



Appeal Decision

Site visit made on 19 October 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24.10.2023

Appeal Ref: APP/C1570/D/23/3325334

5 Princes Well, Radwinter, Essex CB10 2TE

- 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 George Robertson against the decision of Uttlesford District Council.
 - The application Ref UTT/23/0864/HHF dated 3 April 2023, was refused by notice dated 1 June 2023.
 - The development proposed is described Rear 2 Storey and single storey additions.
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Decision

1. The appeal is allowed and planning permission is granted for Rear 2 Storey and single storey additions at 5 Princes Well, Radwinter, Essex CB10 2TE in accordance with the terms of the application, Ref UTT/23/0864/HHF dated 3 April 2023, and the plans submitted with it, subject to conditions set out below.

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 002/6 R6.

(3) The materials to be used in the construction of the external surfaces of the hereby approved development shall match those used in the existing building.

Procedural Matter

2. Since the submission of the appeal the National Planning Policy Framework (2021) has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the Radwinter Conservation Area; and (ii) the living conditions of the occupiers of 5A Princes Well.

Reasons

Character and Appearance

4. The site is within a predominantly residential area within the Radwinter Conservation Area. In accordance with the statutory duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990; I am required to have special regard to the effect of the proposed development on the character or appearance of the area.
5. Paragraph 199 of the National Planning Policy Framework (2021) (the Framework) states that great weight should be given to the conservation of a designated heritage asset when considering the impact of a proposal on such an asset. This is irrespective of the level of harm.
6. Neither party have provided any substantive details relating to the significance of the conservation area however during my site visit I noted that the area was characterised in the immediate area by predominantly traditional semi-detached two-storey properties, forming a harmonious built form. Whilst properties differ in terms of materials and design, pairs of semi-detached properties share common features providing a regular pattern of development.
7. The appeal property has been historically extended with a single storey rear extension, projecting a similar length to that of the single storey extension at No. 4 Princes Well. The proposal includes a further single storey extension which would extend closer to the boundary with No. 5A Princes Well and project 3m beyond the original rear extension. No. 5A also has a single storey rear projection.
8. Whilst the proposed single storey extension would extend further into the rear garden, due to the form of neighbouring properties, the flat roof design and existing boundary treatments which offer a degree of screening, the proposed single storey extension would be modest.
9. The proposal also includes a first-floor extension set off the shared boundary with the adjoining property, No. 4 Princes Well. No. 4 has also been extended at first floor. The proposed first floor extension would not be as wide as that at No. 4 however the proposed design would be comparable which would balance the built form of the rear elevation of the semi-detached properties.
10. There would be limited views of the proposed development located from Princes Well. I find that the proposed development would preserve the conservation area.
11. I conclude that the proposed development would not harm the character and appearance of the Radwinter Conservation Area. There is no conflict with Policies GEN2, H8 and ENV1 of the Uttlesford Local Plan (2005) (the Local Plan) which seek to, amongst other things, support high quality development, preserve or enhance a conservation area and respect the original building. There is no conflict with the Uttlesford District Council, Supplementary Planning Document – Home Extensions (2005) (the SPD).
12. There is also no conflict with the Framework which seeks to ensure developments are of good design appropriate and sympathetic to their surroundings and that the historic environment is protected.

Living Conditions

13. The proposed two storey extension would extend the built form closer to No. 5A Princes Well. There are windows in the side elevation of No. 5A serving a

ground floor kitchen, toilet and first floor ensuite. It has been confirmed by the occupier of No. 5A in their representation that the kitchen window is a secondary window. I also observed during my site visit that the toilet and ensuite windows have obscure glazing.

14. The existing windows face onto the side elevation of the appeal property. The proposed extension would extend the side elevation which would decrease the level of light into the windows of the neighbouring property. Notwithstanding this given the existing situation in terms of outlook, current restriction of light and rooms served I do not find this sufficient to warrant a refusal.
15. The proposed development incorporates windows in the side elevation at ground floor comprising dining area and WC, these would face onto a blank wall of No. 5A. At first floor a bathroom window is proposed in the side elevation this would face onto the area where there are windows in the side of No. 5A are located. The window would serve a bathroom and is proposed to be fitted with obscure glass, this would be comparable to the windows in 5A. There are existing windows in the rear elevation the proposed ground and first floor windows in the rear elevation would have similar views to that currently experienced.
16. The two storey extension would project slightly beyond the rear two storey elevation of No. 5A, the single storey extension would project a comparable length to that of the single storey addition to the rear of No. 5A.
17. The development would not be oppressive or dominant to the neighbouring property. I find that the proposed development would not harm the living conditions of the occupiers of 5A Princes Well.
18. There is no conflict with Policies GEN2 and H8 of the Local Plan and the SPD which amongst other things seek to protect the amenities of occupiers of neighbouring properties. There is no conflict with the Framework which seeks to ensure developments have high standards of amenity for existing and future users.

Other Matters

19. During the application process representations were received from third parties highlighting concerns including noise, loss of view, environmental and biodiversity concerns, sewerage and waste water, and increase in vehicles. The Council did not raise concern with regard to these issues. From the information I have before me I do not disagree.

Conclusion

20. For the above reasons I conclude that this appeal should be allowed.
21. I have imposed a standard condition relating to the commencement of development and a condition specifying the relevant plans as this provides certainty. In order to safeguard the character and appearance of the area I have imposed a condition concerning materials.

C Pipe

INSPECTOR