



Appeal Decision

Site visit made on 5 October 2021

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2021.

Appeal Ref: APP/C1570/D/21/3277779

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 Mrs Tina Gillan against the decision of Uttlesford District Council.
 - The application UTT/21/1211/HHF, dated 8 April 2021, was refused by notice dated 8 June 2021.
 - The development proposed is new single storey extension to front, flat roof rear extension with roof light over and new first floor over with front and rear dormers.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the period since the appeal was submitted the Government has published a revised version of the *National Planning Policy Framework* (The Framework). The revised Framework has not brought me to any different decision on the appeal and therefore I have not considered it necessary to invite the appeal parties to comment on the new document.

Main Issues

3. The main issues are whether the proposed development would have an adverse effect on
 - The character and appearance of the host dwelling and its surroundings on Parsonage Road and
 - the living conditions for the present and future occupants of neighbouring dwellings with regard to scale and positioning, light levels and overlooking.

Reasons

Character and appearance

4. Parsonage Road where the appeal site is located, is a residential road characterised by, in the main, detached one and a half and two storey houses although the appeal property and its neighbour to the north are detached, single storey bungalows set well back from the road. Rylands has an existing conservatory extension to the rear and a detached garage building both of which would be replaced by the proposed single storey rear extension. A small gabled front extension, roof extension and front and rear dormers are also proposed in this resubmitted proposal following a previous dismissed appeal.
5. The new roof proposed for Rylands would be heightened by approximately 0.6

metres at the ridge. The roof form would be changed from the fully hipped bungalow roof form to one with small half hips to maximise the height to the first floor accommodation with the result that the gable height below the half hip would increase by about 2.4 metres over the current eaves level. Twin pitched roof dormers are proposed front and rear with those at the back having a bridging section between them again to maximise the internal first floor space. Both the *Essex Design Guide* and the Council's *Home Extensions Supplementary Planning Document* (SPD), which the Council uses to guide development, emphasise that dormers should be a minor incident in the roof plane and their purpose should be to light the roof space and not to maximise headroom within it.

6. I accept that, as bungalows, Rylands and Grafton are different to the prevailing form of housing in the street. However, these two properties, together with the Laurels, share similar roof heights and raising the height of Rylands as proposed would appear out of keeping with the immediate surroundings even though I accept Roverdene is much higher. I have also been referred to the presence of other dormers in the area to justify the proposals but, even though I accept this is the case, the dormers proposed combined with the added height, mass and reprofiling of the roof would result in a top heavy roofscape which would entirely dominate the original house. This would adversely affect its character and appearance again contrary to the advice in the SPD.
7. In respect of the single storey rear extension the principle of this form of extension to the rear of the bungalow would be acceptable. However, notwithstanding the fact that the proposed extension would not extend beyond the rear building line of properties to the north, the extension, because of its depth and height would not be subordinate to the original house. The extension at its maximum would be 9 metres deep – and would increase the depth of the original house by almost 100% and the height at approximately 3 metres would be significantly above existing eaves height. As such the extension would substantially change the character and appearance of the original house.
8. Regarding the proposed front extension again the principle of the extension would be acceptable. It is a modest forward projection from the original bungalow but because Rylands is set well back behind the building line of Roverdene it would not appear unduly intrusive in the street scene. Moreover, because the two bungalows Grafton and Rylands are different in design, a variation as proposed to incorporate a small front extension to Rylands would not necessarily look out of place in the street scene. It is open to me to reach a split decision on appeals, allowing the appeal in part and dismissing other elements. However, this would only be possible where the separate parts of the proposal are not functionally or physically linked. In the case of the front extension proposed to Rylands, the plans show a physical linkage in that the extension would be incorporated into the heightened, reprofiled roof slope. I cannot, therefore, issue a split decision to allow the appeal insofar as it relates to the front extension only.
9. Taken together the scale of all the extensions proposed to Rylands would be disproportionate to the host dwelling. They would fail to respect the character and appearance of the existing house and would subsume it entirely, contrary to the advice in the SPD.
10. The Framework at paragraph 130 requires that developments must be sympathetic to local character to create high quality buildings and spaces amongst other things and in these respects the proposal would fail. *Uttlesford Local Plan 2005* (ULP) Policy GEN2 in requiring development to be compatible with the scale, form, layout and appearance and materials of its surroundings amongst other

things is consistent with this aspect of the Framework. The design of home extensions is also controlled by ULP Policy H8 which requires that the scale, design and materials of the extension respect those of the original building. For the above reasons i.e. principally the height, scale and depth of the extensions in combination, the proposal would have an unacceptable impact on the established character and appearance of Rylands.

Living Conditions

11. In respect of the relationship to the property to the north I accept that because the rear extension would be single storey and would not extend any deeper than the rear of Grafton there would be no issue in respect of living conditions for the occupants from this element of the proposal. However, it was clear from my site visit that there are side windows towards the western end of the south elevation of Grafton lighting what appeared to be habitable rooms. The increased height and mass of the upward extension to the roof and dormers proposed to Rylands would be likely to materially reduce the levels of sunlight and daylight reaching these side rooms and would appear overbearing viewed from these windows.
12. With respect to the relationship to Roverdene, whilst the rear extension proposed would extend for much of the depth of the garden to Roverdene, being single storey and set away from the boundary and behind the boundary fence there would be no issue in respect of living conditions for the occupants from this element. The increased height and mass of the upward roof extension and dormers would lie to the north of Roverdene and unlikely to have any impact on light levels on its rear windows. However, there is a patio area to the rear of Roverdene in respect of which the increase in height and mass of the roof and gable end would have an impact although I accept that, given the side separation between the boundary and Rylands, the overbearing effect from the roof extension would be limited.
13. It has been put to me that the height and positioning of the rear dormers would result in overlooking particularly of rear garden areas, including that of Tulip Cottage, to the south east. Whilst I acknowledge that the installation of the dormers would place windows in an elevated position on Rylands where there are none currently, there would not be overlooking of the sections of garden or patio closest to the adjacent houses. I accept there would be some additional overlooking to the further areas of garden, including towards Tulip Cottage but this would be at a distance and would not be dissimilar to overlooking which already exists from Roverdene and The Laurels from upper windows into neighbouring gardens. I am satisfied that the degree of overlooking would not constitute a significant loss of privacy.
14. The Framework at paragraph 130 also requires that developments must achieve a high standard of amenity for existing and future users amongst other things and in this respect the proposal again fails. ULP Policy GEN2 reflects this national policy and requires development to have no materially adverse impact on the reasonable occupation and enjoyment of a residential property and ULP Policy H8 makes a similar requirement that there should be no material overlooking, overshadowing or overbearing effects on neighbouring properties. Clearly, it is to a degree a subjective call as to whether the impact is materially adverse but in this case for the above reasons, i.e. principally the positioning, proximity, and height of the roof extension and dormers, the proposal would have an unacceptable impact on the living conditions in respect of Grafton in particular on the outlook and available light levels to the side windows.

Other Matters

15. I understand the appellant's wish to make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11. However, paragraph 124 in the same section states that development should maintain an area's prevailing character and setting and in paragraph 130 in section 12 that developments should secure a high standard of amenity for existing and future users. As such, sustainable and effective use of the dwelling to increase accommodation and improve the quality of the living space through the proposed front, rear and roof extensions would not therefore outweigh the harm to the character and appearance of Rylands in its setting or the harm to the living conditions of existing and future occupiers in particular of Grafton as a result of the proposal.

Conclusion

16. In reaching my decision I have had regard to the matters before me but for the reasons above the appeal should be dismissed.

P. D. Biggers

INSPECTOR