

**UTT/18/0392/HHF – (LINDSELL)**

Reported to Planning Committee as UDC are acting as agent

**PROPOSAL:**        **Erection of single storey front, side and rear extensions**

**LOCATION:**        **3 Whitegates, Holders Green Road, Lindsell**

**APPLICANT:**     **Mr Paul Young**

**AGENT:**         **Mr Craig Cardross Grant**

**EXPIRY DATE:**   **6 April 2018**

**CASE OFFICER:**  **Nathan Makwana**

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**1.        NOTATION**

1.1       Outside of development limits.

**2.        DESCRIPTION OF SITE**

2.1       The application site as highlighted in red on the submitted location plan is located on the eastern side of Holders Green Road approximately 500 metres north of Daisyley Road within the small Hamlet of Lindsell. The site itself is relatively level, long and narrow in shape and comprises of approximately 523sqm.

2.2       Located towards the front of the site is a double storey semi-detached dwelling house that is externally finished from white painted render. The provision for three off street parking spaces is located on the driveway towards the front of the dwelling house. Existing timber paling fencing located on the side and rear boundaries provide screening for a large private garden area towards the rear of the site.

2.3       The application site is located within a small enclave of residential buildings in which there is a mixture of built forms and styles within the surrounding locality, although in saying this, house numbers 1 to 6 Whitegates are generally consistent in terms of their siting, size and scale. Arable land immediately abuts the rear boundary of the site with large open fields used for agriculture located further beyond.

**3.        PROPOSAL**

3.1       Planning permission is sought for the construction of a single storey front, side and rear extension to the existing dwelling house. The extension would project at 6.3m from the rear elevation, 2.5m from the side and from the front at 1.7m. The front would also see the erection of a ramp measuring at 3.1m from ground floor to dwelling front entrance. External finishing materials are to match those of the existing dwelling.

3.2       The extension would be constructed along the northern side boundary shared with number 4 Whitegates and 2.1m off the southern side boundary shared with number 2 Whitegates.

3.3 The extension would provide additional living accommodation for 2 further bedrooms, bath and a wet room.

#### **4. APPLICANT'S CASE**

4.1 Apart from the submitted application form and relevant plans, no further information was submitted by the applicant's agent in support of the proposal.

#### **5. RELEVANT SITE HISTORY**

5.1 UTT/18/0392/HHF – Proposed single storey rear extension – Refused on 25.10.2017.

5.2 The above application was refused by the planning committee on the grounds of its size, scale and massing causing a detrimental impact to the character and appearance of the area. It was also refused on the grounds of causing a detrimental amenity impact to the neighbour at No. 4 Whitegates, Holders Green Road, Lindsell.

#### **6. POLICIES**

##### **National Policies**

- NPPF

##### **Uttlesford Local Plan (2005)**

- S7 – The Countryside
- GEN2 – Design
- H8 – Residential Extensions

##### **Supplementary Planning Documents/Guidance**

- Home Extensions (November 2005)

#### **7. PARISH COUNCIL COMMENTS**

##### **7.1 Lindsell Parish Council**

Following a recent meeting of the Lindsell planning committee, please find attached our observations to the above planning application. Note we have been in discussions with the adjoining resident and landlord, whose views have been taken into consideration. We understand they are making separate representation individually with their comments.

##### Front Elevation

This appears to be in front of the building line, if one exists in this immediate area, and the proposals will substantially alter the front elevation to the row of houses. However, in pairs, the houses all differ in appearance. The size of the building and the front extension would be out of keeping with the adjoining and nearby houses although there are many places in Uttlesford where this sort of extension on ex council houses can be seen.

#### From No 4 (north side)

Although about 1m away from the boundary and a single extension with a pitched roof, there must be regulations in place regarding light to adjoining properties and provided this extension does not contravene these regulations the work on this basis should not be refused. Note there is already a privacy fence on the boundary about 1.8m high and over 4m long, out from the building put up by the adjoining owner (no 4), which has been deemed satisfactory, and in place for many years.

