



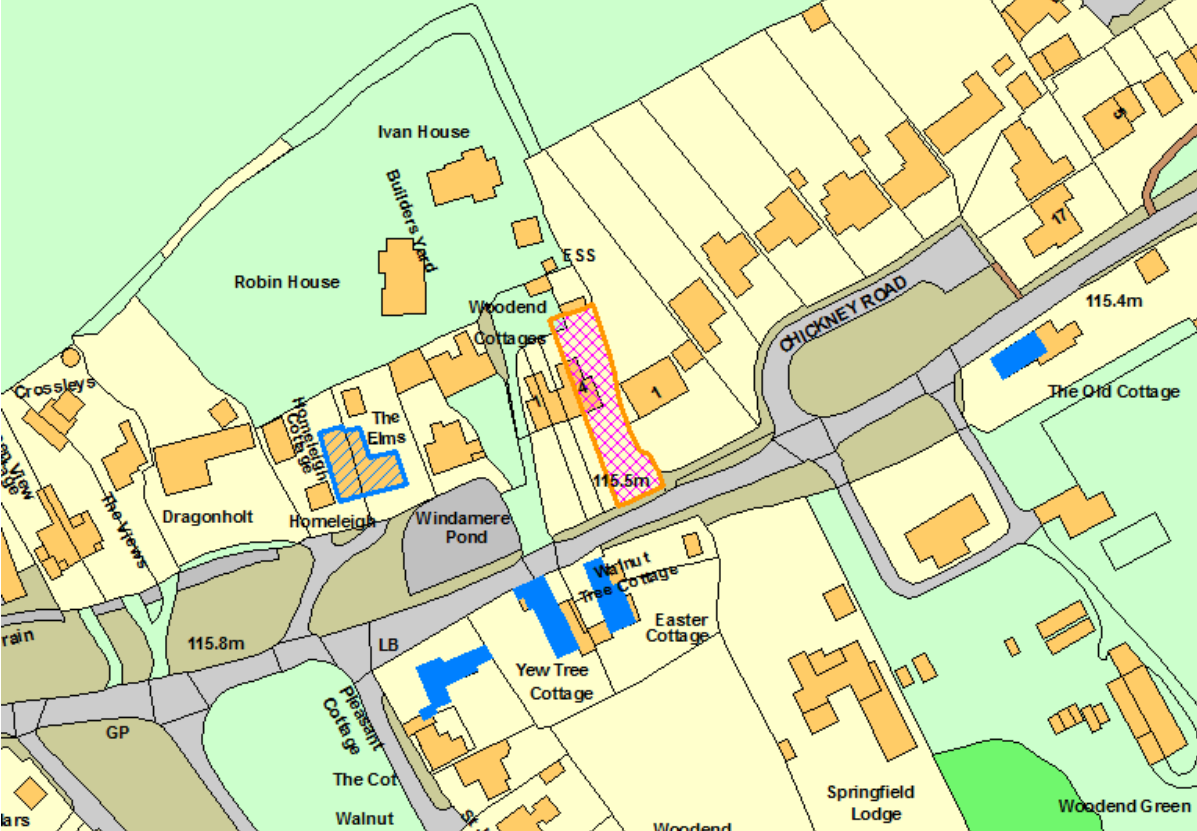
**ITEM NUMBER:** 17

**PLANNING COMMITTEE DATE:** 24 July 2024

**REFERENCE NUMBER:** UTT/24/1308/HHF

**LOCATION:**  
4 Woodend Cottages  
Chickney Road  
Henham  
Bishops Stortford  
Hertfordshire  
CM22 6BB

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: 14 June 2024

**PROPOSAL:** Demolition of existing single-storey rear extension and creation of new single-storey rear extension.

**APPLICANT:** Ms Corinne Pipe

**AGENT:** Mr M Doherty

**EXPIRY DATE:** 29<sup>th</sup> July 2024

**EOT EXPIRY DATE:**

**CASE OFFICER:** Mark Sawyers

**NOTATION:** Within Development Limits (HENHAM)  
Outside Development Limits (the lower half of the front garden)  
Within Conservation Area (HENHAM)  
Within 50m Buffer Zone Conservation Area  
Within 6km of Airport

**REASON THIS APPLICATION IS ON THE AGENDA:** Applicant related to a member of staff

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**1. EXECUTIVE SUMMARY**

**1.1** This planning application is for the proposed demolition of existing single-storey rear extension and creation of new single-storey rear extension

**1.2** The site is located within the Development Limits of Henham and within the Henham Conservation Area.

**2. RECOMMENDATION**

That the Strategic 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 This application relates to an end of terrace dwelling located to the north of Henham High Street.
- 3.2 The dwelling is two-storey in nature, constructed of red-faced brick to the ground floor walls, with render to the first floor under a tiled roof.
- 3.3 The site benefits from a large front garden with pedestrian access onto the road.
- 3.4 The site is accessed by a shared private drive which serves the garages and rear gardens of the 4 terraced cottages.

**4. PROPOSAL**

- 4.1 The application is for the proposed demolition of existing single-storey rear extension and creation of new single-storey rear extension.

**5. ENVIRONMENTAL IMPACT ASSESSMENT**

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

**6. RELEVANT SITE HISTORY**

Reference	Proposal	Decision
UTT/23/1228/HHF	Two storey side extension and single storey rear extension	WITHDRAWN

**7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

- 7.1 The LPA is unaware of any consultation exercise carried out by the applicant for this current proposal.

**8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

- 8.1 Not Applicable

**9. PARISH COUNCIL COMMENTS**

- 9.1 No comments received at the time of preparing this assessment.

**10. CONSULTEE RESPONSES**

- 10.1 Not Applicable

**11. REPRESENTATIONS**

- 11.1 Site notice/s were displayed on site and 8 notifications letters were sent to nearby properties. An advertisement in the local press was also

included as part of this application. One letter of representation has been received at the time of the preparation of this report.

## **11.2 Support**

- 11.2.1**
- Very well thought out.
  - Will enhance the cottage.

- 11.3**
- The required statutory consultations have been made.
  - The material considerations will be considered in the following report.

## **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** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

## **12.4 The Development Plan**

- 12.4.1** 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 (2023)

#### **13.2 Uttlesford District Local Plan 2005**

13.2.1	S3	Other Settlement Boundaries
	GEN2	Design
	GEN4	Good Neighbourliness
	GEN7	Nature Conservation
	GEN8	Vehicle Parking Standards
	H8	Home Extensions
	ENV1	Design of Development within Conservation Area

#### **13.3 State name of relevant Neighbourhood Plan in this title**

13.3.1 There is not 'made' Neighbourhood Plan for the area.

#### **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 playspace

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) Design, Layout, Scale and Appearance**
  - C) Heritage**
  - D) Impact on Neighbours and Amenity**
  - E) Biodiversity and Nature Conservation**
  - F) Parking Provision**

14.3 **A) Principle of development**

**14.3.1** The site is located within development limits of Henham, where development compatible with the settlement's character and setting will be permitted within these boundaries.

**14.3.2** As such, the principle of a home extension is acceptable in this location.

**14.4 B) Design, Layout, Scale and Appearance**

**14.4.1** Uttlesford Local Plan Policy GEN2 states that *“development will not be permitted unless its design is compatible with the scale, form, layout, appearance and materials of surrounding buildings and if it would have a materially adverse effect on the reasonable occupation and enjoyment of a residential property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.”*

**14.4.2** Uttlesford Local Plan 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;”*

**14.4.3** With respect to the materials, the application form states that the proposed extension will be constructed with the following:

Stained horizontal weatherboarding for the walls.

Brown plain roof tiles.

White uPVC Double Glazing for the windows.

Double glazed composite door.

**14.4.4** The proposed extension is set to the rear of the existing dwelling. No objections are raised with the materials proposed.

