

UTT/13/1678/FUL (THAXTED)

(MINOR APPLICATION)

PROPOSAL: Demolition of existing bungalow and erection of 6 No houses.

LOCATION: Artington, Orange Street, Thaxted

APPLICANT: Mr S Brock

AGENT: Mr Christopher Hennem, Pelham Structures Ltd.

EXPIRY DATE: 6 September 2013

CASE OFFICER: Samantha Wellard

1. NOTATION

1.1 Within Development Limits, Conservation Area, adjacent listed buildings

2. DESCRIPTION OF SITE

2.1 This application relates to a parcel of land of 0.17 hectares situated to the north east side of Orange Street and north west side of St Clements in the middle of the village of Thaxted. It has vehicular accesses from both roads. The site is located within the Development Limits and within the Thaxted Conservation Area. The topography of the site is such that the land slopes downwards from east to west.

2.2 The site comprises a bungalow with detached garage to the southern part of the site, and a gravelled overflow car park area for the Plymouth Brethren Gospel Hall to the northern part. Conservation Area Consent was granted in February 2013 under UTT/12/5744/CA for the demolition of the existing bungalow.

2.3 The Brethren Hall is situated to the north west of the site and the rest of the site is surrounded with residential properties of varying scale and appearance.

3. PROPOSAL

3.1 It is proposed to demolish the existing dwelling and garage at the site and redevelop the site to form six dwellings. This would comprise a row of No.3 two-storey terraced properties fronting Orange Street. These properties would comprise 3 bedrooms. Plots 1 and 2 would have covered parking provision within the site with a shared access to the west side of the row. Plot 3 would have parking to the rear of the plot accessed from St Clements. There would be No.2 two-storey properties fronting St Clements with 2 bedrooms each and parking provision adjacent to the dwellings. It is also proposed to erect a detached bungalow within the site at the northern part with on plot parking. Each property would have its own private amenity area and two parking spaces. 2 visitor parking spaces would also be provided.

4. APPLICANT'S CASE

4.1 Design, Access and Heritage Statement, dated July 2013 – Provides details of the proposed scheme and addresses amendments in relation to the previously refused application UTT/12/5743/FUL. Gives details of the history of the site and area. Refers to relevant national and local plan policies and details how the proposal accords with policy requirements. Outlines the proposed development in terms of its layout, scale,

appearance, landscaping and access. Provides a heritage statement which outlines the historic context of the site.

- 4.2 Bat Survey, dated August 2012 – The lack of potential roosting places and absence of any evidence of presence of bats means that no further surveys are required.
- 4.3 Flood Risk Statement – The proposal allows measures to be installed to alleviate surface water runoff from the site.
- 4.4 Structural Report, September 2012 – By modern standards the property is woefully inadequate. The foundations are substandard. The structure is substandard in structure, insulation, air tightness, resistance to fire, heating and electrical systems and drainage. The building will continue to deteriorate and is not worthy of retention.
- 4.5 Sustainable Construction Measures – Details have been provided with regards to Lifetime Homes Standards, and measures proposed to ensure a high level of energy efficiency is achieved, that water usage is reduced, that the development will aid recycling and that measures will be taken to reduce the carbon footprint of the development.

5. RELEVANT SITE HISTORY

- 5.1 There have been applications relating to the dwelling at the site including the erection of the existing detached dwelling. These are not however directly relevant to the current proposal.
- 5.2 Previous application UTT/12/5743/FUL proposed the demolition of the existing dwelling and the erection of 7 new dwellings on the site. This application was refused on 1 February 2013 for the following 4 reasons;

1. The proposed development, by reason of its scale, design and layout, in particular the cramped design of Plot 4 and the untraditional wide spans which form a bulky appearance, does not respect, preserve or enhance the character and appearance of essential features of a Conservation Area and is not compatible with the built form of the surrounding traditional dwellings contrary to Policies ENV1 and GEN2 of the Uttlesford Local Plan (2005).

2. The proposed development, by reason of the position of the front facing windows and the distances between the proposed buildings and the neighbouring properties, would cause an unacceptable loss of privacy to the amenities of neighbouring residential properties No.1 St Clements and No.3 Old Organ Works, contrary to Policy GEN2 of the Uttlesford Local Plan (2005).

3. The proposed development, by reason of its poor parking layout and design, which comprises parking provision away from the dwellings particularly of Plots 3 and 4 is likely to give rise to on street parking in an area where the roads are narrow and there is no existing on street parking available, which would compromise road safety contrary to the requirements of Policy GEN1 of the Uttlesford Local Plan (2005).

4. It has not been demonstrated that the proposed dwellings would fully comply with the Council's adopted supplementary planning document in respect of Lifetime Homes Standards. Failure to address these issues would result in a development which would not meet the needs of future users contrary to ULP Policy GEN2 and adopted supplementary planning documents "Accessible Homes and Playspace".

- 5.3 UTT/12/5744/CA granted consent for the demolition of the existing bungalow on the site.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

S3 – Other settlement boundaries
GEN1 - Access
GEN2 - Design
GEN8 – Vehicle Parking Standards
ENV1 – Design of development within Conservation Areas
ENV2 – Development affecting Listed Buildings
H3 – Infilling with new houses
H10 – Housing Mix
SPD Lifetimes Homes

7. PARISH/TOWN COUNCIL COMMENTS

- 7.1 Object for the following reasons: Concerns over parking, over-development, the intrusive skyline and traffic safety. GEN1 (Access) is contravened in that there are safety concerns with the proposal. GEN2 (Design) is contravened in that it is incompatible with the scale, form, layout, appearance and materials of surrounding buildings and further under GEN2, that it has an overbearing impact. Thaxted Councillors did not object to the development per se but stressed that it must be in sympathy with the local area, which current plans would indicate that it does not.

8. CONSULTATIONS

Anglian Water

- 8.1 The foul drainage from this development is in the catchment of Great Eastern STW that at present has available capacity for these flows. The sewerage system at present has available capacity for the domestic flows from 6 dwellings. This is on the basis that any surface water found to be discharging to the foul sewerage system is removed upon redevelopment. The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. There is no surface water strategy submitted with the planning application and it is unclear whether the flows will impact an Anglian Water asset and therefore we are unable to determine if there will be an unacceptable risk of flooding or pollution posed by the new development. Therefore we request the applicant submits a surface water drainage strategy which outlines the proposals for the disposal of surface water.

Essex County Council Archaeology

- 8.2 The Historic Environment Record shows that the proposed development lies within the highly archaeologically sensitive area of the medieval town of Thaxted (Essex Historic Environment Record 1397). During the medieval period Thaxted had a thriving cutlery industry, with documentary sources recording 79 cutlers being present in 1393, which represented a third of the adult male population. The settlement of Thaxted was thriving in the 13th century and was probably larger than it is today. The development area lies directly behind the infilled market place. There is high potential of finding medieval and post medieval archaeological deposits relating to the historic development of the town especially as other sites in this area have produced quantities of worked animal bone associated to the cutlery industry. The site is also close to the

route of the Slade which means that there is a high potential for water logged deposits. The applicants have submitted two references to sites from the Heritage Gateway, however there is no interpretation of the significance of the potential archaeological deposits on the site.

Essex County Council Highways Authority

8.3 No objection subject to the imposition of highway conditions.

Essex County Council Ecology

8.4 No objection subject to the imposition of conditions.

UDC Access and Equalities

8.5 The application submitted now meets the requirements of the Lifetime Homes requirements. There is additional provision on the drawings shown as units 6 and 7, the two bedroom dwellings, which comply with Part M, to support future adaptations.

9. REPRESENTATIONS

9.1 Site Notice displayed and the occupiers of 43 neighbouring properties notified via letter. Period expires 13 August 2013. 16 Letters of objection received which are summarised as follows;

- Loss of light for the properties on Orange Street and St Clements
- Loss of privacy to neighbouring properties
- Would lead to loss of view from the existing properties
- Adverse impact on adjacent listed buildings
- Parking - there is only provision for 2 visitors parking spaces. Orange Street and St Clements cannot cope with more parking. Both are basically one way streets and we are an overflow for school drop offs, visitors to the Maypole and residents currently in Mill Road and Orange Street.
- Access to the bungalow is proposed from Orange Street, the impact of which will be immense on existing residents in terms of their current parking restrictions but also headlights and noise pollution.
- Highway safety concerns
- There is already an unusually high volume of traffic for such a narrow residential street
- By proposing 5 houses of 2+ bedrooms means the likelihood of more children. This will impact on the school even further.
- Retention of the boundary between existing St Clements properties and the new proposal will need to be explained further to existing residents as there is a considerable drop in levels between the two sites. We would need assurance that the new development residents would take responsibility for the new boundary.
- There is no explanation as to whether the existing trees in the car park are to be retained or new ones planted. I believe there might be a conservation order on at least one tree.
- Sewerage is already a big problem in Thaxted and will only get worse with this planned proposal in the middle of the town.
- Properties in St Clements (top end), Orange Street and Mill Road will be de-valued with this planned proposal.
- The planned proposal is just a greedy development in a conservation area and I am sure it can be modified and reduced so that it doesn't negatively impact so many people.
- The development constitutes overcrowding and should be restricted to perhaps four bungalows

- The dwellings are to lifetime homes standards but the footpaths are not
- Cumulative effect of this development and surrounding ones
- Inaccurate information provided by the applicant
- The plans still do not adequately show the relationship of the proposed dwellings with neighbouring properties or the relative ground levels.
- Noise and fumes from parking spaces adjacent to 9 St Clements
- Loss of ecology
- Loss of hedge will have negative impact on street scene
- Will not enhance the Thaxted Conservation Area

10. APPRAISAL

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

- A Principle of Development (ULP Policy S3)
- B Design and Layout - Impact on character of conservation area and visual amenity (ULP Policies ENV1, GEN2)
- C Impact on residential amenity (ULP Policy GEN2)
- D Highways Issues (ULP Policies GEN1 and GEN8)
- E Protected species (ULP Policy GEN7)
- F Other material planning considerations

A Principle of Development (ULP Policy S3)

- 10.1 Thaxted is recognised as a Key Rural Settlement under Policy S3 of the Local Plan, in which development compatible with the settlements character and countryside setting will be permitted. Therefore, there is not an objection in principle to the erection of new dwelling on this site, however all other material considerations must be taken into account which are detailed below.

B Design and Layout - Impact on character of conservation area and visual amenity (ULP Policies ENV1, GEN2)

- 10.2 Firstly, it is recognised that the existing dwelling on the site is of no special merit and there is no objection to its demolition (see planning consent UTT/12/5744/CA).
- 10.3 The site is located wholly within the Thaxted Conservation Area. Policy ENV1 of the Local Plan refers to the design of development within conservation areas. This policy states that development will be permitted where it preserves or enhances the character and appearance of essential features of a Conservation Area, including plan form and relationship between buildings.
- 10.4 Policy GEN2 states that development should be compatible with the scale, form, layout and appearance of surrounding buildings and should have regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.
- 10.5 This part of the conservation area has two distinctive characteristics. The southern part and Orange Street is of a traditional historic appearance. Orange Street is narrow and most of the dwellings on its northern side are listed buildings. These buildings, and generally those in the historic part of the village are mostly terraced properties with traditional narrow Essex span widths set at the frontage of the sites. St Clements to the north and east is a cul-de-sac of much more modern construction and its character does not add to the attractive appearance of the conservation area.
- 10.6 This application follows a previously refused application (UTT/12/5743/FUL) for 7 dwellings on the site. It was considered in that application that '*The proposed*

development, by reason of its scale, design and layout, in particular the cramped design of Plot 4 and the untraditional wide spans which form a bulky appearance, does not respect, preserve or enhance the character and appearance of essential features of a Conservation Area and is not compatible with the built form of the surrounding traditional dwellings contrary to Policies ENV1 and GEN2 of the Uttlesford Local Plan (2005)'.

- 10.7 In comparison to that application, the number of units have been reduced by one and therefore the development has a far less cramped appearance. The 3 dwellings along Orange Street have traditional spans of 6m and are situated in a terraced row which is a common characteristic in the locality. These buildings have been set back from the road to allow a greater sense of division from the buildings on the opposite side of Orange Street. This will also enable some soft landscaping to be planted to the front of the buildings to soften the appearance of the development. A single storey element has been added to the eastern side of Plot 3 which breaks up the bland flank wall which would be prominent from the eastern approach to the site.
- 10.8 The properties facing St Clements also have traditional spans, albeit with two-storey elements to the rear. The fenestration arrangement in these properties has been reduced in comparison to that previously proposed which provides a far more traditional appearance.
- 10.9 The proposed bungalow is low key, and whilst not of the most inspiring design, is situated well into the site and would therefore be unassuming and have no adverse impact on the appearance of the wider area.
- 10.10 The dwellings would have external materials of smooth render over brick plinths to the elevations with clay tiles roofs. The appearance of the buildings would be appropriate in the Conservation Area, respecting its character by reason of use of appropriate external materials and the traditional form of the buildings.
- 10.11 In terms of layout, the parking provision is far more appropriate than previously proposed. 4 of the dwellings would have direct on plot parking provision for 2 vehicles each. Plots 1 and 2 would have covered garaging located to the rear of the properties that would be directly accessible via the rear gardens of the plots.
- 10.12 Below is a table which gives a breakdown of each plot in terms of number of bedrooms, amount of private amenity area and number of car parking spaces. It is noted that Plots 1, 2 and 3 fall marginally short of the requirements of the Essex Design Guide but it is not considered that this small margin is significant enough to recommend refusal of the application, particularly in such a central location. The housing mix is acceptable and accords with Policy H10 which requires that developments of 3+ dwellings should have a significant mix of small units.

Plot No.	No. of Bedrooms	Private amenity area (sqm) (approx)	No. of car parking spaces
1	3	97	2
2	3	92	2
3	3	85	2
4	2	91	2
5	2	122	2
6	2	172	2

- 10.13 There are several listed buildings along Orange Street and The Tanyard, however it is considered that these are separated from the site by an adequate distance and with

existing buildings in between so that development of this site would not have any adverse impact on their historic setting.

C Impact on neighbouring residential properties

- 10.14 The previous application UTT/12/5743/FUL was refused for the following reason '*The proposed development, by reason of the position of the front facing windows and the distances between the proposed buildings and the neighbouring properties, would cause an unacceptable loss of privacy to the amenities of neighbouring residential properties No.1 St Clements and No.3 Old Organ Works, contrary to Policy GEN2 of the Uttlesford Local Plan (2005)*'.
- 10.15 In relation to the current application, there have been objections from occupiers of residential properties that surround the site stating that the proposals will lead to a loss of light and privacy.
- 10.16 In terms of overshadowing and loss of light, it is not considered that the proposal would have any materially adverse impact on any neighbouring residential property. At the north north/east part of the site, the dwelling on St Clements are situated on a considerably higher ground level. Plot 6 would only comprise a single-storey bungalow. The proposed dwelling on Plot 5 would be located some 3m from the north eastern boundary and the floor level has been dropped. Given the plot levels and the distance from the side boundary, the proposal would not cause any significant undue loss of light. Again, by reason of the orientation of the proposals and the distance from the properties to the south east side of St Clements, there would be no undue overshadowing of these properties.
- 10.17 The properties to the south of Orange Street differ in character. The Old Organ Works abuts the pavement and is situated adjacent to the far south east corner of the site. The other properties that front Mill End are divided from the site by the road, their rear gardens and most have detached garages in their rear gardens between the site and their dwellings. Further, the site is located to the north of these properties. As such, given the separation of the properties from the site and the orientation of the buildings, the proposal would have no significant material impact in terms of causing any material loss of light to these dwellings.
- 10.18 In terms of causing any loss of privacy, Plot 6 is a bungalow so given its height and location, will not cause any loss of privacy. Plot 5 has no windows in its north east side elevation. Plots 1, 2 and 3 are separated from the dwellings that front Mill End by the road, gardens and in most cases detached garages. Given the distance between the existing and proposed buildings which is over 15m in most cases and the existence of garage buildings between the dwellings, it is not considered that the proposals would have any adverse impact on these dwellings. Whilst it is acknowledged that Old Organ Works abuts the pavement, most of this building is situated adjacent to the St Clements road entrance and the corner plot where Plot 3 would be located.
- 10.19 No.3 Old Organ Works is closest to Plot 3. It has a first floor window immediately oppose the proposed house and an integral garage downstairs. Plot 3 would be located almost oppose the habitable window of No.3 Old Organ Works. This plot has been designed so that there would only be one window in the front elevation of the dwelling and this would serve a bathroom which would therefore be glazed with obscured glass. Therefore, the proposal would have no harmful impact by way of causing any loss of privacy to No.3 Old Organ Works. The windows in Plot 2 would be located at an obscure angle from No.3 Old Organ Works which would minimise any potential overlooking.

