

UTT/20/0522/HHF (WIMBISH)

This application has come to Committee due to the fact that the applicant is related to a member of staff employed by Uttlesford District Council

PROPOSAL: Proposed single storey extension, porch and car port.

LOCATION: Midden, Top Road, Wimbish, CB10 2XJ

APPLICANT: Mrs J Mawson

AGENT: Mr Jeremy Denn

EXPIRY DATE: 26th June 2020

CASE OFFICER: Matt Cranitch

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The application site lies on the south side of Top Road and to the east of Wimbish Green. It is accessed by a road that runs north to south off Top Road. Warners Farmhouse lies to the immediate west of this access road. There is outbuilding belonging to Warners Farmhouse adjacent to this road north west of the site. The access road leads to a concrete hardstanding apron used for parking and turning. A detached barn building forms the southern boundary of the apron which is also under the applicant's ownership. To the east and north east of this barn building sits the application building.

2.2 The application building is an L shaped, single storey, black painted, weather boarded building. The building secured approval from the Planning Committee for a change of use from a holiday let to a dwelling in December 2019, reference UTT/19/2022/FUL. To the south of the application building is meadow. To the east and north is mown lawn. To the west is the concrete hardstanding apron.

3. PROPOSAL

3.1 This application is for a single storey extension and porch erected on the west elevation of the building and the creation of a car port also to the west, across the hardstanding apron from the existing dwelling. The single storey extension slots in between the existing dwelling and a workshop which is also owned by the applicant. The car port slots in between this workshop and the side of a neighbours shed to the north. The existing access is the subject of a further planning application where it is proposed to close off this access and return it to garden whilst opening up another access point to the site to the east.

4. ENVIRONMENTAL IMPACT ASSESSMENT & HUMAN RIGHTS

4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold

criteria of Schedule 2, and therefore an Environmental Assessment is not required.

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

5. APPLICANT'S CASE

5.1 The applicant has provided a Biodiversity Checklist with this application

6. RELEVANT SITE HISTORY

6.1 UTT/0111/07/CLE – Certificate of lawfulness for use of land as garden. Refused. The evidence and plans were incorrect.

6.2 UTT/1296/08/CLE- Certificate of lawfulness for use of land as garden. Granted.

6.3 UTT/12/5728/FUL & UTT/13/2394/FUL- Change of use of buildings and land associated with dwelling house together with holiday let to dwelling. Both refused on the grounds of being contrary to Policy H6, buildings of insufficient merit and alternative uses have not been explored.

6.4 UTT/14/1371/FUL- Change of use of annex outbuilding to holiday let with 2 no. single storey extensions. Approved with conditions, including short stay holiday lets only, maximum period of four weeks in any six-month period calculated from the first day of occupation by that person.

6.5 UTT/15/3512/FUL- Erection of new dwelling, garage, drive and crossover, land North of 'The Midden'. Refused and dismissed at appeal on the grounds that it had not been demonstrated that the Council did not have a 5 year housing supply; it does not represent infilling; the new access as well as the bungalow would urbanise the rural area; it would not represent sensitive infill; it would intensify the existing isolated and sporadic built development in the vicinity; it is physically and functionally remote from a discernible settlement.

6.6 UTT/16/3618/FUL- Erection of cart lodge and vehicular access. Refused on the grounds of cumulative impact with existing buildings on the site would result in a cramped and urbanising appearance.

6.7 UTT/17/1210/FUL- Construction of new access to serve holiday let and paddock. Refused on the grounds of depletion of the rural character of the area. The benefit does not outweigh the harm caused.

6.8 UTT/19/2022/FUL - Change of use of Holiday Let to 1 no. Dwelling – approved with conditions

7. POLICIES

7.1 National Policies

7.2 National Planning Policy Framework

7.3 Uttlesford Local Plan (2005)

Policy S7 –The Countryside
 Policy H8 – Home Extensions
 Policy GEN2 – Design
 Policy GEN1- Access
 Policy GEN8- Parking Standards

7.4 Supplementary Planning Documents/Guidance

Supplementary Planning Document 1 – Home Extensions
 Supplementary Planning Document - Accessible homes and play space homes
 Essex Design Guide
 Uttlesford Local Residential Parking Standards (2013)
 Essex Parking Standards 2009

8. PARISH COUNCIL COMMENTS

8.1 No comment

9.0 CONSULTATIONS

9.1 No consultees consulted

10 REPRESENTATIONS

1 representation received making a comment neither in support nor objecting to the development:

10.1	Comment	Case Officer comments
	We have no objection to the proposed extension and porch and we have no objection to the proposed carport, but all of these should be conditional on the driveway proposal. We are concerned that the proposed new driveway and crossover should be conditional on the existing temporary driveway being properly reverted to planting and garden as indicated on the plan. We have no objection to the change of land-use from agricultural to garden, but we understand that this is the subject of a separate application	The proposal for a new driveway and crossover and the proposal for change of use from agricultural to garden is the subject of a separate planning application for this site. The reversion of the existing driveway to planting and garden will be considered as part of that application.

11 APPRAISAL

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

- A The principle of the development of this site, design (ULP Policy S7, NPPF)
- B Whether the character and design of the development are appropriate (ULP Policies H8, GEN2, SPD1, NPPF, Essex Design Guide)
- C Whether the development would result in harm to the amenity of the neighbouring properties by way of overlooking, overshadowing or overbearing effects (ULP Policy GEN2, Essex Design Guide and the NPPF)

D Access to the site and Vehicle Parking Standards (ULP Policies GEN1 & GEN8, Uttlesford Neighbourhood Parking Standards (2013) and ECC Parking Standards (2009)

A The principle of the development of this site (ULP Policies S7, NPPF);

11.1 The site is located outside development limits and therefore is deemed to be in the countryside where Policy S7 of the ULP applies. The proposal is for an extension to an existing dwelling and the creation of a car port. All the proposed development is located on part of the site which already has built form on it and the development neither encroaches into the countryside nor changes the rural character of the existing site. The proposed development therefore causes no harm to the countryside and therefore the proposal is considered to be in accordance with Policy S7 of the ULP and the environmental dimension of sustainable development as stipulated in the NPPF.

B Whether the character and design of the development are appropriate (ULP Policies H8, GEN2, SPD1, NPPF, Essex Design Guide)

11.2 The proposed single storey extension slots in between the existing dwelling and an existing storage shed which the applicant also owns. It is a modest extension. Its ridge is set down from the existing dwellings ridge and gable style mirrors the existing dwellings roof style. The porch is a very modest structure and faces into the courtyard so is hidden from view and therefore its flat roof style is considered acceptable. The car port slots in neatly between the storage shed the applicant owns and the side of a neighbours shed which has no openings or fenestration in it. Again, the structure is modest. The materials to be used are black stained boarding and tiles that match existing, reflecting those of the surrounding buildings and are in line with the Essex vernacular as outlined in the Essex Design Guide, a non-adopted but nevertheless useful guide to appropriate design. The proposal therefore complies with the above policies.

C Whether the development would result in harm to the amenity of the neighbouring properties by way of overlooking, overshadowing or overbearing effects (ULP Policy GEN2, NPPF, Essex Design Guide)

11.3 The proposed extension is single storey. The northern elevation faces into the courtyard and the southern elevation faces onto a meadow. The porch also faces into the courtyard. There are no neighbours near enough to the site for the proposed development to detrimentally impact their amenity in terms of loss of privacy, loss of daylight, overbearing impact or overshadowing. No neighbours have objected to the proposals for the extension, porch or car port. The proposal therefore complies with ULP Policy GEN2 of the ULP.

