

UTT/1217/06/OP - LITTLE CANFIELD

Outline application for erection of 5 No. dwellings all matters reserved. Demolition of existing dwelling

Location: 5 Hamilton Road. GR/TL 575-213.

Applicant: & Agent Mr D Campbell

Case Officer: Mr H Laird 01799 510464

Expiry Date: 12/09/2006

ODPM Classification: MINOR

NOTATION: Within Takeley / Little Canfield Local Policy 3 – Prior's Green Site.

DESCRIPTION OF SITE: The site is located approximately 300m to the north of Dunmow Road and approximately 1.3 km to the north-east of Takeley Four Ashes junction. It lies within the boundary of Little Canfield Parish. On the 1:500 site plan, the site is depicted to measure 40 x 18m i.e. an area of approximately 750sq.m. It currently has a detached bungalow located on the western boundary with Hamilton Road. A range of flat-roofed, single storey, outbuildings stands on site adjacent the southern boundary. The site boundaries are marked by panel fencing and hedging, with a wall between the access points onto the Hamilton Road boundary. The surroundings are predominantly rural, with a small number of dwellings dotted about on either side of Hamilton Road. This site lies within the area subject to adopted Supplementary Planning Guidance 'Island Sites'.

DESCRIPTION OF PROPOSAL: This outline application is for the demolition of the existing dwelling on the site and the erection of 5 dwellings. Given the site area of 720sq.m this would result in a density of 69 dwellings per hectare. All matters relating to the layout, scale, landscaping, appearance and access for the dwellings are proposed to be determined at the reserved matters stage.

RELEVANT HISTORY: UTT/0425/88 extensions and alterations – approved 9 May 1988.

CONSULTATIONS: ECC Highways: No objection subject to the following: Hamilton Road creates a junction with the B1256 which is classified as a secondary distributor in the County's Route Hierarchy and development proposals which seek to increase the use of an existing access may be subject to capacity and safety criteria and refused whereby a proposal would allow access from a lower category road such as estate roads within Priors Green development.

Thames Water Authority: No objection.

Environment Agency: Comment regarding drainage for residential development.

ECC Archaeology: Recommends that trial trenching followed by excavation be undertaken, and that this be secured by condition as outlined in PPG 16 'Archaeology and Planning'.

PARISH COUNCIL COMMENTS: There are too many dwellings proposed for this small area, which if granted, would lead to a new standard of development in the area. Further comments advise that the surface/foul water sewage should be connected to the new drainage system at Priors Green; access/exit should be via the Priors Green Road network and should if possible, be designed in the north-west corner of the site to lessen the impact of noise on neighbours at 6 and 8 Hamilton Road; storage provision for the three bin system should be made.

REPRESENTATIONS: One letter has been received from the neighbour at 6 Hamilton Road OBJECTING to the application for the following reasons:

- Site too small to accommodate 5 dwellings;

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- There are no mains drains;
- Water pressure via the 1 ½ “ mains pipe is low at times;
- Additional traffic will damage the un-made road;
- The land between Nos. 3 & 5 Hamilton Road has permission for only two dwellings on a much larger plot.

COMMENTS ON REPRESENTATIONS: The neighbours' objections are noted, however, the necessary improvements to the road infrastructure, water supply and sewage systems can be achieved either by condition or the terms of an Agreement under Section 106 of the 1990 Planning Act. Any application for 'Reserved Matters' approval will be required to demonstrate that five dwellings can be adequately accommodated on the site. Supplementary planning Guidance (SPG) emphasises that the principle of development of this and the other "island sites" is acceptable.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the development would be compatible with the Master Plan and the Council's Supplementary Planning Guidance (PPG3, ADP Takeley Local Policy 1 and DLP Local Policy 3) and**
- 2) **social, amenity and infrastructure contributions are required (DLP Policy GEN6).**

1) The Development Plan policies do not permit development of this site in isolation. Development of this site is however acceptable in principle provided it is contiguous with the development of the Prior's Green site overall.

The Supplementary Planning Guidance (SPG) emphasises that the principle of development of this and the other "island sites" is acceptable; that new development should gain access from the approved internal road network; that financial contributions should be made towards education, transport, sports, community and landscaping facilities; that affordable housing should be provided; and that no permissions should be granted on the island sites until the main Priors Green site has outline planning permission. Members will be aware that the outline permission for the main Priors Green site has been granted and the other matters will be required to be provided by Section 106 Agreement.

2) SPG requires that all the island sites other than the land adjacent to Takeley Nurseries should make appropriate and proportionate contributions to social, amenity and infrastructure requirements. These are based on an assessment of the costs of primary and secondary education, a contribution to transport enhancement and a contribution to the enhancement of local sports and/or community facilities, a contribution to fitting out, equipping and furnishing the on-site community centre and a financial contribution to structural landscaping and a 15-year landscape sum for its proper maintenance. The total basic financial contribution for wider and longer-term benefits excluding affordable housing and any associated additional educational payments and landscape contributions totals £5,969 per dwelling at 2002 prices.

ECC TOPS have verbally confirmed that the requirement for a financial contribution of £10,000 is not necessary if a transport enhancement contribution payable to the Highways Authority has already been factored into the calculations regarding the overall contributions required through the S106 agreement.

3) The comments of the Parish Council and neighbour are noted. A density of 69 dwellings per hectare (5 on 720sq.m) would be excessive given the density elsewhere at Priors Green. The applicant has been asked to remove reference to 5 dwellings and

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therefore the specific number would be left until the reserved matters stage. The applicant's response will be reported. It is considered that these comments are taken into consideration in the SPG and linking of any development to that approved under UTT/0816/00/OP. It would, as they point out, be inappropriate to develop this site in isolation.

CONCLUSIONS: The development of this site is acceptable in principle provided it is developed contiguously with planning permission UTT/0816/00/OP and not in isolation. A Section 106 agreement will be necessary to ensure contributions to social, amenity and infrastructure requirements as set out above and to link this site with the larger development, preventing its development in isolation.

RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO A SECTION 106 OBLIGATION REQUIRING CONTRIBUTIONS IN ACCORDANCE WITH THE TAKELEY/LITTLE CANFIELD SPG AND ALSO COVERING THE ISSUES DETAILED ABOVE

1. C.1.1. Submission of reserved matter: 1.
2. C.1.2. Submission of reserved matter: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. The land the subject of this planning permission shall not be developed other than contiguous with planning permission UTT/0816/00/OP. The site shall be included within the approval of phasing and development densities set out in condition 7 of planning permission UTT/0816/00/OP.
REASON: To secure appropriate phasing and densities in a comprehensive manner.
6. The development hereby permitted shall be carried out in accordance with the Master Plan, drawing no. 1071/MP/6 Rev A dated 10.08.00 unless otherwise agreed in writing by the local planning authority.
REASON: To ensure development proceeds in broad accordance with the principles set out in the approved Master Plan.
7. C.5.2. Details of materials.
8. C.4.1. Scheme of landscaping.
9. C.4.2. Implementation of landscaping.
10. C.4.6. Retention of trees and shrubs.
11. C.16.2. Full archaeological excavation and evaluation.
No development shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved by the local planning authority in writing.
REASON: To allow for excavation and recording of this site of archaeological importance in advance of and during development, as advised in DoE Planning Policy Guidance Note No. 16.
12. The land the subject of this planning permission shall not be developed other than contiguous with planning permission UTT/0816/00/OP. The site shall be included within the approval of phasing and development densities set out in condition 7 of planning permission UTT/0816/00/OP.
REASON: To secure appropriate phasing and densities in a comprehensive manner.
13. The development hereby permitted shall be carried out in accordance with the Master Plan, drawing no. 1071/MP/6 Rev A dated 10.08.00 unless otherwise agreed in writing by the local planning authority.
REASON: To ensure development proceeds in broad accordance with the principles set out in the approved Master Plan.
14. Noise construction levels/hours.

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15. No development shall take place until a program of works for the provision of foul and surface water drainage has been submitted to and approved in writing by the local planning authority, following consultation with Thames water. Subsequently the works shall be implemented as approved, including any phasing in relation to the occupation of buildings.

REASON: To ensure there adequate surface and foul drainage systems are provided for the development and there are no adverse effects on the wider community.

Background papers: see application file.
