

UTT/12/6120/OP – (TAKELEY)

(Reason: Applicant is an ex council employee)

PROPOSAL: Outline permission for erection of one and a half storey dwelling

LOCATION: Sunny View, School Lane, Takeley

APPLICANT: Mr James Salmon

AGENT: N/A

GRID REFERENCE: 556548 / 224725

EXPIRY DATE: 15 February 2013

CASE OFFICER: Miss S Wellard

1.0 NOTATION

1.1 Outside Development Limits, Within Countryside Protection Zone, adjacent listed building

2.0 DESCRIPTION OF SITE

2.1 This application relates to a parcel of land of 555sqm located to the southern side of School Lane in the hamlet of Molehill Green. It is approximately 18.5m in width and 30m in depth. The land forms part of the existing garden of the dwelling 'Sunnyview' which is situated to the west side. The land currently accommodates sheds and outbuildings in association with Sunnyview. To the east of the plot is residential dwelling 'Yew Tree Cottage'. The cottage is a listed building however suffered severe fire damage in recent years and is currently being reconstructed. There are residential dwellings to the northern side of this lane and open fields to the south/rear.

3.0 PROPOSAL

3.1 This application seeks outline permission for erection of a 1½ storey dwelling with all matters reserved. An indicative block plan has been submitted which shows the footprint to be a maximum of 12m in width and 6.5m in depth, including an integral garage. Two parking spaces are shown to the front of the dwelling/site. The application form states that the dwelling would have 3 bedrooms. The Design and Access Statement cites that the upper limit of the dwelling would be 7.3m and the lower limit 6m.

4.0 APPLICANTS CASE

4.1 Design and Access Statement (Summary): A comprehensive Planning and Design and Access statement has been submitted with the application. This provides details of the site and its context, the proposed dwelling, relevant planning policies including the NPPF, the sustainability of the site and village services, overview of relevant planning permission that have been granted in Uttlesford, and the relevance of the five year land supply.

5.0 RELEVANT SITE HISTORY

5.1 DUN/0021/68 – Erection of double garage. Conditional approval 16.09.1968

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (March 2012)

6.4 Uttlesford District Local Plan 2005

- Policy S8 Countryside Protection Zone
- Policy H3 Infilling with new houses
- Policy GEN2 Design
- Policy GEN1 Access
- Policy GEN8 Vehicle Parking Standards
- Policy GEN7 Nature Conservation

7.0 PARISH/TOWN COUNCIL COMMENTS

7.1 Takeley Parish Council principally agrees with the regeneration of the Molehill Green community. It is good to see local people returning to the area who will be permanent residents and will invigorate the community.

8.0 CONSULTATIONS

ECC Ecology

8.1 Holding objection to initially submitted information. Upon receipt of additional information as requested, the holding objection was lifted. No objection subject to the imposition of a condition to address the protection of breeding birds.

ECC Archaeology

8.2 Recommends archaeology condition attached to any permission. The Historic Environment Record shows that the proposed development area lies in a potentially highly sensitive area of known archaeological deposits. The site is recorded as being the location of two house platforms of possible medieval date and a post medieval kiln site (HER 4711). The record covers an area around Sunnyview, which lies to the north of the scheduled medieval manor site of Waltham Hall. There is potential the occupation related to the manor site as well as the dispersed medieval settlement pattern of the area. The archaeological work would comprise open area archaeological excavation of the proposed house footprint.

National Air Traffic

8.3 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS Limited has no safeguarding objections to this proposal.

Thames Water

8.4 No comments received

Veolia Water

8.5 No comments received

9.0 REPRESENTATIONS

9.1 Site notice displayed and the occupiers of 6 neighbouring properties notified via letter – Period expired 31 January 2013. No representations received

10.0 APPRAISAL

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

- The principle of the development of this site (ULP Policy S8, H3, NPPF);
- Access to the site (ULP Policy GEN1);
- Vehicle Parking Standards (ULP Policy GEN8 and ECC Parking Standards);
- Design (ULP Policy GEN2 & SPD Accessible Homes and Playspace);
- Impact on adjacent listed building;
- Nature Conservation (ULP Policy GEN7)

