



**ITEM NUMBER: 7**

**PLANNING COMMITTEE DATE: 15 January 2025**

**REFERENCE NUMBER: UTT/24/2905/HHF**

**LOCATION: Chaumiere  
Nats Lane  
Wendens Ambo  
Essex**

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: 11 December 2024

**PROPOSAL:** Demolition of existing single storey utility room and construction of single and two storey extension

**APPLICANT:** -

**AGENT:** Mrs Deborah Wardley

**EXPIRY DATE:** 14 January 2025

**EOT Expiry Date** 28 January 2025

**CASE OFFICER:** Miss Katherine Jennings

**NOTATION:** Within Development limits  
In a Conservation Area

**REASON THIS APPLICATION IS ON THE AGENDA :** Partial owner of the property is member of staff

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## **1. EXECUTIVE SUMMARY**

- 1.1** The applicant seeks planning permission for demolition of an existing single storey utility room and the construction of a single and two storey extension.
- 1.2** It is demonstrated within this report that the proposals are appropriate in respect to their design and appearance and that they would not result in significant harm to amenities enjoyed by adjoining occupiers or to the significance and setting of the conservation area.
- 1.3** The proposals have been assessed against the relevant policies contained within the Development Plan and the NPPF. It has been concluded that they comply and in accordance with these policies and guidance. In conclusion, it has been found that the proposals are acceptable and thus are recommended for approval subject to conditions.

## **2. RECOMMENDATION**

That the Strategic Director of Planning and Building Control 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 is located along Nats Lane in the northern area of the village of Wendens Ambo. The extent of the application site is as shown by the land edged in red on the site location plan submitted in support of this application. The site is mainly square in shape and is set back a distance from the road with other dwellings.

**3.2** The dwelling house is two storey and detached with a detached carport. It is finished externally with cream render and has a range of roof types, mainly gable with dormers interspersed throughout. The roof is externally finished with brown tiles. Parking is located to the front of the dwelling. There is a garden to the rear of the dwelling.

**3.3** The application site is located in a residential area of Wendens Ambo. Within the locality, there are a range of built forms. While these are usually detached two storey dwellings, they differ in external finishing. This can include render, weatherboarding and brickwork, as well as tiled or thatched roofs.

### **4. PROPOSAL**

**4.1** The application seeks planning permission for demolition of an existing single storey utility room and the construction of a single and two storey extension.

### **5. ENVIRONMENTAL IMPACT ASSESSMENT**

**5.1** Not applicable

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

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
UTT/18/2572/OP	Outline application, with all matters reserved except for access, for the erection of 1 no. dwelling and garage with associated access and parking, and demolition of existing garage.	APPROVED

### **7. PREAPPLICATION ADVICE**

7.1 No pre-application discussions were undertaken between the Applicant and the Council prior to the submission of the Application.

## 8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 There is no statutory requirement to consult any statutory consultees as part of the assessment of this proposal.

## 9. **PARISH COUNCIL/TOWN COUNCIL COMMENTS**

9.1 Wendens Ambo Parish Council did not provide any comments at the time of preparing this report.

## 10. **CONSULTEE RESPONSES**

10.1 It was not required that any other consultees be consulted on this proposal.

## 11. **REPRESENTATIONS**

11.1 A site notice was displayed on site and an advert was published in the press. 2 notifications letters were sent to nearby properties. At the time of writing this report, no representations 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** 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)  
Ashdon Neighbourhood Plan (made December 2022)  
Felsted Neighbourhood Plan (made February 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Great and Little Chesterford Neighbourhood Plan (made February 2023)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)  
Stebbing Neighbourhood Plan (made July 2022)  
Thaxted Neighbourhood Plan (made February 2019)

## **13. POLICY**

### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (December 2024)

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

Policy S7 – The Countryside  
Policy GEN2 – Design  
Policy GEN4 - Good Neighbourliness  
Policy GEN7 - Nature Conservation  
Policy GEN8 - Vehicle Parking Standards  
Policy H8 - Home Extensions  
Policy ENV1 - Design of Development within Conservation Areas

### **13.3 Supplementary Planning Document or Guidance**

Uttlesford Local Residential Parking Standards (2013)  
Essex County Council Parking Standards (2009)  
Uttlesford Interim Climate Change Policy (2021)  
Building for a Healthy Lifestyle (2021)  
District-Wide Design Code (2024)

## **14. CONSIDERATIONS AND ASSESSMENT**

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

- 14.2 (A) Principle of Development (S7 and the NPPF)**
- (B) Character and appearance (GEN2, H8, ENV1 and the NPPF)**
- (C) Neighbouring Amenity (GEN2, GEN4, and the NPPF)**
- (D) Parking (GEN8 and the NPPF)**
- (E) Biodiversity (GEN2, GEN7 and the NPPF)**

**14.3 (A) Principle of Development (S7 and the NPPF)**

**14.3.1** The site is located outside the defined settlement boundary limits of any village or settlement and thereby it is regarded as being in the countryside. Policy S7 of the adopted Local Plan stipulates that development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set.

**14.3.2** Extensions or outbuildings ancillary to the main dwelling within the countryside are generally considered to be acceptable. In outlying views from the countryside towards the site the new extension would form part of the backdrop of the main dwelling house resulting in no visual effect. The landscape and visual implementations of this proposed development is low level for a development such as this.

**14.3.3** The development proposal would have limited visual influence on the surroundings and that the appearance in its rural landscape context would not be notably altered or harmed. The new extension would be screened and contained within the established structure and fabric of the site when seen from outlying views. The development would not be a prominent or discordant element and would appear as an unobtrusive addition set behind existing boundary treatments.

**14.3.4** The principle of replacing the existing extension with a new extension are thereby appropriate in principle and it would not result in harm to the character and openness of the surrounding countryside.

**14.4 (B) Character and appearance (GEN2, H8, ENV1 and the NPPF)**

**14.4.1** In terms of design policy, good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. These criteria are reflected in Policy GEN2 (Design) of the adopted Local Plan which also requires that development is compatible with the scale, form, layout, appearance and materials of surrounding buildings.

- 14.4.2** Furthermore, Policy H8 adopted Local Plan states that extensions will be permitted subject to their scale, design respecting the original building and that no significant harm to adjoining occupiers occurs. Policy ENV1 adopted Local Plan states that development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation area, which this area of Wendens Ambo is. Demolition of a structure which contributes to the character and appearance of an area positively will not be permitted. Paragraph 208 of the NPPF states that the Planning authority should minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 14.4.3** Rear extensions generally have less impact on the character and appearance of the streetscene. The scale and form still need careful consideration because rear extensions are the most likely to affect neighbouring properties, especially if it also affects the side elevation. The projecting length of any rear extension is important because of the need to protect the day/sun light and outlook to neighbouring properties.
- 14.4.4** With a side extension it should be an aim to leave the principal elevation of the building undisturbed, for example by setting back the extension and setting the ridge height lower than the existing building. If the property is detached the building may be able to be extended in a line with the front elevation. The space that is left around the building is important as this contributes to the overall impact of the extension. Generally, a distance of 1m should be left between the side wall of the extension and the curtilage.
- 14.4.5** The size and scale of the proposed extension, although large is proportional and in keeping with the original dwelling house. The ridge and eaves heights match that of the original dwelling house for the two-storey extension and the sloped lean-to roof of the single storey side extension demonstrates that the extension is subservient to the original dwelling house. The roof type of the double storey extension is gable and so closely matches that of the original dwelling house's roofs, allowing further cohesion between the two. The ground floor extension is slightly offset from the dwelling house, again marking the area as an addition to the original dwelling house. Additionally, the extension's location to the side of the elevation looks like a much more natural extension of the original dwelling house than the current utility room which is in the middle of the elevation.
- 14.4.6** The proposed materials are also appropriate. The proposed render along the lower storey is in keeping with current external finishing of the dwelling house. The proposed roof tiles are to match the existing, which also allows the new roofs to blend in with the existing. The weatherboarding along the upper storey is a key difference in materials to the original dwellinghouse; however, weatherboarding is a common material used in the locality and so it will not look out of place.



