

Appeal Decision

Site visit made on 7 May 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 01 June 2017

Appeal Ref: APP/C1570/D/17/3172067

Sunny View, School Lane, Takeley CM22 6PJ

- 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 Richard Cartman against the decision of Uttlesford District Council.
 - The application Ref UTT/16/3234/HHF, dated 14 November 2016, was refused by notice dated 23 January 2017.
 - The development proposed is the erection of a detached single garage.
-

Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area, in particular the streetscene.

Reasons

3. The appeal property is a timber clad bungalow forming part of a small group of dwellings fronting School Lane located within the open countryside. These dwellings are generally sited away from the road to the rear of front gardens which are landscaped or used for parking. For these reasons, the streetscene adjacent to the property has an open and verdant appearance that reflects the wider character of the surrounding area which is part of the open countryside protection zone associated with Stansted Airport.
 4. The proposed development includes the erection of a detached single storey garage within the property's front garden. The appeal scheme would be sited to the rear of a low level front boundary hedge. The side boundaries of the garden are defined by wooden panel fences.
 5. By reason of scale, the appellant's claim about the proposed garage being subservient to the host property is well founded. However, because of its proposed siting within the front garden, the garage would be an incongruous and prominent feature within the streetscene which would materially detract from its open and verdant appearance. The existing boundaries would not screen the proposed garage because at least its roof would still be visible.
-

6. Accordingly, the appeal scheme would conflict with Policies S8 and GEN2 of the Uttlesford Local Plan (LP). Amongst other matters these policies seek to resist development which would adversely affect the open characteristics of the countryside zone and require development to be compatible with the scale, form, layout, appearance and materials of surrounding buildings. These policies are consistent with the National Planning Policy Framework's (the Framework) core principle of securing high quality design.
7. One of the dwellings fronting the road, Yew Tree Cottage, is a Listed Building. There is a requirement that special regard is had to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. This requirement is echoed in LP Policy ENV2. Between the appeal property and the Listed Building a dwelling is currently being erected pursuant to a planning permission granted by the Council. By reason of this intervening dwelling, which already has an effect on its setting, and the separation distance, I agree with the appellant's claim that the siting and design of the proposed garage would not detract from the setting of this Listed Building.
8. Although the setting of the Listed Building would be preserved this matter is significantly and demonstrably outweighed by the harm which has been identified. Accordingly, and taking into account all other matters, it is concluded that this appeal should be dismissed because the proposed development would cause unacceptable harm to the character and appearance of the surrounding area, in particular the streetscene, and, as such, it would conflict with LP Policies S8 and GEN2.

D J Barnes

INSPECTOR