

Appeal Decision

Site visit made on 3 February 2023

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 28th February 2023

Appeal Reference: APP/C1570/W/22/3304950

Land at 'White Lodge', Chelmsford Road, Hatfield Heath, Essex CM22 7BH

- 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 Skyrme against the decision of Uttlesford District Council.
 - The application (reference UTT/22/0646/OP, dated 4 March 2022) was refused by notice dated 4 May 2022.
 - The development proposed is described in the application form as "Two New Dwellings".
-

Decision

1. The appeal is dismissed.

Preliminary points

2. The application is made in outline, with some matters reserved. In this appeal, the access to the site and the site layout are to be determined.

Main issues

3. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings. The second is the effect of the proposed development on residential amenities (whether unacceptable harm would be caused by reason of disturbance).

Reasons

4. Hatfield Heath is a substantial but somewhat dispersed settlement, extending in various directions from the Heath itself. Chelmsford Road, the A1060, leads eastwards from the Heath, into the Essex countryside. It is a busy through route that bears a regular flow of traffic.
5. Development extends along both the northern and southern frontages of the highway, with dwellings facing the road and some development in more depth, in short culs-de-sac off the main road. The dwellings along the road are mixed in style and character, with some non-residential buildings, including a large United Reform Church a short way to the west of the appeal site (on the southern frontage) and a restaurant almost opposite that, on the edge of the Heath.

6. The existing dwelling at 'White Lodge' is a large detached bungalow, with some accommodation on an upper floor. It has rendered external walls painted white (with some false timbering), under an expansive tiled roof. It is set back from the main road behind a front garden that is mainly laid to grass, with shrubs that also screen the plot to some extent. A private driveway alongside the eastern gable of the building provides access to a garage immediately to the rear of the house and a large garden opens out beyond, behind the neighbouring plot at 'New House'.
7. 'New House' is located to the east of 'White Lodge' and the two properties share a wide double crossover on the main road. The two dwellings are similar in scale but different in design and appearance and 'New House' has a much smaller back garden. Also to the east, another house, 'Rosewood', has been built behind one of the houses on the main road frontage and alongside the rear part of the garden at 'White Lodge'.
8. To the west of 'White Lodge', a shared private driveway, Park Drive, serves a number of dwellings, some of which are behind the appeal site. A mature privet hedge marks most of the length of the boundary with Park Drive, with a conifer hedge at the end of the garden. The privet hedge appears to have been somewhat affected by recent works to Park Drive and its verge, however.
9. It is now proposed to construct two new dwellings in the back garden at 'White Lodge'. The planning application was made in outline but some matters were not reserved. The proposed access to the new plots is shown to run between 'White Lodge' and 'New House', where the existing drive serves a garage to the former. This garage would be demolished of course. The application drawing also shows the layout of the proposed new dwellings, behind 'White Lodge' but roughly aligned with 'Rosewood', to the east.
10. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. The 'Framework' is aimed at achieving good design standards by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history. It also recognises that appropriate change may include increased densities and it does not prevent or discourage appropriate innovation or change in principle.
11. The 'National Planning Policy Framework' is aimed at encouraging good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation in new residential development.
12. Policies in the Development Plan reflect these basic principles. Policy GEN2 of the 'Uttlesford Local Plan' (which was adopted in 2005) focusses on design considerations, while Policy GEN4 points out the need to protect neighbours' amenities. Policy H4 recognises the contribution that can be made by "backland" sites, if relevant criteria are met.
13. In the vicinity of the appeal site, various dwellings have been inserted behind the original frontage buildings, with driveways to the rear (for example at 'Rosewood' and 'Ridgeways', both to the east of the appeal site). Development in Park Drive also sits behind the frontage buildings, including 'White Lodge'.

14. In principle, then, "backland development" can be regarded as being in character with the locality; but individual sites are to be considered on their own merits, of course.
15. The proposed two new dwellings at 'White Lodge' would be located at the rear of the existing site but in an area where some additional development has been concentrated, alongside other similar development. Nonetheless, they would stand on small plots by comparison with others in the vicinity, with much smaller gardens and with an awkward and cramped manoeuvring area in front of each dwelling for car parking. In consequence, the scheme would appear cramped and out of character with others in the area and the new dwellings themselves would suffer from undue disturbance from each other, from the driveway and from other properties at the side and rear.
16. Because of the restricted nature of the parking and manoeuvring area for two new dwellings, there would also be a degree of disturbance to the existing homes at 'New House', 'Rosewood' and 'Camberley', which would all be close to the circulation space, while the new driveway serving two new dwellings would particularly affect 'New House'.
17. In short, I am convinced that the proposed scheme for two new dwellings would be unduly cramped and awkward and would thus cause real harm to the character and appearance of the surroundings. In addition, the cramped nature of the scheme for two dwellings would give rise to an unacceptable level of disturbance for both new and existing residents.
18. Evidently, the appeal site lies within an established settlement and the creation of two new dwellings would amount to an effective use of urban land, in principle. Nevertheless, I am convinced that the harm that would be done to the character and appearance of the surroundings and to residential amenities very clearly and decisively outweigh the benefits of the project. In reaching that conclusion I have taken account of the current shortfall in the supply of housing land in the District but I remain convinced that the need to achieve higher levels of housebuilding does not outweigh the objections to the scheme in this case.
19. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR