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# Appeal Decision

Site visit made on 19 February 2021

**by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 09 March 2021**

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**Appeal Ref: APP/C1570/D/20/3263615**

**Rylands, 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 Mr and Mrs Dave Gillan against the decision of Uttlesford District Council.
  - The application Ref 20/01584/FUL, dated 6 July 2020, was refused by notice dated 19 October 2020.
  - The development proposed is alterations to existing dwelling, with extension of existing roof, and single storey rear extension.
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. The applicant in their Statement of Case (SoC) submitted amended plans<sup>1</sup> for the refused scheme and has sought that I consider these plans as part of the appeal. The main differences between the refused application and amendments are the reduction in length of the proposed extension by 2.4 metres. Whilst I appreciate that there appears to be email correspondence that the plans were sent to the Council prior to determination, there is no evidence that the amended plans formed part of the scheme that the Council made its decision on, or that the amended scheme has been subject to any form of public consultation. In accordance with the 'Wheatcroft Principles',<sup>2</sup> it would not be appropriate to consider these amended plans within my decision as the acceptance of such would deprive those who should have been consulted on the changed development or the opportunity of such consultation. As such, I will base my decision solely upon the plans<sup>3</sup> that were assessed by the Council as part of the original planning determination.

## Main Issue

3. The main issue is the effect of the proposed development upon the existing building and the character and appearance of the locality.

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<sup>1</sup> Proposed Layout Plan ref: 202 Rev 05; Proposed Elevations Plan ref: 203 Rev 05; and Existing and Proposed Block Plans ref: 204 Rev 06.

<sup>2</sup> Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

<sup>3</sup> Floor Plan (proposed) Ref:202 Rev04 06/07/2020; Elevations (proposed) Ref:203 Rev04 06/07/2020; and Block Plan Ref: 204 Rev05 06/07/2020

## Reasons

4. The appeal site contains a detached bungalow which appears to have been constructed in the mid-late twentieth century alongside detached bungalows and two storey dwellings. The appeal building is relatively modest in size with a steep hipped roof and brick walls and maintains setbacks to side boundaries with a large rear garden. The dwellings along Parsonage Road are modest in scale with domestic sized alterations and extensions which are proportionate to the existing dwellings. Visual gaps are located between buildings which together with vegetated setbacks gives an open, leafy and spacious feel in and around the dwellings. Along with the modest designs, massing and materials of the dwellings, these elements contribute positively to the local character and distinctiveness of the locality.
5. Whilst comments in the applicant's Statement of Case (SoC) discuss the reduction in scale from previously refused schemes, the proposed extension is still very large and a disproportionate addition, which according to the Council has a floorspace that is approximately 30% larger than the existing dwelling. The size of the dwelling is evident in the side elevations where the side wall of the proposed extension would project for an additional 15 metres close to the boundary with the neighbouring dwelling called 'Grafton.'
6. I note comments that in the applicant's opinion that the scheme would not be readily apparent in the street scene and that the extensions are located to the rear and would not be taller than the existing dwelling. Whilst this may be the case, as shown in the Uttlesford District Council Supplementary Planning Document – Home Extensions (SPD) these are not the only considerations; with rear extensions needing to be of an appropriate scale and design which is in keeping with the proportions of the existing dwelling. Whilst I appreciate that the existing dwelling is of a smaller size compared to the dwellings surrounding, and that it is intended on improving the living standard of the dwelling; this does not override the concerns made with regards to the character and appearance of the dwelling which is not solely dependent upon views from a public vantage point.
7. The applicant's SoC implies a fall back position that a detached dwelling in principle may be able to extend for up to 8 metres under the prior notification provisions of the General Permitted Development Order (GPDO). If the GPDO provisions for rear extensions are able to be demonstrated relevant in this scenario, there would still be a material difference between the appeal scheme and the hypothetical fallback scheme. As such I am not persuaded by this fallback position.
8. The proposed scheme would increase the size of the existing dwelling in a way which would not reflect the local character and appearance of the locality. The extension would be excessive when compared to the modest proportions of the existing dwelling. The elongation of the roof to the side boundary together with the rear extension would add a large amount of visual bulk and massing which would appear oversized and discordant to the modest sized dwellings within this context, resulting in an awkward juxtaposition that results in a cramped and overdeveloped site.
9. Consequently, the scheme would not reinforce the qualities of local character and distinctiveness and would be harmful to the character and appearance of the existing building and the locality. This would be contrary to Uttlesford Local

Plan 2005 Saved Policies S3, GEN 2 and H8 which seek to secure development that is compatible with its surroundings and extensions that respect the scale and design of the original building.

**Conclusion**

10. For the reasons given above, I conclude that the appeal be dismissed.

*J Somers*

INSPECTOR