

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/D/22/3313354 5 Brownlows Close, Leaden Roding, Essex CM6 1TT

- 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 A Rainbird against the decision of Uttlesford District Council.
 - The application (reference UTT/22/2854/HHF, dated 17 October 2022) was refused by notice dated 13 December 2022.
 - The development proposed is described in the application form as follows: *"Single storey rear extension (replacing existing conservatory), conversion of existing garage to habitable space, new detached garage and associated works including new area of hardstanding and alterations to garage wall"*.
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Decision

1. The appeal is allowed and planning permission is granted for *"Single storey rear extension (replacing existing conservatory), conversion of existing garage to habitable space, new detached garage and associated works including new area of hardstanding and alterations to garage wall"*, at 5 Brownlows Close, Leaden Roding, Essex CM6 1TT, in accordance with the terms of the application (reference UTT/22/2854/HHF, dated 17 October 2022), subject to the conditions set out in the attached Schedule of Conditions.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings.

Reasons

3. Leaden Roding is a village located in the Essex countryside, somewhat dispersed in character but focussed on the junction of the A1060 and the B184, where there is a small roundabout in the road layout. The A1060 is a busy through route between Bishops Stortford and Chelmsford and at Leaden Roding there is a significant four-way road junction with High Easter Road and Dunmow Road. There are some local services in the village, including at the junction itself.
4. There is an irregular pattern of development around the junction, with an open field to the south-east and a variety of buildings in the other quarters around

the open space at the junction. Buildings along Stortford Road and Chelmsford Road are generally set back from the highway but some buildings nearer to the junction, including a building group on its north-east, are set close to the road and an associated parking area, creating a sense of place.

5. A small gated cul-de-sac has been laid out to the south-west of the junction, at Brownlows Close. Five substantial houses have been built, mainly grouped around the head of the cul-de-sac, with the two houses on the northern side of the group backing on to the main road. This has created a "softer" frontage to this part of the highway, marked with trees and a strong hedge, behind a wide grass verge.
6. Number 5 Brownlows Close faces the end of the cul-de-sac, with its back garden adjacent to Chelmsford Road and close to the roundabout. The house has an imposing front elevation, facing the cul-de-sac, and its southern boundary runs alongside the main part of Brownlows Close, defined by a brick wall. On the north, it has a side boundary with number 4, 'Aythorpe House'. On the main road frontage, the garden is bounded by a high and somewhat overgrown hedge and there is a mature willow tree in the highway verge, which is especially significant in the streetscene.
7. It is now proposed to carry out a range of works at number 5 Brownlows Close. A single storey rear extension would replace the existing conservatory and the existing garage would be converted to provide an additional habitable space, marked as a "bedroom/studio" on the proposed ground floor plan. A new detached garage would be constructed in the garden and various associated works would also be undertaken.
8. 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.
9. Policies in the Development Plan reflect these basic principles. Notably, Policy GEN2 of the 'Uttlesford Local Plan' (which was adopted in 2005) focusses on design considerations.
10. The proposed alterations to the house itself would involve the conversion of the existing attached garage, to provide additional living space within the house, and the construction of a new single storey extension in place of an existing large conservatory. These elements of the work are not contentious, however, and they would not affect the site boundary treatment.
11. In addition, it is proposed that a new large, detached garage should be built in the south-east corner of the plot. The new garage has been designed as a simple outbuilding, of brickwork under a pitched roof, in a traditional style. A section of the existing boundary wall would be removed, where the new garage would be inserted. A new section of wall would be built, to extend the existing wall on a new line, with a wide timber gate to link the new section of brickwork

- and the garage. The new garage would have its entrance directly from Brownlows Close, on the side boundary of the house.
12. The new garage would be a significant new element at the entrance to Brownlows Close, opposite the house at number 1. It would, however, add definition to the newer development and would reflect the closer urban form around the junction. It would be more visible in the streetscene than the existing buildings in the Close but that would not be harmful, in my view, provided that the new works were to be well executed in detail and that the existing hedge could also be maintained as a feature.
 13. The proposed works, including the retention of the existing hedge, are shown on the application drawings but I am convinced that specific landscaping conditions are necessary to ensure that the desired quality is achieved.
 14. Evidently, the proposed extension project as a whole would be a useful addition to the accommodation at 5 Brownlows Close and I have concluded that the project would not be in conflict with the Development Plan, in principle. In short, I am persuaded that the scheme before me can properly be permitted, subject to suitable conditions, and, 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.
 15. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained, both in respect of the new building itself and the landscaping of the site and I have included wide ranging conditions to deal with hard and soft landscaping.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 5CM61TT_SP1.1 (Site Plan);
 - drawing number 5CM61TT_BP1.2 (Block Plan);
 - drawing number 5CM61TT-DR1.3A (Existing Ground Floor);
 - drawing number 5CM61TT-DR1.3B (Proposed Ground Floor);
 - drawing number 5CM61TT-DR1.3C (Existing Elevations);
 - drawing number 5CM61TT-DR1.3D (Proposed Elevations);
 - drawing number 5CM61TT-DR1.3E (Existing and Proposed Roof Plans);
 - drawing number 5CM61TT-DR1.3F (Proposed Garage);
 - drawing number 5CM61TT-DR1.3G (Proposed Garden Wall);
 - drawing number 5CM61TT-VS1.2A (Illustrative Visualisations of Existing);
 - drawing number 5CM61TT-VS1.2B (Illustrative Visualisations of Proposed);
 - drawing number 5CM61TT-VS1.2C (Illustrative Visualisations of Proposed Garage).
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
4. Prior to the commencement of any excavation or construction works in relation to the new garage that is hereby permitted, or of any other works within 3 metres of the site boundary with Chelmsford Road, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. All these works shall be carried out as finally approved in detail. The details to be submitted shall include proposed and existing finished levels, means of enclosure and functional services above and below ground. The details of the hard landscape works shall include details of provision for car parking (including surface materials), boundary treatment, refuse storage and access design. The details of the soft landscape works shall include details of all existing trees on or in the vicinity of the proposed development (and details of the method of protecting retained trees and hedgerows during the course of the work).
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme approved by the local planning authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.