

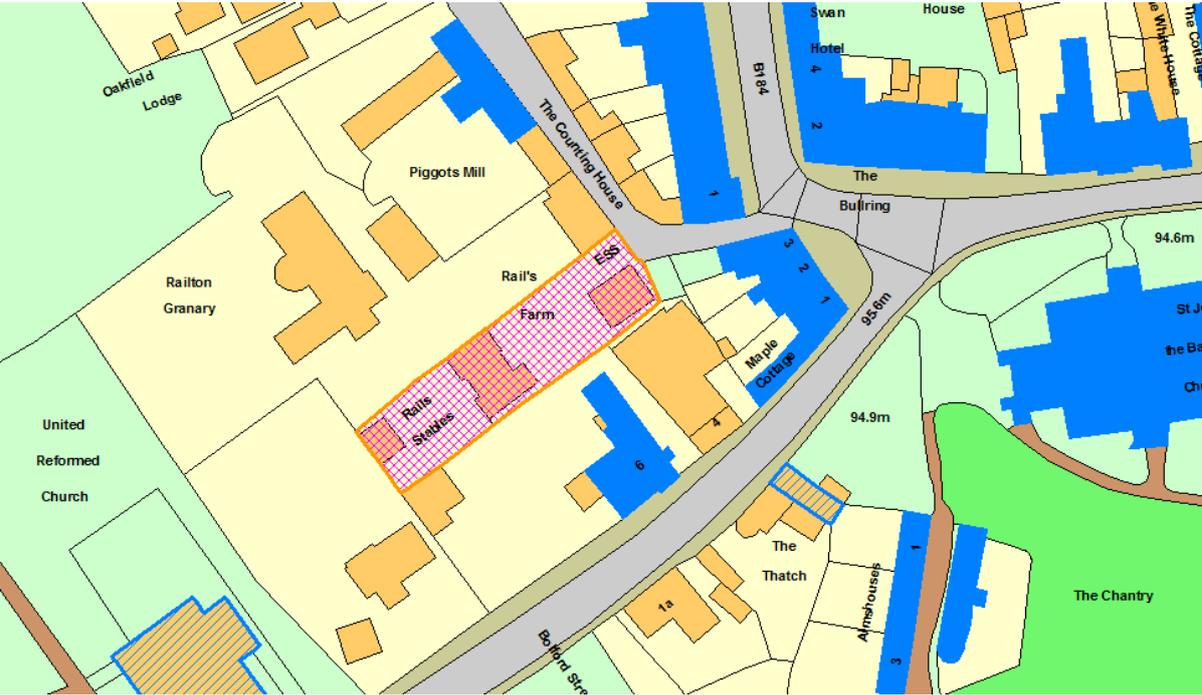
ITEM NUMBER: 8

PLANNING COMMITTEE DATE: 30 July 2025

REFERENCE NUMBER: UTT/25/0827/HHF

LOCATION: Rails Stables, Watling Lane, Thaxted, Essex, CM6 2QY

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 10 January 2025**

PROPOSAL: Conversion of roofspace to existing cartlodge to create new annex facility.

APPLICANT: Mr Joe Stagg

AGENT: Mr Graeme Knight

EXPIRY DATE: 05/06/2025

EOT EXPIRY DATE: 31/07/2025

CASE OFFICER: Ashley Neale

NOTATION: Within Development Limits (S3)
Conservation Area
Archaeological Site
Within 100m of Local Wildlife Site
Within Groundwater Source Protection Zone

REASON THIS APPLICATION IS ON THE AGENDA: Cllr Call-in
Cllr Haynes (Summary)
Overlooking of properties
heritage harm in relation to both the Conservation Area and the setting of various listed buildings due to the substantial array of solar panels.

1. EXECUTIVE SUMMARY

- 1.1** The applicant seeks planning permission for the proposed conversion of roof space to the existing cart lodge to create new annex ancillary to the property of Rails Stables, Watling Lane, Thaxted. The external changes are considered minimal and include the installation of 1no. ground floor entrance door, 2no. upper floor windows (with obscured glazing proposed on the eastern facing elevation) and a solar panel array to be mounted on the south-facing roof slope.
- 1.2** There is not considered be any adverse impacts of light pollution, noise or overlooking caused by the proposals on neighbouring dwellings as a result of the separation distances, orientation of the cart lodge, existing boundary treatments and the proposed mitigation measures implemented (obscured glazing).

- 1.3 The scale and external finishes of the proposed annexe is considered compatible with the existing house and would appear subservient to the main dwelling with an occupancy-related condition proposed to be imposed to any permission. The proposals are also considered to not cause harm to the character and appearance of the Conservation Area, nor to the setting of any nearby Listed Buildings within proximity of the site.
- 1.4 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 be authorised to GRANT permission for the development subject to those items set out in section 17 of this report – Conditions
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3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 This application relates to an existing cart lodge associated with the residential property of Rails Stables, which is a mid-2000s built, detached two storey house within the development limits of Thaxted. The site is also located within Thaxted Conservation Area. The cart lodge was erected in 2011 following UTT/0801/10/FUL.

4. **PROPOSAL**

- 4.1 Conversion of roofspace to existing cartlodge to create new annex facility.
- 4.2 The application includes the following supporting documents:
- Application Form
 - Design, Access and Heritage Statement
 - Biodiversity checklist
 - Photographs for biodiversity

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

6.1

Reference	Proposal	Decision
UTT/1797/90	Change of use from farm building (former potato store) to B1 Industrial Use	APPROVED 11/02/1991
UTT/0150/11/MA	Non material amendment to UTT/0801/10/FUL Cement render to two cable end rather than weatherboard	REFUSED 02/02/2011
UTT/0244/07/CA	Demolition of redundant agricultural building and cart lodge	WITHDRAWN 26/02/2007
UTT/0242/07/LB	Demolition of redundant agricultural buildings and cart lodge	APPROVED 02/05/2007
UTT/0241/07/FUL	Erection of 2 No. dwellings and garages. Change of use from agricultural to residential	APPROVED 02/05/2007
UTT/0801/10/FUL	Proposed cart lodge	APPROVED 13/07/2010
UTT/2101/10/DOC	Discharge of Condition C.5.5 on UTT/0801/10/FUL	APPROVED 17/01/2011
UTT/13/0169/CLP	Extension of cart shed building to include vehicular access with security doors	REFUSED 27/03/2013
UTT/13/1588/FUL	Proposed extension and enclosure of front of cart shed	APPROVED 09/08/2013
DUN/0151/66	Site for caravan	WITHDRAWN

7. PRE-APPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

7.2 No pre-application advice sought.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 No statutory consultees provided comments.

9. THAXTED PARISH COUNCIL

9.1 Thaxted Parish Council resolved to **OBJECT** to the application on the basis of overdevelopment, loss of privacy, and overbearing nature of the proposal, which is contrary to Neighbourhood Plan Policy THXC1.

10. CONSULTEE RESPONSES

10.1 Place Services (Conservation)

10.1.1 No objection subject to attached conditions. Place Services (Conservation) consultee response can be found in Appendix 1 of this report.

11. REPRESENTATIONS

11.1 Fifteen neighbours were notified of the application by letter.

11.2 Support

11.2.1 There are no letters of support for this application.

11.3 Object

11.3.1 There are six letters of objections for this application. Their comments are summarised as follows:

- Privacy/overlooking onto neighbouring gardens. Significant loss of private amenity.
- Impacts on at least 6 Listed Buildings: 1, 2 and 3 The Bullring; Rails Farmhouse ; the first few houses on the west side of Newbiggin street.
- Not in keeping with the surrounding area.
- Health and safety concerns being directly next to an electricity substation, rising substantially above both the substation and the boundary fence, thereby creating.
- Impact on Conservation Area.
- Increased noise
- Overdevelopment of the current property.
- Drainage issues.
- Character and appearance of solar panels will be unsightly and not in keeping with the character of the conservation area

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 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, any local finance considerations, so far as material to the application, and any other material considerations.

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 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 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 (December 2024).

