

UTT/13/2905/FUL (Takeley)

Referred to Committee by Cllr Cheetham. Reason: I am concerned about overdevelopment of the site and loss of amenity to the neighbouring properties.

PROPOSAL: **The proposal is to demolish an existing dwelling and for the erection of four dwellings**

LOCATION: **The Laurels, Dunmow Road, Takeley**

APPLICANT: **Mr Hynes**

AGENT: **Mr J Tyers, JPT Design Consultants**

EXPIRY DATE: **30 December 2013**

CASE OFFICER: **Madeleine Jones**

1. NOTATION

1.1 Within Development Limits

2. DESCRIPTION OF SITE

2.1 The site is situated to the north of the B1256 approximately 700m to the east of the Four Ashes crossroads and covers an area of 0.12 hectares. The site is relatively level and currently forms a detached two-storey dwelling. The existing dwelling is approximately 35m to the rear of the site in a position which is not in line with the adjacent properties. The sites to the west and rear of the Laurels have been developed. The houses to the west are separated from the site by their rear gardens which are bounded by timber fencing.

3. PROPOSAL

3.1 The proposal is for the erection of four dwellings and to demolish the existing dwelling.

3.2 The dwellings would consist of a pair of semi-detached dwellings to the front of the site and a further two detached dwelling to the rear of the site.

4. APPLICANT'S CASE

4.1 The application proposes the demolition of the existing 2 storey dwelling and the redevelopment of the residential land to form 4 No. dwellings with associated car parking, landscaping and access arrangements.

4.2 This application has been revised after the advice issued in the previous application that the designs of the houses were not adequate. We have now addressed the design issues and had a meeting with the planners to confirm acceptance of the designs before submitting this new application.

4.3 We are also keen to point out that there are several new developments along Dunmow road that have not followed the design guide strictly in their design and that we are providing bigger gardens than those that have been passed and built recently.

development with a range of 2 and 2.5 storey dwellings. The houses to the west are separated from the site by their rear gardens which are bounded by close boarded timber fencing.

- 4.4 There are some existing trees within the site which mainly border the site and if they are to be removed, they will be replaced under a soft landscaping scheme to be agreed with Uttlesford District Council.
- 4.5 My Client is proposing to demolish the existing 2 storey dwelling and replace with 2 no. 4 bed 2.5 storey dwellings 2 no. 3 bed 2.5 storey dwellings as proposed on the accompanying drawings.
- 4.6 The existing plot will then be sub divided to accommodate the new dwellings as shown on the accompanying plans and sketches.
- 4.7 The proposal continues the simple form as evident in the development to the west and rear of the site, by creating uncomplicated facades using composite casement windows.
- 4.8 The proposed rear gardens are modest and will cater for modern living requirements, full width patio doors and folding doors will take full advantage of the afternoon sun.
- 4.9 Parking for 2 vehicles will be provided for each dwelling, plus 3 additional parking spaces totalling 11 no. parking spaces of 5.5m x 2.9m. The garages have internal dimensions of 7.0m x 3.0m as required by Uttlesford District Council guidelines. Secure cycle storage for 2 bicycles will be provided for all 4 new dwellings.
- 4.10 Bin storage areas will be provided for all of the new dwellings.
- 4.11 It is hoped that the simple design will contribute to the character of the area whilst ensuring that any future development does not detract from the existing vernacular. The plan layout of the proposed dwellings can be seen on the accompanying drawings, with an eaves height of 4.8m from the finished floor level. The overall ridge heights are to be 8.45m (3 Beds) and 9.05m (4 Beds) from the finished floor level, which have remained the same as the previous application.
- 4.12 The proposed external facing brickwork of the proposed dwellings is to be a red brick similar to those used on the newly built dwellings to the west and rear of the site. The proposed roof tiles will be a plain brown or red concrete tile, again to compliment the newly built dwellings to the west and rear of the site.
- 4.12 The eaves and ridge will be clipped close to the building and will enhance the street scene and compliment the adjoining properties dwellings to the west and rear of the site.
- 4.13 All new windows and doors will be double glazed, composite units of similar appearance to the existing new dwellings to the west and rear of the site, so that there is consistency throughout the development.

5. RELEVANT SITE HISTORY

UTT/1421/04/OP Outline application (with all matters reserved except siting and means of access) for erection of single dwelling Approve with Conditions 12th May 2008

UTT/0435/11/REN Renewal of approved planning application UTT/1421/04/OP for erection of single dwelling (with all matters reserved except layout & access) Finally Disposed Powers 16th April 2012

UTT/0884/11/DFO Details following approved outline application UTT/1421/04/OP for erection of single dwelling. Approve with Conditions 29th June 2011

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy - Little Canfield Local Policy 3
- Policy GEN2 - Design
- Policy GEN8 –Vehicle Parking Standards
- Policy GEN6- Infrastructure Provision to Support Development
- Policy S3 – Other Settlement Boundaries
- Policy H3 – New Houses within Development Limits.
- Policy H10 – Housing Mix.

Supplementary Planning Documents:

- Energy Efficiency and Renewable Energy has been adopted (October 2007)
- Essex County Council Parking standards have been adopted (January 2010)
- Accessible Homes and Playspace (November 2005)
- Developer Contributions – June 2013

7. PARISH COUNCIL COMMENTS

7.1 Despite officers finding the design of the proposed dwellings acceptable, TPC disagrees.

7.2 The proposed properties should replicate the character of the existing dwelling. There is no architectural merit in the proposed design. The dwellings are brick without rendered, and will not blend with the original dwellings and rural village location that make up the street scene.

7.3 TPC objects to the proposed 2.5 storey homes. The proposed height of the new property is overbearing & will jar with the rural character of the street scene.

7.4 Some of the existing surrounding properties will be overlooked from first (& second) floor living accommodation. This will result in detrimental loss of privacy.

7.5 The ditch on the western edge of the plot is not shown on the plan. Significant development will impact on local drainage and may cause flooding. A site inspection is recommended prior to any planning approval.

8. CONSULTATIONS

Essex County Council - Education

- 8.1 As I understand it this is one of Prior's Green "Island" sites that are covered by the Supplementary Planning guidance (SPD=G) adopted in July 2003. In accordance with the SPG I am formally requesting, on behalf of Essex County Council that a s106 agreement be entered into to include a contribution towards additional education provision calculated in accordance with the formula set out in the SPG.
- 8.2 If your Council were minded to turn down the application, I would be grateful if the lack of education provision in the area can be noted as an additional reason for refusal and that we are automatically consulted on any appeal or further application relating to the site.

Essex County Council - Highways

- 8.3 The Highway Authority would not wish to raise an objection to the above application as shown in principle on Drawing No. JPT/JH/1013/060 dated October 2013 subject to conditions:

Essex County Council- Archaeological

- 8.4 "No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority."
Reason for Archaeological condition
The Historic Environment Record shows that the proposed development lies within an area in which multi-period archaeological deposits have been identified (HER 46298). During the development of Priors Green a large medieval field system and settlement and prehistoric occupation has been identified. The southern edge of the development is formed by the line of the original road from Braughing to Colchester (HER 4697). Elsewhere along this road evidence of both Roman and medieval settlement has been found. A recognised professional team of archaeologists should undertake the archaeological work. The work will consist of the initial excavation of a trial trench followed by the excavation of any area of archaeological deposits identified. The District Council should inform the applicant of the archaeological recommendation and its financial implications.

Essex County Council- Ecology

- 8.5 No objection subject to conditions
- 8.6 The Biodiversity Checklist is inaccurate and no supporting information has been provided. Due to the size and nature of the site I will accept it but in future ecological information should as a minimum meet British Standard 42020:2013.
Trees may be removed to facilitate the development. This should take place outside of the bird breeding season to prevent disturbance of legally protected nesting birds. A building is to be demolished. The following condition is recommended.
- 8.7 Protection of Breeding Birds
No tree, hedgerow or scrub removal shall be carried out on site between the 1st March and 31st August in any year, unless an ecological assessment of the affected

vegetation which confirms that no bird nests will be affected has been undertaken, and submitted and approved in writing by the Uttlesford Planning Authority.

