



Appeal Decision

Site visit made on 21 April 2023

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 May 2023

Appeal Ref: APP/C1570/D/22/3313959

The Ridings, Wrights Green, Little Hallingbury CM22 7RH

- 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 Wayne Cooper against the decision of Uttlesford District Council.
- The application Ref UTT/22/2354/HHF, dated 23 August 2022, was refused by notice dated 19 October 2022.
- The development proposed is described as an outbuilding comprising 3 carports and a store plus replacement of a flat roof on the house with a pitched, slated roof to match the existing.

Decision

1. The appeal is allowed and planning permission is granted for an outbuilding comprising 3 carports and a store, and replacement of a flat roof on the house with a pitched, slated roof to match the existing at The Ridings, Wrights Green, Little Hallingbury CM22 7RH in accordance with the terms of the application, Ref UTT/22/2354/HHF, dated 23 August 2022, and subject to the following conditions:
 - 1) The proposed development hereby permitted shall begin not later than three [3] years from the date of this decision.
 - 2) The proposed development hereby permitted shall be constructed in accordance with approved plans:
 - 'Block Plan,' DRG NO. 1005.02;
 - 'Plans, Elevations and section showing existing and proposed,' DRG NO. 1005.01, Date 1.8.22;
 - 3) The materials to be used in the external surfaces of the proposal shall match those used in the existing building.
 - 4) Notwithstanding the approved plans and prior to the commencement of the proposed development, a Bat Preliminary Roost Assessment Survey is undertaken by a qualified professional in such surveys and shall be submitted to and approved in writing by the Local Planning Authority. Any recommendations of the survey will be implemented prior to the development taking place and the development shall thereafter be carried out in accordance with the approved details and retained in perpetuity, unless further consent from a subsequent application is given by the Local Planning Authority.

Preliminary Matter

2. The Council in their Planning Officer Report state that the replacement of a flat roof on the house with a pitched, slated roof to match the existing would be appropriate and in accordance with the Development Plan policies. I have no reason to dispute this opinion and given the only matter in dispute refers to the front extension, this will be the focus of this letter.

Main Issue

3. The main issue is the effect of the proposed front extension comprising three carports and a store upon the existing building and the character and appearance of the locality.

Reasons

4. The appeal site is located along Wrights Green Lane which is located around Wright's Green and is a common greenspace to the centre of a development of larger detached dwellings which front the green and appear to date from the mid-late twentieth century. The dwellings vary in form with some two storeys, and others single storey with accommodation with the roof space. Within the area dwellings have large well vegetated front gardens with a sense of spaciousness in and around the dwellings. The locality has a semi-rural feel with uncurbed streets and no street lighting with the Wrights Green further emphasising the spacious and leafy surrounds. On my site visit I noticed that plots were quite large, particularly the grouping of the appeal site, Glen Isla and Hyreania, which had long plots compared to the surrounding plots. Glen Isla and Hyreania also have large forward extensions with this particular location not having a consistent building line.
5. The appeal site is one of the characteristic detached dwellings and comprises of a main two storey component with pitched roof and a smaller single storey flat roofed extension to each side. The gardens of the dwelling are well vegetated and contain ponds to the front of the property which further emphasise the spacious and leafy quality of the locality. Whilst there is evidence of extensions in the greater area, they are typically subservient and allowing the buildings to reflect the positive qualities that influence the local distinctiveness and character of the locality.
6. In undertaking extensions to existing buildings, the Uttlesford Local Plan (LP) Saved Policy GEN2 contains a number of design principles to ensure that development is compatible with the scale, form, layout, appearance and materials of surrounding buildings, including environmental features within its setting, amongst others. Additionally LP Saved Policy H8 is specifically related to extensions and alterations and seeks that development has an appropriate scale, design and external materials that respect those of the original building. Both policies are supported by a Supplementary Planning Document – Home Extensions (SPD) which provides further guidance to the appropriate design in order to further interpret design related LP policies.
7. The SPD seeks that all extensions are modest in size, subservient and blend in with the character and context of the locality. With particular regard to front extensions, the guidance notes that adding front extensions to houses can disrupt this design unless the extension is carefully designed and well related to the surroundings.

8. Whilst I agree with the Council that the proposed front extension would be large, it would not be uncharacteristic within the locality, given that immediately adjoining plots such as Glen Isla and Hyreania have similar and much larger front protrusions to the proposal. As the appeal site is large, there is enough room within the plot to accommodate the extension, without the extension having a cramped appearance. I also acknowledge comments from the Parish Council that in their view that whilst they support the principle of a front extension, that they would wish the extension to be 2 garages, rather than 3. I don't believe this would make a material amount of difference to the scheme, which to me given the existing site, context, and character of the locality, the proposed scheme would appear as an appropriate addition. I also note that the Council has concerns regarding the design, however does not express what in particular those concerns are. The pitched and gabled roof of the proposed building would be in keeping with the design of the dwelling and utilised materials which would appropriately blend in with the existing building.
9. Taken as a whole, and in conclusion of this matter, the proposed building would be an appropriate addition which would be in keeping with the existing building and the character and appearance of the surrounding locality. Consequently, the proposal would be consistent with saved LP Policies GEN2 and H8, as described previously.

Other Matters

10. I note a response from Council's Ecology Officer who places a holding objection to the scheme as a result of their request for a preliminary Bat Roost survey to establish the presence of bats within the area, given that bats are a protected species. Given the amount of tree cover, location and nearby ponds, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
11. I note that Paragraph 54 of the National Planning Policy Framework (the Framework) states that 'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.' In this particular circumstance I am satisfied that a pre-commencement condition could be inserted to the planning permission in order to address this concern regarding protected species and to make the scheme acceptable.

Conclusions and Conditions

12. For the reasons given above, I conclude that the appeal should succeed and planning permission be granted.
13. In respect of conditions, it is necessary to have the standard conditions of the standard time limit for the avoidance of doubt; and the extension to be constructed in accordance with the approved plans is also necessary as this provides certainty to the scheme which has been approved. A matching materials condition is required in order to be appropriate to the existing building and the character and appearance of the locality. Both parties were written to via email¹ with regards to any further comments to the Ecology

¹ Email from Planning Inspectorate to both parties dated 9 May 2023

consultation response and whether the appellant would accept the placement of a pre-commencement condition to establish the presence of bats and to undertake any of the recommendations provided. The pre-commencement condition was approved by the applicant via email.²

J Somers
INSPECTOR

² Email from Appellant to the Planning Inspectorate dated 9 May 2023