

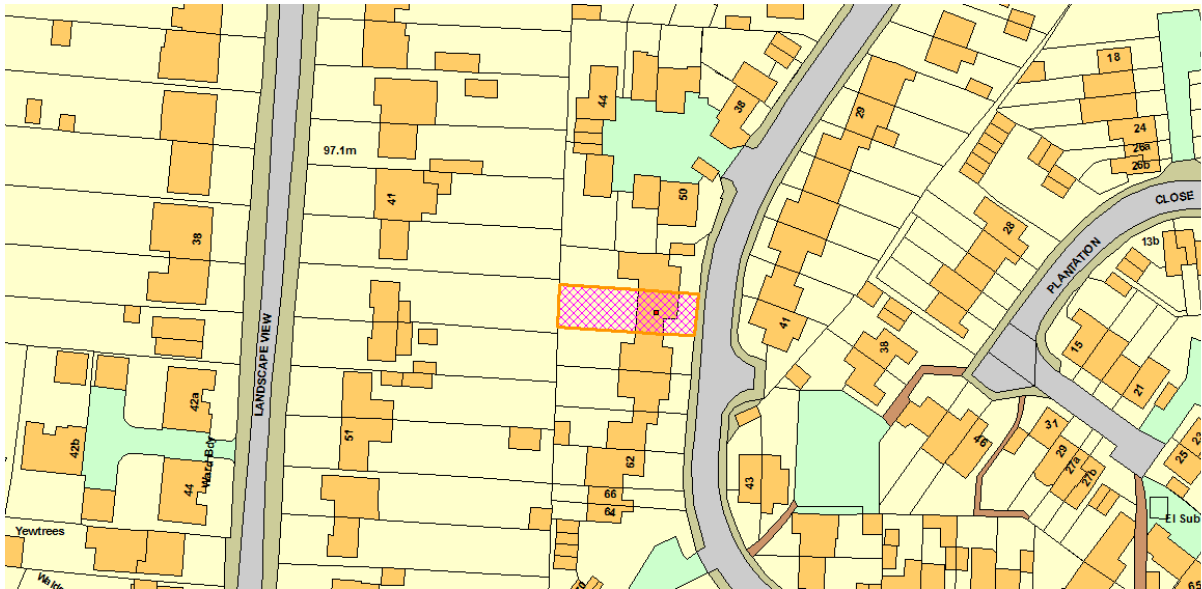
ITEM NUMBER: 18

PLANNING COMMITTEE DATE: 5 April 2023

REFERENCE NUMBER: UTT/23/0308/HHF

LOCATION: 54 ROSS CLOSE, SAFFRON WALDEN

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 10/03/23

PROPOSAL: Single storey rear extension

APPLICANT: Mr and Mrs D Archibald

AGENT: Mr A F Weaver

**EXPIRY
DATE:** 04 April 2023

**EOT Expiry
Date** 06 April 2023

**CASE
OFFICER:** Jonathan Pavey-Smith

NOTATION: Within Development limits

**REASON
THIS
APPLICATION
IS ON THE
AGENDA:** Former Staff Member

1. EXECUTIVE SUMMARY

1.1 Planning permission is sought for the construction of a single storey rear extension to the dwelling known as 54 Ross Close, Saffron Walden.

1.2 The application site is situated within the Development Limits of Saffron Walden whereby Uttlesford Local Plan Policy S1 is relevant.

1.3 The single storey extension complies with the relevant National, Local and Neighbourhood Plan Policies representing a modest addition that respects the size, scale and form of the original dwelling.

1.4 Due to the location of the proposed extension and its single storey nature there are no concerns regarding neighbouring residential amenity.

1.5 The site has previously been granted permission on the 12.05.2022 for a rear single storey extension under application UTT/22/0798/HHF. The main difference is this proposal is 0.4m longer than the previously approved scheme as well as the extension's position being against the boundary of the neighbouring property.

2. RECOMMENDATION

That the Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -
A) Conditions

3. SITE LOCATION AND DESCRIPTION:

3.1 The application site comprises a two-storey semi-detached dwelling situated on a residential development to the south of Saffron Walden town centre.

3.2 The property has a single garage attached to the side. There is a driveway to the front of the garage.

4. PROPOSAL

4.1 This application relates to the proposed construction of a single storey rear extension.

4.2 The proposal will extend from the rear of the existing garage and part of the rear of the property with a depth of 4.6m and a width of 4.8m. The overall height would be 3m to the top of the flat roof. The garage will be converted to part habitable accommodation and part storage.

