



Appeal Decision

Site visit made on 9 December 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9th February 2026

Appeal Ref: APP/C1570/W/25/3374241

2 Cole End Lane, Sewards End, Essex CB10 2LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robert Haigh against the decision of Uttlesford District Council.
 - The application reference is UTT/24/2607/FUL.
 - The development proposed is the erection of new 3 bedroom detached dwelling with associated amenity and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site area on the application form is larger than shown on the site location plan and appears to include land edged blue. Furthermore, the boundary on the site location plan is closer to the existing houses than on the proposed site plan. I have treated the site edged red on the site location plan as the appeal site.
3. The site was unattended at the time of my visit, but I was able to see everything I needed to determine the appeal and I have proceeded on that basis.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - whether the proposal would provide an adequate standard of living conditions for the occupiers of 2 and 4 Cole End Lane, with regard to outdoor amenity space; and
 - the effect of the proposal on parking capacity and highway safety.

Reasons

Character and appearance

5. The appeal site comprises part of the rear gardens of a pair of two-storey semi-detached houses oriented at right angles to the street. A thick hedgerow forms its outer boundaries and a single detached garage in the rear garden of no. 2 is accessed via a driveway shared with other properties. A further outbuilding, only half of which is within the site, is behind the garage and nearer to the house. The gardens are overgrown and division between the two was not obvious on site.

6. A closely spaced mix of semi-detached and detached bungalows, one-and-a-half and two-storey houses face the site across Cole End Lane. Larger houses with greater separations are on the same side of the street as the site and other streets nearby typically contain large, detached houses in generous plots.
7. The proposal would remove about four-fifths of the length of the rear gardens of the existing houses and about a third of their combined plot areas overall. It would demolish the garage and outbuilding and front a detached one-and-a-half-storey house to the lane behind a small set back. The side of the house would be about nine metres from the rear elevations of the existing houses, two parking spaces would be located on the site of the garage and another on the rear garden of no.4.
8. The proposal will inevitably create smaller plots and, whilst the new plot would be towards the lower end of the range of sizes found nearby, the variety is such that it would not appear out of character with the area, particularly given the scale of the proposed house and its setting at the corner of the shared driveway.
9. However, the few similar relationships between the rear and sides of houses in the vicinity benefit from greater separations and that proposed would be compromised by being too close. Whilst the local pattern of development is not well-defined, the proposal would appear cramped due both to its inadequate separation and to the length of the main elevation of the proposed house facing the street relative to and alongside the side of the existing house closest to the street.
10. Whilst the proposal might be said to comprise infill, located as it would be within a village, the site appears as an open corner with a reasonable length of frontage to the street. Therefore, the proposal is not backland development, and there is no conflict with Policy H4 of the Uttlesford Local Plan (January 2005) (ULP).
11. Overall, the inadequate separation and length of elevation facing the street would harm the character and appearance of the area, contrary to Policies S3 and GEN2 of the ULP, which require development within settlements to be compatible with their character and the scale, form and layout of surrounding buildings.

Living conditions

12. Because the front gardens of the existing houses would be utilised for parking, the rear gardens would be the main functional outdoor amenity space. The proposed house would be close to and due south of them, leaving most of their area with poor outlook and natural light.
13. Whilst the orientation, height and half-hipped roof of the proposed house would reduce this effect to some extent, the result would still be unacceptable, particularly for the smaller garden of no. 4, which is further compromised by the accommodation of a parking space within it.
14. Consequently, the proposal would not provide an adequate standard of living conditions for the occupiers of 2 and 4 Cole End Lane, regarding outdoor amenity space, contrary to Policy GEN2 of the ULP, which seeks to avoid overbearing impact or overshadowing. However, I find no conflict with Policy GEN4 of the ULP, which seeks to avoid the unneighbourly effects of various types of pollution.

Parking capacity and highway safety

15. This section of Cole End Lane is narrow and lacks footways as it approaches a junction with the B1053 Radwinter Road and Walden Road. The proposal would create a new access from it to an additional parking space for no. 4 and widen the existing garage access to serve two new parking spaces for the new house.
16. The County Council's highways officer objected to the access and parking space for no. 4. However, the results of a speed survey and a drawing demonstrating adequate visibility splays were submitted with the appeal and, on review of these details, the objection has now been withdrawn.
17. I note the comments from nearby residents and saw myself that the lane is narrow with no footway alongside part of the site, but this is a pre-existing situation. Whilst achieving the visibility splays would require removal or realignment of a significant length of hedgerow, I am nonetheless satisfied that it is achievable.
18. Therefore, the proposal would provide adequate parking and have an acceptable effect on highway safety, complying with Policies GEN1 and GEN8 of the ULP.

Other Matters and Planning Balance

19. The Local Plan was adopted in 2005, but paragraph 232 of the Framework states that weight should be given to its policies according to their consistency with it. Paragraph 135 of the Framework requires development to be sympathetic to local character with a high standard of amenity for existing and future users. Policies S3 and GEN2 of the ULP are therefore consistent with the Framework in this respect and should be given significant weight.
20. The proposal would, because of its design, harm the character and appearance of the area and fail to provide adequate living conditions for future occupiers. There would be conflict with Policies S3 and GEN2 of the ULP. It would not, therefore, accord with the development plan as a whole and this counts significantly against allowing the appeal.
21. There is 3.46 years of housing land supply in the district and 69% of requirements has been delivered over the last three years. This amounts to both a shortfall and significant under-delivery of housing. One dwelling in a sustainable location would make a small contribution towards addressing these. Additional benefits to the local economy would result from the increases in activity in the construction sector and in population patronising local shops and businesses. However, due to the scale of the development, such benefits would be limited.
22. The Government's objective is to significantly boost the supply of homes. The Framework identifies that small sites can make an important contribution to meeting the housing requirement and are often built out relatively quickly. The shortfall in housing land and significant under-delivery of housing mean that paragraph 11 d) of the Framework is engaged.
23. The policies in the Framework seek to both deliver a sufficient supply of homes and achieve well-designed places. However, the creation of high quality places is fundamental to what the planning and development process should achieve. That would not be achieved here. Although there is considerable support for new housing in this location the benefits in terms of the overall position in the district

would be limited. In this case the importance of good design exceeds the benefits accruing from the provision of a single windfall unit.

24. Consequently, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, assessed against the policies in the Framework as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

25. The proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

S Simms

INSPECTOR