

**UTT/21/0158/FUL (TAKELEY)**

(Referred to Committee. Reason: Called in by Councillor Isham)

**PROPOSAL:**                      **First floor side and rear extension**

**LOCATION:**                      **40 Hawthorn Close  
Takeley  
CM22 6SD**

**APPLICANT:**                   **Mr & Mrs Tann**

**AGENT:**                        **N/A**

**EXPIRY DATE:**                **16.02.2021**

**CASE OFFICER:**               **Mark Sawyers**

---

**1.                      NOTATION**

- 1.1                      Within Development Limits (TAKELEY)  
Within 200m of Parish Edge  
Within 2km of S.S.S.I  
Within 6km of Airport  
Within 100m of Local Wildlife Site – Ufd196 (FLITCH WAY)  
Within 250m of Local Wildlife Site – Ufd196 (FLITCH WAY)  
Within 20m of Flitch Way

**2.                      DESCRIPTION OF SITE**

- 2.1                      The site comprises of a semi-detached two storey dwelling located in the residential area of Hawthorn Close in the village of Takeley.
- 2.2                      The dwelling has external materials of brick facing walls on the ground floor with a rendered first floor under a concrete tiled roof.
- 2.3                      There is off street parking located to the front of the dwelling.
- 2.4                      The site is triangular in nature and measures approximately 432m<sup>2</sup>, the bulk of the land resides behind the existing dwelling house with approximately 46m<sup>2</sup> set forward of the dwelling house.

**3.                      PROPOSAL**

- 3.1                      The proposal is seeking planning permission for a first-floor side and rear extension.
- 3.2                      The proposed side extension would be constructed over the existing garage, have an eaves height of 4.8m, with a maximum ridge height of 6.2m.
- 3.3                      External materials would consist of clay tiles for the roof to match the existing, uPVC windows to match the existing, rendered front elevation to match the existing with timber weatherboarding to the side and rear elevations to compliment the host dwelling.

- 3.4 The site plan fails to demonstrate adequate space for parking sited within the red line of the site. There is a requirement that the proposal includes 3 no. parking spaces, in order to meet the Uttlesford District Council Adopted Parking Standards.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 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.

#### **5. APPLICANT'S CASE**

- 5.1 The applicant has provided the following in support of their application:

- Biodiversity Checklist
- Photographs
- Planning Application Supporting Summary

#### **6. RELEVANT SITE HISTORY**

- 6.1 There have been a number of planning and listed building application submitted to the Council over the years however the most recent and relevant applications to the proposed application are listed below:

- 6.2 UTT/17/3045/HHF - First floor side and rear extension (REFUSED)

UTT/18/3334/HHF - Erection of first floor side and rear extension (REFUSED)

UTT/20/0785/HHF - First floor side and rear extension (REFUSED)

#### **7. POLICIES**

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

- 7.1 S3 – Other Development Limits  
GEN1 – Access  
GEN2 – Design  
GEN4 – Good Neighbourliness  
GEN7 – Nature Conservation  
GEN8 – Vehicle Parking Standards  
H8 – Home Extensions

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

- 7.2 SPD “Accessible Homes and Playspace”

##### **National Policies**

- 7.3 National Planning Policy Framework – (9 February 2019)

##### **Other Material Considerations**

- 7.4 ECC Parking Standards  
UDC Parking Standards  
Essex Design Guide

## **8. PARISH COUNCIL COMMENTS**

- 8.1 Takeley Parish Council are in support of this application.
- 8.2 TPC supported an earlier application for this extension. Our original submission is attached. This is a quiet cul-de-sac and there is parking for 3 large cars, as illustrated in the photograph. We agree with the letters of support from the neighbours and fully support this application

## **9. CONSULTATIONS**

### ECC HIGHWAYS

- 9.1 There are no Highway objections to the proposal for the first floor side and rear extension.
- 9.2 Uttlesford District Council are however the Local Parking Authority, and on this basis, assess compliance with local parking standards.

