

UTT/12/5904/FUL – (NEWPORT)

(Referred to Committee by Cllr Rose Reason: Unacceptable height of building will increase visual impact. Increased size and accommodation will encourage greater number of cars and the site cannot accommodate additional parking without impact on the parking space and access of the track/road to neighbours)

PROPOSAL: Amendments to previously approved application UTT/0513/12/FUL for the erection of dwelling

LOCATION: Willowchase, London Road, Newport, Saffron Walden, CB11 3PP

APPLICANT: EJ Bishop Homes Ltd

AGENT: New World Architectural

GRID REFERENCE:

EXPIRY DATE: 28 January 2013

CASE OFFICER: Nicholas Ford

1.0 NOTATION

1.1 Outside Development Limits.

2.0 DESCRIPTION OF SITE

2.1 The application site comprises land to the rear of properties fronting Newport Road and is on land of a higher topography than properties to the east namely the rear gardens of Willow Chase and Chesterton House. The application site adjoins a detached dwelling named Braeside to the north. To the west, beyond a site recently granted permission for a dwelling, is an agricultural field with the M11 beyond. Access is via an unmade track from Newport Road that passes the northern elevation of Chesterton House. Close boarded fencing runs along the boundary with Chesterton House and Willow Chase.

3.0 PROPOSAL

3.1 The application proposes an amendment to planning permission granted on 31 May 2012 for the erection of a dwelling and garage. The amendments relate to an increase in the height of the dwelling by 0.625 metres to about 8.9 metres. A rear single storey element would also increase in height by about 0.3 metres.

4.0 APPLICANTS CASE

4.1 See Design and Access Statement. In summary, the alterations to the roof are sought because the approved double ridge form would be difficult to construct and maintain. The proposed simple attic truss arrangement allows for additional storage and accommodation.

5.0 RELEVANT SITE HISTORY

5.1 On 31 May 2012 planning permission was granted for the erection of a dwelling and garage.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S7 (The Countryside)
- Policy H4 (Backland Development)
- Policy GEN1 (Access)
- Policy GEN2 (Design)
- Policy GEN8 (Vehicle Parking Standards)

7.0 PARISH COUNCIL COMMENTS

- 7.1 The planning application which has been approved is outside the development limit and therefore inconsistent with local planning regulations. We oppose provision of a games and storage area as this could easily be converted to additional bedrooms and there would be insufficient parking for this. Access for emergency vehicles and other properties would be inadequate. It is time officers considered such applications in the context of a rural community. We fully understand the concerns of the local residents and we request that you take into account all the commented received and refuse this application.

8.0 CONSULTATIONS

- 8.1 Highway Authority: No objections.

9.0 REPRESENTATIONS

- 9.1 3 representations have been received from occupiers of Tormina, Willowchase and Chesterton House. Comments are summarised:

- Visual impact of additional height
- Out of keeping with the character and appearance of the surrounding area
- Overdevelopment
- Trees along the access track have preservation orders
- Additional accommodation will a greater number of cars – the site cannot accommodate additional parking without impact on the parking and access of neighbouring properties
- Change from a two storey to a three storey house
- Overshadow the garden of Willowchase
- Additional rooms could be used as bedrooms
- Noise could impact on neighbours
- Windows would overlook Willowchase
- Concern for flooding from surface water
- Concern for storage and collection of waste
- Precedent for further dwellings

10.0 APPRAISAL

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

Whether the proposed amendments in scale and appearance are acceptable in relation to the character of the area and the amenity of neighbouring properties (NPPF and ULP Policies S7, H4, GEN1, GEN2, GEN8, SPD's Accessible Homes and Playspace and ECC Parking Standards).

- 10.1 The principle of the erection of a dwelling on this site, outside development limits, has already been established on the basis of its sustainability credentials, preserving the character of its environment and its contribution to the Council's shortfall in housing land supply. That planning permission is extant and can be implemented. There is no planning reason to re-visit the principle of dwelling here.
- 10.2 Amendments relate to the scale of the dwelling (0.625m increase in height) and its appearance. The increase in scale is considered modest and the resultant scale would continue to preserve character and not result in any additional significant overbearing impact on neighbours. The approved dwelling mostly features weatherboarding, whereas the amendment proposes greater use of brick with a plinth, banding and soldier course. There are some minor changes to the appearance of the chimney, porch and bay window. These materials would be suitable and consistent with the character of the area.
- 10.3 Rooflights have been inserted in order to provide light to second floor accommodation. Representations are noted. However, these are set at an oblique angle and would not result in significant harm by virtue of overlooking. In particular, those facing west towards a dwelling yet to be constructed are already sited on an elevation featuring first floor bedroom windows. Those facing south, towards Willow Chase, are small and would have a cill height not less than 1.7 metres from finished floor level which is accepted as sufficient height to resist casual overlooking.
- 10.4 Additional accommodation in the roof does not create any further requirement beyond the three parking spaces provided which meets the standard for dwelling with four or more bedrooms.

11.0 CONCLUSION

The following is a summary of the main reasons for the recommendation:

- 11.1 Subject to conditions the proposed dwelling, with amendments, is considered to accord with policies.

RECOMMENDATION – CONDITIONAL APPROVAL

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 (as amended).

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. Before development commences details of materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. Before development commences details of surface water drainage works (to include wheelwashing facilities) shall be submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of all surface water to the ground within the site by means of a sustainable drainage system, which should include levels of the drive, materials to be used and how it would be drained. The results of this assessment shall be submitted to the local planning authority. Subsequently the surface water drainage shall be carried out in accordance with the approved details before the first occupation of the dwellings and maintained in the same condition thereafter.

REASON: To control the risk of flooding to the development and adjoining land in accordance with Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to E of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: To prevent the site becoming overdeveloped and in the interests of the amenity of the occupiers of adjoining dwellings/buildings in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

6. The development hereby permitted shall incorporate all measures set out in the accessibility statement/drawing which accompanied the application.

REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with national and local planning policies in accordance with Supplementary Planning Document - Accessible Homes and Playspace Adopted November 2005.

7. The development shall be carried out in accordance with the submitted site levels and cross section for the dwelling and garage indicated on drawing NWA-12-022-3.

REASON: To protect the amenity of neighbours and to minimise visual impact in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

8. First floor elevation en-suite windows shall be obscure glazed and fixed shut. Other than the windows shown on the approved drawings to which this planning permission relates, no windows or other form of opening shall be inserted into the first floor or second floor elevations or roof slopes of the dwelling hereby permitted without the prior written consent of the Local Planning Authority.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.