#### From No 2 (south side)

The habitable part of this house is some 3m off the boundary (see O.S. sheet). A single skin, single storey "outhouse" which is a store and WC has two frosted glass windows facing the boundary alongside the flank wall of the house, is about 1m away from the boundary. The applicant also has an outhouse along part of the boundary. Both are about 2.3m high.

The remaining length of the proposed extension has, along the boundary, high fencing and shrubs/hedge. It will be some 300mm back off the applicant's boundary line, leaving approx. 1.3m between habitable buildings.

The proximity to number 2 and length and height of the proposed extension could feel oppressively tunnel-like and reduce the light to windows on that side of No 2.

#### General

We noted, that although the extension has the added height of a pitched roof, this is kept very low, giving a height of around 3m at the apex.

The new extension proposal is shown greatly reduced in length from that previously submitted, which was one of the original grounds for objections from the adjoining houses and therefore the majority of the planning committee support this new application.

We would also like to comment that we are rather surprised that, as this application is being made by Uttlesford District Council itself, it would appear from Part 6 of the application form that "no contact, discussions or advice has been sought from the local planning authority, i.e. UDC, prior to submission" We feel a lot of time, money and stress could have been saved if "in house" discussions had taken place.

## **8. CONSULTATIONS**

8.1 There was no statutory requirement to consult either internal or external consultees.

## **9. REPRESENTATIONS**

9.1 The application was publicised by sending 4 letters to adjoining occupiers. Two representation letters were received objecting to the proposal on the following grounds:

- a. No access route has been devised to the rear of the property.
- b. Any fences are limited to 5ft high to enable light to come through.

- c. The proposal is in the wrong place, too large and overbearing.
- d. A professional has stated that an extension could be constructed with a small side extension consisting of a flat roof; this would negate any amenity impacts to either neighbour.
- e. Concerns that the approval of such an application will set a precedent across Lindsell.
- f. The extension will cause an overbearing presence to both neighbours at 2 and 4 Whitegates.

## 10. APPRAISAL

The issues to consider in the determination of the application are:

- A Whether the revised proposed development is appropriate in relation to its design and appearance (local policies S7, H8 and GEN2, and the NPPF);
- B Whether the amenities of adjoining property occupiers would be harmed (local policy GEN2 and the NPPF).

### **A Whether the revised proposed development is appropriate in relation to its design and appearance (local policies S7, H8 and GEN2, and the NPPF)**

- 10.1 In planning policy terms, the site lies outside of any established development limits as defined by the Uttlesford Local Plan. Consequently for the purposes of planning, the site is considered to be within the countryside where a Policy S7 of general restraint which seeks to restrict development to that which needs to take place there, or is appropriate to a rural area in order to protect the character of the countryside.
- 10.2 Although outside the defined developments, it is considered that the principle of further development such as householder extensions would not cause significant harm to the character and intrinsic beauty of the countryside.
- 10.3 It is considered that the proposed development would collectively and simultaneously meet what is defined within the National Planning Policy Framework of what constitutes as sustainable development. The principle of the proposal is thereby considered appropriate.
- 10.4 The guidance set out in Paragraph 58 of 'The Framework' stipulates that the proposed development should respond to the local character, reflect the identity of its surroundings, optimise the potential of the site to accommodate development and is visually attractive as a result of good architecture.
- 10.5 In addition local policy H8 of the Local Plan as well as the Supplementary Planning Document (SPD) - Home Extensions states that extensions will be permitted if their scale, design and external materials respect those of the original building, Policy GEN2 requires that amongst other criteria development is compatible with the scale, form, layout, appearance and materials of surroundings buildings
- 10.6 Rear extension such as the proposed should be proportioned to the scale of the existing dwelling house. There are various ways of measuring and assessing proportionality, but the test is primarily an objective one based on size. There is no firm advice in national guidance or the Local Plan as to what amount or percentage uplift in terms of volume or floor space would qualify as being a disproportionate or an excessive form of development that is at odds to the existing building. Consequently, those judgments are left to the decision maker.

