



Appeal Decision

Site visit made on 20 December 2021

by P. D. Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2021.

Appeal Ref: APP/C1570/D/21/3284666

40 South Road, Saffron Walden CB11 3DN.

- 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 Andrew Baker against the decision of Uttlesford District Council.
 - The application Ref UTT/21/1882/HHF dated 3 June 2021, was refused by notice dated 21 July 2021.
 - The development proposed is single storey side and rear extensions,
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and rear extensions at 40 South Road, Saffron Walden CB11 3DN in accordance with the terms of the application, Ref UTT/21/1882/HHF, dated 3 June 2021 and subject to the following conditions.
 - 1) The development hereby permitted shall be begun no later than the expiration of 3 years from the date of approval.
 - 2) The development hereby permitted shall be carried out in accordance with the submitted documents and the following approved plans: P427-1; P427-2; P427-3; P427-4.
 - 3) Notwithstanding Condition No 2 requiring the development hereby permitted to be in accordance with submitted plans, prior to the commencement of construction above floor slab level, details and samples of proposed materials to be used in the construction of the external surfaces of the development will be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development will be carried out in accordance with the approved details and samples.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, its surroundings on South Road and the Saffron Walden Conservation Area.

Reasons

3. South Road where the appeal site is located is characterised by 2 and 3 storey dwellings in a mix of styles. The appeal property forms an end property in one of two short terraces of four houses built in brick under a tiled roof. No 40 has a detached, brick built garage with a steeply sloping asymmetric pitched roof which occupies part of the gap to the side of the main house but which is set back from

the frontage. It is built in a style compatible with the house and a brick built screen wall divides the front forecourt from the garden.

4. South Road forms part of the Saffron Walden Conservation Area, a large area divided into a number of character areas. South Road forms part of Area 6. Although the appeal property is not listed, the terrace in which it sits has been identified by the Council as a locally important, non-designated heritage asset as it is built in a traditional Victorian style with some original windows and attractive details (particularly chimneys) which remain largely intact.
5. I acknowledge that the proposed linking of the outbuilding by the side extension would not follow the original planned form but given that the side extension would be set back from the frontage of the main house and slightly back from the front elevation of the garage it would not be prominent.
6. Whilst combining the roof structure of the extension with the existing garage roof at the same height would have the effect of a slightly greater increase in mass viewed from South Road than might otherwise have been the case, the increase would be modest compared to the height and scale of the original house and it would remain subservient to it. I have been invited to conclude that the terraces were designed to be intentionally symmetrical. Whilst that might have been the original intention – they are no longer. No 34 has been extended on the side at the opposite end of the terrace in which the appeal property sits and No 32 in the adjacent terrace also has a side extension. I am not therefore persuaded by the Council's argument that the extension would be an unduly bulky addition or that it would be out of keeping with the terraces in their current adapted form.
7. Viewed from South Road I acknowledge that the roof form would have the effect of closing off some of the openness on the side of the property. However, there is already some screening and enclosure offered by the existing wall between the garage and the house. In any event, maintaining the height and mass at the same level as the garage would not unduly intrude in the character and appearance of the street due to being set well back from the frontage.
8. Moreover, I have been referred to the fact that the proposed extension would be smaller than the two storey side and rear extension permitted on the site under ref UTT/18/0459/HHF) where the mass, scale and height was deemed not to harm the significance of the Conservation Area. I note that the Council consider because this permission expired in May 2021 that the comparison between it and the now proposed extension is of little relevance. I acknowledge, of course, that because this can no longer be built it does not constitute a 'fallback' position. However, the Council approved the previous larger proposal under identical policies in the Uttlesford Local Plan (ULP), with the Conservation Area in place. Although the National Planning Policy Framework (the Framework) has been reviewed in the interim, the national policy regarding the protection of designated and non-designated heritage assets has not changed. Accordingly, the previous acceptance of a larger but similar side and rear extension is relevant to my determination.
9. The proposal is that the walling material for the link extension would be timber weather boarding. This would not be a choice of materials that is present on the original terrace although I note that weatherboarding has been allowed at the other end of the terrace in the side extension to No 34 and in a side extension to No 42, although the latter is on a different style of property. The final selection of materials is a matter that can be conditioned and I note that the Council in any event wish to control this matter by requiring the submission of material samples. Given the Conservation Area location and the identification of the terrace as a non-

designated heritage asset I am satisfied that such a condition would be necessary and reasonable.

10. For the reasons above and given the mix of house styles present in the street and the modest scale of extension, the proposed design, provided it was to be appropriately constructed in materials complementary to the Conservation Area, would not harm its significance. I am satisfied that the changes would have a neutral effect on the character and appearance of the Conservation Area and as such it would be at least preserved. The Framework in paragraph 203 makes clear that the approach to non-designated heritage assets is that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. I accept that the extension would result in the covering over of a pair of small arched windows towards the rear of the side elevation at ground floor level in the main house and some loss of openness to the side of the property. However, otherwise the detailing on the main house would be unaffected by the extension and the integrity and character of the locally important asset would be preserved. Accordingly, the proposal would comply with both the requirements of the Framework at section 16 in respect of the historic environment and also with the ULP at Policy ENV1 which seeks to preserve or enhance the character and appearance of the essential features of the Conservation Area. Similarly, in view of my conclusion that the proposal would not be inappropriate to the character of the area, it would not conflict with the ULP at Policy GEN2 which requires development to be compatible with the scale, form, layout, appearance and materials of its surroundings. Nor, subject to a condition controlling materials, would it conflict with the requirement in ULP Policy H8 that the scale, design and materials should respect those of the original building.

Conditions and Conclusion

11. The Council suggested a number of conditions. I have considered these in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty. In addition, a condition allowing the Council to control the final material details and approve samples is necessary to ensure the character and appearance of the Conservation Area can be protected.
12. I have considered the matters before me and, for the reasons given above, I conclude that the appeal should be allowed and permission granted for the side and rear extension subject to the conditions set out above.

P. D. Biggers

INSPECTOR