



Appeal Decision

Site visit made on 2 April 2019

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday, 11 April 2019

Appeal Ref: APP/J1535/W/18/3213366

Cornerways, The Green, Theydon Bois, Epping, CM16 7JH.

- 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 Gillespie against the decision of Epping Forest District Council;
 - The application Ref. EPF/0712/18, dated 10 March 2018, was refused by notice dated 5 September 2018.
 - The development proposed is the replacement of the existing dwelling with a new single family house and pavement crossover.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Policy Context

3. The development plan includes the Epping Forest Local Plan (LP) 1998 with alteration adopted in 2006. The Council is also producing the Epping Forest Local Plan Submission Version 2017, however, I understand that there are unresolved objections to part of the plan and it has not been found to be sound. This limits the weight that can be given to the emerging plan at this stage.

Background

4. The appeal site contains a detached two storey house which lies on the corner of Avenue Road and The Green in the village of Theydon Bois and opposite a large area of open space known as Theydon Green. It is proposed to demolish the house and erect a new one. A similar proposal was refused by the Council in 2017 and a subsequent appeal was dismissed under ref. APP/J1535/17/3181028. I have had regard to the Inspector's reasoning for this decision as a material consideration. I also note that the current revised scheme was recommended for approval by the Council officers but this recommendation was not accepted by the Council's Planning Committee.

Effect on character and appearance

5. The local area contains houses in a variety of architectural styles and forms together with the triangular form of the Baptist Church on the opposite corner of Avenue Road and the large building bulk of the telephone exchange south of the appeal site. The existing dwelling is traditional in design and modest in scale and although it has a narrow gable facing The Green, the side elevation to Avenue Road also has some architectural interest with a secondary gable with bay windows facing the road. The previous Inspector said that the existing dwelling had 'few distinguishing features, resulting in a limited contribution to the street scene' and given the Council's reasons for objection, concluded that there was no objection in principle to this dwelling being replaced. I agree.
6. The previous Inspector described that scheme as having a contemporary appearance with a split-level roof feature and modern materials including the use of zinc on the roof. While the Inspector did not consider the use of that material to be unacceptable, the Inspector found that the proximity of the side elevation to Avenue Road would result in a lack of openness on the corner. This coupled with the contrasting roof form gave rise to a contemporary feature which would fail to integrate successfully with the street scene.
7. The current scheme utilises the same form of dwelling as previously proposed below roof level, but above the eaves the scheme revises the roof to a hipped crown roof which would have 'ridges' running parallel to both The Green and Avenue Road and the roof is proposed to be clad in zinc. Further, the width of the building has been reduced by leaving a slight gap between the flank wall of the garage and the street; and the two storey side extension with a cat-slide roof from the main roof has been set back slightly from being on the pavement edge as in the previous scheme.
8. Although I note the changes that have been made to the scheme, I have concerns about the overall bulk and dominance of the building proposed on this prominent and sensitive corner site. The new house would be sited in a position that would project further forward than the existing house and the adjacent White Cottage and although I note the relative position of the Baptist Church on a similar building line, the siting of the new house would appear proud and prominent when approaching along The Green from the south. Further, despite the changes that have been made to ease the building mass from Avenue Road I am not convinced that visually the 'stepping in' would make much difference to the dominance of the building bulk as identified by the previous inspector.
9. I acknowledge that the height of the building is about the same as the ridge of The White Cottage but while the split-level roof has been replaced with a crown roof this would still have an imposing and awkward design. At my site visit I could not see other examples locally of a crown roof used on a two storey building, and although it is a subjective judgement, in my view the combination of the width and length of this roof on two elevations would give rise to a significant and mostly unrelieved building bulk. The use of a zinc cladding adds to this impact but almost the same impact would arise with the use of traditional tile form.
10. Overall, I find that the bulk, form and siting of the replacement dwelling would have a dominating and harmful effect on this sensitive corner site and would not accord with the requirements of policies CP2 and DBE1 of the Local Plan to

safeguard and enhance the setting, character and townscape of the urban environment and that new development should respect the setting of the site. For similar reasons I do not consider that the proposal accords with the emphasis placed on good design as set out in section 12 of the National Planning Policy Framework (NPPF).

11. The Council also puts forward an objection to the form of the first floor roof terrace with a glass balcony, however, the extent and position of this feature is such that I do not consider that it would have a harmful effect on the living conditions of neighbours nor is the design so inappropriate that it would add to the concerns I have about the appearance and impact of the proposal as outlined above.

Planning balance

12. On the main issue I have found that, judged on its individual merits, the replacement dwelling now proposed would harm the character and appearance of the area as the bulk, form and siting of the new dwelling would have a dominating and imposing effect on this sensitive corner site. This harm means that the proposal conflicts with the provisions of the relevant part of the development plan.
13. This finding needs to be balanced with other considerations. I have taken account of the fact that the appellants seek to build a modern house with a sustainable form and construction. Their architect has also attempted to overcome the previous objection to a scheme at appeal. I also acknowledge that the NPPF seeks to achieve sustainable development and this national guidance and LP policy CP7 seek to ensure that effective use is made of existing developed land and buildings.
14. However, I find that these benefits are general in nature and do not outweigh the specific adverse impact that the development would cause locally to this sensitive site. I conclude that the proposal would not accord with the NPPF when this is read as a whole.

Conclusion

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

David Murray

INSPECTOR