

UTT/0579/12/FUL (Great Chesterford)

(Councillor application interest - Councillor Redfern)

PROPOSAL: Erection of dwelling with triple garage.

LOCATION: Site adjacent to The Delles, Carmen Street, Great Chesterford

APPLICANT: Mr & Mrs Redfern

AGENT: Brian Christian

GRID REFERENCE: TL 507-429

EXPIRY DATE: 5 June 2012

CASE OFFICER: Mr C Theobald

1.0 NOTATION

1.1 Outside Development Limits / Within Conservation Area.

2.0 DESCRIPTION OF SITE

2.1 The application site comprises part of the extensive lawned grounds of The Delles, a large mid-Victorian dwelling, albeit not listed, on the corner of Carmen Street and Jackson's Lane measuring approximately 0.3 ha. The site is physically enclosed along its frontage boundary onto Carmen Street and along its north-eastern boundary with Jacksons Lane by continuous 2m high flint curtilage walling and is further screened at the front of the site and along Jacksons Lane by extensive tree cover. Open amenity/pasture land exists to the rear of the site. Vehicular access to The Delles is gained via a gated entrance onto Carmen Street through the boundary wall opposite School Street with secondary courtyard access being gained on the dwelling's western flank. The trees on the site collectively form a TPO grouping.

3.0 PROPOSAL

3.1 This proposal relates to the erection of a substantial four bedroomed detached dwelling with basement with detached triple bay garage block positioned to the front. The new dwelling would have an overall span of 15 metres, a maximum depth of 13 metres and maximum height to the ridge of 8 metres and would incorporate a Georgian period style front façade incorporating a 5 window range with centrally positioned front portico porch and a more traditional double gabled rear elevation, together with side lean-to utility. The proposed garage would have a height to the ridge of 6.5 metres. The new dwelling would have either a plain clay tiled or slated roof and be externally clad with brick to the principal elevation and brick and render to the rear elevation. The dwelling would be served by the existing vehicular access onto Carmen Street, whilst the existing drive through to the Delles would be closed off with access to that property being subsequently gained via the existing courtyard access.

3.2 Since submission of the application, revised drawings have been received showing the proposed dwelling being set forward closer to the frontage boundary and the dwelling being turned around 180° so that the formal elevational treatment now serves as the principal elevation facing Carmen Street rather than the rear field boundary as originally shown.

4.0 APPLICANTS CASE

4.1 The application is accompanied by a Planning Supporting Statement, Design & Access Statement, Village Facilities Statement, Comparative Dwellings Statement and Tree and Landscape Impact Assessment.

4.2 The conclusions from the Planning Supporting Statement are summarised as follows :

- The site is not situated in the countryside, but within the physical limits of the village immediately opposite the village stores and close to all of the other village amenities. It is an established residential curtilage in an otherwise built up frontage;
- The development would not impact on the landscape or on the openness or intrinsic character of the countryside. It would instead deliver additional housing in a sustainable location through efficient but not overused use of the land;
- The development would not cause harm to the character and appearance of the conservation area, which is characterised at this location by a sense of physical enclosure and tree cover. These aspects of the site would be unchanged and be enhanced through additional planting where necessary.
- The proposed dwelling, whilst large, would not be visible from the street due to extensive vegetation. The arboricultural report confirms that the development would not damage or require the removal of any trees (a small number of trees may be required to be removed in any event notwithstanding the proposal).

4.3 The conclusions from the Design & Access Statement are summarised as follows:

- The scheme has been significantly altered following discussions with the Council and has resulted in a reduced "footprint", height profile and relocation of the dwelling on the site, which has been designed by a local pre-eminent architect. The dwelling would be sympathetic to the character of the local area and village street scene by including a vernacular design form and use of materials reflecting village detailing and is typical of large houses set within large landscaped grounds.

5.0 RELEVANT SITE HISTORY

5.1 Proposed application for the erection of a substantial single dwelling and detached garage within the grounds of The Delles withdrawn in 2011 following advice from the Council's Conservation Officer that the size and design of the proposed dwelling would be inappropriate for its setting and be visually oppressive, where the suggested mixture of architectural forms and elevational detailing would lack unity, where the dwelling by reason of its size, design and detailing, together with a substantial triple garage with accommodation above would be very prominent and where the Great Chesterford Conservation Area Appraisal and Management document identifies the site as containing mature trees in extensive grounds and making it a significant contribution to the amenity of this part of the village (UTT/1527/11/FUL). As such, refusal of that application was to be recommended.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 East of England Plan 2006

- Policy SS1: Achieving Sustainable development
- Policy ENV6: The Historic Environment
- Policy ENV7: Quality in the Built Environment

6.3 **Essex Replacement Structure Plan 2001**

- None.

6.4 **Uttlesford District Local Plan 2005**

- ULP Policy S7: The Countryside
- ULP Policy GEN1: Access
- ULP Policy GEN2: Design
- ULP Policy GEN7: Nature Conservation
- ULP Policy GEN8: Vehicle Parking Standards
- ULP Policy ENV1: Design of development within Conservation Areas
- ULP Policy ENV3: Open Spaces and Trees
- ULP Policy ENV4: Archaeological Sites

6.5 **Other plans/documents referred to**

Great Chesterford Conservation Area Appraisal and Management Proposal document adopted 2007 following consultation for Development Management purposes.

7.0 **PARISH COUNCIL COMMENTS**

- 7.1 Whilst the design of the proposed dwelling is acceptable, the site is outside village development limits and offers no community benefit. As such, it would set a precedent for similar developments elsewhere in the village.

8.0 **CONSULTATIONS**

Environment Agency:

- 8.1 Comments to be reported.

Veolia Water:

- 8.2 Comments to be reported.

Anglian Water:

- 8.3 Comments to be reported.

Essex County Council Highways:

- 8.4 No highway objections. **Informative:** The highway authority has concerns over the restricted visibility at the existing site access and it is likely that any further intensification of the access would attract a recommendation of refusal.

ECC Archaeology:

- 8.5 The Essex HER shows that the proposed development lies in a highly sensitive area to the east of the Roman walled town with previous excavations in the immediate area recovering evidence of Roman occupation (HER 4915). Also potential of medieval deposits surviving on the site. Any groundwork in this area is likely to destroy important archaeological deposits. This potential has not been

identified within the supporting statement. Recommend full archaeological excavation condition.

Specialist Design on Listed Buildings and Conservation:

- 8.6 The proposed dwelling as re-submitted is still of substantial proportions as a "country house" as with the previous proposal, although would have a less pastiche and less complicated design form than the previous unacceptable design scheme. I would have no design objections to this revised scheme subject to the dwelling being turned around 180 degrees so that the principal elevation of the dwelling fronts onto Carmen Street rather than towards the rear boundary. Whilst the proposed triple garage at the front would have a large footprint/volume, it would nonetheless represent a subservient structure in terms of its size and built form relative to the size of the dwelling to which it would serve. I therefore have no design objections on this basis where the proposal would not overly impact upon the setting of the non-listed The Delles.

Landscape Officer:

- 8.7 The proposed development would have an adverse impact on the quality and fabric of the conservation area at this location. The site is specifically identified in the Great Chesterford approved Conservation Area Appraisal document 2007 as an important open space which should be protected from development. The site is of high landscape quality contributing to the quality and fabric of the conservation area. Views into the site from public vantage points can be taken from the driveway entrance and whilst the site is contained by garden walls fronting Carmen Street and Jackson Lane the character of the site can be appreciated from outside of the site. The site is located outside the village development limits and therefore the proposal is contrary to policy. The trees on the site are protected under a tree preservation order and are for the greater part unlikely to be affected by the proposed development.

Building Control

- 8.8 B5 Access satisfactory.

UDC Project Officer:

- 8.9 To be reported.

Climate Change Manager:

- 8.10 Apply condition C.8.35 - compliance with code level 3 (less than 5 dwellings)

9.0 REPRESENTATIONS

- 9.1 1 notification received. Original notification period expired 7 May 2012
Advertisement expired 24 May 2012. Site Notice expired 23 May 2012.

Anonymous representation - "Residents with concerns about the future development of the village":

The development would not be beneficial for the future development of the village. The village centre already has a high density of housing and has become over congested and overcrowded and the proposal would add to this. The proposal site is outside development limits. The village may have an additional 100 houses in two chosen sites in the future and through good planning and a balanced mixture of houses would benefit from this new housing, although allowing the proposal

would add to the existing high density of development when other large building developments are planned.

10.0 APPRAISAL

10.1 The issues to consider in the determination of the application are:

- A Countryside protection / whether the proposal would constitute sustainable development by reason of its location (NPPF, ULP Policy S7);
- B Whether the proposal would be harmful to bio-diversity, including protected species (ULP Policy GEN7);
- C Design / whether the proposal would preserve or enhance the character and appearance of the conservation area, including open spaces and trees (ULP Policies GEN2, ENV1 and ENV3);
- D Whether access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8).

A Countryside protection / Whether the proposal would constitute sustainable development by reason of its location (NPPF, ULP Policy S7)

10.2 The application site falls just outside development limits for the village where ULP Policy S7 states that the countryside will be protected for its own sake and where permission will only be granted for development that needs to take place there or is appropriate to a rural area, adding that development will only be permitted if its appearance protects or enhances the particular character of the countryside within which it is set. Strictly, therefore, the proposal would be contrary to rural constraint policy. However, the site forms part of an established large residential curtilage in an otherwise built up frontage along Carmen Street/Carmel Street and does not because of this have the appearance of countryside at this just north of village centre location where its rear boundary borders onto pasture/amenity land beyond and which is clearly more open in character. Furthermore, the site is considered by its location to be within a sustainable location close to village services, including the village post office and primary school and where the NPPF states that there will be a presumption in favour of sustainable development where a proposal is in all other respects in accordance with the development plan for the area. As such, it is considered that the proposal would not conflict with countryside protection aims of ULP Policy S7 on this basis.

B Whether the proposal would be harmful to bio-diversity, including protected species (ULP Policy GEN7)

10.3 The application site currently comprises a large, established, slightly raised domestic grassed tennis court area set between two belts of site perimeter tree vegetation. Standing advice from Natural England states that ecology surveys may be required in such situations subject to site specific conditions. However, there are no recorded protected species for the site or within its immediate vicinity and it is considered from the application details submitted and the condition of the land that the proposal would not be harmful to bio-diversity, including protected species under ULP Policy GEN9.

C Design / whether the proposal would preserve or enhance the character and appearance of the conservation area, including open spaces and trees (ULP Policies GEN2, ENV1 and ENV3);

10.4 The proposal would represent a large dwelling of imposing design and proportions with detached frontage triple garage. The applicant has made the case through a

comparative dwelling assessment that the proposed development would be comparable in scale, character and contextual setting with existing larger dwellings and grounds located within the village as identified in the assessment, including Chesterford House, Essex House, The Mumbles and Mill House and would therefore be an acceptable proposal for the application site. It is further argued that the proposed dwelling would be appropriately scaled in relation to the built form of The Delles (the "donor house") and its setting. In this respect, the frontages along Carmen Street contain properties of a varied built form and it is considered that the design of the proposed dwelling as revised from the previous scheme would represent an appropriate frontage continuum where the development would not have a material adverse impact upon the setting or the reasonable enjoyment of The Delles and where the proposed garage block would be subservient in scale to the proposed dwelling. In the circumstances, the proposal is considered acceptable in design terms under ULP Policy GEN2.