10.20 The rear gardens of No's 1 and 2 St Clements are currently not overlooked. Plots 4 and 5 would be situated in close proximity to the frontage of their sites with windows approximately 10m from the rear of No.1 St Clements. The dwellings have however been designed so that all first floor windows in the front elevations would serve bathrooms and would therefore have obscured glazing. The proposed would not cause any loss of privacy to the dwellings on St Clements.

10.21 In comparison to the previous application, the form and layout of the dwellings has been rearranged and therefore the reason for refusal of UTT/12/5743/FUL is no longer an issue. The proposal would have no significant adverse impact on the amenities of any neighbouring residential properties and the proposal therefore accords with Policy GEN2(i) of the Local Plan.

10.22 Loss of a view is not a material planning consideration.

10.23 Neighbours have raised concern regarding the retaining wall to the northern boundary of the site where the level drops considerably from north to south. This is a party wall issue that will need to be resolved between the developer and occupiers of the neighbouring properties.

D Highways issues

10.24 There have been a number of objections to the proposal stating that it would have a harmful impact on highway safety. The ECC Highways Authority has no objection to the proposal subject to the imposition of highway conditions.

10.25 With regards to parking provision two spaces are indicated per dwelling as well as two additional visitor parking spaces. The spaces are all at least 2.9m x 5.5m which comply with adopted Parking Standards.

10.26 In comparison to the previously refused scheme, the layout of dwellings and vehicular parking spaces have been greatly improved. All dwellings have direct access to their parking space from their plots.

10.27 Neighbours have commented that the existing overflow car park is regularly used by the brethren hall users several times a week. If this space is not available for parking, there are other public car parking facilities within the town that could be used and are in reasonable walking distance.

E Protected species

10.28 The submitted Bat Survey states that the lack of potential roosting places and absence of any evidence of presence of bats means that no further surveys are required and a EPSL is not required. Essex County Council Ecologists have no objections to the proposal subject to the imposition of conditions.

F Other matters

10.29 Lifetime Homes Standards - the Councils Access and Equalities Officer has stated that the application submitted now meets the requirements of the Lifetime Homes requirements. There is additional provision on the drawings shown as units 6 and 7, the two bedroom dwellings, which comply with Part M, to support future adaptations.

10.30 Trees - Two mature trees would be removed within the site to accommodate the development. The Council's Landscape Officer does not consider these trees to be of any special merit and there is no objection to their removal.

10.31 Flood risk and sewerage - Anglian Water have no comment to make on the proposal.

11. CONCLUSION

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

- A There is no objection to the principle of residential development of the site
- B The development is of an acceptable design and layout, with adequate provision of parking spaces and private amenity area
- C The proposal would respect the essential characteristics of the conservation area
- D The scheme has been designed so that no neighbouring properties would be adversely affected by the development
- E There would be no harmful impact on highway safety

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) samples 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 the appearance of the development in accordance with Policy GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

3. All boundary treatment works shall be carried out in accordance with the approved details shown on Drawing Number 301BRO x 01G. 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).

5. Before the first occupation of the buildings hereby permitted the windows at first floor level in front elevation of Plots 3, 4 and 5 as indicated on Drawing Number 301BRO x 01F shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

REASON: In the interests of the amenity of surrounding residential uses in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

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

7. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

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

8. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

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

9. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Uttlesford Planning Authority. The details shall ensure the lighting is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

10. No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary of the site.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

11. Any gates provided at the vehicular accesses shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005)..

12. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

13. The development shall be carried out in accordance with the levels indicated in approved drawing number 301BRO x 01G unless as otherwise agreed in writing with the local planning authority.

REASON: In the interests of the amenity of surrounding residential uses in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

14. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005)..