## **10. REPRESENTATIONS**

- 10.1 12 Neighbours consulted – expired 19.01.2021 – Three representations received in support of the application.
- 10.2 A summary of the points raised in the representations are:
- Will not impact privacy and enjoyment of neighbouring garden.
  - Will enable Mr & Mrs Tann to stay in the area and not relocate.
  - Will not cause parking problems

## **11. APPRAISAL**

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

- A The principle of the development (Policy S3)**
- B Whether the layout, design and appearance of the proposal is acceptable (Local Policy GEN2 and NPPF)**
- C Impact to neighbours (Policy GEN2 and GEN4)**
- D Vehicular access and parking (Policies GEN1 and GEN8)**
- E If there are any ecology issues would arise from the development (Policy GEN7).**

**A The principle of the development (Policy S3)**

- 11.1 The site is within the Defined Development Limit of Takeley; the proposal is for residential development within a residential area.
- 11.2 Policy S3 states that within Key Rural Settlements, such as Takeley, development compatible with the settlement's character and countryside setting will be permitted.
- 11.3 The proposed extension is considered to be compatible with the settlements character and not out of keeping with the locality.
- 11.4 The principle of the development is acceptable with regard to Policy S3 of the adopted Local Plan.

**B Whether the layout, design and appearance of the proposal is acceptable (Local Policies GEN2, H8 and NPPF)**

- 11.5 Strategic planning policies require development to be compatible with a settlement's character. Policy GEN2 provides more detail as to this consideration stating that development will not be permitted unless its design meets all of a number of criteria.
- 11.6 Policy H8 states that extensions will be permitted if all the following criteria apply:
- a) Their scale, design and external materials respect those of the original building;
  - b) There would be no material overlooking or overshadowing of nearby properties;
  - c) Development would not have an overbearing effect on neighbouring properties;
- 11.7 Supplementary Planning Document – Home Extensions states that extensions should not be higher or larger than the original house and furthermore, where the house has been extended a number of times it may reach a point where new extensions will exceed what is reasonable.
- 11.8 The proposed extension is considered to be of an acceptable design and in keeping with other dwellings in the locality.
- 11.9 It must be noted that in the three previously refused applications, the design and the principle of the proposed extension have been supported by the Local Planning Authority.
- 11.10 The extension would be to the side and rear of the dwelling and though of a large scale would be in proportion to the size of the existing dwelling, it does not have a dropped ridge line which would be desirable, however it was not considered to be a sufficient refusal reason for this application.
- 11.11 The extension would be constructed of materials that would match and compliment the host dwelling and as such respect the appearance and character of the existing building.

11.12 Other neighbouring properties have benefited from similar extensions for example UTT/14/1318/HHF, like such application it is considered that the size of the extension can be accommodated within the site and will not have an adverse impact on the visual amenities of the locality of the existing street scene or visual amenities of the locality.

11.13 It is therefore concluded that the proposal accords with the above policies and guidance insofar as they relate to character and appearance. The proposal therefore accords with Policies GEN2, H8 and the NPPF.

### **C Impact to neighbours (Policy GEN2 and GEN4)**

11.14 The site has two immediate neighbours, they are located to the north and south of the site.

11.15 To the first floor on the south elevation there is a single casement window that serves the en-suite bathroom. This window faces the adjacent neighbours at No 51 at a distance of approximately 4m, due to the separation distance of between the dwellings and the purpose of the room it is considered that any loss of privacy is minimal. The windows in the en-suite will be conditioned to be obscure glazed as well as having window restrictors, in the interests of residential amenity in accordance with Policy GEN2.

11.16 To the first floor on the west elevation, you have the new rear gable end which benefits from 1 no. single casement window and 1 no. triple casement window. The single casement is to service the family bathroom. The window will be conditioned to be obscure glazed as well as having window restrictors, in the interests of residential amenity in accordance with Policy GEN2.

