
Appeal Decision

Site visit made on 6 July 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2020

Appeal Ref: APP/C1570/W/20/3246383

Mill Hill Farm, Cutlers Green, Cutlers Green Lane, Thaxted, Dunmow, Essex CM6 2QF

- 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 Levett against the decision of Uttlesford District Council.
 - The application Ref UTT/19/1925/FUL, dated 9 August 2019, was refused by notice dated 7 October 2019.
 - The development proposed is erection of a two-storey dwelling and associated garage/study.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the address of the appeal site from the Council's decision notice as it is the most precise description of the site location.

Background and Main Issue

3. The application the subject of this appeal follows on from an earlier permission granted by the Council for a dwelling on this site. From the information submitted the earlier permission was for a dwelling of similar scale but a very different appearance to the appeal proposal.
4. The main issue is therefore the effect of the proposed development on the character and appearance of the site and surrounding area.

Reasons

5. The proposed dwelling would feature sash windows, a parapet roof and other features inspired by houses of the Georgian period. Policy GEN2 of the Uttlesford Local Plan 2005 (the LP) includes the requirement that development be compatible with the scale, form, layout, appearance and materials of surrounding buildings. Policy HD10 of the Thaxted Neighbourhood Plan 2017-2033 (the NP) requires, amongst other things, that development proposals recognise local distinctiveness in respect of design, choice of materials, height, scale, spacing and layout.
6. The proposed dwelling would be of a size and scale that would sit comfortably within the appeal site and which would be well-screened by the established planting around the site. However, the Georgian styling does not draw on any

reference in the immediate vicinity of the site and the use of a brick finish would not be in keeping with the rendered finish of Mill Hill Farmhouse, the nearest house to the appeal site, and the only property visible within its immediate vicinity. My attention has been drawn to houses of similar styling in the District. However, none of these are in the immediate vicinity of the appeal site and therefore I attach limited weight to them in consider this appeal. The development proposed would therefore be out of keeping with the character and appearance of the surrounding area.

7. The appeal proposal includes a garage with accommodation on the first floor which would be a substantial additional structure. The dwelling proposed has been reduced in footprint and overall mass from that which was previously approved. While the cumulative footprint of the two buildings would be larger than the approved house, I saw during my site visit that separate garages and outbuildings are a common feature in the local area. The visual impact of the development would be limited by the established landscaping around the site. Given that the overall increase in size would be split between the house and the smaller, separate garage the scale of development overall would be acceptable. The garage would be subordinate to the dwelling in size and height and as a result of its siting to the side of, and angled towards, the house it would be viewed as an ancillary structure.
8. There would therefore be harm to the character and appearance of the surrounding area from the detailed appearance of the development proposed, although not from the overall scale of development. The appeal proposal therefore conflicts with LP Policy GEN2 and NP Policy HD10, the requirements of which are set out above, and the core principle of good design set out within the National Planning Policy Framework (the Framework).

Planning Balance

9. The Council have confirmed in submissions that they cannot demonstrate the provision of a 5-year supply of land for housing, measured against their housing requirements. As they can only demonstrate 3.29 years of deliverable land, the shortfall is significant. As the appeal proposal relates to the provision of housing, I have sought clarification from the Council whether the Council's housing delivery was at least 45% of that required over the previous three years, whether the NP became part of its development plan within the last two years, and whether the NP contains policies and allocations to meet its identified housing requirement. However, no response on these queries has been received. Given these matters, the presumption in favour of sustainable development as set out in Paragraph 11 d) of the Framework is engaged.
10. There would be harm to the character and appearance of the area from the development proposed. Although the appeal site is in a relatively visually isolated location, the appearance of the house would be out of keeping with the nearby farmhouse and does not draw on the character of any property in the local area. Given the scale of the development moderate harm would arise from the appeal proposal.
11. Balanced against this are the benefits of one additional home to the Council's housing supply. While the shortfall is significant, the benefits of one additional house would be limited, and I therefore accord this limited weight.

12. Having regard to all the above considerations I conclude that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposed development, when assessed against the policies of the Framework as a whole.

Conclusion

13. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR