



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: 26 October 2023

Appeal Ref: APP/C1570/D/23/3325251

1 Ross Close, Saffron Walden, Essex CB11 4AY

- 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 Ms Jennifer Scott-Reid against the decision of Uttlesford District Council.
 - The application Ref UTT/23/0357/HHF dated 12 February 2023, was refused by notice dated 13 April 2023.
 - The development proposed is proposed single storey side extension. Alterations to existing front garden to provide an in-and-out driveway along with an additional dropped kerb. Relocation of existing brick wall to the boundary line on road.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council changed the description of development from that stated on the application form in the interests of clarity. I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted an amended description in the heading above.
3. Since the submission of the appeal the National Planning Policy Framework (2021) has been superseded by the National Planning Policy Framework (2023) (the Framework).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

4. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the area; and (ii) highway safety.

Reasons

Character and Appearance

5. The site is within a predominantly residential area characterised 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.

6. The appeal property is a modest two storey property located on the corner of Cromwell Road and Ross Close, whilst the property has the address of 1 Ross Close, the primary elevation fronts Cromwell Road.
7. Though the proposed single storey extension would extend the property towards Ross Close and further beyond the building line with other properties in Ross Close, the property is viewed in the context of Cromwell Road.
8. I observed during my site visit that single storey side extension/garages were evident in the area. The adjoining property, 20 Cromwell Road has a single storey garage attached to the side elevation. As such the proposed single storey extension whilst on a prominent corner adjacent a roundabout would not be out of keeping with the area and would not unbalance the semi-detached properties.
9. The Council did not raise any concerns relating to the alterations to the front garden and relocation of the brick wall to the boundary line on the road. From the information before me I do not disagree.
10. I conclude that the proposed development would not harm the character and appearance of the area. There is no conflict with Policies GEN2 and H8 of the Uttlesford Local Plan (2005) (the Local Plan) which seek to, amongst other things, support development which respects the original building and is compatible with the scale, form, layout and appearance of surrounding buildings.
11. There is also no conflict with the Framework which seeks to ensure developments are of good design appropriate and sympathetic to their surroundings.
12. The Council contend in reason for refusal No. 2 that the proposed development conflicts with Policy SW3 of the Saffron Walden Neighbourhood Plan 2021-2036 (SWNP). I disagree Policy SW3 relates to a site allocation – Land at Viceroy Coaches, to rear of 10-12 Bridge Street. Policy SW7 relates to design, it can be seen from my reasoning that I find no harm to the character and appearance of the area.

Highway Safety

13. The Appellant has drawn my attention to the detached garage with parking space to the rear of the site, whilst it is contended this is within the ownership of the Appellant it has not been included within the red line of the application site. Notwithstanding this the parking space created to the front of the property facing Cromwell Road would be little different to the existing parking space fronting Ross Close.
14. I note that the Highway Authority have concerns relating to manoeuvrability of vehicles within the site due to the reduction in space between the proposed development and the corner of the plot. The Appellant has not provided substantive evidence to demonstrate that vehicles would be able to manoeuvre safely within the site.
15. I conclude that the proposed development has failed to demonstrate that there would not be any unacceptable effect on highway safety. There is conflict with Policy GEN1 of the Local Plan which amongst other things seeks to ensure developments do not compromise road safety.

Other Matters

16. It has been brought to my attention by the Appellant that the proposed development is required due to personal circumstances. Whilst I sympathise with the situation, I have not been provided with demonstrable evidence to convince me that there is no alternative in terms of development which could meet the needs of the occupants. I therefore give this limited weight.

Conclusion

17. Whilst I have found that the proposed development would not harm the character and appearance of the area, this does not outweigh the failure of the Appellant to demonstrate that highway safety would not be compromised.
18. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR