

## **UTT/15/2178/HHF – SAFFRON WALDEN**

(Called in by Councillor Freeman if recommended for approval – Loss of off-road parking in an area already experiencing traffic and parking difficulties)

**PROPOSAL:** Proposed two storey side extension and single storey rear extension.

**LOCATION:** 81 Castle Street, Saffron Walden.

**APPLICANT:** Mr A Plume.

**AGENT:** Mr N Cook.

**EXPIRY DATE:** 7 September 2015 (extended to 28 October 2015).

**CASE OFFICER:** Clive Theobald.

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### **1. NOTATION**

1.1 Within Development Limits / Conservation Area.

### **2. DESCRIPTION OF SITE**

2.1 The site is situated on the north side of Castle Street adjacent to St Marys Primary School at the north-eastern end of a long line of dwellings which lead up and front onto the street on this side. The site itself contains an attractive non-listed two storey end terraced one bedroomed period dwelling externally clad in red Flemish bond brickwork with a plain peg tiled roof incorporating a decorative barge boarded front gable which benefits from a small rear garden curtilage falling away from the street frontage with side paved hardstanding which can and is used for resident parking in association with the dwelling. The dwelling has a modern full width conservatory onto the rear elevation. A private pedestrian right of way for the benefit of Nos.77 and 79 Castle Street runs over the hardstanding leading down to an unmade path running parallel with the site's enclosed NE boundary which then dog legs at the bottom of the site and runs parallel with the site's rear boundary into the adjacent properties.

### **3. PROPOSAL**

3.1 This application relates to the erection of a two storey side extension and single storey rear extension to provide improved family accommodation to include provision of a second bedroom. The two storey side extension would measure 2 metres wide by 7.8 metres deep at ground floor level and 3 metres wide by 7.8 metres deep at first floor level incorporating a front and rear gabled dormer and side jettied first floor, whilst the single storey rear extension would measure 2.4 metres across by 4.5 metres deep to stand on a new raised rear ground level with slight aesthetic modifications to the existing rear conservatory which would remain in situ.

3.2 The two storey side extension would be external clad with matching red brick and clay peg roof tiles with matching brick detailing and would have matching front windows and window detailing. The single storey rear extension would be externally clad with painted timber weatherboarding and matching roof tiles to the main dwelling.

The submitted plans show that a 1 metre wide private right of way walkway for the benefit of the occupants of Nos.77 and 79 Castle Street would be retained between No.81 as extended to the side under the proposed jettied first floor and the side boundary as part of the designed scheme.

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

4.1 The application is accompanied by a Design and Access Statement which describes the background to the proposal making reference to pre-application consultation with the Council relating to the principle of a side and rear extension to No.81 Castle Street, including consideration of existing site constraints and the design rationale of the now submitted extension scheme (i.e., use, amount, layout and scale).

4.2 The following extract is taken from the Design and Access Statement at Page 3 relating to design principles:

“The amount of development is for a two-storey side extension as a continuation of the two gable ends that currently exist. The extended gables would overhang the ground floor extension which would allow space for a study off the existing living room. Apart from the insertion of some new glazed double doors, the rear garden conservatory extension would remain. There would be an additional single storey timber frame element built to provide a dining area and entrance area with cloaks cupboard. This intention would be to look subservient to the main building and would be clad in timber weatherboarding. The scale of the extension would not be disproportionate in size or out of scale with the existing building. The main ridge height would be a continuation (as per the advice of the planning department) and small dormer windows would be introduced to the front and back as a replicate of the adjacent properties. The overhang of the new gables would provide a covered access to the main entrance and right of way access. The internal layout of the extension can be seen on drawing ref: NWA-15-012-2 and has been designed to meet the requirements of modern day living”.

4.3 An email communication has been received from the applicant's agent dated 1 September 2015 relating to existing car parking arrangements at the property as follows:

“My client has not got a parking space to lose. Given the width of the property / proximity to the boundary (i.e. 3m) and the 1.0m wide private right of way which needs to remain clear at all times for the neighbouring property, my client has less than 2.0m width to the side, which is insufficient to park even a small car. Under the current arrangements, the gap has no chance of meeting the minimum requirements for Essex Highway standards”.

