



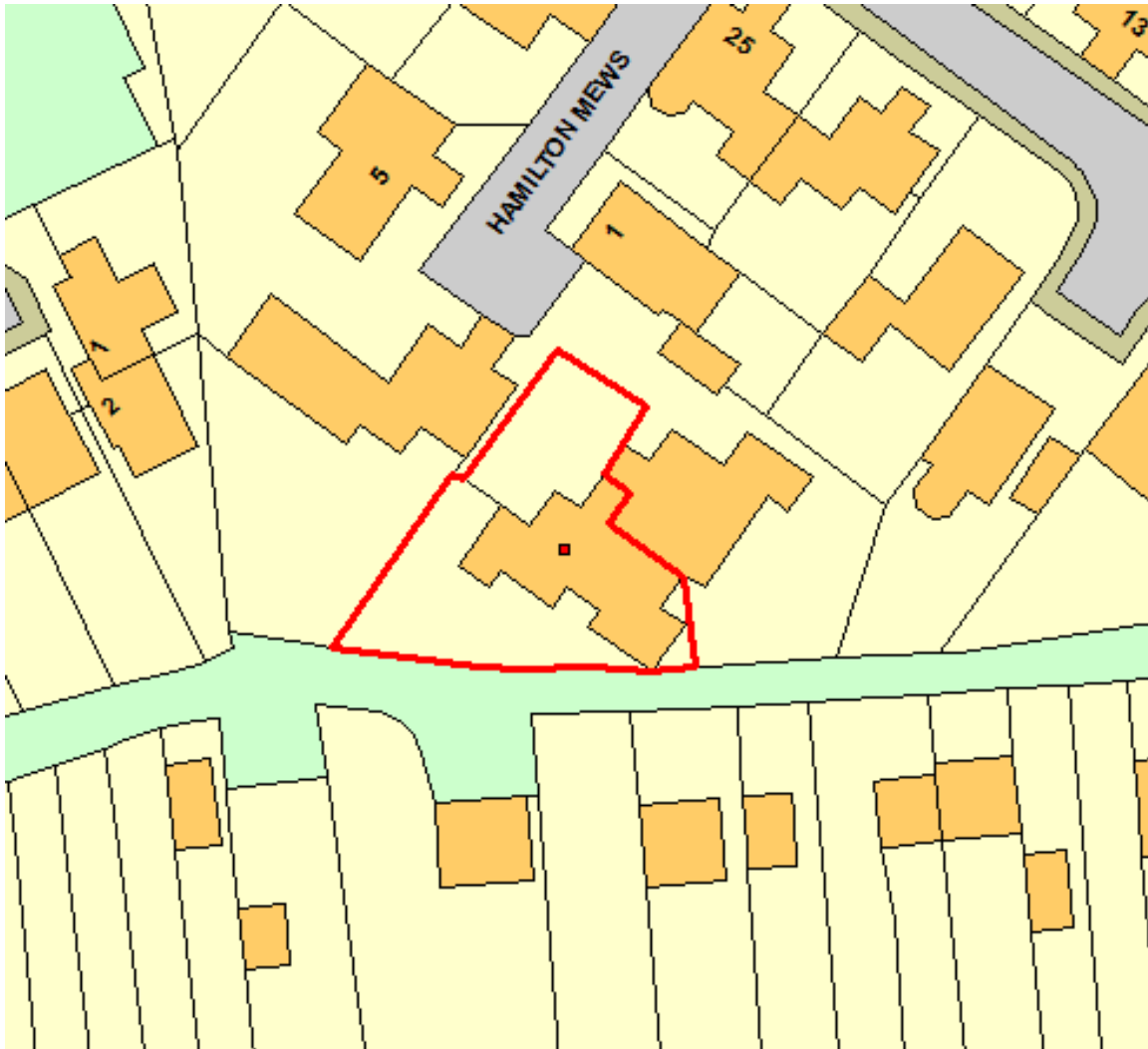
ITEM NUMBER: 14

PLANNING COMMITTEE 30 August 2023
DATE:

REFERENCE NUMBER: UTT/23/1597/HHF

LOCATION: 3 Hamilton Mews, Saffron Walden

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 10/08/23

PROPOSAL: Garage conversion, single storey side and rear extensions, to include a porch extension and new side window .

APPLICANT: Mr And Mrs R Auty

AGENT: Mr A F Weaver

EXPIRY DATE: 18 August 2023

EOT EXPIRY DATE: 4 September 2023

CASE OFFICER: Michael Okocha

NOTATION: Within Development Limits of Saffron Walden

REASON THIS APPLICATION IS ON THE AGENDA: Council employee

1. EXECUTIVE SUMMARY

- 1.1 Planning permission is sought for a garage conversion, single storey side and rear extensions, to include a porch extension and new side window, to the dwelling known as 3 Hamilton Mews, 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 proposed garage conversion, single storey side and rear extensions, (inc. a porch extension and new side window) 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 development and its subservient nature, there is no demonstrable harm to neighbouring residential amenity.

2. RECOMMENDATION

To GRANT planning 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 is a semi-detached house, situated on a residential development within Saffron Walden. It has a single garage to the side of the dwelling. The property has a shared access with the adjacent property, with a paved parking area in front of the dwelling.

3.2 The property is externally finished in brick and painted render, covered in roof tiles.

4. PROPOSAL

4.1 The application relates to a garage conversion, single storey side and rear extensions, to include a porch extension and new side window by the kitchen.

4.2 The garage will be converted to form a kitchen, the garage doors will be removed and replaced with a window to match those existing in the property. The proposed single storey side extension will extend from the side of the existing garage towards the rear garden of the property. Combined with the converted garage, this area will provide an enlarged kitchen – dining area.

The existing kitchen (which has a front – facing window) will be converted to provide a utility room with a new window proposed on the side elevation of the premises.

A single storey porch will be constructed directly in front of the dwelling forming the primary entrance of the property.

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/0728/10/FUL	Single storey rear and first floor side extensions	Approved

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 No Pre-App advice given.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

No Objections

9. SAFFRON WALDEN TOWN COUNCIL

9.1 Committee raised concern for the limited car parking provisions but otherwise had no objections.

10. CONSULTEE RESPONSES

10.1 N/A

10.2 **CADENT GAS**

No objection

11. REPRESENTATIONS

11.1 7 notifications letters were sent to nearby properties.

One neighbour commented on the proposal, stating no objections to the development but stated the following comments:

11.2 “:I have no objections to the proposed plan and wish our neighbours the best with it and hope it goes smoothly.

We do have substantial trees and bushes dividing our 2 properties, these are at the end of my drive and close to this properties fence. I ask that these trees and bushes are not damaged, reduced in size or removed in any way. They are a habitat for multiple bird species which frequently nest and rest within them. These trees and bushes also ensure privacy between our properties which would be lost without them.

Should these be reduced in size or removed as part of this application, I would unfortunately need to object to the proposal based on the above reasons”.

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 February 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 July 2022)
Saffron Walden Neighbourhood Plan (made October 2022)
Ashdon Neighbourhood Plan (made December 2022)
Great & Little Chesterford Neighbourhood Plan (made February 2023)

13. POLICY

13.1 National Policies

- 13.1.1** National Planning Policy Framework (2021)

13.2 Uttlesford District Local Plan 2005

- 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 State name of relevant Neighbourhood Plan in this title

- 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 extensions and alterations is 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 (design) 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 It is noted that the application site, has previous approval for a single storey rear and first floor side extensions, which has already been developed.

14.4.3 The proposed single storey side extension will amount to a reasonable increase in the footprint of the host dwelling, in terms of size and scale, compatible with the host dwelling. The single storey side extension will create large open plan kitchen for the dwelling and the introduction of a new window at the side of the utility room. Although, the side extension would be visible from the public realm due to its location, it will be a negligible impact on the street scene. It is considered that this modest addition to this property would not be harmful to the character and appearance of the host property, as there are no incongruous design features, appearing from the front view of the property. Furthermore, it is noted that there is currently a boundary wall between the host property and the adjacent property in No 4. Which is should be retained.

14.4.4 The proposed materials to be used, will preserve the character and appearance of the area and are common within an urban setting, and a condition will ensure they complement existing materials.

14.4.5 Overall, the proposal is acceptable, and accords with ULP Policies S1, H8, GEN2, SWNP and the SPD Home Extensions, the Essex Design Guide, and the NPPF.

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 Due to nature of the proposal, the single storey side extension would not result in harm to the adjacent neighbour based on the separation of distance of 0.9m from the wall of the side extension to the boundary wall of the adjacent property. It is considered that the proposed would not result in any material detrimental overlooking, overshadowing, overbearing or reduce the amount of sunlight into the neighbouring dwelling, therefore would not adversely impact on neighbour's amenity. This is the same in the case of the proposed porch.

14.5.3 Comment was made by a third party, in 77 Radwinter Road with regards to the tree and bushes located at the boundaries between both neighbouring properties. The property in question is located at the bottom of the garden of the host dwelling. It is not envisaged that the proposed development will impact on the trees along the boundary with this property due to being some distance away. In any case, this would be a civil matter.

14.5.4 Therefore, the proposal accords with Uttlesford Local Plan Policy GEN2, H8, GEN4 and the SPD Home Extensions, and the Essex Design Guide.

14.6 D) Parking

14.6.1 Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location, as set out in supplementary planning guidance which provides standards and further details.

14.6.2 In accordance with current parking standards, the recommended off-street parking provision for a dwelling consisting of two or three bedrooms is at least 2 vehicle spaces, whilst a dwelling of four or more bedrooms will require three or more parking spaces of sufficient dimensions.

14.6.3 Currently, the host dwelling contains four bedrooms in total, therefore, a minimum of three parking spaces will be required. Although, the garage space would be lost there is still adequate parking space within the curtilage for three cars. Therefore, the proposed development meets the Uttlesford Residential Parking Standards (2013) and the Essex County Council Parking Standards (2009).

14.6.4 Overall, the proposal is acceptable in terms of access and parking, and accords with ULP Policies GEN8, GEN1, parking standards, and the NPPF.

14.7 E) Ecology

- 14.7.1** ULP Policy GEN7 seeks to ensure that development would not have a harmful effect on wildlife, geological features or protected species. Furthermore, the NPPF requires development protects and enhances biodiversity and geodiversity.
- 14.7.2** A completed biodiversity questionnaire has been submitted as part of the application which has not identified any potential issues or triggered the requirement for specialist surveys. No additional concerns have been highlighted during assessment of the application to suggest the proposed extension would have a harmful impact on priority or protected species, habitats, or biodiversity. As such it is considered that the proposal accords with the criteria of the above policies.
- 14.7.3** Overall, the proposal is acceptable in nature conservation and biodiversity terms, and accords with ULP Policies GEN7, ENV8, and the NPPF.

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, Supplementary Planning Document 1 (Home Extensions), 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.

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

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

17. 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.

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.

4 The development hereby permitted shall retain the boundary wall with the adjacent property in No. 4 Mews Saffron Walden Essex, CB10 2BH.

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