- 14.4.7** Poorly designed windows can upset the balance and appearance of an elevation and the proposal. In this case, the windows have been carefully designed and located as to be pleasing to the eye and symmetrical. They are aligned with one another and other windows on the elevations and are proportional to the elevation. The rooflights on the single storey extension also allow for light and ventilation without the risking privacy of the neighbours.
- 14.4.8** With regards to ENV1, the proposal is largely hidden from public view, as it concerns the elevation of the property on the opposite side of the road. The property itself is also located along a narrow road no through road with residential dwellings along it, meaning it has little public use. As a result, the streetscene will not be affected by the proposed extension. The change in materials to weatherboarding and render will affect the elevations facing the street; however, as discussed above, both materials are common in the locality and so will not disturb the character of the conservation area. On balance, due to the location of the proposals and the location of the property, It is considered that the proposals does not have a harmful effect on the Conservation area of Wendens Ambo.
- 14.4.9** When all the above is considered together, the proposal would not significantly alter the character of the dwelling or the locality, especially since the development is to the rear and side of the property. The size, scale, roofing and details of the proposal are proportional to the original dwelling house. The windows are carefully located and designed as to be aesthetically pleasing and appropriate to the dwelling. The proposed materials, although a change from those of the original dwelling house, are appropriate when compared to those in the locality. The above will not harm the Conservation area as they affect elevations not viewed from the street and are in keeping with the locality. The proposals thereby comply to policies GEN2, ENV1 and H8 of the adopted local plan and the NPPF.

#### **14.5 (C) Neighbouring Amenity (GEN2, GEN4 and the NPPF)**

- 14.5.1** Policy GEN2 and GEN4 of the Local Plan states that development will not be permitted unless its design meets a variety of given criteria, including that it minimises the environmental impact on neighbouring properties by appropriate mitigating measures and that it will not have a materially adverse effect on the reasonable occupation and enjoyment of residential property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.
- 14.5.2** Due consideration has been given regarding the potential impact the proposal would have on the amenities enjoyed by adjoining occupiers in relation to loss of privacy and loss of light. There are dwellings on the northern and southern sides of the property and a dwelling in construction to the west. Vegetation and trees mask the western and northern dwellings from view and all the neighbouring dwellings are approximately 20m away from the proposals, and so their privacy will not be infringed upon. Therefore, there will be little loss of daylight or privacy. In summary,

the proposals would not result in unacceptable impacts such as those identified in Policy GEN2 and GEN4.

#### **14.6 (D) Parking (GEN8 and the NPPF)**

**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 the Supplementary Planning guidance 'Vehicle Parking Standards'. The adopted Council parking standards recommended for at least 2 vehicle spaces for dwellings consisting of two- or three-bedroom dwellings and three spaces for a four or more-bedroom dwelling house.

**14.6.2** The dwelling consists of 4 bedrooms and the proposal would not amount to any additional bedrooms. The proposals also do not affect the parking to the front of the property or the garage. Therefore, current parking provision will not be affected by development and the proposal complies with policy GEN8 of the adopted local plan.

#### **14.7 (E) Biodiversity (GEN2, GEN7 and the NPPF)**

**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** In the Biodiversity Validation Checklist, question 1 regarding demolition and impacts on the roof had the answer "yes", which indicates that there are environmental or biodiversity concerns. Photographs of the area to be demolished have been provided by the applicant to show whether there is evidence of protected species within the area to be demolished. The roofing seems to be sealed so that no protected species could enter and the area to be demolished is used for residential purposes, meaning that there is little chance of protected species going unnoticed.

**14.7.3** It is thereby regarded that the proposals could be implemented without result in detrimental harm to protected species or their habitats and so is in line with GEN2 and GEN7 of the adopted local plan.

### **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 development is appropriate in respect to design in that they would respect and be in keeping with the character and appearance of the main dwelling house, the street scene and the surrounding locality. The proposals would neither result in significant harm to the significance and setting of the conservation area or upon the amenities enjoyed by adjoining occupiers. There would also be no harm on parking provision or biodiversity.

**16.2** The proposals comply with the relevant policies contained within the development plan and as such it is recommended that the application be approved subject to the conditions suggested below.

## **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** Prior to the commencement of the development hereby approved, details of all external finishing materials including window and door openings shall be submitted and approved in writing by the Local Planning Authority. The approved works shall thereafter be constructed in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the surrounding area and the street scene in accordance with Policies GEN2, ENV1 and H8 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.