**14.4.5** The host dwelling has a footprint of approximately 45m<sup>2</sup>, the proposed extension proposes an increased footprint of approximately 11m<sup>2</sup>. This increase to the ground floor footprint would be approximately 22% over the current host dwelling.

**14.4.6** The proposals are of a scale and design that would assimilate with the host dwelling and due to its location set to the rear, it would not be highly visible from the street scene or impact the Conservation Area.

**14.4.7** The proposals would not result in detrimental harm to the existing dwelling, the street scene and the surrounding locality. Therefore, the proposal accords with Uttlesford Local Plan Policies GEN2, H8 and the National Planning Policy Framework (2023).

## **14.5 C) Heritage**

- 14.5.1** This proposal is set within the Henham Conservation Area, where Uttlesford Local Plan Policy ENV1 and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 would apply.
- 14.5.2** Heritage Advice has not been sought on this application due to the scale, location set to the rear of the host dwelling and the limited impact of the proposal onto the Conservation Area.
- 14.5.3** Due to these factors, it is the officers opinion that an extension of this scale in this location would not impact the Conservation Area, and that additional Heritage Advice would not need to be taken.
- 14.5.4** There have been no objections towards the proposal from the public.
- 14.5.5** The materials listed within the Application Form are acceptable and they are not considered to be to the detriment to the Conservation Area as a whole.
- 14.5.6** Therefore, the proposal accords with Uttlesford Local Plan Policy ENV1, 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (2023).

## **14.6 D) Impact on Neighbours and Amenity**

- 14.6.1** Due to the single storey nature of the proposal and its location set to the rear of the host dwelling, it is considered that it would not result in any material detrimental overlooking or overshadowing.
- 14.6.2** Since the previous application on the site, the two-storey element has been omitted, as such the proposal would not adversely impact on neighbour's amenity.
- 14.6.3** The proposal therefore accords with policy GEN2 and the National Planning Policy Framework (2023).

## **14.7 E) Biodiversity and Nature Conservation**

- 14.7.1** 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.
- 14.7.2** Essex County Council Ecology have not been consulted. The supporting information provided does not indicate that there are any protected species present.



**14.7.3** Due to the nature of the works, and the sealed nature of the current roof spaces involved, the Local Planning Authority has recommended that a condition be placed on any grant of permission, this conditions stipulates that if during works any evidence of bats are discovered, that works cease immediately and a Preliminary Roost Assessment (PRA) for bats is to be undertaken and submitted for assessment by the Local Planning Authority.

**14.7.4** It is therefore concluded that the proposal accords with the above policies and guidance insofar as they relate to Nature Conservation. It is therefore considered that the proposed development would accord with Uttlesford Local Plan Policy GEN7.

## **14.8 F) Parking Provision**

**14.8.1** Uttlesford Local Plan Policy GEN8 advises that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location, while the Uttlesford Local residential Parking Standards 2013 provides further guidance and good practice.

**14.8.2** The proposal does not concern the additional of any new bedrooms.

**14.8.3** There is an area to the rear of the dwelling for access/parking that is shared between the 4 no cottages.

**14.8.4** Therefore, the proposal accords with Uttlesford Local Plan Policy GEN8 and the Uttlesford Local residential Parking Standards 2013.

## **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 following is a summary of the main reasons for the recommendation:

**16.2** The principle of the development is acceptable to the Local Planning Authority.

**16.3** The proposed design and scale are considered to be appropriate for this location.

**16.4** No heritage objections have been raised.

**16.5** No objections have been raised regarding the impact on neighbouring dwellings.

**16.6** No Ecological objections have been raised.

**16.7** No objections have been raised with regards to parking.

## **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, unless otherwise agreed and approved in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development, the Conservation Area and to accord with Policies GEN2, ENV1, 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (2023).

- 4** In the event that evidence of bats are discovered at any time when carrying out the approved development, works shall cease and their discovery shall be reported in writing immediately to the Local Planning Authority. A Preliminary Roost Assessment (PRA) for bats is to be undertaken and submitted for assessment in line with best practice guidance. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

REASON: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (2005).