



Appeal Decision

Site visit made on 11 November 2025

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

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/J1535/D/25/3367915

12 Barnaby Way, Chigwell, Essex, IG7 6NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr D Bateman against the decision of Epping Forest District Council.
 - The application Ref is EPF/0254/25.
 - The development proposed is two storey rear extension, single storey side extension and first floor side build over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) the character and appearance of the street scene and area; and (2) the living conditions of residents of 10 Barnaby Way, with particular reference to outlook and access to light.

Reasons

Character and Appearance

3. The appeal property is a detached house in a street which appears reasonably cohesive as a result of housing from the same construction period. Variety has been created through the range of materials, detailing, extensions and alterations, but despite the street's evolution, hipped roofs remain a characteristic feature. As with neighbouring houses, the appeal property sits in an elevated position above the road.
4. The Council's report refers to the raising of the dwelling roof height by 0.5m to accommodate the proposed loft conversion, with the forming of a 'crown roof'. Although not included in the description of development, this and the rear dormer window are apparent from a comparison of the existing and proposed elevations. This increased height combined with the proposed first-floor side extension would materially add to the bulk and massing of the building when viewed in the street scene. The significant increase in the first-floor depth would also be glimpsed in views between buildings, further adding to the perceived size of the dwelling. Although the dwellings either side of the appeal property have been extended, increasing the height disparity with neighbouring properties would add to the prominence of the proposal, and would appear intrusive in the street scene.
5. The local topography may limit immediate views of the crown from street level, but I am not convinced that it would appear as a traditional hipped roof in views further

from the appeal site. The tree canopy separating Brook Way and Barnaby Way provides a wider landscape setting, but it has a limited role in mitigating the visual impact of the proposals.

6. The appellant has drawn attention to extensions built at No.14¹. No plans of the approved scheme have been supplied, but other than using a dual pitch on the rear extension, the two schemes appear to be materially different in size and design; with No.14 having more visual articulation on the front elevation and a staggered roof ridge line to minimise its bulk and massing. No evidence has been supplied that No.14 included an increase in height and crown roof in place of a central ridge; a section of flat roof in that design being more hidden at the rear of the dwelling. As the resultant effect on the street scene is materially different, I do not consider the extensions at No.14 warrant acceptance of the appeal scheme.
7. Details of a crown roof built at 18 Barnaby Way² (No.18) have been supplied with the appeal. However, I do not share the appellant's view that the flat-roofed element is not apparent in the street scene, with the roof design appearing materially different to the more traditional hipped roofs which prevail in the area. The appellant's appeal statement states that the delegated report for EPF/3429/17 makes clear that the approved "loft conversion with rear dormer" at No.18 also necessitated an increase in roof height of approximately 500mm to provide adequate headroom for the converted accommodation, but I do not find this to be so explicit in that report.
8. No information has been provided of the policy wording against which the scheme at No.18 was assessed, but the since-adopted Policy DM9 of the Epping Forest District Local Plan³ (LP) requires extensions to residential buildings to respect and/or complement the form, setting, period and detailing of the original buildings. Given that traditionally designed hipped roofs are a characteristic feature of the appeal dwelling and others in the vicinity I do not consider that the requirements of the policy would be met by the use of a crown roof that would be highly visible in the street scene. Design replication is not required, but the proposed increase in building height and crown roof would not relate positively to its locality having regard to matters including building heights, and the form, scale and massing around the site, as required by the policy.
9. In the absence of wider evidence to the contrary, I do not share the appellant's view that roof height increases to accommodate loft conversions have been actively endorsed by the Council through their planning approvals. Moreover, a crown roof with the prominence of that at No.18 is the exception in the street scene, and as noted above is not a roof form that would be encouraged by LP Policy DM9. No details have been supplied of permissions for more modest crown roofs identified at 4 and 22 Barnaby Way. As such, I find no inconsistency in the Council's decision-making when considering each case on its own merits.
10. I therefore conclude that the proposal would detract from the character and appearance of the street scene and the wider area, in conflict with LP Policy DM9, and the design objective to achieve well-designed places set out in the National

¹ Identified by the appellant as application ref. EPF/0989/07 in 2007 for "Two storey rear and first floor side extensions (revised application)".

² Under ref. EPF/3429/17

³ Epping Forest District Local Plan 2011 – 2033, Part One, adopted March 2023

Planning Policy Framework (the Framework). I find no conflict with LP Policy DM10 listed in the reason for refusal, but that does not alter my assessment.

Living Conditions

11. The appeal property projects to the rear of the closest part of 10 Barnaby Way (No.10), but the staggered relationship is more pronounced at first floor. As a result, the additional depth of the proposed two-storey extension means that it would project significantly beyond the closest habitable rooms at the rear of No.10.
12. Amongst other criteria, LP Policy DM9 seeks to ensure that proposals will not result in an over-bearing or overly enclosed form of development which materially impacts on outlook; and which provide good sunlight, daylight and open aspects to all parts of adjacent buildings and land. Although Nos 10 and 12 are both set off the shared boundary, at the depth and height proposed, I share the Council's view that the proposed rear extension is likely to affect light to habitable rooms on both ground and first-floors at No.10, albeit the effect would be limited to the later part of the day. Given the reasonably close proximity of the two buildings and the position of windows of No.10, I consider the proposal would be unacceptably overbearing for occupants of that property.
13. The appellant advises that the absence of a formal BRE⁴ assessment does not equate to demonstrable harm. However, given the orientation, the height and depth of the proposal and the position of habitable room windows at No.10, it has not been demonstrated that the proposal would be acceptable in its impact. The spacing of Nos. 10 and 8 may not be dissimilar to 12 and 10, but from the information supplied the positioning of windows and habitable rooms is not obviously the same, and as such does not justify the identified harm.
14. I appreciate that residents at No.12 experience the two-storey rear extension at No.14, but the position of windows and extension depth do not appear to be directly comparable to those between Nos 10 and 12. With regard to the development at No.18, the Council's report to that application cites a distance between buildings of 6m, which would not appear to apply in this case.
15. I therefore conclude that the proposal would diminish access to light and outlook for occupants of No.10, to a degree that living conditions for current and future residents would be harmed. This would conflict with LP Policy DM9 and the requirement in the Framework to create places with a high standard of amenity.

Other Matters

16. I have had regard to the appellant's argument that the proposed extension of the dwelling would be consistent with the Council's Climate Emergency Declaration and sustainability guidance, by reducing the need for new build development and its associated embodied carbon impacts. Whilst the proposal may be constructed to better meet modern efficiency standards, it is not evident that measures such as improved insulation and more effective use of the site are dependent on extensions of the design and size proposed. As such, these factors offer limited support to the specifics of this proposal.

⁴ Building Research Establishment

Conclusion

17. I acknowledge the benefits to the appellant and his family of extending this urban property to meet modern needs, in order to support family life and to enable them to remain in their established community. There would be an improvement to housing stock, but this would be achieved at the expense of the street scene and neighbouring amenity. As the dwelling would be a family home regardless of this appeal, the additional support for the local economy would be reasonably modest. These benefits would not outweigh the identified environmental and social harms set out in this decision, and as such the proposal would not constitute sustainable development. The proposal could not be made acceptable with the imposition of planning conditions.
18. For the reasons given above the appeal should be dismissed.

H Lock

INSPECTOR