11.17 The triple casement window, which serves bedroom 4, it is set away from the neighbour at no 38, and as such, there are no issues arising from overlooking or any reduction in privacy with the adjacent dwelling.

11.18 Due to positioning of proposed built form, there would be no material loss of amenity to any neighbour with regard to loss of daylight, overbearing impact or overshadowing.

11.19 With regard to impact to neighbours, the proposal is acceptable with regard to Policy GEN2 and GEN4.

### **D Vehicular access and parking (Policies GEN1 and GEN8)**

11.20 Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must not compromise road safety and to take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and also encourage movement by means other than the car.

11.21 The Highways Agency have not raised any issues regarding this proposal, therefore the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 11.22 The original 3 no. bedroom dwelling will have required a minimum of 2 no. parking spaces. The original dwelling would have benefitted from 2 parking spaces on the hard standing to the front and an additional space within the garage, however due to the garage being converted into a store, this comes at a loss of a parking space.
- 11.23 With the proposal increasing the number of bedrooms from 3 to 4 bedrooms, there is a requirement for 3 no. parking spaces that meet the Uttlesford DC parking standards; this is not just for the current owners but for any future occupants.
- 11.24 The dwelling resides at the end of a cul-de-sac, where there are single yellow lines to restrict any on street parking between the hours of 10am – 11am; however due to the nature of the site, it is impossible to park on the road to the front of the dwelling without impacting the neighbouring dwellings or the ability to turn cars sufficiently; the additional on street parking will have to be located further up the road.
- 11.25 The applicant has submitted a photograph demonstrating that they can fit 3 cars to the front of the dwelling; however they have not demonstrated to the satisfaction of the Local Planning Authority that they can fit 3 parking spaces that meet the Uttlesford adopted parking standards of 5.5m x 2.9m.
- 11.26 As the applicants are seeking to add an additional bedroom the Local Planning Authority requires the inclusion of a third parking space that meets these adopted standards, in order to allow sufficient parking for a 4-no. bedroom house.
- 11.27 The proposal is therefore contrary to the requirements of Policy GEN8 of the adopted Uttlesford Local Plan (adopted 2005), as the number of vehicle parking spaces would not meet the adopted standards and would not be appropriate for the location.

**E If there are any ecology issues would arise from the development (ULP Policy GEN7).**

- 11.28 ULP Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.
- 11.29 The application includes a completed biodiversity checklist. All of the questions have come back negative.
- 11.30 It is therefore unlikely the proposed development will have harmful impact to adverse impact on protected species caused and therefore complies with Policy GEN7.
- 11.31 It is therefore concluded that the proposal subject to conditions accord with the above policies and guidance insofar as they relate to Nature Conservation.