13.2 Uttlesford District Local Plan (2005)

- 13.2.1** S3 – Other Development Limits
GEN1 – Access
GEN2 – Design
GEN4 – Good Neighbourliness
GEN7 – Nature Conservation
GEN8 - Parking
ENV1 – Design of Development within Conservation Areas
ENV2 – Development affecting Listed Buildings
H8 – Home Extensions

13.3 Thaxted Neighbourhood Plan (2019)

- 13.3.1** TXHC1 – Heritage and Development
TXHD10 – Design Principles

13.4 Supplementary Planning Document or Guidance

- 13.4.1** Essex Design Guide
Supplementary Planning Document – Home Extensions
Supplementary Planning Document – Uttlesford 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 / Design and Appearance**
B) Neighbouring Amenities
C) Heritage Conservation
D) Access and Parking

14.3 A) Principle of Development / Design and Appearance

- 14.3.1** The site, and the location of the proposed development lies within the development limits of Thaxted (Policy S3) as defined in the Uttlesford Local Plan. This states that development compatible with the settlement's character and countryside setting will be permitted within these boundaries. Policy GEN2 additionally sets out that development will not be permitted unless it is compatible with the scale, form, layout, appearance and materials of surrounding buildings. Policy H8 further reflects this, stating that extensions will be permitted if their scale, design and external materials respect those of the original building

- 14.3.2** The principle of the residential annexes ancillary to the main dwelling are considered acceptable in principle, within existing built-up residential areas. It is also possible to implement a condition which ties the occupation of the annexe with the main dwelling, thus ensuring that there would be no unacceptable residential intensification at the site by way of a new dwelling.

- 14.3.3** The proposal includes the conversion of the roof void of the cart lodge into habitable space and proposes to become a 1-bedroom ancillary annexe to the main dwellinghouse of Rails Stables. The proposed conversion does not extend or expand the size or scale of the existing building and seeks to use the roof void to create 1no. bedroom, bathroom and a small kitchenette. In terms of scale and use, the 1-bedroom annexe would not be overbearing and would be a subservient addition to the to the main dwelling in this regard.

- 14.3.4** In terms of design, the proposed extension would create a window opening on the western elevation fronting the main house of Rails Stables. A ground floor door opening with an upper floor window with obscured glass is proposed on the eastern elevation with access proposed close to the properties' vehicle access point off Watling Lane. In this respect, the proposals would not necessarily conflict with Policy TXHD10 of the Neighbourhood Plan which states that design principles should make a

contribution to the street scene with a choice of materials and finishes that is sympathetic to other buildings in the vicinity. The internal layout is considered to create a modest living space and would be acceptable, the positioning of the fenestration (door and 2no. windows) is also considered to make a very limited impact on the street scene. The character of the cart lodge would appear slightly more domesticated in appearance due to the installation of the additional fenestration and the proposed access door and upper floor window would be visible within the street scene. However, this is not considered to be unduly prominent, nor at odds with the character of the street scene which is already domestic in appearance.

14.3.5 Similarly, the proposed installation of solar panels on the southern elevation roof slope would not be visible from the public realm on Watling Lane, nor from the public realm on Bolford Street due to the intervening buildings blocking these views. The appearance of the solar panels would have no impact on the character of the street scene.

14.3.6 With regards to SPD Home Extensions, residential annexes should normally be single storey with one bedroom, joined to the main house and share the same garden and access. The vehicle access and parking would be shared with the main dwelling and the use of the cart lodge's roof void as an annexe would remain functionally connected with the main dwelling, as proposed by the applicant. A condition is proposed to ensure that the annexe remains in the same occupancy as Rails Stables and is not let or sold as a separate dwelling.

14.3.7 There are no concerns with the principle of the cart lodge's roof void being converted to ancillary residential accommodation and the limited visual changes proposed (1no. ground floor door and 2no. upper floor windows) are considered compatible with the character and appearance of the existing cart lodge and dwelling. Therefore, the scale and external finishes of the proposed annexe is compatible with the existing house and would appear subservient to the main dwelling with an occupancy-related condition imposed to any permission. The proposed development accords with Policies GEN2 & H8 of the Uttlesford Local Plan (2005).

