
Appeal Decision

Site visit made on 17 September 2019

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th September 2019

Appeal Ref: APP/C1570/D/19/3232736

18 Garnetts, Takeley CM22 6RJ

- 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 Jamie Davison against the decision of Uttlesford District Council.
 - The application Ref UTT/19/0426/HHF, dated 24 February 2019, was refused by notice dated 17 April 2019.
 - The development proposed is two-storey rear and front porch extensions.
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Decision

1. The appeal is dismissed insofar as it relates to the two-storey rear extension. The appeal is allowed insofar as it relates to the front porch extension and alterations to existing front dormer windows and planning permission is granted for the front porch extension and alterations to existing front dormer windows at 18 Garnetts, Takeley CM22 6RJ in accordance with the terms of the application, Ref UTT/19/0426/HHF, dated 24 February 2019, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) All new external work and work of making good shall be carried out in materials to match the external surfaces of the existing building.

Procedural Matters

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development also comprises alterations to the dormers to the front roof slope of the existing house to include hipped roofs. For clarity, I have amended the description of development to *two-storey rear and front porch extensions and alterations to existing front dormer windows*. I have therefore dealt with the appeal on this basis.
3. The appellant has suggested that there is a discrepancy between the area of the proposed extension shown on the site plan and block plan and that shown on the floorplans. However, the floor plans and elevations clearly show what is proposed and I am therefore satisfied that I can proceed to determine the planning application.

Main Issue

4. The main issue is the effect of the proposed two-storey rear extension on the character and appearance of the existing house.

Reasons

5. The residential area within which the appeal site is situated is formed of varied house types which incorporate chalet style houses with overhanging eaves and dormer windows to the front and rear. The houses are generally arranged into pairs parallel with the street, with garaging between. However, in the immediate context of the site these houses are angled slightly away from the street frontage, so the roof form to the rear is visible from the street. Moreover, the dormer windows to the rear incorporate flat roofs, fill the width of the roof slope and join the gable ends. Due to the inclusion of accommodation within the roof space served by dormer windows, the houses are relatively modest in scale and unassuming. These features add distinctively and positively to the character and appearance of these houses.
6. The proposed two-storey rear extension would occupy the full width of the house and extend notably beyond the rear of the property. The flat roofed dormer would be omitted and replaced by a crown roof. The new rear roof slope would incorporate three separate hipped dormers. Due to the arrangement of the houses in the street, the proposed two-storey rear extension would be visible from the street between the garages of 17 and 18 Garnetts, as well as from the gardens of neighbouring properties.
7. I note that a significant proportion of the garden of the appeal property would remain and careful consideration appears to have been given to the proposed palette of materials. However, the proposed two-storey extension would contrast with the existing modest scale and appearance of the house, which incorporates a simple roof form to the front and rear that is only interrupted by the existing dormer windows. Moreover, owing to the overall height, length and scale of the proposed two-storey rear extension, it would appear ungainly, unduly dominant and imposing in relation to the existing house.
8. For the above reasons, I conclude that the proposed two-storey rear extension would not be proportionate with or subservient to the existing dwelling, it would therefore have an unacceptably harmful effect on the character and appearance of the existing house. Hence, the proposals would not accord with Saved Policies GEN2 and H8 of the Uttlesford Local Plan Adopted 20 January 2005. Together these policies indicate that development, including extensions, will not be permitted unless its design meets several criteria, which includes that it is compatible with the scale, form, layout, appearance and materials of surrounding buildings. The proposals would also conflict with Paragraph 130 of Section 12 of the National Planning Policy Framework, as the proposal would fail to take the opportunities available for improving the character and quality of the area.

Other Matters

9. The proposal also includes a single storey extension to the front to provide a porch, which includes a hipped roof, and alterations to the roof of the dormers situated on the front roof slope to include hipped roofs. These proposals would be modest, both in their size and design, and would not be harmful to the character and appearance of the existing house. I therefore find no harm in respect of these elements of the proposal. I note that the Council raised no objection in this regard either. As this development is both physically and functionally severable from the proposed two-storey rear extension, I consider a split decision would be a logical outcome.
10. The appellant has suggested that he can erect either a two-storey rear extension that would qualify as permitted development¹ or a large single storey extension covered by the prior approval process (referred to in the same legislation, see footnote 1). Be that as it may, any such extension would not be as substantial as the proposed development. This would therefore not be sufficient justification to allow the appeal, as I have adjudged the proposed development to cause unacceptable harm to the character and appearance of the existing house.
11. In support of the appeal, my attention was also drawn to two properties in the area that have been extended (Nos 23 and 57). Whilst I appreciate that the Council may have granted permission for other two-storey extensions locally, I am not aware of the full circumstances of those cases or the policies that applied at the time of their consideration. In any event, I have determined the appeal scheme on its individual planning merits.
12. I have noted that the Council did not object to the proposal on grounds of the principle of the development, living conditions or on-site parking provision. However, these are neutral factors and do not alter my conclusions regarding the effect of the proposed two-storey extension on the character and appearance of the existing house. Furthermore, the appellant has referred to the consideration of the proposed two-storey extension in the context of 'inappropriate development' in the Green Belt. As the appellant accepts that the appeal site is not within the Green Belt, I have not afforded this argument any weight. I have, however, considered the scale of the proposed two-storey extension in relation to the existing house and found it to be harmful.
13. None of the other matters raised alter or outweigh my conclusion on the main issue.

Conditions

14. I have specified in the decision that, in terms of the porch and dormer windows, the development shall proceed in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. Planning permission is granted subject to the standard three year time limit condition. A condition relating to materials matching those of the existing building is necessary to ensure that the appearance of the proposed extension would be satisfactory.

¹ Within the limits set by Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed insofar as it relates to the front porch extension and the alterations to existing front dormer windows, but dismissed insofar as it relates to the two-storey rear extension.

Paul Thompson

INSPECTOR