- 10.7 One of the reasons that prompted the refusal of the previous application, (UTT/17/2179/HHF), was on the grounds of it being at odds and result in detrimental harm to the character and appearance of the original building. In particular, due to the developments inappropriate size and scale and specifically its depth projecting more than 10m, it would result in excessive massing and bulk that would not appear sympathetic or in proportion with the original dwelling house.
- 10.8 The revised application is a contrast to the previously refused scheme in that it has been sharply reduced in size and scale. The rear extension now only measures at 6m in depth from the rear elevation. It extends from the side elevation at approximately 2.2m and from the front elevation at 1.4m. The rear extended depth is well within the prior approval permitted development size (subject to neighbour consultation) which allows a depth of up to 6m subject to no amenity concerns.
- 10.9 The exterior of the extension also remains modest, possessing an eave and ridge height of 2.5 and 3m respectively. It is to be constructed of materials that match those used on the existing dwelling house, which of course can be secured by condition.
- 10.10 The depth of the front of the application is modest at 1.4m. The depth of the ramp is somewhat longer at approximately 3.2m. Whilst it is acknowledged that this section of houses along Holders Green Road possesses a uniform appearance, the wider area is not however subject to a uniform appearance, with properties differing in size, texture, colour and scale. Furthermore, the increased set back from the main road ensures that there is no visual dominance resulting from this revised scheme.
- 10.11 The application proposal has been reduced in scale and size and is of proportions that do not dominate and upset the design of the original dwelling house. The proposal therefore accords to policies GEN2 and H8 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.

**B Whether the amenities of adjoining property occupiers would be harmed**

- 10.12 Due consideration has been given in relation to the potential harm the development might have upon the amenities of adjoining property occupiers. With regard to neighbouring amenity, GEN2 requires that development does not have a materially adverse effect on neighbouring amenity as a result of overlooking, overbearing or overshadowing impacts.
- 10.13 The revised scheme is still of a single storey that only incorporates window openings on the extensions rear elevation. This revised proposal also includes four roof lights looking out onto the south and north elevations. However, the angle and positioning of the roof lights ensures that there will be no direct overlooking to neighbouring habitable rooms. The positioning of the rear windows also ensures that there would be no direct overlooking into adjoining properties habitable rooms and private open space areas, only comparable to the existing situation from the rear of the property.
- 10.14 The neighbour at number 2 Whitegates has raised concerns regarding access, overshadowing and the extension resulting in an overbearing presence. Firstly, the neighbour themselves will be subject to the depth of 6m of the rear extension, a limit within permitted development sizes. The neighbour under permitted development rights could erect a fence at 2m in height, with the eaves height of the property being 2.5m. It is in my opinion that an additional 0.5m is unlikely to have a further

impact than that of a potential 2m high fence. The neighbour has also raised concerns over external access. The loss of external access in my opinion is unlikely to act as an impediment neither to the amenity of either the existing occupants of the application site nor to the objecting neighbour.

- 10.15 The proposed development has been reduced in size and scale and is of proportions that are not out of keeping with the host dwelling. The extension itself is unlikely to have a detrimental amenity impact to either adjacent neighbour. It has been designed to be in keeping and is considered to be an acceptable addition to dwelling. The proposal therefore accords with Policy GEN2 of the Uttlesford District Local Plan as Adopted 2005 and the National Planning Policy Framework.

## **12. CONCLUSION**

The following is a summary of the main reasons for the recommendation:

- A** The application proposal has been reduced in scale and size and is of proportions that do not dominate and upset the design of the original dwelling house. The proposal therefore accords to policies GEN2 and H8 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.
- B** The proposed development has been reduced in size and scale and is of proportions that are not out of keeping with the host dwelling. The extension itself is unlikely to have a detrimental amenity impact to either adjacent neighbour. It has been designed to be in keeping and is considered to be an acceptable addition to dwelling. The proposal therefore accords with Policy GEN2 of the Uttlesford District Local Plan as Adopted 2005 and the National Planning Policy Framework.

