

**UTT/13/0183/FUL – (CLAVERING)**

*(Deferred from last meeting)*

*(Referred to Committee by Cllr Oliver. Reason: Over development. Impact on the character of the area and neighbouring properties)*

**PROPOSAL:**           **Erection of a detached dwelling and garage.**

**LOCATION:**           **Belmont, Arkesden Road, Clavering, CB11 4QU**

**APPLICANT:**       **Mr Seb Vallance**

**AGENT:**             **None**

**GRID REFERENCE:**

**EXPIRY DATE:**     **25 March 2013**

**CASE OFFICER:**   **Nicholas Ford**

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**1.0 NOTATION**

1.1 Within Development Limits.

**2.0 DESCRIPTION OF SITE**

2.1 The application site is located in Hill Green, Clavering. Belmont is a detached brick built with concrete roof single storey two bedroom dwelling set back from and facing Arkesden Road. It has an access from Arkesden Road leading to a parking area and garage. It has a large rear garden that extends south from this garage behind adjacent dwellings named Wayside and Rustling End. These are two storey and semi-detached. Hope Cottage (also two storey) lies beyond. On the opposite side of the road (west) and north lies agricultural land. There is a paddock to the east.

**3.0 PROPOSAL**

3.1 The application proposes the erection of a two storey detached five bedroom dwelling with a detached double garage and home office. The dwelling would be sited rear of Belmont and facing north. The dwelling would be about 7.2 metres high with a detached garage at about 4.8 metres high. The existing point of access for Belmont onto Arkesden Road would be used (new access for Belmont subject to application UTT/13/0182/FUL. Two garage parking spaces and three off road parking spaces would be provided for occupiers. A private garden would be provided between the new dwelling and the boundary with Hope Cottage to its south. Materials proposed comprise render and timber feather edge boarding with a brick plinth under clay peg tiles.

**4.0 APPLICANTS CASE**

4.1 See Design and Access Statement and Phase 1 Habitat Survey.

**5.0 RELEVANT SITE HISTORY**

5.1 UTT/0472/10/OP – Outline planning permission for the erection of a chalet bungalow (access and layout) using the existing point of access was granted 14 May 2010.

## **6.0 POLICIES**

### **6.1 National Policies**

- National Planning Policy Framework

### **6.2 Uttlesford District Local Plan 2005**

- Policy S3 (Other Development Limits)
- Policy H4 (Backland Development)
- Policy GEN1 (Access)
- Policy GEN2 (Design)
- Policy GEN7 (Nature Conservation)
- Policy GEN8 (Vehicle Parking Standards)
  
- Supplementary Planning Document – Accessible Homes and Playspace
- Essex County Council Parking Standards (as amended)

## **7.0 PARISH COUNCIL COMMENTS**

- 7.1 Object because the proposed new dwelling would not be compatible with the scale of the surrounding buildings and it would have an overpowering effect on the neighbouring properties to which Policies GEN2 and H4 refer. It is noted that outline consent for a dwelling was granted in 2010 however the Parish Council notes and supports the objections of neighbouring residents on the size and exact positioning of the new dwelling in relation to neighbouring properties.

## **8.0 CONSULTATIONS**

- 8.1 Thames Water – No objection to sewerage infrastructure. Surface water drainage is the responsibility of the developer.
- 8.2 Ecologist – No objection subject to conditions to agree hedgerow retention, protection of breeding birds, exterior lighting and biodiversity enhancement.

## **9.0 REPRESENTATIONS**

- 9.1 Wayside – Object to the erection of a dwelling at the end of our garden in the way of our views. We will also lose privacy even though there will be no windows facing our way, the fact that someone will be living there would change our lives completely. This will have an adverse effect on the market value of our property. If it were moved approximately 4 metres to the north of the planned position at least we would keep our views and level of privacy.
- 9.2 Hope Cottage – The house is sited behind Wayside which will have a detrimental effect on that property as it is close to the boundary. If the house was sited near the northern boundary (where the existing garage is) it would have much less impact on the other properties around i.e. Wayside, Rustling End and Hope Cottage.

## **10.0 APPRAISAL**

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

**Whether the proposed dwelling has a scale and appearance acceptable in relation to the character of the area and the amenity of neighbouring properties, provides adequate access and parking, and preserves wildlife (NPPF and ULP Policies S7, H4, GEN1, GEN2, GEN7, GEN8, SPD's Accessible Homes and Playspace and ECC Parking Standards).**

- 10.1 The principle of the erection of a dwelling on this site, within development limits and in a 'backland' location, has already been established by grant of outline planning permission. There is no planning reason to re-visit the principle of dwelling here.
- 10.2 The outline permission does not approve scale but the approved layout indicates a building occupying a similar position to that now proposed but sited at right angles to that now proposed. Representations are noted but loss of views or property prices can be given no planning consideration. It is noted that the position of the approved dwelling occupies land between Wayside and agricultural land beyond.
- 10.3 The scale of proposed dwelling would not be significant. At about 7.2 metres high this is a reasonable height given the context of scale of surrounding two storey cottages, and only about 300mm taller than Belmont presently is. The scale and appearance of the garage has been negotiated so as to provide a more discreet appearance and avoid a hard urban edge to countryside beyond. It would have a hipped roof and be part screened existing Ash trees and by additional planting of Birch and Beech, as would the dwelling itself. Its appearance would employ pitched roofs, gables and dormer windows sympathetic to the character of the area, as would its materials.
- 10.4 The existing access for Belmont would be used for vehicular access for occupiers of the new dwelling (Belmont is subject to a concurrent application for a new access to serve its occupiers) and so there would be no change highway safety circumstance. Five off road parking spaces are provided two in in a garage and three hard standing spaces. The garage spaces do not meet minimum internal width but there are three off road spaces in accordance with the standard for a 4+ bedroom dwelling.
- 10.5 A generous garden for a family size dwelling in excess of 100 sqm would be provided.
- 10.6 The orientation of windows avoids first floor windows facing west towards Belmont and Wayside. There would be a distance of about 20 metres from first floor bedroom windows to the boundary with Hope Cottage which is satisfactory so as to avoid significant overlooking. Other widows to elevations facing north and east (including a balcony) face countryside and a paddock respectively and therefore avoid amenity consideration.

## **7.0 CONCLUSION**

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

Subject to conditions the proposed dwelling would accord with policies for new development within development limits.

## **RECOMMENDATION – CONDITIONAL APPROVAL**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the erection of the development hereby approved (not including footings and foundations) details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

3. Hedgerows shall be retained and protected during the construction period.

REASON: In the interests of biodiversity of conservation importance in accordance with Policy GEN7 of the Uttlesford Local Plan adopted 2005 and the NPPF.

4. No scrub, hedgerow or tree clearance shall be carried out on site between 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. If such permission is given for scrub, hedgerow or tree removal, a detailed hand-search of the affected area must be carried out by a suitable qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10 metre buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.

REASON: In the interests of biodiversity of conservation importance in accordance with Policy GEN7 of the Uttlesford Local Plan adopted 2005 and the NPPF.

5. Any external lighting shall be designed to avoid impact on nocturnally mobile animals. Any lighting shall be directed away from boundary vegetation and any nesting and roosting boxes inward toward the development and be either low pressure sodium lights or high pressure sodium lights with UV filters.

REASON: In the interests of biodiversity of conservation importance in accordance with Policy GEN7 of the Uttlesford Local Plan adopted 2005 and the NPPF.

6. Features to enhance the site for bats, birds and invertebrates including artificial roosting features (2 bat tiles to south east to south west orientation), bird nesting boxes to trees or swift bricks (out of direct sunlight and at least 5 metres above ground), native species hedge shall be planted in accordance with details which shall have previously been submitted to and approved in writing by the Local Planning Authority.

REASON: In accordance with Paragraph 109 of the NPPF which states that the planning system should seek to enhance the natural environment by providing net gains in biodiversity wherever possible, and incorporating biodiversity in and around developments should be encouraged under Paragraph 118.

7. Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-
  - i. proposed finished levels or contours;
  - ii. means of enclosure;

iii. hard surfacing materials;

iv. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

9. Notwithstanding the submitted drawings hereby approved no additional windows, roof lights or other form of opening shall be inserted into the west elevation or roof slopes of the dwelling hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to protect neighbouring properties from overlooking in the interests of residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

10. 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 extensions shall be constructed (other than any expressly authorised by this permission or any other grant of express planning permission) on any part of the site 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 in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.