

Strategic Director of Planning  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex  
CB11 4ER

Our ref: CLG001 – 6

29 January 2024

Dear Sir

**SECTION 73, TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)  
UPHILLS, WICKEN ROAD, WICKEN BONHUNT (UTT/22/2214/FUL)**

On behalf of Green Close (Chelmsford) Ltd., I write with regard to the planning permission for a new access and erection of 1 no. detached dwelling and garage at Uphills, Wicken Road, Wicken Bonhunt, approved under reference UTT/22/2214/FUL on 04 October 2022. I submit herewith an application pursuant to Section 73 of the Town and Country Planning Act 1990 to alter condition 2 on the decision notice, updating the list of approved drawings.

With the planning permission now in place, attention has turned to the preparation of the working drawings and the approved scheme has been reviewed to ensure that approval of the Building Regulations can be obtained. This process has highlighted several areas where the floor plans are substandard and, in turn, this has led to the applicant taking a fresh look at the approved accommodation and concluding that would lead to a poor quality scheme and an inadequate living environment for the residents if the site were to be developed in accordance with the approved drawings. An application for a non-material amendment (Section 96A application) was submitted under reference UTT/23/3234/NMA, seeking approval for alterations to the layout of the ground floor and first floor alongside updates to the external appearance to reflect the revised floor plans, but it was refused on 16 January 2024 on the grounds of an increase to the approved footprint.

The applicant still wishes to update the interior of the building, but the refusal of the application for a non-material amendment has been used as an opportunity to take a closer look at the approved scheme as a whole and make alterations to the site layout, including handing the house so that the deeper part of the building (containing the garden room and kitchen/dining room) aligns with the elongated garden, the patio areas in the front garden are omitted and space is created for turning vehicles at the end of the drive.

The changes made to the interior of the building are unchanged from application UTT/23/3234/NMA and the main issues that the applicant identified as needing to be addressed and the proposed solutions to them continues to result in a sequence of changes where each update leads to the next. The starting point is the problem caused by overheating of the south-facing rooms because it means that the approved scheme could not pass the checks at the Building Regulations stage, but the re-design can be considered as a circular process of improving each room in turn that then leads to handing the building to make the best use of the plot.

In the first instance, the approved scheme shows the living room and kitchen/dining room placed on the south side of the building so that they can gain the benefit of sunlight and daylight in the main living areas, but the wide areas of glazing (in the form of bi-folding doors) means that the rooms will be prone to overheating. The situation would be exacerbated by the provision of a fireplace in the lounge and by the oven, hob and other appliances in the kitchen. In response, the kitchen/dining room is relocated to the centre of the building, using the space allocated to bedroom 1 so that it has a west-facing window and is away from the southern elevation. The change also allows the corridor through the house to be omitted because the residents can walk through the dining room on their way to the rear of the house, adding to the space that can be given a productive use in a habitable room. The bedroom moves to the room at the front of the house because it is less reliant on natural light for its use as a habitable space and would normally be used at night when solar gain will not be an issue. The ensuite bathroom is retained and a WC is added alongside to pick up provision that is missing from the approved scheme which would also fall foul of the Building Regulations – the ensuite bathroom of a bedroom would have to serve as the ground floor WC to achieve compliance, which would be an unsatisfactory solution as well as an awkward experience for visitors.

Completing the circle of repositioned rooms on the ground floor and making good use of the deep space in the western wing of the house, the lounge is proposed to be relocated to the former position of the kitchen/dining room and the bi-fold doors are swapped to the rear (north) elevation, with a smaller window to the front (south) to address the issue of excessive solar gain. This swap also allows the study and the utility room to be reversed, with the study making good use of the single storey projection to the east side, with the south-facing window made smaller and the north facing door changed to a window. Moving the utility room ensures that it remains paired with the kitchen/dining room and that a door into the rear garden is retained. The smaller space needed for a utility room allows the stairs and hall to be moved further away from the front door and into the centre of the house so that they arrive on the first floor where the ceiling is highest and not, as approved, under the sloping roof. The glazing to either side of the front door is reduced in size to minimise solar gain, with the side window omitted to enable a storage cupboard to be added.

The sloping roof of the first floor presents a significant constraint on the available space, with the approved scheme showing long and narrow rooms where it is not possible to walk around the beds and a family bathroom that struggles to accommodate a bath and a shower – as approved, taller users would struggle to stand up in them. None of the rooms are fit for purpose and the upper floor has been replanned to take advantage of the height in the centre of the roof, reflecting the space gained by moving the stairs away from the sloping roof.

The main bathroom is enlarged so it is clear of the sloping roofs and bedrooms are placed in the other three wings, with windows in the gables to the north and south and the south-facing dormer window retained and re-sized (again, addressing solar gain) for the eastern bedroom (Bedroom 1). Bedroom 4 uses the room previously marked as the loft because the provision of loft space is not considered to be an important element of the scheme; there is plenty of room for storage within the house and the space under the roof can be put to better use if it becomes habitable accommodation. Making space for four bedrooms on the upper floor allows one of the two bedrooms on the ground floor to be relocated upstairs, maintaining provision at a total of five bedrooms and creating space for a new garden room at the rear of the ground floor. Designed as an open plan space that flows from the kitchen and dining room, it includes bifold doors that open into the garden and makes better use of the rear wing, including simplifying the pair of gables standing side by side by removing the smaller of the two but not increasing the footprint of the building. Handing the whole building so that the deeper wing faces the garden also makes the best use of the garden room, allow it to face onto the long garden and enjoy views of the landscaping and existing trees, and ensures that the relocated Bedroom 4 is not overlooking the private space to the rear of Finsmarick, the property to the north of the application site.

The proposed alterations to the interior of the building have been made with the intention of minimising matching alterations to the exterior, with care taken to ensure that there are no changes to the overall extents of the footprint and no changes to the height of the roof or the gabled ends – it would have been simpler to address the issues with the upper floor by increasing the height of the building, but this would not be an appropriate response for a building surrounded by other buildings in residential use and is perceived as unlikely to be approved. The main changes that can be seen from outside the new home are a reduction in the amount of glazing on the southern elevation, the omission of windows on the eastern elevation, the smaller gable shifted to be in the centre of the larger gable on the western elevation, and the redesign of the gables on the northern (garden) elevation so that only one projection is created and it accommodates the addition of bifold doors and a side window on the ground floor and a first floor window in the apex above.

Handing the building creates a superior relationship with the garden behind the house so that the scheme is not reliant on the amenity space for the new home being placed either side of the front door, but also improves the relationships with the neighbouring properties. Relocating Bedroom 4 into the space previously shown as a loft adds a first window to the northern elevation therefore it is important that it does not face towards the garden of Finsmarick and, instead, gains a view along the garden, but care has also been taken to ensure that there are no windows on the eastern elevation that would face towards the garden of Uphills and that adding a kitchen window and obscure-glazed bathroom window to the western elevation causes no harm to the amenity of the kitchen and second bedroom in the bungalow behind the hedge to the west. Handing the house also allows the drive to be revisited, widening it to match the width of the garage, removing the proposed tree in the hard surfaced area and expanding the space for vehicles to turn. As approved, it would be unacceptable for vehicles to reverse along the drive and into Poore Street, therefore a usable turning space has been added without reducing the room available for cars to be parked in front of the garage, enabling the residents and their visitors to leave in a forward gear.

The majority of the alterations are inside the new home and there is no change to the floor area or overall height of the building and it remains in residential use, therefore approval is sought in the form of an application for a minor material amendment to the approved scheme. The proposed scheme remains in compliance with the district council's development management standards and the relationships with the properties that surround the application site are not harmed, with no changes made to the new entrance from Poore Street, the access drive south of Uphills or the provision of car parking.

It is proposed that the wording of condition 2 remains unchanged, but that the list of drawings in the schedule at the beginning of the decision notice is updated to swap the revised scheme in place of the approved floor plans, elevations and site layout, omitting five drawings and adding four drawings to replace them. The changes are:

Approved drawing	Proposed drawing
2220.12A, Proposed Block, Roof and Location Plan	CLG001-LP-01, Proposed Block, Roof & Location Plan
2220.08B, Proposed Site Plan	CLG001-PL-01, Proposed Development Layout
2220.05, Proposed GF and FF Plans	CLG001-HT-01 rev. G, Floor Plans & Elevations
2220.06, Proposed Elevations	
2220.10, Proposed Site Elevation	CLG001-ST-01, Proposed Street Elevation

The balance of the approved scheme is unaltered by the proposed changes, therefore the remainder of the list of approved information does not need to be updated. Furthermore, requests for confirmation of compliance with the conditions attached to the planning permission have not yet been submitted and it is anticipated that the same conditions will be carried over to the new planning permission.

This application is submitted online via Planning Portal in PDF format and comprises the following information:

1. Covering letter
2. Application form
3. Existing Block and Location plan, drawing number 2220.11

*Approved scheme, to be superseded*

4. Proposed GF and FF Plans, drawing number 2220.05
5. Proposed Elevations, drawing number 2220.06
6. Proposed Site Plan, drawing number 2220.08B
7. Proposed Site Elevation, drawing number 2220.10
8. Proposed Block, Roof and Location Plan, drawing number 2220.12A

*Proposed scheme*

9. Proposed Block, Roof & Location Plan, drawing number CLG001-LP-01
10. Proposed Development Layout, drawing number CLG001-PL-01
11. Floor Plans & Elevations, drawing number CLG001-HT-01 rev. G
12. Proposed Street Elevation, drawing number CLG001-ST-01

In addition, the application fee of £293.00 has been paid through Planning Portal.

I trust that you will find this application to be acceptable, and that you will be able to approve the minor material amendment to the list of approved drawings for the scheme to create a new access and erection of 1 no. detached dwelling and garage at Uphills, Wicken Road, Wicken Bonhunt, changing the floor plans and handing the house to address the poor quality of the accommodation. However, if you have any comments or queries, or should you require any additional information, please do not hesitate to contact me at the above address.

Yours faithfully