The principle of the development of this site

- 10.1 The site is located outside of any development limits as defined within the Local Plan, but within the Countryside Protection Zone (CPZ) surrounding Stansted Airport. Local Plan Policy S8 relates to the CPZ and specifies that planning permission will only be granted for development that is required to take place there or is appropriate to a rural area and that there will be strict control on new development. In addition, if new buildings or uses would promote coalescence between the airport and existing development in the countryside or it would adversely affect the open characteristics of the zone, development will not be permitted.
- 10.2 However, the Council is currently unable to demonstrate a five year land supply of deliverable sites for residential development. In such circumstances the NPPF specifies that “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.
- 10.3 Molehill Green is considered to be a sustainable location. The applicant has provided a comprehensive supporting statement detailing public transportation links and details of services and facilities in the nearby area. The site is within walking distance to the centre of the village where there are shops and services. There are also bus stops within walking distance to enable travel to neighbouring villages and towns and to Stansted Airport where there is ease of access to London and beyond.
- 10.4 There is no specific Local Plan policy on infilling outside of development limits, however opportunities for sensitive infilling of small gaps in small groups of houses but close to settlements are generally considered to be acceptable if the development would be in character with the surroundings and have limited impact on the countryside in the context of existing development.
- 10.5 The character of this area of the village is that of dwellings in a linear pattern either side of School Lane and along the main road. They vary in terms of plot width, comprising a mixture of detached and semi-detached dwellings, of single and two

storeys. This site is situated between two existing residential properties. Given its location amongst existing residential dwellings, it is not considered in this instance that the proposal would have such an adverse impact on the rural character of the countryside that it would outweigh the need for additional housing in the district. Also, given its location, it is not considered that it would promote coalescence between the airport and existing development in the countryside in this instance.

- 10.6 Taking into account the lack of five-year land supply, the pattern of development surrounding the site and the sustainable position of the site within the village, in this instance it is considered that there are material considerations which would warrant approval of this application.

Access to the site

- 10.7 Access is a reserved matter however submitted plans show that there would be off road parking provision to the front of the site with access from School Lane. School Lane is not a classified road and is a non-through road. It is not considered that the relocation of an existing access would have any harmful impact on highway safety in this location.

Vehicle Parking Standards

- 10.8 The submitted indicative layout details show that there would be adequate space within the site for the parking of two vehicles off road with complies with current adopted standards.

Design

- 10.9 Appearance, scale and layout are reserved matters and the application only indicates a proposed footprint of the building of 12m in width and 6m in depth. The application form states that the building would be 1 ½ storeys with a maximum height of 7.3m.
- 10.10 The indicated footprint appears to be appropriate to the immediate surroundings. The existing bungalow on the site has a larger footprint and the listed building to the east has a footprint similar to that proposed. The building would generally be set on a building line to respect the neighbouring buildings. The building would be 1½ storeys. Sunnyview to the west is only single-storey with a shallow pitched roof and its appearance is of no special merit. The listed building to the east, once reconstructed, will be 1½ storeys. The dwellings to the northern side of School Lane opposite the site are also 1½ storey. Given this array of dwelling types it is considered that a 1½ building would be suitable in this location, subject to design and scale and would be compatible with the scale of the surrounding buildings.
- 10.11 No details of the proposed building have been submitted however it is considered that a scheme could be designed where the amenity of the neighbouring properties could be protected in terms of light and privacy. Windows could be mostly incorporated to the front and rear of the building and the plot is wide enough so that the building would not be unduly overbearing.
- 10.12 There is ample room within the site to provide a private amenity area for the new dwelling. The indicative block plan shows a rear amenity area of approximately 280sqm, which is well in excess of the requirement within the Essex Design Guide.

Impact on adjacent listed building

10.13 The building directly to the east of the plot is a listed building. It was however unfortunately mostly destroyed by fire and is currently in the process of being rebuilt. The cottage is 1½ storeys in height. The indicative block plan shows that the new dwelling would be located some 3.5m from the eastern side boundary. Given the unfortunate circumstances of the listed building and the distance of the proposed building from this boundary and its height, it is not considered that the proposal would have any harmful impact on its character or setting.

Nature Conservation

10.14 There is a mature hedgerow to the frontage of the site. As originally submitted, ECC Ecology had a holding objection to the application as inadequate information was submitted with regards to potential for the development to impact on biodiversity features. Subsequently the applicant submitted additional information with regards to the hedgerow to the site frontage and the ECC Ecologist lifted the objection, subject to the imposition of a planning condition. As such, the proposal would not result in any harm to a protected species.

11.0 CONCLUSION

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

- The principle of the development of this site is acceptable taking into account the lack of five year land supply of housing in the district.
- The site in a sustainable location with good transport links and services and the proposal would not promote coalescence between the airport and existing development.
- The proposal would have no harmful impact on the setting of the adjacent listed building.
- The proposal would have no adverse impact on the amenity of any neighbouring residential property.

RECOMMENDATION – CONDITIONAL APPROVAL

1. Approval of the details of the layout, access, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.
(B) The development hereby permitted shall not be begun later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country

Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved programme.

REASON: In the interests of archaeological protection in accordance with the NPPF and Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

4. No hedgerow removal shall be carried out on site between the 1st March and 31st August inclusive in any year. If this is not possible, a detailed hand-search of the hedgerow must be carried out by a suitably qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10m buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).