- 10.5 Notwithstanding this improvement on the design of the proposed new dwelling, Officers have concerns over the impact that the development would have on the setting of this part of the conservation area and which was raised as a concern with the previous application scheme by the Council's Conservation Officer. The Great Chesterford Conservation Area Appraisal and Management Proposal document, which was subject to consultation and which was adopted for Development Management purposes in 2007, identifies those important open spaces within the Great Chesterford conservation area which should be protected from development, to include private grounds, where these have been identified as containing high amenity value. Paragraph 1.49 of the document states in this regard that *"Open spaces of landscape quality or of historic importance that contribute to the visual importance and add to the variety of the streetscene or the conservation area generally have been included. The entirety of the open space does not have to be visible from public viewpoints"*. The document adds at paragraph 1.134 that *"The mature trees in the extensive grounds to The Delles make a significant contribution to the amenity of this part of the village. The trees act as a backdrop to views from several vantage points and provide a strong natural vertical emphasis that dominates the streetscene"*.
- 10.6 ULP Policy ENV3 of the local plan (Open Spaces and Trees) states that 'The loss of traditional open spaces, groups of trees and fine individual specimens through development proposals will not be permitted unless the need for the development outweighs their amenity value', whilst paragraph 2.16 of the aforementioned appraisal and management document states in respect of those identified sites that *"The areas are identified on Figure 8 and it is considered that development on them would be entirely inappropriate and represent a considerable loss"*. Figure 8 refers to the Management Plan map highlighting in green those sites which should be protected from future development.
- 10.7 The Council's Landscape Officer has assessed the current proposal against ULP Policy ENV3 and against the recommendations made within the document as highlighted above and is of the considered opinion that the development proposed by the introduction of a large dwelling onto this site with large triple garage would conflict with this landscape/conservation advice and that the application should be refused on this policy basis in order to protect the site from development. It is noted within the application submission documents that the case is made that the enclosed grounds to The Delles do not form a public open space as they cannot be viewed from outside of the site and where it is argued that the essential features of the conservation area would be preserved and enhanced. However, it is the Council's view that harm would be caused to this part of the conservation area by the development proposed where it is considered that an overriding need for the development has not been demonstrated by the applicant and where as mentioned above the Great Chesterford Conservation Area Appraisal and Management Proposal document states that it is not essential for the sites

identified in Figure 8 to constitute public open space for harm to the conservation area to be caused.

D Whether access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8)

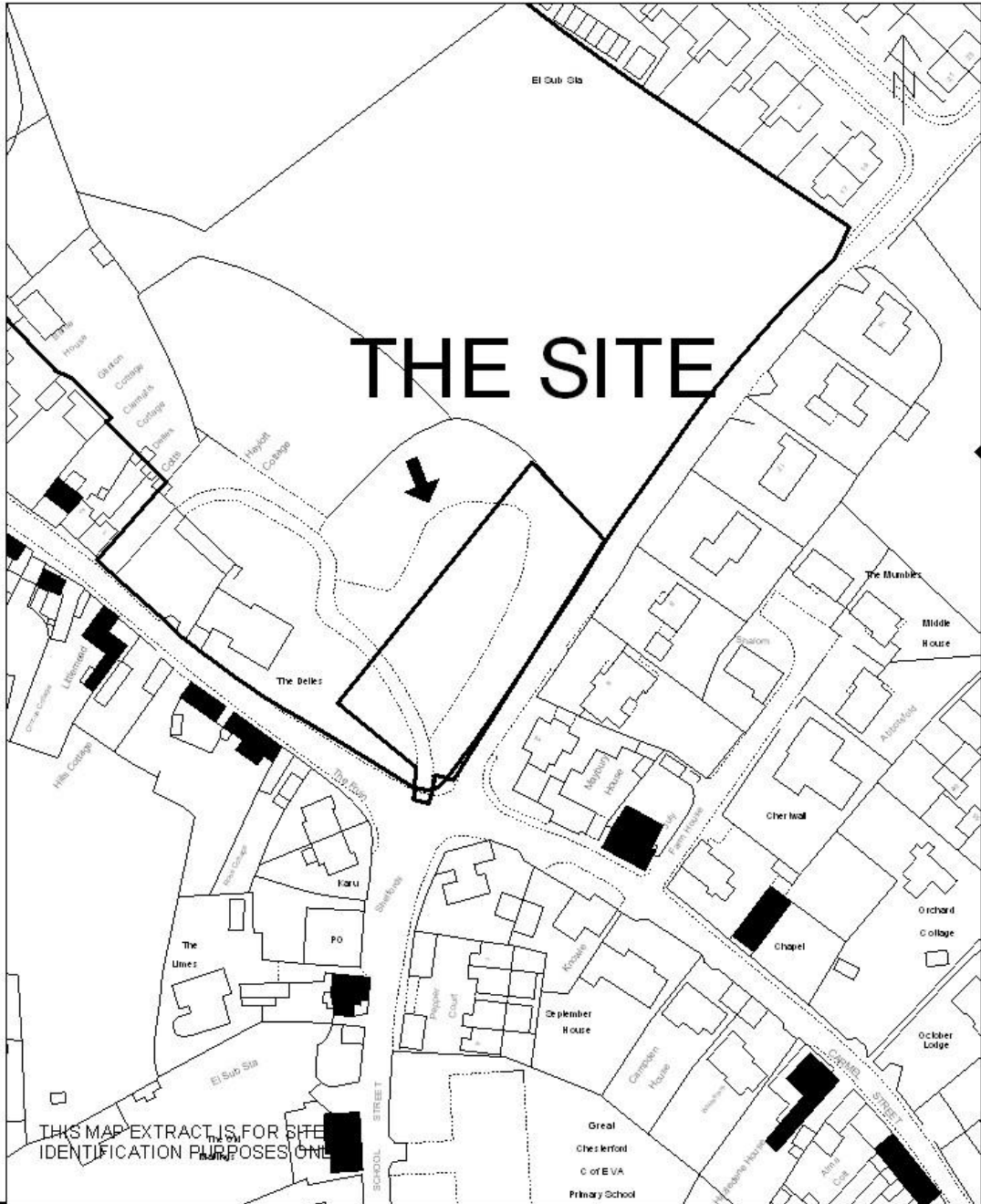
- 10.8 The proposal would utilise the existing and established double gated entrance at the south-east corner of the site, which comprises a 3.4m span gap between brick piers within the existing 2 metre high front boundary flint wall. It would be the applicant's intention to seal off the existing driveway through to The Delles and for vehicular access to that property to be served instead by the existing access on the courtyard side with the existing access only serving the application site. As such, the proposal would not give rise to any intensification of the existing use of the eastern access point and ECC Highways have not objected on this basis notwithstanding that visibility outside the site at the corner junction is considered to be restricted. No highway objections are therefore raised on this basis under ULP Policy GEN1.
- 10.9 The triple garage would have internal parking space measurements of 5 metres by 2.7 metres, which is below the minimum internal space dimensions required under new parking standards in order to allow some storage space. However, this requirement is considered not to be critical for the application proposal where the requirement for garage storage space at the site would not be an issue. Turning space would be adequate. No parking objections are therefore raised under ULP Policy GEN8.

11.0 CONCLUSION

- 11.1 The following is a summary of the main reasons for the recommendation:
- 11.2 The Great Chesterford Appraisal and Management document approved in 2007 for development management purposes and which is a material document which carries weight in the determination of planning applications states that those sites identified within the management plan as being important open spaces within the village shall be protected from development where ULP Policy ENV3 applies. The application site is one of those sites as identified in the plan and is considered to be an inappropriate site for development on this basis within the conservation area where an overriding need to develop the land has not been demonstrated by the applicant.

12.0 RECOMMENDATION – REFUSAL

- 12.1 The application proposal would be contrary to advice contained within the Great Chesterford Appraisal and Management document approved in 2007 with regard to the protection of identified important open spaces for the village and is considered contrary to ULP Policy ENV3 of the Uttlesford Local Plan (adopted 2005) for this reason where an overriding need to develop the land has not been demonstrated by the applicant. .
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