



Appeal Decision

Site visit made on 16 July 2019 by Emma Worby BSc (Hons)

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 August 2019

Appeal Ref: APP/C1570/D/19/3224851

28 Magdalen Green, Thaxted, Essex CM6 2LJ

- 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 L Hudson against the decision of Uttlesford District Council.
 - The application Ref UTT/19/0086/HHF, dated 10 January 2019, was refused by notice dated 28 February 2019.
 - The development proposed is a two-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey rear extension at 28 Magdalen Green, Thaxted, Essex CM6 2LJ in accordance with the terms of the application, Ref UTT/19/0086/HHF, dated 10 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block Plan, 018/749-1, 018/749-2, 018/749-3, 018/749-4, 018/749-5, 018/749-6 and 018/749-7.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on car parking provision and the resultant effect on highway and public safety.

Reasons for the Recommendation

4. The appeal property is a semi-detached dwelling located within a cul-de-sac residential setting. To the front of the property there is off-road car parking for two vehicles. To the rear of the property there is vehicular access to the site via a dropped kerb, although there are no formal car parking spaces to the rear. The proposed development is a two-storey rear extension which would

- include an additional bedroom on the first floor to create a four-bedroom property.
5. The Council states that a four-bedroom property would require car parking provision for three vehicles in accordance with the Uttlesford Local Residential Parking Standards (February 2013). Although the appeal site only has provision for two vehicles, it was noted on the site visit that there is also communal off-street parking for a number of vehicles on the central 'green'. Furthermore, as Magdalen Green is a cul-de-sac and would only be accessed by the occupiers of, and visitors to, the properties on the road, the volume of traffic passing the site is low and hence it is not considered that were on-street parking to occur, it would have a detrimental impact on highway safety. Also, the road is circular in nature and therefore, although any on-street parking would be on a bend, it is on the inside of the bend and this together with the open nature of the central 'green' area would mean that visibility would not be restricted by it.
 6. For the reasons above, I do not consider that the proposed development would result in on-street parking which would be detrimental to highway or public safety. As such, I find no conflict with Policy GEN8 of the Uttlesford Local Plan (20 January 2005), which requires the number of vehicle parking places to be appropriate for the location.
 7. As set out above, the proposed development would not accord with the guidelines set out within the Uttlesford Local Residential Parking Standards. Nonetheless, whilst useful, the guidelines are just that and, in this instance, the particular circumstances of the appeal site would outweigh this guidance.

Conditions

8. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials to match that of the existing building is also necessary to ensure an appropriate appearance for the development.

Conclusions and Recommendation

9. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR