
Appeal Decision

Site visit made on 7 October 2022

by S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 24 October 2022

Appeal Ref: APP/C1570/W/22/3294949

Start Hill, White Cottage, Stane Street, Great Hallingbury CM22 7TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Colaco on behalf of AAC Building Project Ltd against the decision of Uttlesford District Council.
 - The application Ref UTT/21/2209/DFO, dated 28 June 2021 and refused on 17 September 2021, sought approval of reserved details pursuant to condition No 01 of a planning permission Ref UTT/18/0999/OP as granted on 1 August 2018.
 - The development proposed is approval of reserved matters (appearance, landscaping, layout and scale) relating to planning permission UTT/18/0999/OP.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Outline planning permission with access details was approved for residential development on the appeal site under planning approval UTT/21/0999/OP granted on 1 August 2018. The principle of residential development on this site has therefore been established because of the aforementioned decision. The outline application included illustrative details of a layout for the site, but these did not form part of the approval. The subject appeal relates only to matters of appearance, landscaping, layout and scale.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area.

4. Reasons

5. The appeal site is an open area of land in a generally rural setting, fronting Dunmow Road with wooden fencing to the highway boundary and fringed with trees to the rear. The site is generally set at a lower level than the adjoining road.
6. There is residential development to the east, arranged in linear form along the road and with limited front amenity spaces, many of which are used for car parking purposes. They include both two-storey dwellings and, closest to the appeal site, bungalows. Both the two-storey houses and the bungalows are characterised by a simple design form with few front projections and with

double-pitched, unbroken roofs which run parallel with Dunmow Road. They are generally arranged along a perceived common building line, again running in parallel to the road and with gaps between them so that they sit comfortably within their curtilages.

7. Immediately to the west of the appeal site is a pair of two-storey, semi-detached dwellings of differing designs to each other, and while one includes a two-storey front gable, they nevertheless have the same general characteristics and settings as those already described for the dwellings to the west of the appeal site, though they are closer to the highway.
8. The proposed development would depart significantly from those characteristics. The two proposed dwellings would be set back into the site, away from Dunmow Road and well behind the commonly perceived building line and as such, would have an incongruous and adverse effect upon the character and appearance of the area. The proposed elevations, with double height front gables and steeply pitched roofs, would not have the simple form of the existing dwellings in the vicinity, nor would they have the same spaciousness to their side curtilages. In this case, I do not consider that the proposal has reasonably taken into account the surrounding context to the site.
9. The front of the site immediately facing the road would be taken up largely by a proposed cart lodge providing car parking. This would present a bland, uninteresting appearance when seen from the road and would not be in keeping with the general character and appearance of the area.
10. Overall, the proposed development, in terms of its scale, form, layout and appearance, would adversely affect the character of the area.
11. Therefore, I conclude that it would not accord with policy GEN2 of the Uttlesford Local Plan 2005 which requires development to be compatible with the scale, form, layout and appearance of surrounding buildings, or with policy S7 which aims to ensure that development protects or enhances the particular character of the part of the countryside within which it is set. It would also fail to conform to paragraph 130 of the National Planning Policy Framework 2021 which requires development to be sympathetic to local character, including the surrounding built environment.

Conclusion

12. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

S Hartley

INSPECTOR