

Appeal Decision

Site visit made on 3 May 2016

by Mandy Lewis BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 June 2016

Appeal Ref: APP/C1570/W/16/3142373

Whitefriars, High Lane, Stansted, Essex CM24 8LQ

- 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 Mrs Jean Chopping against the decision of Uttlesford District Council.
 - The application Ref UTT/15/3379/FUL, dated 2 November 2015, was refused by notice dated 16 December 2015.
 - The development proposed is a 2 bedroom house with associated parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues of this appeal are the effect of the development on the character and appearance of the surrounding area and the safety of pedestrians, cyclists and drivers using Coltsfield.

Reasons

Character and appearance

3. The appeal site is part of the rear garden of a dwelling known as Whitefriars. Whitefriars is at the corner of High Lane and Coltsfield, with its rear garden lying parallel to Coltsfield. The proposed dwelling would have a frontage to Coltsfield and would be accessed using an existing vehicle crossover.
 4. The surrounding area has an open and spacious appearance. This is contributed to by the wide grassed verges at the entrance to Coltsfield and the position of houses largely set back from the road. The residential care home opposite the appeal site, although significantly larger than any other nearby building, is set back substantially from the road so it does not appear cramped or erodes the open character of the area.
 5. The closest dwelling to the appeal site is No 1A Coltsfield which is more recently constructed than the other nearby dwellings. It is sited on land which was also previously part of the rear garden area of Whitefriars. No 1A sits forward of the frontages of the other houses along Coltsfield and has a short driveway and small front garden. No 1A has a wide and shallow footprint which reflects the shape of its plot.
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6. The proposed dwelling would almost span the width of the appeal site and the frontage would project forward of the frontage of No 1A. This layout would result in the proposed dwelling projecting considerably further forward than No 1A, the siting of which is already out of character with the layout of dwellings in Coltsfield.
7. The development would appear to dominate the plot and appear cramped, as it would have very little space either side or at the front of the proposed house. This would be out-of-keeping with the layout and spacious appearance of most of the houses in Coltsfield and nearby in High Lane.
8. The appellant argues that the footprint would occupy only 33% of the plot. However, because of its design with accommodation in the tall roof and the proximity to the side boundaries it would appear bulky and cramped on the site.
9. The proposed dwelling would not create a positive effect on the street-scene by providing a sympathetic link between the bungalows on High Lane to the houses on Coltsfield. The proposal would dominate the relatively small plot and appear cramped in the space between Whitefriars and No 1A Coltsfield.
10. Saved Policies H3 and GEN3 of the Uttlesford Local Plan adopted 20 January 2005, seek, amongst other aims, to permit development which compatible with the scale, form, layout and appearance of the character of the settlement. The proposed development therefore conflicts with Policies H3 and GEN3.

Safety of pedestrians, cyclists and drivers using Coltsfield

11. Section 4 of the Essex Country Council Parking Standards, Design and Good Practice September 2009 (ECC) and the Uttlesford Local Residential Parking Standards 2013 require that a 2 bedroom house should have 2 car parking spaces. In paragraph 3.2.1 of the ECC the preferred bay size for cars is stated as 5.5m x 2.9m.
12. As the proposed undercroft parking does not have a garage door or gate then the requirement to allow a set-back of a further 0.5 metres, for the driveway, which would result in a driveway of 6m, as specified in paragraph 3.4.24 of the ECC is not necessary. I consider the frontage space provided would be large enough to prevent any significant risk of pedestrians being impeded.
13. Drawing number 287/P/001A indicates that there are two spaces within the front space of the curtilage of the appeal site which are 5.5m x 2.9m. One of the spaces is accommodated in an undercroft parking bay. The ECC sets out in an informative note stating that as undercroft parking would be open at both ends it is not reasonable to require it to meet the dimensions for a garage.
14. The Council have made reference to the standards in the Essex Design Guide which require a parking space of 4.8m x 2.4m, when adjacent to a structure to be increased by 1m in length and 0.5m in width. It is clear the aim of this standard is to increase the size of smaller parking spaces where necessary however the proposed parking spaces at the appeal site are 5.5m x 2.9m. Also the proposed undercroft space is open at the front and rear and wide enough to allow sufficient pedestrian access. The proposed spaces do not therefore required to be increased by 1m in length and 0.5m in width.

15. I therefore consider the proposal accommodates two sufficiently sized parking spaces within the curtilage of the appeal site. The Council has stated the proposed parking spaces may not be in the ownership of the appellant. The appellant has signed certificate A which certifies that they hold the freehold interest or leasehold interest (with at least 7 years to run) of the appeal site and I have no reason to doubt this. . The proposed parking spaces would therefore be laid out in accordance with the requirements of the ECC. If I were minded to allow the appeal a condition could be attached to prevent the erection of any means of enclosure at either end of the undercroft parking bay.
16. I consider that the parking provision proposed would not give rise to an increase in on-street parking and would not compromise the safety of pedestrians, cyclists and drivers using Coltsfield. I conclude the proposal therefore accords with Policy GEN1 and GEN8 insofar as it relates to access and car parking provision.

Other Matters

17. The appellant has relied upon Saved Policy H4 and I acknowledge that the proposal would not cause significantly harmful overshadowing, overlooking or be overbearing to the living conditions of neighbouring occupiers. However, these are neutral matters which do not weigh in favour of the proposal.

Conclusion

18. The development fails to accord with the saved Policies H3 and GEN3 of the Uttlesford Local Plan with regard to the effect of the proposal on the character and appearance of the surrounding area. For the reasons given above I conclude that the appeal should be dismissed.

Mandy Lewis

INSPECTOR