



# **UTTLESFORD DISTRICT COUNCIL LOCAL DEVELOPMENT FRAMEWORK**

## **SUPPLEMENTARY PLANNING DOCUMENT – REPLACEMENT DWELLINGS**

**AS PROPOSED FOR ADOPTION BY  
ENVIRONMENT COMMITTEE ON 26  
SEPTEMBER 2006**

## **WHAT IS A SUPPLEMENTARY PLANNING DOCUMENT?**

1. This Supplementary Planning Document (SPD) is one in a series of guidance notes prepared to support the Uttlesford Local Plan which was adopted by the Council in January 2005. Government advice on preparing SPDs is set out in Planning Policy Statement 12: Local Development Frameworks (PPS12). This includes the requirement that each SPD should be subject to a sustainability appraisal. This is available on request or can be viewed on the Council's website at [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk)

## **DID WE CONSULT?**

2. PPS12 says that the community must be involved in the preparation of each SPD and that the Council should take their views into account before finalising it. The Statement of Consultation, which is available at the council offices and on the website sets out who the Council consulted, the main issues they raised and how those issues have been addressed in the draft SPD.
- ~~3. If you have any comments on this draft SPD please send them to John Mitchell, Executive Manager, Development Services, Council Offices, London Road, Saffron Walden CB11 4ER or e-mail [planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk) by 21 July 2006. The Council will consider the comments received and take them into account before preparing the final version of the document to be adopted by the Council in September.~~

## **WHAT IS THIS GUIDANCE FOR?**

4. Uttlesford is an attractive place to live and work and the District Council tries to make sure that new development is of the highest standard of design. This means that when homes, which have come to the end of their useful life are replaced by new homes these should be sensitively designed taking into account the application site, neighbours and the character of the area.
5. If the property is within a town or village and inside development limits where any replacement is likely to be relatively close to neighbouring properties issues like overlooking, overshadowing and height and scale are likely to be important. In rural locations, outside development limits the main issues are more likely to be about the setting of the site, the location of the proposed new house on the site and the effect of the development on the character of the countryside generally.
6. Wherever they are proposed the Council is keen to make sure that replacement dwellings are a similar size to the existing dwelling and take account of local building character and the setting so that when they are finished they improve the quality of the local environment.

New homes should also be built to sustainable standards minimise their environmental impact especially in relation with respect to energy and water use.

7. The Council will use this document when considering any planning application for a replacement dwelling. It explains the main issues that you should consider when drawing up your proposals but you should also follow good design practise by respecting your neighbours' amenity and providing suitable car parking. If you follow the advice in this SPD your proposal should meet the tests in the Council's policy and have a good chance of getting planning permission. You should provide a clear explanation of how your proposal meets this guidance in the Access and Design Statement which you are required to send in with your application.
8. You should also send in scale drawings of the existing house and any other buildings you are planning to demolish so that the Council will be able to assess whether or not your proposal meets the requirements set out in this guidance. This should include floor plans and elevations and all plans should be to a recognised metric scale. You should say on the drawings which scale you have used.
9. This guidance will not apply if the building to be replaced is listed. It is very unlikely that the council would ever grant planning permission for the replacement of a listed building. Even if the building is not listed, you may not get permission to replace it if it is a traditional design and contributes to the local character of the area.

#### **HOW DOES THIS SPD FIT IN WITH OTHER POLICIES?**

10. A Supplementary Planning Document must be about a policy in a development plan. The main relevant policy in the Uttlesford Local Plan adopted in January 2005 is Policy H7– Replacement Dwellings. This policy says:

**A replacement dwelling will be permitted if it is in scale and character with neighbouring properties. In addition, outside development limits, a replacement dwelling will not be permitted unless, through its location, appearance and associated scheme of landscape enhancement it would protect or enhance the particular character of the countryside in which it is set.**

11. There may be other policies in the Local Plan, which apply to your proposal. The Council may also refer to policies in the Essex Structure Plan and national policy documents when considering your application so you should check that your proposals meet the requirements of any relevant policies. There is a list of relevant policies in Appendix 1. The documents are available on the internet or from the council offices.

12. Any new dwelling will also need to meet the requirements set out in the Council's SPD on Accessible Homes and Playspace which says that all new homes should be built to Lifetime Homes Standards. Copies of this are available from the Council offices or the Council's website. The Council will be preparing SPD on energy efficiency to be adopted in September 2007. Proposals submitted after this will be expected to meet the requirements in the SPD

### **DOES THE GUIDANCE APPLY TO ALL DWELLINGS?**

13. ~~To be a possible candidate for replacement a dwelling must be lawful and currently or recently lived in as a home.~~ The Council will only usually grant planning permission for the replacement of buildings which are lawful, structurally unsound or poorly constructed. A replacement will only be allowed where the existing building does not make a contribution to the local character of the area and where the replacement will result in a visual improvement to the site and the surrounding area. The Council will normally require the existing building to be demolished before work starts on the new home. In some cases the Council may make an exception – see paragraph 15 below but in all cases a condition will be imposed requiring you to have the existing house demolished within a month of the new house being occupied.

### **WHAT DOES THE COUNCIL MEAN BY NEIGHBOURING PROPERTIES?**

14. In the policy, neighbouring properties will be those that can be easily seen when looking at the application property and provide its background or setting. They will normally be quite close to the application property – less than a few tens of metres away.

### **CAN I BUILD A REPLACEMENT DWELLING IN THE GREEN BELT?**

15. The Council will allow a replacement dwelling in the Green Belt but only if the new dwelling is a similar size not materially larger than the one being replaced in terms of volume, height and floorspace and the advice below is followed.

### **CAN I BUILD THE NEW DWELLING ANYWHERE ON THE SITE?**

16. The overall shape of a building when viewed from above is called the footprint. The footprint of the new dwelling should normally be in the same place or more or less overlapping the footprint of the existing dwelling because this will have the least impact on the character of the countryside. If there are reasons why you would like to put the new building somewhere else on the plot then you should explain what these are. The Council may make an exception if you can show that the new building has to be in a different place because you want to use

sunlight to help to heat the house, there is a risk of flooding or moving the building would reduce its impact. If you are hoping to live in the existing house until the new one is finished this is unlikely to justify building it away from the footprint of the original. You may have to make other arrangements.

## **HOW BIG CAN THE NEW DWELLING BE?**

17. Within development limits there is no objection in principle to new development. The Council will consider your proposal in relation to normal planning issues to judge whether the size of the replacement is acceptable. The Council will require the replacement dwelling to be in scale and character with neighbouring properties and there should be no overlooking or overshadowing of neighbours.
18. Outside development limits, development is generally more strictly controlled in order to protect the countryside as set out in policies C5 and S7. If the property you want to replace forms part of a group of houses which stand together in the countryside the new house should be in scale and character with neighbouring properties in terms of height and volume. You should be able to show which properties you have judged to be neighbouring and how you consider the proposal to be in scale with them. However, if the surrounding properties are much larger than the original dwelling this could result in a new building which will have a greater impact on the character of the countryside. In this case the Council will make a judgement on the size of new building that would be acceptable.
19. If the property is isolated and stands alone in the countryside a larger property may conflict with policies C5 and S7. In this case it may be limited to that of the original building plus an allowance for any extensions which would normally be permitted development.
20. ~~If there is an existing garage which you want to take into account in planning the proposed size of the new house then you should show provision for a new garage. If you do not show garaging in your application the Council will make a judgement about the amount of garaging that could reasonably be required at such a property and use this to decide if the size of the proposed new dwelling is acceptable.~~ The Council will not include the floorspace of any existing garage when judging whether the size of the new dwelling is acceptable because it is likely that the garage will be replaced.
21. The Council may withdraw permitted development rights for some types of development e.g. outbuildings if the replacement dwelling is larger than the one being replaced.

## **CAN I BUILD MORE THAN ONE NEW DWELLING?**

22. If the property is within development limits it may be possible in some cases to increase the number of dwellings on the site but this will depend on the size and nature of the site and the location and character of any other development near the site.
23. If the property to be replaced is outside development limits the Council will normally only allow one replacement dwelling. The only exception to this would be if the site is proposed for affordable housing and meets the tests in Policy H11.

### **HOW SHOULD I DESIGN THE NEW DWELLING?**

24. Within settlements the appearance of new buildings is often screened or softened by existing ones in a manner that rarely occurs in the countryside even with hedges and other landscape features. Sites for replacement dwellings in the countryside can be highly visible, often from some distance away and so they need to be sensitively designed. To protect the qualities of the local environment you should design the property to fit your particular site rather than just choosing a standard house type. Sometimes these can look out of place in the countryside.
25. Executive or other house designs that selectively include traditional features can be very dominant in the landscape. For example some proposals have traditional steep pitched roofs over modern wide plan forms. This results in dwellings with very large roofs. You can find useful advice about suitable traditional building designs in the Essex Design guide. Good contemporary designs may also be acceptable. In most cases you should include a statement explaining how you have arrived at the design of your proposal. The main aim should be for the house to fit well in its surroundings rather than trying to make a bold statement.
26. A landscape character assessment has been prepared for the District Council by Chris Blandford Associates. This describes the characteristics of the countryside in each of the different character areas in Uttlesford. It is available on the Council's website and the Council will expect that new development will fit in with the identified characteristics
27. You can design in features to reduce opportunities for crime. Further advice is available at [www.securedbydesign](http://www.securedbydesign) or ring 01245 452739.

### **WHAT MATERIALS SHOULD I USE?**

28. Materials used on the outside of the dwelling including windows and doors should be appropriate to the chosen design of dwelling. For example, cladding a building of historic or traditional design with modern materials is unlikely to give satisfactory visual results. You

should choose materials which will allow the building to blend into its surroundings. If you avoid brightly coloured materials this will help.

### **WHAT IF THE HOUSE IS NEAR A LISTED BUILDING OR IN A CONSERVATION AREA?**

29. If a replacement dwelling is near to a listed building or within a conservation area you should include an explanation to show how you have designed your home to protect the setting of the listed building and protect or add to the character of the conservation area. It is likely that the proposal would need to be more modest than elsewhere, of high quality design and using materials like render, clay plain tiles, natural slate, wooden windows, quality bricks or weatherboarding.

### **WHAT CAN I DO ABOUT CLIMATE CHANGE TO REDUCE ENVIRONMENTAL IMPACTS?**

#### **SAVE ENERGY**

30. When designing your new home use best practice standards for energy efficiency in the design and specification. This can help reduce your running costs and also reduce carbon dioxide emissions, which contribute to climate change. You should aim to minimise energy use, while keeping the house warm in winter, cool in summer and maximising natural daylight. This will involve thinking about the shape, insulation, glazing, air-tightness, ventilation, heating system and lighting of the building. You can use the position and orientation of the house within the site to increase the amount of heat and light you can get from the sun. You should also think about the outside space e.g. using a washing line instead of a tumble drier will reduce energy use. ~~can also include the outside space e.g. by providing space for a washing line as an alternative to the tumble drier.~~ You may should also consider including some form of renewable energy as part of your proposal.
31. ~~Where an old house is knocked down and replaced with a modern one of the same size there will normally be a reduction in CO2 emissions as a result of new building regulations, techniques and materials. If the replacement house is bigger this may not be the case and the council will then look for additional measures to be included which will reduce the emissions. For a new dwelling that has a larger floor area than the dwelling it replaces the Council will expect the building to achieve an "as built" dwelling emissions rate (DER) 10% lower than the target emissions rate (TER) as calculated to prove compliance with Part L1A of the Building Regulations.~~
32. For more information and advice contact the Energy Saving Trust Best Practice in Housing Programme (Web: [www.est.org.uk/bestpractice](http://www.est.org.uk/bestpractice), Tel: 0845 727 7200) or the Council Building Surveying Section. If you are making claims about the energy efficiency of the dwelling you

should justify the claim by providing information with the application which the Council will be able to check.

### **SAVE WATER**

33. You can use appliances in the bathroom or kitchen which save water e.g spray taps, dual flush toilets. You ~~could~~ should include facilities for collecting and storing rainwater e.g. a water butt. Including simple measures like these can save up to 25% of your water use. You can also install systems to recycle and re-use grey water. You should send in details with your application of the water saving features that you have included in the design of the replacement dwelling. Advice on saving water can be found on the Environment Agency website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) tel:08708 506 506.

### **RECYCLE AND REDUCE WASTE**

34. You can also take the opportunity to conserve resources where possible and use materials like timber from sustainable sources. You may be able to re-use some of the materials from the original building. During the building work you can reduce waste by recycling any leftover building materials. You may be able to should provide extra storage space within the house for your items for recycling and outside storage for your recycling bins. You should submit a brief statement with your application explaining how you plan to manage the waste from the site.

### **PREVENT FLOODING**

35. If your property is in a floodplain and at risk from flooding (you can check this on the Environment Agency website) you should include a flood risk assessment with your application which will assess the risks and set out details of any measures that you intend to take to reduce the risk of flooding and to reduce its impact. This could include resiting the house, raising the floor levels or flood proofing. In extreme cases your application could be refused on flood risk grounds. The new house, including any paved areas, ponds etc should not result in any more surface water run off than the existing house because this could contribute to localised flooding.

### **SUSTAINABLE HOMES**

36. You will be expected to meet the requirements of any design codes on sustainable homes which apply at the time you make your application eg the Government's Code for Sustainable Homes, Essex Design Guide.
37. Uttlesford also has a Sustainable Homes Network which provides a forum for discussion and sources of information on various things you can do to make your home more sustainable. You can find out more information on the Council's website or ring Jake Roos the Council's energy efficiency surveyor on 01799 510511.



### **CAN I REMOVE THE EXISTING OUTBUILDINGS?**

38. People sometimes argue that the removal of existing outbuildings from the site will result in a benefit, which the Council should be take into account when considering if the replacement dwelling is acceptable. The Council will only take very limited account of this because existing buildings are often low and weathered and their removal offers little benefit from a landscape point of view. It is often the case that the person living in the new dwelling would want to remove them anyway to provide a more attractive setting to their new home.

### **CAN I BUILD NEW OUTBUILDINGS?**

39. The erection of large outbuildings including garages, swimming pools and stables can often significantly change the character of a site. They should be modest in size and sensitively located - normally near to the proposed dwelling.

### **WHAT ABOUT FENCES, ENTRANCE GATES AND LIGHTING?**

40. If you intend to add features such as fencing, entrance gates and lighting you should look at the design of these carefully. Some can look very urban and can change the character of the countryside and draw attention to replacement dwellings.

### **WILL I BE ABLE TO EXTEND THE GARDEN ?**

41. Gardens, with their paths, lawns and flower beds have a very different character to agricultural land. Extending the garden can have a significant impact on the character of the surrounding countryside and garden areas should be the same as the original dwelling. You should keep existing boundaries, reinforcing them if needed rather than creating new ones.

### **WILL I HAVE TO PROVIDE LANDSCAPING?**

42. Policy H7 states that an associated scheme of landscape enhancement will be needed for a replacement dwelling proposal outside development limits to be acceptable. A detailed landscaping scheme should come in as part of the application in order to meet that part of the policy. You might want to consider designing and managing any landscaping and planting so that it does not encourage crime and may deter it. For the scheme to be acceptable you must use native species and further advice on suggested planting mixes is available from the Council.

## WHAT ABOUT WILDLIFE?

43. When you start thinking about your proposal you should take into account that there may be existing habitats and species that could be affected by the works you are proposing. You should include measures that will protect any wildlife and their habitats both during and after the building work. This may mean not building on parts of the site or phasing the development to avoid breeding seasons etc. The dwelling you are thinking of replacing may also be home to a protected species like bats or great crested newts. In cases where protected species are known to be present in, or near a building, an ecological survey should be submitted with the application. Under the Wildlife and Countryside Act it is illegal to disturb nesting birds. If your building plans will involve disturbing nesting sites you should plan the work to avoid the nesting season.
44. You should find out what the existing wildlife value of the site is and your proposal should at least protect and preferably improve it. You can include measures to enhance wildlife and habitats as part of your proposals. Can you include extra features in the development, which will provide a benefit for wildlife? For example, a nest box for birds, either on the house or in the garden, or pipe the rainfall from the roof to feed a garden pond. There are further tips on [www.wildaboutgardens.org](http://www.wildaboutgardens.org) or [www.wildlifeandplanningessex.org.uk](http://www.wildlifeandplanningessex.org.uk)

For more information please contact the Duty Planning Officer on 01799 510617. If you require copies of this guidance in Braille large print or another language please contact the Customer Care Manager on 01799 510467.

## APPENDIX 1

As well as Policy H7 the following list of policies may also be relevant. For example if your house is in the green belt the Council may refer to Structure Plan policy C2 and advice in PPG2 when considering your application.

UTTLESFORD LOCAL PLAN	
Policy S7	The Countryside
Policy GEN2	Design
Policy GEN7	Nature Conservation
Policy ENV6	Change of Use of Agricultural Land to Domestic Garden
Policy H11	Affordable Housing on Exception Sites
Available from Uttlesford District Council Offices or Uttlesford District Council website <a href="http://www.uttlesford.gov.uk">www.uttlesford.gov.uk</a>	

UTTLESFORD LOCAL DEVELOPMENT FRAMEWORK	
SPD - Accessible Homes and Playspace	
SPD – Home Extensions	

ESSEX AND SOUTHEND ON SEA REPLACEMENT STRUCTURE PLAN	
Policy CS2	Protecting the Natural and Built Environment
Policy C2	Development within the Green Belt
Policy C5	Rural areas not in the Green Belt
OTHER GUIDANCE	
The Essex Design Guide for Residential and Mixed Use Areas and Urban Place Supplement. Available from Essex County Council, County Hall, Chelmsford Tel:01245 492211 or Essex County Council website <a href="http://www.essexcc.gov.uk">www.essexcc.gov.uk</a>	

PLANNING POLICY GUIDANCE (PPG) and PLANNING POLICY STATEMENTS (PPS)	
PPG2	Green Belts
PPS1	Delivering Sustainable Development
PPS7	Sustainable Development In Rural Areas
Available from the Office of the Deputy Prime Minister website <a href="http://www.odpm.gov.uk">www.odpm.gov.uk</a>	

OTHER USEFUL INFORMATION	
Secured by Design: <a href="http://www.securedbydesign.com">www.securedbydesign.com</a>	
Safer Places: Published by the ODPM (now DCLG) – The Planning System and Crime Prevention	