D Access and parking (ULP Policies GEN1 & GEN8, and Uttlesford and ECC Parking Standards)

11.4 The dwelling would be served by the existing access road which branches off a shared access with Walkers Farm to Top Road. Access arrangements are unaffected by the development but are the subject of another separate planning application for the same site. No further bedrooms are created as a result of the development so there is no requirement for an increase in parking spaces. The area that the car port is located in is already used for parking so the car port simply proposes a structure to go around this area in order to shield the parked car. The proposal therefore complies with ULP Policies GEN1 and GEN8 and the Uttlesford Neighbourhood Parking Standards (2013) and ECC Parking Standards (2009).

12. CONCLUSION

- 12.1 In conclusion the development will represent an acceptable form of sustainable development in terms of countryside impact, design, access, and parking arrangements, with no impact upon surrounding neighbouring occupiers' residential or visual amenity. The proposal would comply with national and relevant local plan policy and is acceptable.

RECOMMENDATION – APPROVAL, SUBJECT TO CONDITIONS

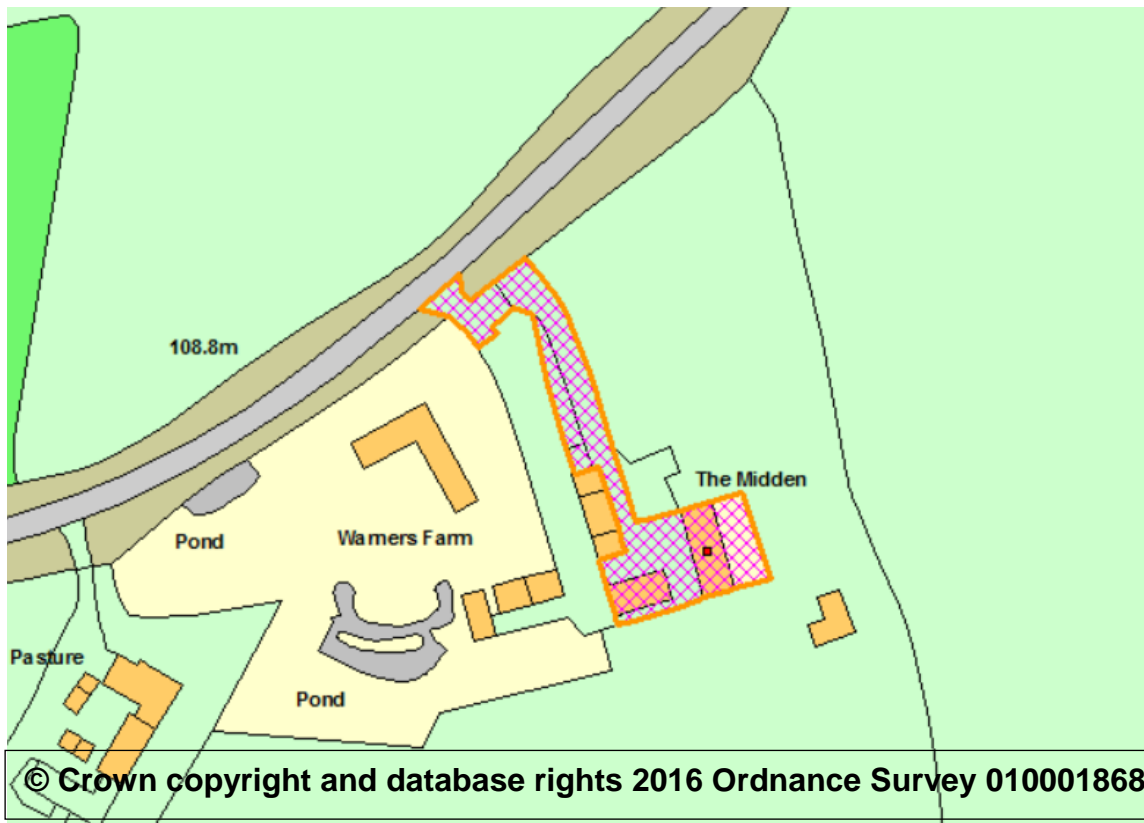
Conditions

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 development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.



Organisation: Uttlesford District Council

Department: Planning

Date: 25 November 2019

Organisation: Uttlesford District Council

Department: Planning

Date: 02 June 2017