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

5.1 No relevant planning history.

#### **6. POLICIES**

##### **6.1 National Policies**

- National Planning Policy Framework

##### **6.2 Uttlesford District Local Plan 2005**

- ULP Policy S1 – Settlement Boundaries for the Main Urban Areas
- ULP Policy ENV1 – Design of development within Conservation Areas
- ULP Policy H8 – Home extensions
- ULP Policy GEN2 – Design
- ULP Policy GEN8 – Vehicle Parking Standards
  
- Essex County Council Parking Standards: Design and Good Practice – September 2009
  
- Uttlesford District Council Parking Standards – February 2013
  
- Saffron Walden Conservation Area Appraisal Document 2012.

## **7. TOWN COUNCIL COMMENTS**

- 7.1 Object - Loss of off road parking in an area already experiencing traffic and parking difficulties. The loss of parking is contrary to policy GEN8 of the District Plan.

## **8. CONSULTATIONS**

### **Essex County Council Highways**

- 8.1 The Highway Authority has no comments to make on this proposal from a highway and transportation perspective as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informative: It is noted that whilst the width of the land between the dwelling and the school boundary is 3 metres and could accommodate a car, this would leave insufficient width to park a car as a right of way has to be maintained for neighbouring dwellings Nos.77 and 79. Castle Street. Castle Street currently operates a parking permit system for residents./

### **UDC Conservation Officer**

- 8.2 This application seeks permission to erect a two storey side extension to No.81 Castle Street in brick with a gabled dormer to the front as well as a single storey extension to the rear, which would be clad in weatherboarding with a pitched clay tile roof and large glazed screen facing onto the garden. The side extension would be jettied so as to retain a walkway underneath the first floor. However, the existing private parking facilities would be lost necessitating on-street parking for the property.
- 8.3 The dwelling is one of three terraced houses positioned in a highly prominent location along Castle Street. It falls within the boundary of the Saffron Walden Conservation Area (Area 1) and although not listed is considered to make a significant positive contribution to the character and appearance of the Conservation Area. Further to this, by virtue of the form, materials and architectural detailing, this late C19th/early C20th property is considered to be a non-designated heritage asset. Specific mention has also been made to the property in the Saffron Walden Conservation Area Appraisal 2012 in Section 1.100 which states that Nos.77-81 would be 'candidates for protection by possible Article 4 Direction'. This document also identifies selected windows, decorative bargeboards and gabled dormers and prominent chimney stacks among the features which contribute to the significance of this row of properties.

- 8.4 A pre-application enquiry was submitted to the Local Authority in May 2015 to discuss the principle of a side extension to the dwelling. It is understood that both designs put forward featured an open-fronted car-port with first floor extension over. The formal feedback from the planning officer indicated that such an extension could be supported in principle. Having carefully considered the application and in light of the pre-application advice previously given, I consider that whilst the loss of the detailing to the end gable including the chimney breast and brick banding would be regrettable, the current scheme would be sympathetic to the host non-designated heritage asset and the wider street-scene.
- 8.5 The proposal would see the addition of a modest two storey-side extension repeating the fenestration detailing seen on the adjacent properties, and brick detailing along with a modest gabled dormer with decorative bargeboard to match those on the existing dwelling. The extension would draw reference from the existing terrace and would appear subservient in its form and scale. Furthermore, whilst I appreciate that the loss of the off-street parking would be unfortunate, I consider that the benefit of achieving a more sympathetic design which will respect the historic character and appearance of the host dwelling and the surrounding Conservation Area would outweigh this. With regard to the rear single storey extension, I consider that the impact upon the character and appearance of the Conservation Area would be minimal. It would also appear modest in its scale and ancillary with timber weatherboarding denoting this as a later addition.
- 8.6 Should the planning officer feel minded to approve the scheme, I would suggest that the following conditions be applied:
- Material samples for all external surfaces to be submitted to the Local Authority for approval prior to the commencement of works
  - Details of all new windows and doors to be submitted to the Local Authority for approval prior to the commencement of works
  - All doors and windows to be timber
  - All rainwater goods to be metal painted matt black, of a profile to match the main dwelling
  - Details of proposed fencing to be submitted to the Local Authority for approval prior to the commencement of works