5. ENVIRONMENTAL IMPACT ASSESSMENT

5.1 The proposed development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. RELEVANT SITE HISTORY

6.1

Reference	Proposal	Decision
UTT/21/2440/PDE	Proposed single storey rear extension - extending 4.m from rear wall, maximum height 3m and height to eaves 2.7m	Withdrawn
UTT/22/0798/HHF	Single storey rear extension	Granted

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 No Pre-App advice given

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 N/A

9. TOWN COUNCIL COMMENTS

9.1 SWTC – No Objections

10. CONSULTEE RESPONSES

10.1 N/A

11. REPRESENTATIONS

11.1 7 notifications letters were sent to nearby properties

11.2 No responses have been received

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a)The provisions of the development plan, so far as material to the application,;

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

12.3 The Development Plan

12.3.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made 19 July 2022)
Saffron Walden Neighbourhood Plan (made 11 October 2022)

Ashdon Neighbourhood Plan (made 6 December 2022)
Great & Little Chesterford Neighbourhood Plan (made 2 February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021): (NPPF)

13.2 Uttlesford Local Plan 2005 : (ULP)

13.2.1 Policy S1 – Development within development limits

Policy GEN2 – Design Policy

Policy H8 – Extensions

Policy GEN8 – Parking Provision

Policy GEN7 – Nature Conservation

13.3 Saffron Walden Neighbourhood Plan (made 11 October 2022)

Policy SW3 - Design

13.4 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)

Essex County Council Parking Standards (2009)

Supplementary Planning Document- Accessible homes and play space
homes Essex Design Guide

Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 A) Principle of Development

B) Character and design

C) Neighbouring amenity

D) Parking

E) Ecology

14.3 A) Principle of development

14.3.1 The application site is situated within the development limits of Saffron Walden, therefore the principle of modest extensions and alterations are acceptable in accordance with ULP Policy S1.

14.4 B) Character and Design

14.4.1 Local Plan Policies GEN2 and H8 as well as the Supplementary Planning Document (SPD) - Home Extensions indicate that development should

respect the appearance of the existing dwelling with regard to size, design and appearance, in addition the SPD required that all development should respect the scale, height and proportions of the original house. Policy SW3 of the Saffron Walden Neighbourhood Plan advises that extensions should relate well to the local vernacular by using complementary materials and ensuring that height and scale is in keeping with neighbouring properties.

14.4.2 The proposed extension represents a modest addition to this property to provide a family room. The proposed extension will be finished in materials to match the existing dwelling where appropriate. There would remain adequate amenity space to serve a property of this size.

14.5 C) Neighbouring amenity

14.5.1 Local Plan Policies GEN2 And H8 state that development should not have materially adverse impact on the reasonable occupation and enjoyment of any nearby property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

14.5.2 The proposed extension compared to the previous approval (UTT/22/0798/HHF) is now positioned against the boundary fence of the neighbouring property No52 and is now 0.4m longer in length. This will increase the level of overshadowing to No52 rear garden. Nonetheless, the impact of this overshadowing will be minor as No52 has an existing garden shed adjacent to the boundary. Due to the nature and location of the proposal there are no concerns regarding the neighbouring residential amenity. It should also be noted that No52 has also been extended to the rear at single storey.

14.6 D) Parking

14.6.1 The existing garage is currently not used for the parking of motor vehicles due to its restricted size. There will remain sufficient parking on the existing driveway and to the front of the property to serve a property of this size.

14.6.2 It should also be noted that the garage could be converted to habitable accommodation under the Permitted Development Rights of the property without requiring planning permission or additional parking provision to be provided.

14.7 E) Ecology

14.7.1 Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.

- 14.7.2** A biodiversity questionnaire has been completed and submitted as part of the application. Due to the nature of the proposal no issues arise in this respect. Therefore, the scheme is acceptable under Policy GEN7 and NFFP.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

15.2 Human Rights

- 15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) 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

16. CONCLUSION

- 16.1** The proposed works are acceptable in terms of size, scale and design respecting the original dwellinghouse. The proposal therefore complies with ULP Policies S1, GEN2, H8, SPD1, Policy SW3 of the Saffron Walden Neighbourhood Plan and the NPPF.

16.2 The proposed works would not result in harm to neighbouring residential amenity or visual amenity therefore complying with ULP Policies GEN2, H8, SPD1 and NPPF.

16.3 The scheme is in accordance with regards to parking provision and ecology.

16.4 As such taking into consideration the assessment of the proposed development the application is recommended for approval subject to conditions.

17. CONDITIONS

17.1 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.

17.2 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.

17.3 The exterior of the development hereby approved shall be constructed in the materials specified on the submitted application form/plans, or in materials which have been approved in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development and to accord with Policy GEN2 of the Uttlesford Local Plan 2005.