



## Appeal Decision

Site visit made on 18 July 2019

by **Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH**

an Inspector appointed by the Secretary of State

Decision date: 15<sup>th</sup> August 2019

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**Appeal Ref: APP/J1535/W/18/3209460**

**60 Traps Hill, Loughton IG10 1TD**

- 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 Carlton James against the decision of Epping Forest District Council.
  - The application Ref EPF/1893/17, dated 10 July 2017, was refused by notice dated 21 February 2018.
  - The development proposed is the demolition of an existing 2-3 storey detached house and the development of a new 2-3 storey building consisting of 7 flats (2x1bed, 5x3bed) and including 9no car parking spaces, cycle stores and bin stores.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. An emerging plan, the Epping Forest District Local Plan Submission Version 2017, was submitted to the Secretary of State on 21 September 2018 for examination. It is not part of the adopted development plan. As it is not clear the extent to which any objections to its policies are unresolved or the extent to which its policies are consistent with the National Planning Policy Framework (the Framework), I give them limited weight and they do not alter my conclusions.

### Main Issues

3. The main issues in this appeal are the effect of the proposed development on:
  - the character and appearance of the area; and
  - the living conditions of the occupiers of No 58 Traps Hill (No 58), as regards outlook.

### Reasons

#### *Character and appearance*

4. Traps Hill is characterised by predominantly large detached houses sited on relatively large plots along a highway which, due to the absence of a footway in places and the presence of generous amounts of trees and hedgerows along the frontages of properties, has the semblance of a semi-rural lane. This character is particularly emphasised to the front of the appeal site due to the lack of a footway on the northern side of the road allowing vegetation to directly abut a carriageway which has very limited road markings and relatively

few items of street furniture save for street lighting. The overall effect is one of spaciousness and low-density family-sized detached residential development in a pleasant verdant setting, with the nature of the road creating a semi-rural character despite the centre of Loughton being located at the bottom of Traps Hill to the west.

5. The proposed linked-wing flatted development would clearly be appreciated as different to a detached single household dwelling and, whilst not significantly taller than some buildings in the wider area, would introduce a form of residential development which would be out of keeping with the predominant local character. Further, the creation of a building containing 7 dwellings which would be taller, deeper and bulkier than the one home to be replaced would create a sense of overdevelopment and an unacceptable urbanising effect which would significantly harm the sense of semi-rural space along this part of Traps Hill. Although the appellant has directed me to other flatted developments in the wider locality, they do not contribute to the particular character of this section of Traps Hill which possesses its own strong identity due to the features above.
6. Further, in my judgement the stepping-up in height of properties from the bungalow at No 56 Traps Hill, to No 58, and up to the tallest 3-storey element of the appeal proposal would serve to emphasise the flatted development nature of the proposal and thereby accentuate its incongruity.
7. It is accepted by the appellant that the 9 proposed car parking spaces falls short of the 14 required by the Essex County Council Parking Standards (2009). However, Transport and Travel Planning Consultants appointed by the appellant have assessed that a demand of 6 spaces would be generated based on 2011 Census data indicating there are 0.73 vehicles per 1-3 bed flats within the Loughton St Mary's Ward in which the site is located. I also note that during the consultation on the application, the Highways Authority commented that as Loughton is considered to be a very accessible location with good access to modes of sustainable travel, parking provision can be reduced. The absence of a footway on the northern side of the road would not diminish this accessibility as there is a footway on the opposite side of the road. For these reasons, I do not find that there would be overspill from parking onto the highway to an extent which would materially harm its character and appearance in that respect.
8. Taking all into account, and for the above reasons, the proposed development would significantly harm the character and appearance of the area. As such it is in conflict with Policies CP2(iv) and DBE1 of the Epping Forest District Local Plan and Alterations (LP) which together seek to protect the character and appearance of places.

*Living conditions, occupiers of No 58*

9. The proposed building would extend to the same depth as the existing building where it adjoins No 58, although under the appeal scheme the building would be around 3 metres further away from the shared boundary. For these reasons, and despite the roof ridge of the west wing of the proposal being slightly higher than that of the existing building, there would be no material impact on the outlook from the rear elevation or rear garden of No 58 particularly in the context of the rear of the properties facing north.

10. The rear projection of the east wing of the new building would be shielded from views from the living accommodation of No 58 to a large extent by the west wing of the proposal. The additional length of the east wing would only be around 7m longer than the remainder of the building and it would be sited on the opposite side of the garden. Due to this location, it would not materially impact on outlook from the rear garden of No 58.
11. Therefore, the proposed development would not harm the living conditions of the occupiers of No 58 as regards outlook. As such, it is not in conflict with Policy DBE9 of the LP which seeks to prevent the excessive loss of amenity to neighbouring occupiers.

**Other Matter**

12. The appellant is willing to enter into a Planning Obligation (PO) to make a financial contribution towards mitigating adverse effects to the Epping Forest Special Area of Conservation (SAC) caused by the creation of new homes within its surrounding area. As the appeal is being dismissed for reasons relating to a main issue, it is not necessary to consider this issue further.

**Conclusion**

13. The proposed development would not accord with the development plan as a whole and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

*Andrew Walker*

INSPECTOR