



Appeal Decision

Site visit made on 7 February 2023

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th February 2024

Appeal Ref: APP/C1570/D/23/3333936

The Fuschias, Old Mead Lane, Henham Essex CM22 6JJ

- 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 Mrs A Moggridge against the decision of Uttlesford District Council.
 - The application Ref UTT/23/0249/HHF, dated 1 February 2023, was refused by notice dated 7 September 2023.
 - The proposed development is a single storey rear extension (previously approved) with part first floor rear extension over (ground floor has extant permission).
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension (previously approved) with part first floor rear extension over (ground floor has extant permission) in accordance with the terms of application ref: UTT/23/0249/HHF dated 1 February 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) This permission shall relate to the following approved plans: drawing nos. 22013_S_101 (proposed floor plans including site location plan), 22013_S_102 (proposed floor plans including site location plan), 22013_S_103 (proposed floor plans including site location plan), 22013_S_104 (proposed elevations), 22013_S_001 (existing floor plans including site location plan), 22013_S_002 (existing floor plans), 22013_S_003 (existing floor plans), and 22013_S_004 (existing elevations).
 - 3) The materials to be used on the external surfaces of the development hereby permitted shall match those used on the existing dwelling.

Main Issue

2. Given that the single-storey extension already has the benefit of a separate approval¹ the main issue is the impact of the first floor extension on the character and appearance of the host dwelling and wider area.

Reasons

3. The appeal site lies towards the far eastern end of Old Mead Lane, a narrow country lane with no footways, within a row of detached dwellings set in large

¹ UTT/22/3130/PDE

plots. It is located in a rural setting between the settlements of Elsenham to the south-west and Henham to the north-east. The properties along the eastern end of the lane predominantly front the lane but there is one recently constructed dwelling (The Cedars) which lies to the rear of the last five properties, of which the appeal site is located in the middle. The dwellings are of various styles and sizes comprising both single and two storey some of which have been extended including first floor additions.

4. The Fuschias is a large two storey dwelling of a 'chalet' style design with steeply pitched roof with low eaves with front projecting gable feature, the first floor accommodation being served by rear pitched roof dormers. The large single storey extension to the rear of the dwelling already has the benefit of a consent under the prior approval process, the foundations and slab for which have already been installed. A detached double garage lies to the front of the plot, between the house and the front boundary and an extensive garden area lies to the rear, which slopes up gently to the rear boundary. The row of properties along the lane is otherwise surrounded by open countryside.
5. The proposed first floor addition would be sited towards the central part of the rear elevation, set in from both flank (side) elevations between two existing pitched roof dormer windows which would be retained at either end of the existing rear roofslope. It would be of double pitched roof design of a height below the main ridge, extending out from the rear elevation to a depth of about half that of the single storey addition above which it would be sited.
6. The single storey element results in a considerable increase to the built footprint of the dwelling, but it would be read as an addition to the rear of the dwelling in a location where it would not be visually prominent and its impact on the wider area would be limited. The first floor element would add further bulk to the rear of the dwelling, which would be more readily seen within the wider area. However, due to its lower ridge height and depth relative to the single storey element, it would not be disproportionately large compared to the existing dwelling, or unduly bulky when seen against the existing roof form. It would be of lesser scale than the front projecting element. Overall, I consider that it would appear as a subservient addition in terms of its scale and position.
7. Its design is somewhat different from that of the original host dwelling, introducing two gable end features within the long sloping rear roofslope which currently is only served by small pitched roof dormers at first floor level. However, its form is not dissimilar to that of the front projecting gable and it would be finished in brick and tile to match those already used on the host dwelling. I therefore consider that its design would also be acceptable.
8. The cumulative impact of the single and two storey elements would be to add substantially to the floorspace of the original dwelling, but having regard to the above factors and that the single storey element already has consent (as noted above), this would still comprise a proportionate and appropriately designed addition. Furthermore, it would be seen as part of the built-up frontage of the row of dwellings within which it is located.
9. I therefore find that the proposal would not be harmful to the character and appearance of the host dwelling and wider rural area. It would thereby accord with Policies S7, GEN2 and H8 of the Uttlesford Local Plan (2005) which whilst seeking to strictly control new buildings in the countryside to that which needs to take place there or is appropriate to a rural area permits such development

provided its appearance protects or enhances the particular character of the countryside within which it is set and that it is of a design that is compatible with and respects the scale and form of surrounding buildings.

Other Matters

10. I have taken into account the National Planning Policy Framework and find, for the reasons set out above, that the proposal would accord with its policies that seek well designed development that is sympathetic to local character including the surrounding built environment.
11. I have noted the third party comments which in the main have been addressed above. In terms of impact on living conditions, the proposed first floor element would be set in from the side boundaries and whilst the flank elevations would be visible, the proposal would not result in any significant loss of outlook or overshadowing due to the separation distances. Reference is made to the proposal for an outbuilding to the rear of the site but this the subject of a separate appeal².

Conclusions

12. I conclude that the proposal would accord with the development plan overall and there are no material considerations that indicate a decision otherwise. The Council has suggested conditions to ensure matching materials are used and that the proposal is carried out in accordance with the approved plans. I agree that these are necessary in the interests of proper planning and visual amenity.
13. I therefore conclude that this appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR

² APP/C1570/D/23/3333926