## **9. REPRESENTATIONS**

- 9.1 4 representations received (object). Neighbour notification period expired 10 August 2015. Site notice expired 18 August 2015.
- 9.2 Summary of objections received as follows:
- Concerned about infilling within the conservation area. The remaining gaps in the buildings along Castle Street with views to trees and farmland beyond very much form the character of the street and are appreciated by both residents and visitors to the town. They add positively to everyone's wellbeing.
  - The development would result in the loss of two off street parking spaces for the property. This would be significant as the latest figures from the North Essex Parking Partnership show that there are 75 annual residents parking permits in Castle Street for 56 actual parking spaces. In practice, this means that residents who have paid for annual parking permits often have great difficulty parking in the street in the evenings and at weekends.

- Previous occupiers parked a large Saab on the hardstanding at the property for many years and the neighbour could still access the side, e.g. with bins. Another car (or two) requiring to park in Castle Street is a material planning consideration especially for a 2 bedroomed house. This is well stated planning guidance. Pedestrian safety would be further eroded from an already low base if everyone with a drive on Castle Street tried to develop them not to mention the blight on the “streetscape” which would result and the diminished parking ratio.
- The Design and Access statement claims that it is 'not possible to maintain the Right of Way over the drive and the parking of one car'. It is in fact perfectly possible as the previous residents had no difficulty with parking their cars with the right of way next to their cars being maintained.
- With regard to losing a parking space on Castle Street, it would be a pity as there is already great pressure on parking with many more residents' permits issued than there are spaces. Car parking is already at a premium in the street and the loss of a drive for parking would intensify an already severe problem.
- There needs to be gaps maintained between the parked cars within Castle Street so that people, including parents and children at St Mary's can see and be seen when crossing the road.
- Parking cannot and must not be created in front of the existing drive to No.81 if the drive is developed as this would further jeopardize pedestrian safety. The natural crossing point for schoolchildren is between the area in front of No.81 and Nos.34-36. It would be patently unsafe for children wishing to cross the street to contend with parked cars both sides of the road with no gaps. There is no safer crossing point available and no zebra crossing possible without losing many parking spaces, e.g. opposite the school gate. Motorists routinely flout the 20mph limit, even in front of the school, even at school hours.

## 10. APPRAISAL

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

- A Design / whether the development would preserve or enhance the character and appearance of the essential features of the conservation area (ULP Policies H8, GEN2 and ENV1).
- B Impact on residential amenity (ULP Policy GEN2).
- C Whether the loss of an off-road parking space would be acceptable at this town centre location (ULP Policy GEN8).

### **A Design / whether the development would preserve or enhance the character and appearance of the essential features of the conservation area (ULP Policies H8, GEN2 and ENV1).**

- 10.1 ULP Policy H8 of the Council's adopted local plan states that extensions will be permitted if their scale, design and external materials respect those of the original building whilst ULP Policy GEN2 states amongst other design objectives that development should be compatible with the scale, form, layout, appearance and materials of surrounding buildings and would not have an adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property. Additionally for this application ULP Policy ENV1 states that development will be permitted where it preserves or enhances the character and appearance of the essential features of a conservation area, including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features.

