
Appeal Decision

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2020

Appeal Ref: APP/C1570/D/20/3245256

The Sparrows, Duck Street, Cox Hill, Great Easton, Essex CM6 2HL

- 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 & Mrs Hughes against the decision of Uttlesford District Council.
 - The application Ref UTT/19/2306/HHF, dated 16 September 2019, was refused by notice dated 18 November 2019.
 - The development proposed is described as 'refurbishment of the existing house to include a 2-storey side extension, a 2 storey front extension, new roofs raising the ridge height, a single storey rear extension. New windows and external wall finishes to all retained existing walls'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In response to travel restrictions currently in place due to the COVID-19 pandemic I have determined this appeal without a site visit. This is because I have been able to reach a decision based on the information submitted. The appellant and the Council were given an opportunity to provide comments on this approach and neither party objected.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property and area.

Reasons

4. The appeal property is located centrally within a short row of mainly 1½ storey chalet style properties that have a similar massing and orientation. The row is punctuated at its southern end by a bungalow and a large detached two storey house. The latter has a period style and is set in comparatively large grounds, which sets it apart. There are also semidetached two storey properties to the north of the appeal site in the vicinity of Attwood House. These properties face onto a different lane and are therefore a little divorced from the row of dwellings the appeal property sits within.
5. The chalet style dwellings are detached and sit in a discernible building line. They are positioned back from the road behind generously landscaped gardens. The group of chalet properties has harmony and sits in a spacious, verdant setting which complements the semi-rural character of Duck Street.

6. The appeal scheme would encompass the extensive enlargement of the appeal property with side and front extensions. The resulting massing would be much larger than the existing dwelling as well as the chalet style properties nearby. As a result, the appeal property would lose its chalet style and appear over extended and unusually large in its context. The long unbroken left (southern) elevation would be especially bulky and the double gable cross wing would be imposing. Overall, the appeal property would have a harmfully stark presence in the street scene as a result of the massing of the proposal. It has not been demonstrated that such an impact would adhere to the Essex Design Guide or any other relevant supplementary planning guidance/document.
7. Moreover, the forward projection of the addition would erode the spaciousness of the garden to the front of the property and the side extension would diminish much of the space between the existing flank elevation and the driveway. As a result, the property would appear cramped when viewed relative to the other properties nearby. This would diminish the verdant and spacious character of the row of properties in Duck Street. The reorientation of the property so that its rear elevation would face the lane would further compound the generally discordant appearance the property would have once extended. This is because the existing nearby properties have a broadly harmonious front to back relationship with the public realm.
8. The extended property would be partially screened by the existing fence that is positioned alongside the driveway, but this would not entirely mask the alterations, which would be visible over it. There is a hedge along the site frontage that would provide some softening of the proposal in the street scene. However, the effectiveness of this as a screen cannot be relied upon to hide unacceptable development as it may fail in the future. I share the view of the appellants that the existing property is of limited architectural merit when viewed in isolation, partly due to the oversized dormer windows, but it sits comfortably in its plot, the group of chalet style properties and the street scene, whereas the appeal scheme would not for the reason already given.
9. I therefore conclude that the appeal scheme would significantly harm the character and appearance of the host property and area. It would therefore be contrary to Policies S7, GEN 2 and H8 of the Uttlesford Local Plan 2005, which seek to secure development that is compatible with its surroundings and extensions that respect the scale and design of the original building.

Other Matters

10. The policies of the LP listed above are old, but they are broadly consistent with Paragraph 127 of the National Planning Policy Framework, which seeks to secure developments that are visually attractive, sympathetic to local character and maintain a strong sense of place through the arrangement of buildings. As such, the conflict with Policies S7, GEN 2 and H8 carries significant weight. The proposal would not be using airspace above the building to create a new home so the guidance in Paragraph 118 of the Framework regarding this point is not directly relevant to the appeal scheme.
11. The proposal would provide some limited assistance to housing choice by creating a four/five-bedroom home for which there is an apparent need in the district. In so doing it would address the appellants' aspirations to live in a large family home within an attractive village setting. It would also enable four bedrooms to be on the first floor, which would be conducive with family life

given the age of the appellants three children. However, I have seen nothing of substance to suggest no other properties are available that would (or could) enable the appellants to live in the way they want to. The appellants already live at the appeal property so the proposal would not result in notable economic benefits to the local economy from their spending save for a modest short-lived boost to the construction industry whilst the proposal is built.

12. The addition of first floor rooms would modestly increase natural surveillance of the public realm but not to the extent that this would be a determinative benefit as there is nothing to suggest crime is a local issue of note. The proposal would improve the levels of water and energy consumption but there is nothing to suggest it would do so in a way that would exceed current building regulations. Again, these would be a modest benefit.
13. The Council has not raised objections regarding the effect the proposal would have on the living conditions of neighbours, the availability of parking or the impact on the wider landscape. However, the absence of harm is a neutral matter that does not outweigh the harm that would occur if the proposal proceeded. The benefits of the appeal scheme would be achieved at the expense of the character and appearance of the area and this is at odds with local and national policy. Accordingly, in this instance, the significant harm of the proposal would outweigh its limited benefits.

Conclusion

14. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

Graham Chamberlain
INSPECTOR