



Appeal Decision

Site visit made on 1 June 2020

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th June 2020

Appeal Ref: APP/C1570/D/20/3246169

Kevandra House, The Village, Latchmore Bank, Little Hallingbury, Essex CM22 7PX

- 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 Michael Lowe against the decision of Uttlesford District Council.
 - The application Ref UTT/19/2283/HHF, dated 10 September 2019, was refused by notice dated 14 November 2019.
 - The development proposed is described as 'Loft conversion to main house and pool house, with dormers and roof lights. Infill single storey extension linking main house and pool house.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Works have commenced on some parts of the proposal and they appear well advanced. In particular, the dormer roof extension to the main dwelling and the roof extension to the outbuilding, which includes the insertion of two dormer windows in the northern roof slope and a hip to gable enlargement. No obvious works have started on the three dormer windows proposed in the southern roof slope of the outbuilding facing Hatch Green or the replacement of the conservatory with a larger garden room type structure.

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 a large detached dwelling linked to an extensive outbuilding by a conservatory. It is set back from the A1060 and positioned between Silver Birch and Falcon House. There is a public footpath on the far side of a hedge that runs along the northern side of Latchmore Bank, a small track that provides access to the appeal site and the other two properties previously mentioned. Positioned to the south of the appeal site is Hatch Green, a small housing estate of semi-detached and terraced properties arranged in a cul-de-sac. The properties in the vicinity of the appeal site are a mixture of different sizes and designs but they are generally well proportioned and devoid of excessive, bulky or overly large roof extensions.

5. The dormer window in the rear roof slope of the main dwelling is a bulky and tall insertion that awkwardly dominates the roof scape of the building. This is the case even though it does not span the entire width of the roof or exceed the ridge height and is set above the eaves line. The dummy pitch does little to disguise the flat roofed form, which appears discordant relative to the shape of the existing roof. The size and form of the dormer window noticeably jars with the host property to the extent that its appearance is unbalanced and harmed. The presence of a large and stark dormer window sets the appeal property incongruously apart from the surrounding buildings.
6. The impact of the dormer is reduced to a moderate extent due to the use of a finishing material that complements the roof tiles. Nevertheless, the addition is in an elevated position and is therefore prominent in views from the public footpath to the north of the appeal site through gaps in the hedge. Consequently, this element of the appeal scheme harms the character and appearance of the area. That said, the roof lights to the front are not unduly prominent from surrounding vantage points because they are set flush with the roof and therefore, they do not harm the character and appearance of the area.
7. The three dormer windows proposed to face the properties in Hatch Green would similarly be large, bulky and tall and thus dominate the roof scape of the outbuilding. They would be visible from the gap in the street scene between 21 and 22 Hatch Green even though the southern boundary of the appeal site is marked, in part, by mature trees. In addition, the incongruous proportions and bulky form of these dormers would also be visible from the rear gardens and elevations of several properties in Hatch Green. As such, the dormers would harm the character and appearance of the area.
8. In coming to the findings above, I have carefully considered the Council's Supplementary Planning Document 'Home Extensions' (2005) and the advice therein that dominant extensions are unlikely to be compatible with the host property and its proportions and design. The guidance in the SPD adds weight to my conclusion that aspects of the appeal scheme harm the character and appearance of the host property and its environs or would do so.
9. The two dormers inserted into the northern roof slope of the outbuilding are awkwardly proportioned and oversized relative to the roof plane. They also jar with the more pleasing size and form of the dormers in the east and west roof slopes. However, the new dormers are primarily visible from the internal courtyard and rear garden of the appeal property, with only glimpsed views possible from the public footpath. This would also be the case with the proposed garden room extension. Thus, these aspects of the appeal scheme do not, and would not, harm the character and appearance of the area.
10. The hip to gable extensions to the outbuilding jar with the hipped form of the existing roof and has resulted in the western elevation presenting large areas of unarticulated brick work. However, this is not a harmful alteration in this instance because gable ended roofs are commonplace in the local area and the eastern and western elevations of the outbuilding are not prominent in public views or from multiple properties.
11. I therefore conclude that the appeal scheme as a whole would harm the character and appearance of the host property and area. This would be at odds with Policies S3, GEN 2 and H8 of the Uttlesford Local Plan 2005 (LP),

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

12. The policies of the LP listed above are old, but they are broadly consistent with Paragraph 127 of the National Planning Policy Framework (the 'Framework'), which seeks to secure developments that are visually attractive and sympathetic to local character. As such, the conflict with Policies S3, 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. In any event, the appeal scheme as a whole is not well designed and does not comply with local design policies.
13. Planning permission was granted under application UTT/1845/03/FUL for extensions to the appeal property. This permission has since lapsed without being implemented. As such, it does not represent a fall-back position and is therefore a material consideration of very limited weight. The evidence before me does not demonstrate the harmful elements of the proposal are essential in order to provide a fully accessible annex in the outbuilding.
14. The dormer extensions at Orchard End and Crabhayne referred to by the appellant do not appear to have the same proportions as the dormers advanced in the appeal scheme and they do not dominate the roof plane in the same way as the appeal scheme does (would). As such, they do not justify the harm I have identified.
15. Various concerns have been raised by interested parties including reservations regarding the effect on the living conditions of neighbours. That said, I note that the Council has not included this as a reason for refusal and I am satisfied, based on the evidence before me, that the extensions are (or would be) sufficiently distant from neighbouring houses, including being set back from shared boundaries, to ensure the appeal scheme has not (and would not) resulted in the occupiers of neighbouring properties being subject to a harmful loss of light, outlook or privacy.

Conclusion

16. 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 should not succeed.

Graham Chamberlain
INSPECTOR