
Appeal Decision

Site visit made on 8 January 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 24 March 2020

Appeal Ref: APP/C1570/W/19/3237157

Roverdene, Parsonage Road, Takeley, CM22 6QX

- 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 Ms June McGuire against the decision of Uttlesford District Council.
 - The application Ref UTT/19/1622/FUL, dated 3 July 2019, was refused by notice dated 6 September 2019.
 - The development proposed is change of use from dwelling (C3 use) to B&B accommodation (C1 use) including single storey rear extension and additional windows.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from dwelling (C3 use) to B&B accommodation (C1 use) including single storey rear extension and additional windows at Roverdene, Parsonage Road, Takeley, CM22 6QX in accordance with the terms of the application, Ref UTT/19/1622/FUL, dated 3 July 2019, subject to the conditions set out in the appended schedule.

Procedural Matters

2. The Council has included policies from the draft Uttlesford Local Plan within their decision notice. In accordance with paragraph 48 of the National Planning Policy Framework (The Framework), weight may be given to policies within emerging plans. The weight given is determined by the stage of preparation of the emerging plan, the extent of unresolved objections and the degree of consistency of relevant policies to the Framework. I have not been provided with any substantive details of the status of this emerging plan, and therefore I attribute them very limited weight.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a four-bedroom detached residential dwelling located on the eastern side of Parsonage Road. It is adjacent to an existing bed and breakfast business known as Stanwell. The proposal is for a change of use from a dwelling (C3 use) to a 7 room bed and breakfast accommodation (C1 use). In order to facilitate this conversion, a new single storey rear extension would be

- built. Internal modifications would also be required as part of the proposal, with the formation of three new bedrooms on the ground floor. A kitchen with open plan dining area would be provided within the rear extension.
5. The appeal site lies within the development limits of Takeley, and Policy S3 of the Uttlesford Local Plan (LP) states that development compatible with the settlement's character will be permitted. Furthermore, Policy LC5 states that in relation to tourist accommodation, change of use of an existing building will be permitted within development limits if the development would not harm the character or amenities of the surrounding area.
 6. The external modifications to the appeal building as proposed are focussed towards the rear of the property, and the Council have confirmed that these are considered acceptable. From the evidence before me I have no reason to disagree. Given the extent of these changes, the property would appear largely unchanged from its existing residential use. The extension to the building as part of the change of use in this regard would therefore not harm the character and appearance of the area.
 7. The proposal would result in a large area of hardstanding at the front of the property, where provision would be made for 7 car parking spaces. This includes a marked disabled bay located near the front door. The Council is concerned that this level of car parking at the front of the property and the conversion to a bed and breakfast would mean the property appears overly commercial, which would mean it appears incongruous and not in keeping with the character of the existing residential properties around the appeal site.
 8. Properties on this side of Parsonage Road are characterised as being set back a considerable distance from the edge of the highway, and there is a large grass verge which separates the edge of the footway to the front boundaries of these properties. It was evident from my site visit that a number of properties on this side of the road have large gravelled and parking areas in front of the dwellings. A number of these properties had several cars parked outside the residential dwellings, and it is not uncommon for properties to have several cars parked at one time. In this respect I do not find that the proposed development with the potential to have 7 vehicles parked in front of it would appear overly commercial or notably different to the existing residential dwellings in the area.
 9. I note that there is an existing bed and breakfast adjacent to the appeal site. From my site visit I observed that this has maintained a residential feel to the area, and did not appear out of keeping with the streetscene. Having two bed and breakfasts adjacent to each other would not, in my view, significantly alter the character of the street scene nor make this area seem overly commercial. Therefore, I find that the proposal would not be out of keeping with the character of the street scene in this location.
 10. Consequently, I find that the proposal would not harm the character and appearance of the area. As such there would be no conflict with policies S3, LC5 and GEN2 of the LP. Together these policies seek, amongst other things, that tourist accommodation development does not harm the character of the surrounding area.

Other matters

11. I note that concerns have been raised by third parties in respect of the impact of the development on their living conditions, with specific reference made to the increase in noise. Whilst a bed and breakfast in this location could give rise to an increase of noise in relation to the coming and going of guests, it is likely that this would be during the daytime where its effect would be lessened.
12. Concerns have been raised in respect of the impact on highway safety as a result of the proposal. This relates to the proposed increase of traffic and the impact this could have on the operation of the highway. In respect of wider highway safety, I have been presented with no cogent evidence that the additional traffic from a development of this scale would cause harm to highway safety. The proposal includes 7 car parking spaces, and it is my view that it is unlikely that all the guests would arrive within the same time period. I also note that the highway authority has not objected to the proposals.
13. Third parties have also raised the potential conflict with vehicles turning from the existing private driveway which runs along the side of the appeal site and the access for the proposal. The appeal proposal has its own separate access and from the plans before me I can see no indication that there would be any conflict with the adjacent private driveway. Consequently, I do not find that the proposal would harm highway safety.

Conditions

14. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. The Council has recommended three conditions in relation to highways matters. It has been necessary to amend the wording of these for the purpose of clarity and precision. Conditions relating to the formation of the access to the development, and a condition specifying that the first 6 metres of the site access be consolidated with bound material are necessary in the interest of highway safety. A condition relating to the formation and maintaining of the parking area is required to ensure adequate parking provision is provided in the interest of highway safety.

Conclusions

15. For the reasons set out above, I conclude that the appeal should be allowed.

S Shapland

INSPECTOR

SCHEDULE OF CONDITIONS – APP/C1570/W/19/3237157

- 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: 06.19.LP Rev A Location Plan dated June 2019, 06.19.01 Existing Dwelling dated June 2019, 06.19.02 Rev B Proposed B&B dated June 2019.
- 3) Prior to the occupation of the development, the access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access shall be no less than 5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate vehicular crossing of footway/verge
- 4) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 5) The proposed development shall not be occupied until such time as the vehicle parking area shown on plan 06.19.02 Proposed B&B dated June 2019 has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.