- 10.2 The proposed two storey side extension would have a subservient scale to the host dwelling whereby part of its bulk has been lessened by reason of its jettied nature and as the indicated front dormer for the extension would be smaller than the main frontage dormer. As such, the extension would respect the proportions of the original building and would not give rise to any “terracing effect” by the manner in which the extension has been expressed. No objections are raised to the small rear extension. In the circumstances, the proposal would not be contrary to ULP Policies H8 and GEN2.
- 10.3 The site is located within the town’s conservation area at the northern end of the town’s historic core. The proposed side extension would effectively fill the gap which presently exists between the dwelling and the site’s NE flank boundary onto the adjacent primary school. The dwelling forms part of a short terrace of dwellings which front onto Castle Street which contains a pleasant and varied mix of period housing styles, many of which are listed, and which provides the street with its particular character and heritage qualities. In terms of building grain, it is acknowledged that small gaps exist between some of the historic buildings that run along Castle Street either side which generally comprise connecting pathways to dwellings set back from the street frontage or leading up to the church or down towards Bridge End Gardens. A view is also afforded to the rear of No.77 Castle Street down the side of that dwelling on the site at the beginning of the terrace with No.81. However, this view is not considered to be of any particular heritage significance whereby sheds and other outbuildings within the curtilage of that property can be seen. Likewise, the view down the opposite side of No.81 Castle Street is similar with a tree screen existing beyond the site’s rear boundary blocking any longer views.
- 10.4 The proposed extensions to this non-listed building have been assessed by the Council’s Conservation Officer who has not raised any specialist design objections to the proposal on heritage grounds. Whilst noting that the dwelling is positioned within a highly prominent location along Castle Street and makes a significant positive contribution to the character and appearance of the conservation area as a non-designated heritage asset, she comments that the side extension would be sympathetic to the asset and the wider streetscene and would draw reference from the existing terrace, whilst the rear extension would not have a detrimental upon the character and appearance of the conservation area. The proposal would therefore comply with ULP Policy ENV2.

**B Impact on residential amenity (ULP Policy GEN2).**

- 10.5 No.81 Castle Street is situated at the end of the line of dwellings leading up the street at its north-east end. The existing NE flank elevation of the dwelling does not contain any window openings, although the proposed side extension would introduce a two window range at both ground and first floor level. The first floor bedroom windows to the side extension would be naturally screened by an existing mature tree line which runs parallel with the side boundary of the site just slightly beyond with the school. No amenity objections are therefore raised under ULP Policy GEN2.

**C Whether the loss of an off-road parking space would be acceptable at this town centre location (ULP Policy GEN8).**

- 10.6 The property currently has the benefit of a paved hardstanding to the side of the dwelling. The hardstanding measures 3 metres wide to the side boundary and 7.9 metres deep to the side door of the existing rear conservatory. The Design and Access Statement accompanying the application provides the following information regarding the existing constraints at the site in relation to parking:

“Currently, the width of land between the property and the north-east boundary with the school is less than 3.1m. Within this area is a private ‘right of way’ for use by the neighbouring properties Nos.77 and 79 for wheelie bins, bikes and general access. Parking of the applicant’s car and maintaining sufficient clear access for this purpose is impossible as this space is simply not wide enough to perform both functions. Conveyance drawing ref: NWA-15-012-CONV submitted as part of the planning application shows the private right of way over for the neighbouring property. With the above in mind, the proposal submitted maintains a consistent 1.0m access way from the rear garden area of the adjoining neighbour property along the rear and side of the applicant’s garden to the highway. The access arrangements would be visually improved by replacing the existing 2.0 metre high fence to the side garden boundary with a 1.0m metre high picket fence. The surface would be either block paving or slabbed to allow wheelie bins to be easily pulled over and a majority of the access will be illuminated with down-lighters in the overhang of the extension proposed for security purposes...Currently, the land is used for parking. However, under the current arrangements the private right of way is not satisfactorily accessible for the neighbouring property. Unfortunately, it is not practical to maintain off-street parking in this case due to the right of way needed for the adjacent property. Parking immediately outside the property on the road is an acceptable arrangement in this part of Saffron Walden”.