14.4 B) Neighbouring Amenities

14.4.1 Policy GEN2 also sets out that development will not be permitted unless it minimises the environmental impact on neighbouring properties by appropriate mitigating measures and it would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

14.4.2 Representations made by neighbouring occupiers are duly noted and have been considered as part of this assessment. The proposed window and door openings are not considered to be overbearing or have an over dominant effect on the enjoyment of the neighbouring occupier's private gardens or houses. The eastern elevation door would be at ground floor

level and front the boundary wall of the electricity substation. There would be no unacceptable impacts with regards to overlooking with regards to the use of this proposed external door. The upper floor window on the eastern elevation is proposed to have obscured glazing and would directly overlook the electricity substation and the side elevations of No. 3 The Bullring and No. 1 Newbiggen Street, across Watling Lane. These side elevations comprise blank facades and there would be no privacy or overlooking issues with regards to these properties. The window would be located approximately 18-metres from the rear elevation window placements of Nos. 2 & 3 Bullring and 25-metres from the rear elevation windows of No.1 (Maple Cottage). The window would also be approximately 7-metres from the rear boundary wall of No.3 Bullring and 12 metres from No. 2 Bullring. It would also not directly front or overlook these rear gardens but would instead be viewable at a 45-degree angle.

14.4.3 It is acknowledged that there would be some degree of visibility from the proposed annexe eastern elevation window over the rear gardens of these two properties, however, it is not inappropriate nor unacceptable for rear gardens to be visible from upper floor fenestration of a neighbouring property, within a built-up area. Given the separation distances between properties, the orientation of proposed door not directly overlooking the gardens and the use of obscured glazing, there are no concerns with overlooking, overshadowing or overbearing effects of the proposed northeastern elevation fenestration that would compromise the amenity of neighbouring properties.

14.4.4 Similarly, the southwestern fronting elevation in which 1no. window opening is proposed fronts the host dwelling of Rails Stables and would be located a sufficient distance and orientation from neighbouring properties along Bolford Street. Similarly, there would be no adverse overlooking or privacy issues associated with this proposed window opening. As such, the proposed development is not considered to compromise the amenity of neighbouring properties, in accordance with Uttlesford Local Plan Policies GEN2, GEN4 & H8.

14.5 C) Heritage Conservation

14.5.1 Rails Stables and the cart lodge which is the subject of this application are located in the Thaxted Conservation Area. The cartlodge appears to be that for which approval was given under UTT/0801/10/FUL in 2010. The building is located to the northwest of Grade II listed Rails Farmhouse (List entry number 1322215) and to the northwest of Grade II listed Fabric Shop, General Store and Adjacent House (List entry number 1112975).

14.5.2 Policy ENV1 of the 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. Policy TXHC1 of the Neighbourhood Plan also sets out that development within the neighbourhood area should have regard to the setting and significance of heritage assets and the character and appearance of Thaxted. All

planning applications for development with the potential to impact on any heritage asset should be accompanied by a Heritage Statement that describes the significance of the asset and assesses the impact.

14.5.3 ECC's Built Heritage Consultant have been consulted on the proposals and have no concerns about the proposal to use the roofspace of the cartlodge to create a new annex facility, subject to the use of appropriate traditional materials to create the new window, doors and external stair, which could be agreed by condition. With regards to the proposed solar panel installation, due to the proximity of a light industrial/commercial outbuilding to the rear of number 4 Bolford Street, the southern roof slope of the cartlodge does not assume a prominent position within the Conservation Area and has very limited visibility.

14.5.4 On this basis, it is not considered that the installation will adversely affect the character or appearance of the Conservation Area nor have an adverse impact on the setting or significance of the nearby listed buildings. In conclusion, the proposal will preserve the character and appearance of the Conservation Area and preserve the special interest of the nearby listed buildings in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, with no harm to their significance in terms of the National Planning Policy Framework (NPPF).