## **RECOMMENDATION – APPROVAL WITH CONDITIONS**

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

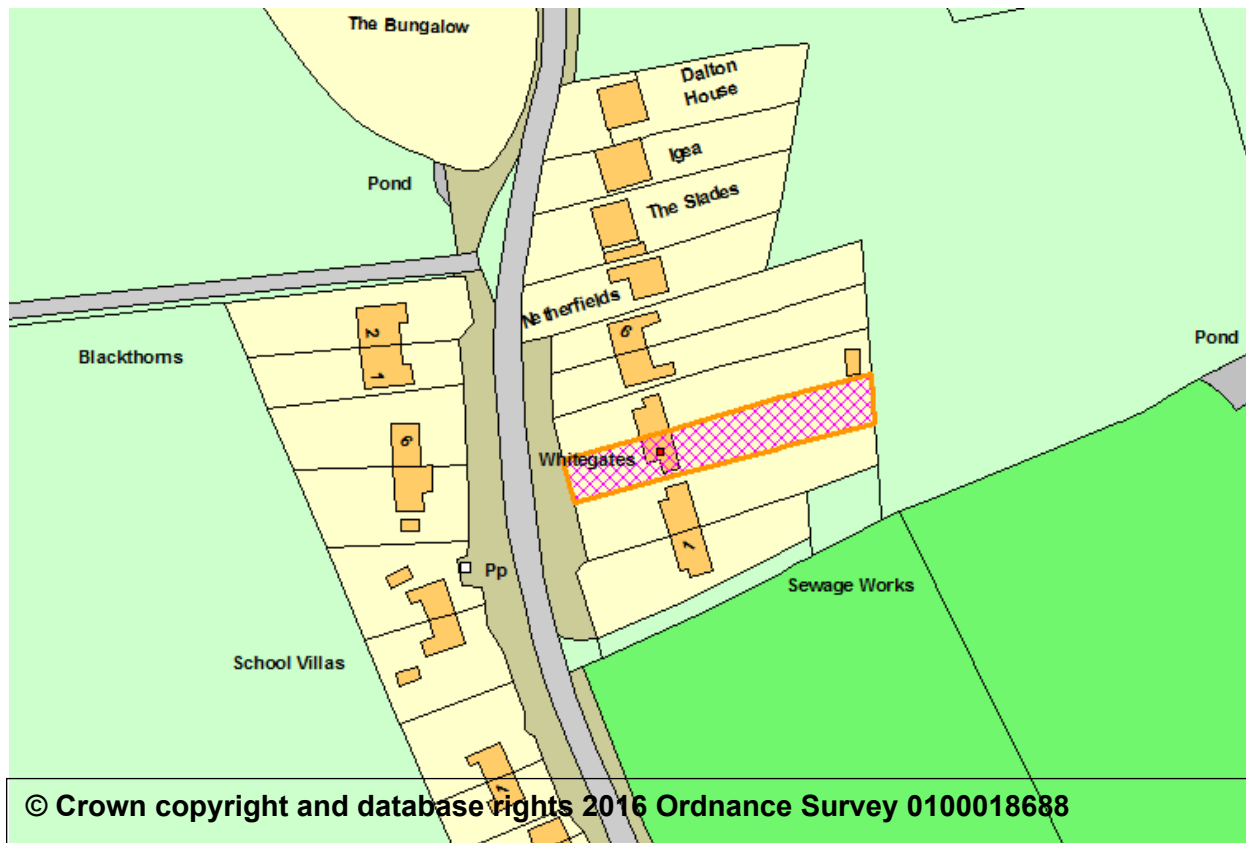
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in type, colour and surface texture to those used in the existing building.

REASON: In the interests of the appearance of the development, in accordance with policies H8 and GEN2 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/18/0392/HHF

Address: 3 Whitegates, Holders Green Road, Lindsell, Dunmow



Organisation: Uttlesford District Council

Department: Planning

Date: 29 March 2018