

UTT/21/1550/HHF (LITTLE HALLINGBURY)

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

PROPOSAL: Demolition of existing detached garage. Construction of double storey side extension with a single storey extension projecting to the rear.

LOCATION: The Willows
Lower Road
Little Hallingbury
CM22 7QZ

APPLICANT: Mr And Mrs Ryan

AGENT: Mr N Turner

EXPIRY DATE: 01.07.2021
01.10.2021 - Extension of Time

CASE OFFICER: Mark Sawyers

1. NOTATION

- 1.1 Within Development Limits (LITTLE HALLINGBURY, WRIGHTS GREEN)
Within 2km of S.S.S.I
Within 6km of Airport
Mineral Safeguarding Area – Sand/Gravel

2. DESCRIPTION OF SITE

- 2.1 The site comprises of a detached two storey dwelling located in the residential area of Little Hallingbury.
- 2.2 The dwelling has external materials of red-faced brick walls on the ground floor, rendered walls with exposed timber to the gable end on the first floor, under a tiled roof.
- 2.3 There is a large, gravelled area for off street parking located to the front of the dwelling.
- 2.4 There site is bound by a mixture of closed boarded fencing, hedgerow and trees.
- 2.5 The site is rectangular in shape and is approximately 1,100m² in area.

3. PROPOSAL

- 3.1 The proposal is seeking the demolition of existing detached garage, and for the construction of a double storey side extension with a single storey extension projecting to the rear.
- 3.2 The proposed 2 storey side extension would be constructed in the approximately location of the existing garage and would have an eaves height of 4m and 2.6m respectively to match the original dwelling, with a maximum ridge height of 7.5m, also to match the host dwelling.

- 3.3 The proposed single storey side and rear extension would be constructed in the approximately location of the existing garage and would have an eaves height of 3.3m, with a maximum ridge height of 3.9m.
- 3.4 External materials would consist of brickwork to match the existing walls to the ground floor, render and facing timber to match the existing on the first-floor gable, with roof tiles to match. The single storey extension set to the rear would consist of brickwork to match the existing and powder coated aluminium windows as well as a glazed lantern.
- 3.5 The proposed extensions to the ground floor would increase the footprint of the dwelling from the current 175m², including the detached garage, which is to be demolished, as part of this proposal to a ground floor footprint of approximately 307m². This is a 75% increase over the original ground floor of the dwelling and original garage combined.
- 3.6 The site plan does not demonstrate 3no. parking spaces for a dwelling of this size, however there is adequate space located to the front of the site 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:

- Agents Response to Comments
- Arboricultural Impact Assessment
- Biodiversity Checklist

- 5.2 As the proposed extensions would reside within the Development Limits of Little Hallingbury it is considered that the site is in a sustainable location.

6. RELEVANT SITE HISTORY

- 6.1 The most recent and relevant applications to the proposed application are listed below:

UTT/0561/90 - Erection of two detached dwellings with detached double garages (APPROVED)

– It must be noted that Condition 90A states that *“No upper storey side elevation windows shall be inserted in either dwelling.*

Reason: To prevent overlooking of adjoining dwellings.”

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
ENV3 – Open Space and Trees

Supplementary Planning Documents/Guidance

7.2 SPD “Accessible Homes and Playspace”

National Policies

7.3 National Planning Policy Framework – (20th July 2021)

Other Material Considerations

7.4 ECC Parking Standards
UDC Parking Standards
Essex Design Guide

8. PARISH COUNCIL COMMENTS

8.1 Little Hallingbury Parish Council have objected to this application on a number of points.
Their full objections can be viewed online, with their summarised objections listed below:

- Overdevelopment
- Invasion of Privacy

9. CONSULTATIONS

UDC LANDSCAPING OFFICER

9.1 There are no objections towards the proposal from UDC’s Landscaping Officer.

They have advised that this is not a planning issue if the neighbour’s vegetation is not of public amenity. As it is the applicant could cut through the roots encroaching on their land.

10. REPRESENTATIONS

10.1 A summary of the points raised in the representations are:

- Loss of privacy
- Not in keeping with surrounding properties
- Extension close to boundary and may threaten health of the hedge
- Overbearing
- Overlooking
- Harmful to boundary hedge and trees.

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 Parking (Policy GEN8)**
- E Ecology issues (ULP Policy GEN7)**

A The principle of the development (Policy S3)

- 11.1 The site is within the Defined Development Limit of Little Hallingbury; the proposal is for residential extensions within a residential area.
- 11.2 Policy S3 states that within Key Rural Settlements, such as Little Hallingbury development compatible with the settlement's character and countryside setting will be permitted.
- 11.3 The proposed extension is 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 Policy GEN2 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 The first criterion of Policy GEN2 is that the development be compatible with the scale, form, layout, appearance, and materials of surrounding buildings. The buildings immediately surrounding the site are all two storey dwellings, in a mixture of styles. Having considered the setting of the site and the existing street scene, it is thought that in broad terms the scale, form and appearance of the proposal is acceptable. The two-storey element has been revised to mirror the hipped gable arrangement already found on the dwelling. The proposal would make use of similar materials in order to protect the locality.
- 11.7 The second criterion is that the development should safeguard important environmental features in its setting. The site currently benefits from several established trees and hedgerow to the south-eastern boundary. The proposal does not seek to remove these as the majority are outside of the redline of the proposal, therefore it is considered to meet this criterion.

- 11.8 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 several times, it may reach a point where new extensions will exceed what is reasonable.
- 11.9 The proposed extensions are of an acceptable design not fundamentally change the street scene or be out of keeping with the locality.
- 11.10 The 2-storey aspect of the proposed extension would take its design cue from the dwellings existing gable end. The extension would be to the side of the dwelling and though of a large scale would be in proportion to the size of the existing dwelling. The proposal has been revised to take this design cue into consideration as it is considered to deliver a better overall design and one that assimilates well into the street scene.
- 11.11 The single storey element is not considered to be out of keeping or overdevelopment of the site. It is accepted that it is near the boundary; however it is of single storey construction and set to the rear of the property.
- 11.12 The extensions 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.
- 11.13 Permitted Development rights have not been removed under UTT/0561/90, as such the applicant if they wished could construct a single storey outbuilding to house the swimming pool without planning permission providing it does not adjoin the host dwelling.
- 11.14 It is considered that the size of the extensions 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.
- 11.15 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, GEN4 and ENV3)

- 11.16 The site has a number of immediate neighbours, they are located to the north, east, south and west of the site.
- 11.17 With regard to the first-floor window of bedroom 4 located on the south-western elevation to the front of the proposed extension. There is a separation distance to the neighbour directly opposite the site known as 'Badgers' of approximately 26m, and a separation distance to the neighbour to the south of the site known as 'Peericroff' of approximately 22m. As the proposal is not for a primary room and there is a sufficient separation distance to the neighbouring dwellings it is considered that any loss of privacy is minimal.
- 11.18 With regard to the first-floor window of bedroom 5 located on the north-eastern elevation to the rear of the proposed extension. This window has been revised from a set of French windows to a triple casement window to match the existing windows on the dwelling. There is a separation distance to the neighbour directly opposite the site known as 'Rudlow' of approximately 34m. As the proposal is not

for a primary room and there is considered to be a sufficient separation distance to the neighbouring dwellings it is considered that any loss of privacy is minimal over that which already exists.

- 11.19 The dwellings original planning permission under UTT/0561/90 stipulated a condition that “No upper storey side elevation windows shall be inserted in either dwelling, in order to prevent overlooking of adjoining dwellings.”
- 11.20 The rooflight on the south-eastern elevation that serves the en-suite bathroom for bedroom 5. This window faces the gardens of ‘Dunloe’ and Peeriecroft’, however due to the sky light being at a height of 2m from the floor and the purpose of the room it is considered that any loss of privacy is minimal.
- 11.21 Uttlesford District Councils Landscaping Officer has been consulted with regard to the proximity of the proposed extension to the boundary and the proximity to the existing trees and hedgerow that run along the boundary.
- 11.22 With this type of development, there is the potential for the hedge/tree roots to be damaged on the neighbouring property, as there are no Tree Preservation Orders of the site is within a Conservation Area it is not considered to be a planning consideration. If the neighbour’s vegetation is not of public amenity the applicant could cut through the roots encroaching on their land.
- 11.23 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.
- 11.24 With regard to impact to neighbours, the proposal is acceptable with regard to Policy GEN2, GEN4 and ENV3.

D Parking (Policy GEN8)

- 11.25 The five bedroomed house would require 3 no. parking spaces each to meet the relevant parking standard. The parking spaces have not been indicated on the block plan, however there is sufficient space to the front of the site to meet this requirement. The proposal is considered acceptable in this respect with regard to Policy GEN8.

E Ecology issues (ULP Policy GEN7)

- 11.26 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.
- 11.27 The application includes a completed biodiversity checklist. All the questions have come back negative.
- 11.28 It is therefore unlikely the proposed development will have harmful impact to adverse impact on protected species caused and therefore complies with Policy GEN7.
- 11.29 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 site forms part of the built-up settlement of Little Hallingbury and is 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 is not considered to be overdevelopment of the site.
- 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 provides adequate parking provisions.
- E** There is no evidence that the proposed development will have harmful impact to adverse impact on protected species.

RECOMMENDATION – APPROVAL WITH CONDITIONS

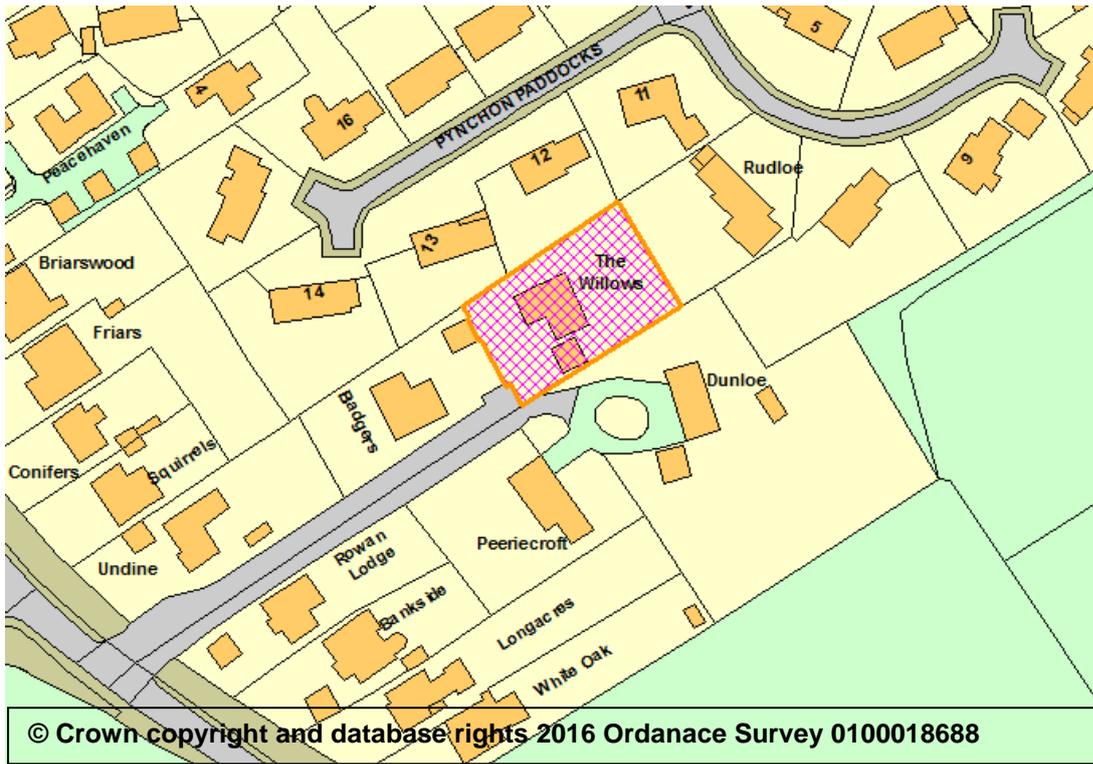
Conditions

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 those as detailed in the plan numbers 2020-10-5783/1 REV 1, 2020-10-5783/2 REV 1, 2020-10-5783/3 REV 1 unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2, ENV1 & ENV2 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council

Department: Planning

Date: 01 September 2021