- 10.7 It is known that the hardstanding is used for parking and at 7.9 x 3.0 would normally qualify as an appropriately sized vehicle parking space (although not two as stated in neighbour representation) under adopted parking standards, which state that a resident parking space should have a minimum bay size of 5.5m x 2.9m. However, as stated by the applicant’s agent, the private right of way which exists across the hardstanding to the road frontage for the benefit of the residents of Nos.77 and 79 Castle Street compromises the proper functionality of this parking space and this “sub-standard” situation is reflected by the consultation comments received by Essex County Council Highways, who, whilst acknowledging that the width of the hardstanding is wide enough to accommodate a car, also provide an informative that there is insufficient width to park a car at the site in view of the private right of way which has to be maintained, adding that Castle Street currently operates a parking permit system. As such, it raises no objections to the proposal on highway grounds.
- 10.8 The submitted scheme would formalise the private right of way arrangement which exists at the site by providing a 1 metre clearance gap between the side of the proposed side extension for its entire depth and the side boundary of the site. Thus, it is argued that the extension proposal would improve upon this situation by allowing a defined right of access and which would avoid potential disputes over private access rights being obstructed due to inadequate space to park a vehicle, although it is noted that the occupier of No.79 Castle Street has stated in representation that right of way access is not restricted and that it is possible to bring recycling bins to the front of the site when a car is parked on the hardstanding.
- 10.9 The side extension would result in the loss of this parking space whether or not it is regarded as being of appropriate parking width given the existence of the private right of way. It is accepted of course that there are many situations where, historically, “sub-standard” parking spaces at residential properties are practically used for domestic parking. It is noted that representations have been made by the Town Council and by local residents for the current application expressing concern regarding the loss of the parking space at 81 Castle Street where this would result in on-street parking and where this in turn would place pressure on the existing parking permit scheme for Castle Street. The dwelling is currently described as being one bed roomed and it can be argued from this that the introduction of a second bedroom for the extension

proposal would strictly require a second parking space under locally adopted car parking standards.

- 10.10 The site is situated within a sustainable location very close to the heart of the town centre and also to Bridge End Gardens and is therefore within walking distance of both local services and recreational amenities. Given this, it is considered that it is not essential for the existing on-site parking space to be retained. It is accepted that the loss of the parking space would increase pressure on the existing parking permit system for Castle Street as noted in representation, although it should be emphasised that the proposal would not in itself lead to an increase in on-street parking in Castle Street where parking is strictly controlled by the permit system whereby only a finite number of resident vehicles can be parked at any one time. The Council is not aware through this application submission that the applicant would be subsequently applying to have an additional parking permit space outside the front of the property beyond the parking permit scheme zone should planning permission be granted, although this is outside the remit of this proposal. Any future sale of the property by the applicant would of course have to be advertised without an on-site parking space (caveat emptor).
- 10.11 It will be seen with this application that a balance has to be struck between the present status quo of retaining what is considered by ECC Highways to be a sub-standard on-site parking space at this site in view of private rights of way access restrictions for the reasons described above against the loss of this space where the extension proposal seeks to remedy this access restriction through its design and is considered to be acceptable by the Council's Conservation Officer. It is considered by your Officers on balance that there are no legitimate parking grounds under which the proposed development should be refused where, as previously mentioned, the proposal would not introduce on-street parking because of the designated parking permit scheme for Castle Street. In the circumstances, it is considered that the proposal would not be contrary to the ULP Policy GEN8.

## **11. CONCLUSION**

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

- A The proposed extension scheme would be acceptable in terms of design and would by its appearance preserve the character and appearance of the essential features of the conservation area.
- B The proposal would not have a detrimental impact on residential amenity.
- C The loss of the existing sub-standard on-site parking space would not result in an increase in on-street parking in Castle Street in view of the existing parking permit scheme.

## **RECOMMENDATION – CONDITIONAL APPROVAL**

Conditions/reasons

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. Prior to the erection of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with ULP Policies ENV1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: The details of materials would need to be submitted for approval prior to the commencement of the development to ensure that the resulting appearance of the development is safeguarded and the amenity of the surrounding locality is protected.

3. Details of all new windows and doors shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with ULP Policies ENV1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: The details of windows and doors would need to be submitted for approval prior to the commencement of the development to ensure that the resulting appearance of the development is safeguarded and the amenity of the surrounding locality is protected.

4. All external joinery to the development hereby permitted shall be of painted/stained timber. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of the appearance of the development in accordance with ULP Policies ENV1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

5. All rainwater goods shall be of cast iron/metal painted matt black of a profile to match the main dwelling.

REASON: In the interests of the appearance of the development in accordance with ULP Policies ENV1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

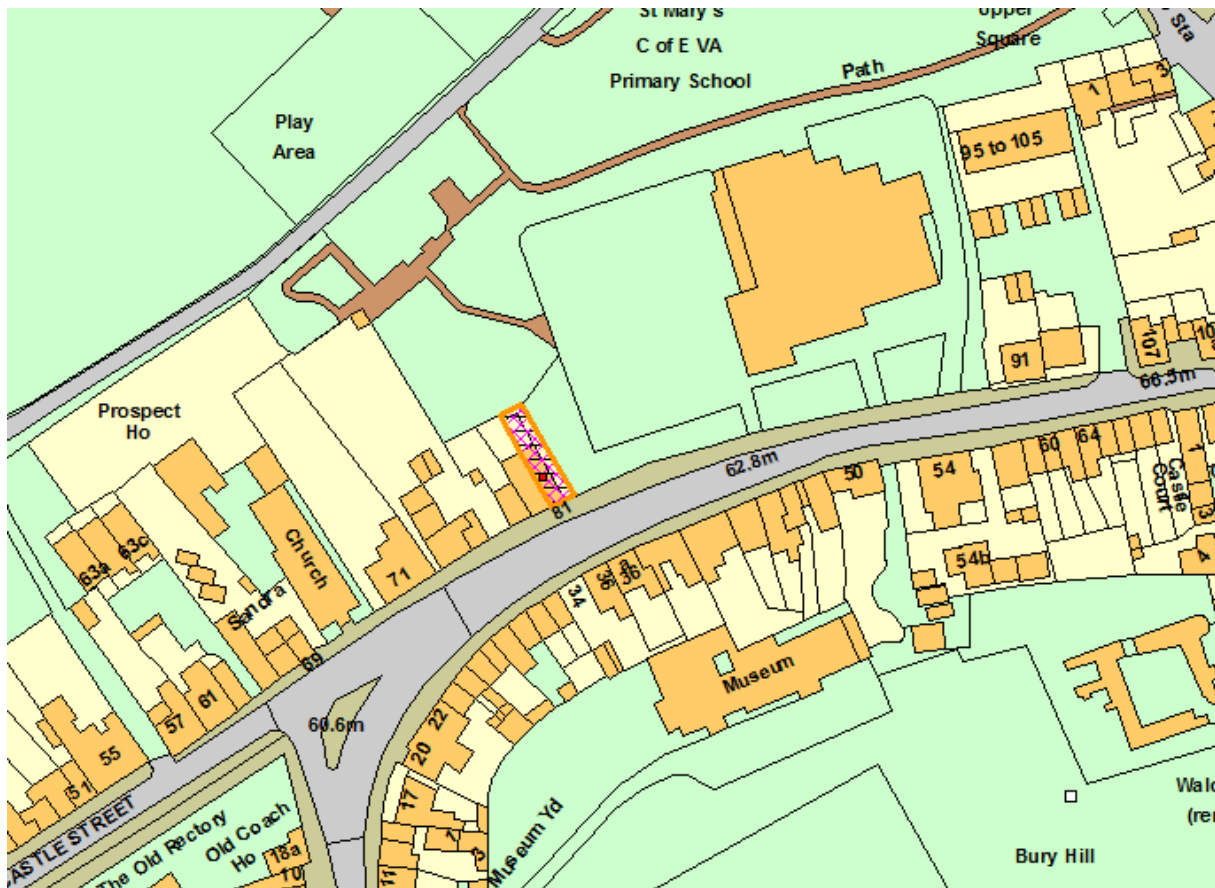
6. Details of fencing proposed for the north-east flank boundary of the site shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with ULP Policies ENV1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: The details of fencing would need to be submitted for approval prior to the commencement of the development to ensure that the resulting appearance of the development is safeguarded and the amenity of the surrounding locality is protected.

Application number: UTT/15/2178/HHF

Location: 81 Castle Street Saffron Walden



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Organisation: Uttlesford District Council

Department: Planning

Date: 5 October 2015

SLA Number: 100018688