
Appeal Decision

Site visit made on 21 January 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th January 2020

Appeal Ref: APP/C1570/D/19/3240161

**Twyddes, Dunmow Road, from Lindsell to Duck End, Duck End, Stebbing
CM6 3RY**

- 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 Rob Miles against the decision of Uttlesford District Council.
 - The application Ref UTT/19/1676/HHF, dated 5 July 2019, was refused by notice dated 16 August 2019.
 - The development proposed is demolition of existing single storey rear extension and construction of double storey rear extension and basement. Installation of sewage treatment plant to replace existing septic tank.
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Decision

1. The appeal is dismissed

Procedural Matter

2. The proposal before me follows the decision of a related appeal (APP/C1570/D/18/3219149) to dismiss the demolition of the existing single storey rear extension and construction of double storey rear extension and basement on the same site. Whilst each case must be determined on its own merits, I have had regard to this decision in the determination of the appeal.
3. I have also taken into account that planning permission has been granted on appeal for the reinstatement of the chimney breast and the addition of a hipped roof over the front dormer under the same reference.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the dwelling.

Reasons

5. The appeal property comprises a modest detached two storey dwelling with flat roof front and rear dormers. To the rear of the property is an existing single storey extension, which despite its width is subservient to the host dwelling as a result of its lower height.
6. The proposed extension would be set down from the ridge of the main dwelling by a minimal amount and would extend considerably from the rear elevation. Whilst the depth is similar to that of the existing single storey extension, the addition of a first floor adds to the proposals bulk and massing. In addition it would project beyond the side elevation of the main dwelling,

making it visible from the frontage of the site. These features in combination add to the extensions overall scale.

7. Whilst I note that the width of the extension has been reduced to take into account the comments of the previous Inspector, I consider the proposed width of the extension is not proportionate to the scale of the host dwelling.
8. The scale of the extension, due to its bulk, mass and design would overwhelm the appearance of the existing dwelling. Therefore, it would be out of proportion and fail to be subservient to the existing dwelling. This would lead to a discordant form of development which would be uncharacteristic in terms of the modest traditional character of the existing dwelling, harmful to its character and appearance.
9. In conclusion, the proposal would harm the character and appearance of the host dwelling and would conflict with policies H8 and GEN2 of the Uttlesford Local Plan 2005 which requires extensions to respect the original building, having regard to scale, form, design and appearance.

Other matters

10. I note the appellant's aspirations to improve and preserve the existing dwelling and to replace the existing concrete roof tiles with traditional slate which would be more appropriate. However, these benefits do not outweigh the harm I have identified to the character and appearance of the dwelling as a result of the proposed extensions.
11. The Council has not raised any concern regarding the installation of a sewage treatment plant to replace the existing septic tank. The position of the new treatment plant is shown on drawing 9, with further details provided within the appellant's planning statement. These works would be underground and therefore would not result in any adverse impact upon the character and appearance of the host dwelling.
12. However, the Council's Ecological Consultant has noted that the proposed position of the sewage treatment plant would be in close proximity to trees identified on the site plan. They have advised that if these trees are to be removed then they must be checked for the presence of protected or priority species and an updated ecology report would be necessary. I have not been provided with any update with regard to whether these trees would be affected by the installation of the proposed sewage treatment plant or whether they do have the potential to support protected species. Therefore I can not conclude that the proposal would not result in harm to protected or priority species, but as I am dismissing for other reasons there is no benefit in me pursuing this matter further
13. There is also reference to the conduct and advice of the Council and its officers during the planning application process. However, these are not matters for my deliberation in the context of a planning appeal.

Conclusion

14. For the reasons given above, the appeal is dismissed.

G. Pannell INSPECTOR