## **12. CONCLUSION**

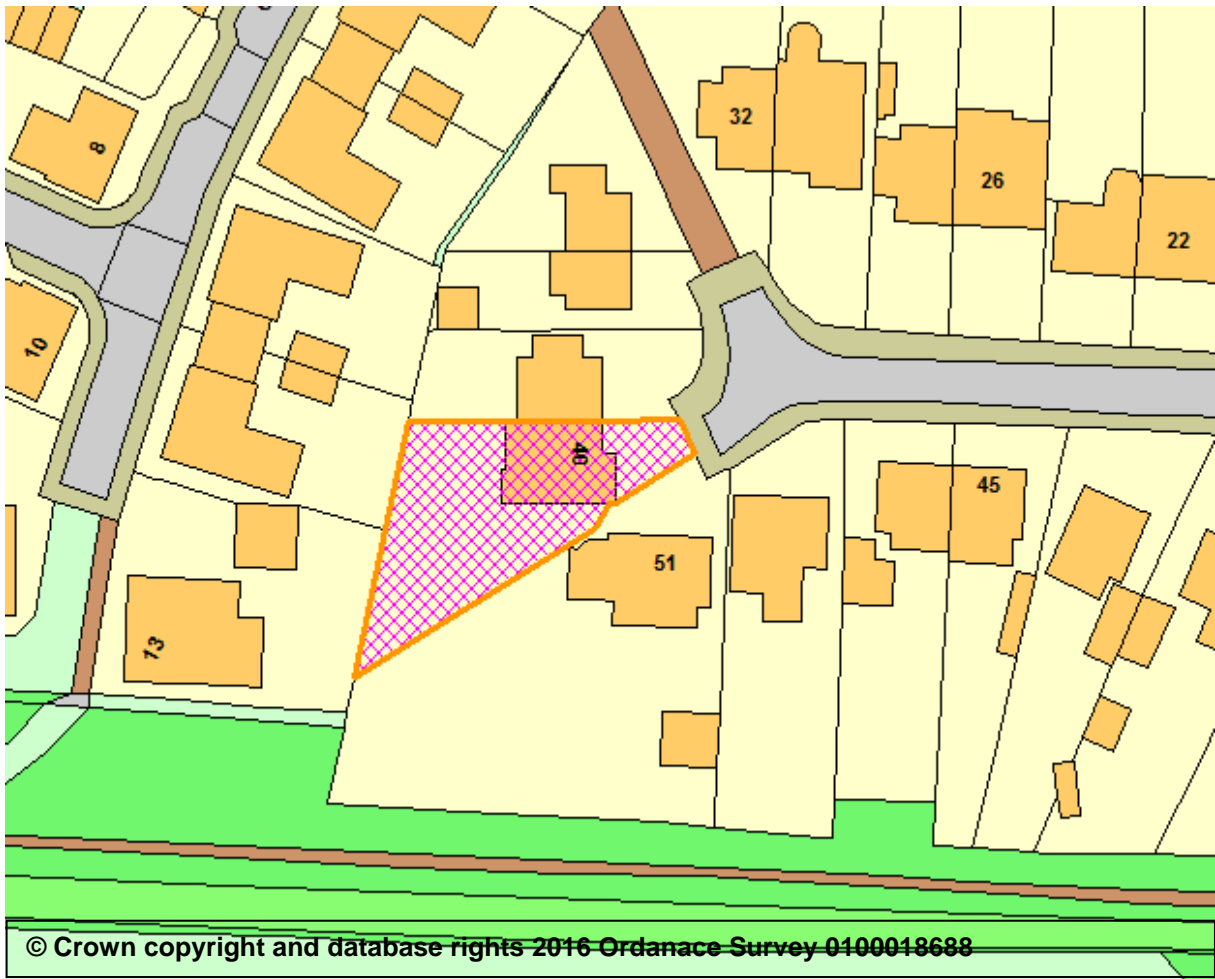
The following is a summary of the main reasons for the recommendation:

- A** The proposal is for residential development located within the defined development limits. There can be no objection in principle.
- B** The design of the proposal is acceptable in that it would appear sympathetic to the character and appearance of the street scene and the proposed design fits the general pattern formed by surrounding development.
- C** Due to positioning of proposed built form, isolation distances and orientation there would be no material loss of amenity to any neighbour with regard to loss of daylight, overbearing impact or overshadowing.
- D** The proposal would not result in detrimental harm upon highway safety; however, the proposal does not meet the requirements of the adopted Uttlesford parking standards due to there not being adequate parking provisions located within the red line.
- E** There is no evidence that the proposed development will have harmful impact to adverse impact on protected species.

## **RECOMMENDATION – REFUSAL**

### **Reasons for Refusal**

1. The substandard parking provision resulting from the extension would be insufficient and would not meet the adopted standards required for the dwelling as extended. This would result in on-street parking contrary to the requirements of Policy GEN8 of the Uttlesford Local Plan (adopted 2005), and the Uttlesford Local Residential Parking Standards (adopted February 2013).



Organisation: Uttlesford District Council

Department: Planning

Date: 23 June 2021