



Appeal Decision

Site visit made on 30 August 2023

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th November 2023

Appeal Ref: APP/C1570/D/23/3320073

6 New Road, Saffron Walden, Essex CB10 1LP

- 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 Drury against the decision of Uttlesford District Council.
- The application Ref UTT/22/3223/HHF, dated 25 November 2022, was refused by notice dated 31 March 2023.
- The development proposed is a two storey side extension to house and new drop kerb.

Decision

1. The appeal is allowed and planning permission is granted for a two-storey side extension to house and new drop kerb at 6 New Road, Saffron Walden, Essex CB10 1LP in accordance with the terms of the application, Ref UTT/22/3223/HHF, dated 25 November 2022, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appellant and Council refer to part of the development as a drop kerb. This can be more accurately described as the formation of a vehicular access given that the drop kerb in question forms part of the public highway and is outside the application site. I have dealt with the appeal on this basis.
3. The appellants were identified on the application form as the agents. However, it has since been confirmed that they are the legal owners of the property and the applicants. I have proceeded on that basis.
4. In reason two of the Council's decision notice, reference is made to 11 Audley Road. This is described as a single-storey property in the officer report. However, from my site visit I observed that number 11 Audley Road is a three-storey detached house situated around the corner from the appeal site. Conversely, number 8 New Road is a bungalow that is located next door to number 6. Number 8 New Road is almost certainly the property the Council intended to refer to in its objection, instead of number 11. I have, nevertheless, considered both properties in my reasoning.

Main Issues

5. The main issues are:
 - a) whether the proposed extension would preserve or enhance the character or appearance of the Saffron Walden Conservation Area (CA),
 - b) the effect of the extension on the living conditions of the occupants of 11 Audley Road and 8 New Road having particular regard to light and outlook, and

- c) the effect of the development on parking provision along New Road.

Reasons

Conservation area

6. The appeal site lies within the Saffron Walden Conservation Area (CA) which covers the historic core of the town. New Road is one of the later streets, containing mainly 19th and 20th century development, including some modern infill. The appeal property is one of the more attractive buildings in the street, forming part of a terrace of two-storey houses built in yellow stock brick with slate roofs and prominent chimneys with pots. The properties are distinctive for their Flemish bond brickwork, decorative horizontal red brick banding and detailing above windows. This grouping of terraced properties has been identified as a locally listed building, along with numbers 1 and 2 New Road which are detached, three-storey houses of the same era.
7. The proposed two-storey extension would be attached to the end of the terrace, on an area of green space to the side of number 6. This area appears to be used as driveway to number 6 and as drying space for properties in the terrace. The extension would be set back from the front wall of the terrace with a lower ridge line and matching roof pitch, with materials to match the existing building. The new extension would be a subordinate addition and it would be viewed as a logical extension of the terrace. Indeed, when read in a line with Numbers 1 and 2 New Road and the detached dwellings addressing Audley Road, there would be a natural progression in building height and prominence.
8. I have noted the Council's conservation advice relating to the symmetry of front doors addressing New Road directly. The appellants have indicated that they are prepared to accept a condition to require the retention of the front door to retain the symmetry of the row. This need not affect the proposed internal layout of the dwelling but would improve the integrity of the row of terraces.
9. S72(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I consider that, with conditions, the development would have a neutral effect on this part of the CA and comply with policies GEN2 and H8 of the Uttlesford Local Plan 2005 (ULP). These policies promote good design in general and in relation to domestic extensions.
10. The Council has expressed an objection in relation to policy S3 which relates to development limits for smaller settlements and does not make reference to Saffron Walden. I have excluded this policy from my assessment as it does not apply.

Living conditions

11. The Council's second reason for refusal directs its attention to the impact on the living conditions of number 11 Audley Road. This property is on a different street and does not share a common boundary. The extension could not overshadow number 11 which is located to the south.
12. I have noted the comments of the residents of number 11 including their opinions on their view of the church. Even if there was some impact on views

of the church, this would not warrant dismissal of the appeal as the loss of a view is not, in and of itself, a planning matter.

13. The distance between the proposed extension and 8 New Road would be sufficient to prevent unacceptable loss of outlook for this neighbour. There would be some loss of sunlight in the late afternoon, but this would be limited and would not justify a refusal of planning permission. I conclude that the proposal would not have an unacceptable adverse impact on the living conditions of the occupiers of nearby properties. It would therefore comply with policies GEN2, GEN4 and H8 of the ULP.

Parking provision

14. The Council does not reference any development plan policies relating to parking provision. Nevertheless, it raises the concern that there would be a reduction of on-street parking along New Road. The proposal would result in the loss of kerbside parking in front of the new access, but this would be partially offset by the closure of the existing access. As such, the impact on parking capacity along New Road would be limited. I therefore share the view of the Highway Authority that the proposal is acceptable from a transportation and highways perspective. There is no conflict with policy GEN8 of the ULP or National Planning Policy Framework in this regard.

Other Matters

15. I have noted neighbouring residents' comments in relation to covenants on drying space, construction traffic, views and other issues. There is no substantive evidence to demonstrate that the site has any significant biodiversity value, or to persuade me that it constitutes an important green space. Construction traffic would be limited and of temporary duration, whereas covenants are civil matters. Moreover, I have seen no information to suggest that impacts on sewerage infrastructure are insurmountable. As such, based on the information before me, these concerns would not form grounds to dismiss the appeal. Nevertheless, it is apparent from the appellant's statement that thought has been given to these issues.

Conditions

16. I have imposed the general time limit condition and further conditions relating to materials and the design of the development for certainty. I have had regard to the design of the extension and preservation of the appearance of the CA. Materials to match have been specified on the application forms insofar as they relate to the extension but I have required these details to be agreed by the Council in order to preserve the style of houses along the row including the window, sill and roof materials detailing. The surfacing materials for the parking also require the agreement of the Council to ensure they are of bonded materials. These conditions have been made available for parties to comment upon and no objections were made to their imposition.
17. I have considered the conditions recommended by the Highway Authority. Having regard to the plans; their intent and purpose is adequately addressed in the conditions imposed here.

Conclusion

18. The proposed development would preserve the character and appearance of the Saffron Walden CA, would not harm the living conditions of any neighbours and would not result in a material reduction of on-street parking. It complies with the provisions of the development plan, read as a whole. For the reasons given I conclude that the appeal should succeed.

Nick Bowden

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Excepting insofar as those details are amended by condition 3) of this permission, the development shall be completed in accordance with plan number SF22 057 1.
- 3) Notwithstanding the proposed details shown on plan SF22 057 1, the existing front door to the property shall be retained as shown on the existing elevations.
- 4) Prior to the commencement of the development, details of the materials to be used in the construction of the walls, sills and lintels, roof and driveway surfacing shall be submitted to and approved in writing by the Local Planning Authority. Such details should comprise:
 - a. Walls - stock Flemish bonded brick
 - b. Sills and lintels to windows and doors - red engineering brick
 - c. Roof - Slate
 - d. Driveway surfacing – bound or bonded materials.

The development shall thereafter proceed in accordance with the approved details.

- 5) Within one month of the formation of the new vehicular access with the highway, use of the existing access shall cease.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, no gates, fences, walls or other means of obstruction shall be formed at any point forward of the area marked 'parking' on plan SF22 057 1 and the highway.

End of schedule