14.6 D) Access and Parking

14.6.1 The proposed annexe would introduce an additional bedroom to the residential property. In accordance with Policy GEN8 and SPD Home Extensions, the current parking standard for a 3-bedroom property is 2 spaces and for 4+ bedrooms it is 3 spaces. It is unclear whether the proposed development would trigger the requirement for additional spaces, however, it is clear that the existing gravelled area to the front of Rails Stables can comfortably accommodate 3+ vehicle parking spaces.

14.6.2 As such, the proposals accord with Policies GEN1 & GEN8 of the Uttlesford Local Plan (2005).

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 In conclusion, the proposal accords with the development plan and the NPPF. No material considerations indicate that planning permission should be refused otherwise. It is therefore recommended that planning permission be approved with 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 Samples of the materials to be used on the external finishes (including doors, windows, and solar panels) shall be submitted to and approved in writing by the local planning authority prior to their first use on site. The development shall be implemented in accordance with the approved details and permanently maintained as such.

REASON: To protect the character and appearance of Thaxted Conservation Area and the setting of nearby listed buildings in accordance with Policies ENV1 and ENV2 of the Uttlesford Local Plan (2005).

- 4** The development hereby permitted shall not be occupied until the first-floor window on the eastern (rear) elevation as shown on drawing no. JS/25/04B has been glazed with obscure glass to a minimum of Level 3 and shall thereafter be maintained in this condition at all times.

REASON: To mitigate against the harmful overlooking of neighbouring properties and to protect the privacy and amenities of occupants of the annexe hereby approved, in accordance with Policy GEN2 of the Uttlesford Local Plan (2005).

- 5** The living accommodation hereby permitted shall be used solely for the domestic needs of the occupants of Rails Stables, Thaxted and shall not be occupied, let or sold as a dwelling separate therefrom.

REASON: To protect the amenities of neighbouring occupants from undue harm where a new dwelling would not normally be approved.

APPENDIX 1 – PLACE SERVICES (CONSERVATION)

Place Services
Essex County Council
County Hall, Chelmsford
Essex, CM1 1QH
T: 0333 013 6840
www.placeservices.co.uk



FAO: Planning Department,
Uttlesford District Council

Our ref: 03286
Application ref: UTT/25/0827/HHF
Date: 1 May 2025

HISTORIC BUILDINGS AND CONSERVATION ADVICE

RE: Rails Stables, Watling Lane, Thaxted, Dunmow, Essex CM6 2QY

The application is for Conversion of roofspace to existing cartlodge to create new annex facility.

Rails Stables and the cartlodge which is the subject of this application are located in the Thaxted Conservation Area. The cartlodge appears to be that for which approval was given under UTT/0801/10/FUL in 2010. The building is located to the northwest of Grade II listed Rails Farmhouse (List entry number 1322215) and to the northwest of Grade II listed Fabric Shop, General Store and Adjacent House (List entry number 1112975).

I have no concerns about the proposal to use the roofspace of the cartlodge to create a new annex facility, subject to the use of appropriate traditional materials to create the new window, doors and external stair, which could be agreed by condition. With regards to the proposed solar panel installation, due to the proximity of a light industrial/commercial outbuilding to the rear of number 4 Bolford Street, the southern roof slope of the cartlodge does not assume a prominent position within the Conservation Area and has very limited visibility. On this basis, I do not consider the installation will adversely affect the character or appearance of the Conservation Area nor have an adverse impact on the setting or significance of the nearby listed buildings.

In conclusion, in my opinion the proposal will preserve the character and appearance of the Conservation Area and preserve the special interest of the nearby listed buildings in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, with no harm to their significance in terms of the National Planning Policy Framework (NPPF).

Given the location of the building within the conservation area I would suggest the following condition is applied if permission is to be granted:

Samples:

- Samples of the materials to be used on the external finishes (including doors, windows, and the access staircase) shall be submitted to and approved in writing by the local planning authority prior to their first use on site. The development shall be implemented in accordance with the approved details and permanently maintained as such.



Please do not hesitate to contact me if you have any queries in relation to this advice.

Yours sincerely

Caroline Sones BA (Hons) DMS MA MSc IHBC
Senior Built Heritage Consultant

Place Services

Email: BuiltHeritage@essex.gov.uk



Note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter