



Appeal Decision

Site visit made on 13 January 2020

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/C1570/D/19/3240895

48 Summerhill Road, Saffron Walden CB11 4AJ

- 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 James Jaffray and Miss Lucy Stuart against the decision of Uttlesford District Council.
 - The application Ref UTT/19/1261/HHF, dated 29 May 2019, was refused by notice dated 20 August 2019.
 - The development proposed is demolition of garage and 2 storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of garage and development of a 2 storey side extension at 48 Summerhill Road, Saffron Walden CB11 4AJ in accordance with the terms of the application, Ref UTT/19/1261/HHF, dated 29 May 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 approved plans listed in the following schedule:

Existing Block and Location Plans (Ref 1910/01),
Proposed Roof, Block and Location Plans (Ref 1910/2),
Plans as Existing (Ref 1910/3A),
Elevations as Existing (Ref 1910/4),
Plans as Proposed (Ref 1910/5B),
Elevations as Proposed (Ref 1910/6).
 - 3) No development above slab level shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issues

2. The main issues are:
 - (i) the effect of the proposed side extension on the character and appearance of the area.
 - (ii) The effect on the living conditions of the neighbouring dwelling at No 46

Summerhill Road.

(iii) Whether provision for parking and manoeuvring is adequate.

Reasons

Character and appearance

3. No 48 Summerhill Road is a semi-detached dwelling with an attached single storey garage. Parking for 3 cars is provided on the front garden. Summerhill Road comprises a mix of detached, semi-detached and terraced houses and dormer bungalows built in several different styles and finishes. Many of the dwellings have been extended. There is a gentle bend in the alignment of Summerhill Road which is reflected in the main building line at the appeal property. This means that Nos 46 and 48 are not in a straight alignment with one-another.
4. The proposed 2-storey side extension would replace the existing garage and comprise a study/playroom on the ground floor and two bedrooms on the first floor. Due to the alignment of Nos 46 and 48, the width of the gap from the extension to the boundary would vary. At the front of the extension the gap would exceed 1m and to the rear, in order to allow sufficient space to access to the back garden, the wall of the ground floor to the utility would be built back from the line of the main side wall to the rest of the extension. This would leave a gap of about 0.8m. This would be less than the recommended minimum of 1m set out in the Council's Home Extensions Supplementary Planning Document (SPD), adopted November 2008. The pitched roof would be extended to cover the side extension which would extend the main front wall and ridgeline of the existing dwelling.
5. The appellant has provided extensive documentation and photographs comparing attributes of the proposed extension to other existing and proposed extensions nearby. As part of my site visit, I viewed a number of the examples identified.
6. The proposed side extension would be of a modest size reflecting the constraints of the site. While the distance of the side wall from the boundary would be less than the minimum recommended in the SPD, the design of the extension would provide sufficient space for the occupiers of No 48 to gain access to the rear of the property. The guideline in the SPD indicates the 1m gap would generally be applied leaving open some scope for interpretation, where appropriate.
7. The design of the extension would not be subservient to the original dwelling as recommended in the SPD but there are several other examples nearby, including on Summerhill Road, where similar non-subservient side extensions to semi-detached properties have been built. Therefore, the proposed extension would neither be disproportionate in size nor look out of place in its context. The risks of a terracing effect would be significantly reduced by the bend in Summerhill Road which is reflected in the main building line.
8. For these reasons I conclude that the design and scale of the proposed rear extension is appropriate within its context and would not harm the character and appearance of the area. Accordingly, I consider the proposal conforms with Saved Policies GEN2 and H8 of the Uttlesford Local Plan, 2005 (LP). Policy GEN 2 seeks a high quality of design in new development including its compatibility

with the scale, form, layout and appearance of surrounding buildings. Policy H8 takes a similar approach with regard to home extensions. I am satisfied that these saved policies in the LP remain up-to-date, broadly conforming to the approach set out in the Government's National Planning Policy Framework (the Framework). While the design of the appeal proposal does not consciously follow the approach in the SPD, I am satisfied the proposal is acceptable given its context.

Living Conditions

9. It is important that the proposed side extension does not adversely affect the living conditions of the occupiers of No 46 through loss of privacy, loss of daylight, overbearing impact or overshadowing.
10. The proposal would not include any windows at first floor level in the side elevation which would overlook No 46. The proposal would also not extend beyond the rear main wall of No 46 so would not result in any material overlooking, loss of daylight or privacy. The Council have suggested the side extension would have an overbearing impact on No 46 because it would be 0.8m from the boundary to the rear of the property. I do not share that view and note that in some instances other dwellings nearby are built close-up to the boundary.
11. Accordingly, I conclude that the proposed rear extension would not have a harmful effect on the living conditions of the occupants of No 46. As such, the proposal conforms with Saved Policies H2 and H8 of the LP. Together, these saved policies seek to avoid materially adverse effects from new development and extensions as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

Parking

12. The Council have referred to the inadequacy of parking at the appeal site in the reason for refusal but have noted the highway and transportation department has no objections and that Summerhill Road is characterised by on-street parking.
13. The front garden of No 48 has a shingle surface and has sufficient space to park 3 cars. However, the dimensions do not fully meet the council's standards regarding depth and do not allow for easy manoeuvring or turning of vehicles on-site. According to the Council's Vehicle Parking Spaces Supplementary Planning Document, properties with 4 or more bedrooms should have 3 car parking spaces. On my site visit I noted that 3 cars were parked on the appeal site and that space for further/alternative parking was available on-street immediately adjacent to the appeal site.
14. Accordingly, my conclusion on this main issue is that the quantity and quality of parking at the appeal site would be satisfactory. As such the proposal broadly conforms with the intent of Saved Policy GEN8 of the LP in respect of the number, design and layout of parking spaces given the specific circumstances of the proposal.

Conditions

15. I have considered conditions in relation to the Framework and the PPG. All of the conditions are considered to be reasonable and necessary to make the approved development acceptable.
16. Condition 1 refers to the standard time limit with condition 2 defining the plans with which the scheme shall accord. This will provide certainty regarding the scope of the permission. To safeguard the character and appearance of the area it will be necessary to require the submission of details of external materials (condition 3).

Conclusion

17. For the reasons stated above the appeal is allowed, subject to conditions.

David Carter

INSPECTOR