conservation area in terms of its scale, massing and height, as sought by Policy HC7 of the Epping Forest District Local Plan 1998 and Alterations 2006 (LP). Whilst the policy seeks the use of traditional pitched roofs, for the reasons outlined above the resultant roof would be an appropriate response for the building and its setting.

10. I appreciate the assessment of the Council's Conservation Officer, that the amount of flat roof is too substantial and highly uncharacteristic of traditional roof forms. However, I am not convinced that the fallback position of the approved scheme, with a disjointed mix of pitched roofs and cut-outs, would reflect traditional forms. As an alternative, the simpler design of the flat-roofed form would be more sympathetic to the appeal property and its wider setting. Having regard to paragraph 134 of the National Planning Policy Framework (the Framework), I do not consider that the proposal would result in harm to the significance of the York Hill Conservation Area.
11. There is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions. I conclude that the proposal would preserve the character and appearance of the street scene and the York Hill Conservation Area, and would accord with the aims of LP Policy HC7, and LP Policy CP2 (iv), in that it would safeguard the setting, character and townscape of the urban environment; and LP Policy DBE10 (i) as it would complement the streetscene. My conclusion is not altered by emerging Policies DM7 A and DM9 of the Council's Local Plan Submission Version 2017.

### **Other Matters**

12. At the time of the appeal site visit the balustrades to the first-floor doors had not been installed and it was possible to step onto the flat-roof. There were also planters on the roof. I share the views of a neighbouring resident and the Council that the use of this flat roof area as a terrace or balcony would cause overlooking of 3 Woodbury Hill. The installation of balustrades is shown on the previously approved and submitted plans. Conditions requiring compliance with the plans and restricting the use of the flat roof are therefore imposed.
13. The appeal site is within the boundaries of an Area Tree Preservation Order, but there is nothing within this appeal to suggest that the development would have any adverse impact on trees subject to the Order.

### **Conditions**

14. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the development and the area. For the reasons set out above, I have attached a condition restricting the use of the flat roof for amenity purposes, albeit in a modified form to that included in the Council's Committee report to ensure that it meets the tests set out in the Framework.

### **Conclusion**

15. The Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built and historic environment. Core planning principles of

the Framework include always seeking to secure high quality design, and to conserve heritage assets in a manner appropriate to their significance. For the reasons given above the proposal would comply with these principles and would be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be allowed.

*H Lock*

INSPECTOR