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 Local Plan policies.

8.8 Informative (recommended by Natural England)

It is possible that bats may be encountered once works commence. As such Natural England recommends that the following informative should be appended to any such consent:

Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

Thames Water

- 8.9 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

9 REPRESENTATIONS

Two representations have been received raising the following planning issues:

- Overlooking
- Design
- Loss of light
- Noise levels, congestion and pollution
- Loss of enjoyment of using our rear garden.

10. APPRAISAL

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

- A Principle of development, design, scale, impact on neighbours amenity (ULP policies S3, GEN2, H10 and H3)
- B Social, amenity and infrastructure contributions are required ULP Policies GEN 6 and Takeley/Little Canfield Local Policy 3 and SPG Takeley/Little Canfield Local Policy 3 – Priors Green);

C Vehicle parking standards and access (ULP policies GEN8, GEN1 and ECC parking Standards)

D Nature Conservation (ULP Policy GEN7);

E Other material planning considerations.

A Principle of development, design, scale, impact on neighbours amenity (ULP polices S3, GEN2, H9, H10, ENV4 and H3)

10.1 The site is within the Development Limits of Takeley and in principle the erection of new housing is supported by policies S3 and H3 provided that the development would be compatible with the character of the settlement and its countryside setting and subject to meeting other suitable standards. The design has been negotiated and it is now considered to be acceptable. (It should be noted that there is an extant planning permission for a dwelling to the front of the site).

10.2 The design of the new properties has taken into account surrounding properties and it is considered that in view of the separation distances and that there are no windows proposed into the side elevations of the properties that the proposal would not result in any material detrimental overlooking or overshadowing and as such would not have any material impact on neighbours amenity. It should be noted that the existing detached property has window to the rear elevation.

10.3 Concern has been expressed regarding overdevelopment of the site, however the design of the site meets current adopted parking standards and the garden sizes are adequate for this location. (Although the gardens of the proposed semi-detached properties to the front do not meet the required 100m² surrounding properties have similar sized gardens).

10.4 The design complies with the Essex Design Guide and meets Lifetime Homes Standards.

B Social, amenity and infrastructure contributions are required ULP Policies GEN 6 and Takeley/Little Canfield Local Policy 3 and SPG Takeley/Little Canfield Local Policy 3 – Priors Green);

10.2 The site is not an island site within the SPG and therefore the financial contribution should not apply to this site.

C Vehicle parking standards and access (ULP policies GEN8, GEN1 and ECC parking Standards)

10.3 The application site is served by an existing access point. ECC Highways raise no objections to the proposals subject to conditions. Adequate parking provision has been provided to meet the current Essex County Council adopted Parking Standards.

D Nature Conservation (ULP Policy GEN7);

10.4 Essex County Council- Ecology have no objection subject to condition. As such it is not considered that the proposal would have any adverse impact to biodiversity.

E Other material planning considerations.

10.5 Although the council now requires financial contributions in respect of Affordable Housing, this application has been the subject of pre-application advice and is a revision of a withdrawn scheme and as this was not raised as a requirement during that consultation it is considered to be unreasonable to require the contribution at this stage.

11 CONCLUSION

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

- A The principle of development in this location is considered to be acceptable.
- B The site is not a designated island site within the SPD.
- C The access is acceptable. Parking provision meets current adopted Essex County Council Parking standards.
- D With the imposition of conditions, no protected species would be affected by the development.
- E It is considered to be unreasonable to require developer contributions on this site as it is has been the subject of pre-application advice prior to the Affordable Housing – Developer Contributions document being adopted.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

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 of the Uttlesford Local Plan (adopted 2005).

3. No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

REASON: The Historic Environment Record shows that the proposed development lies within an area in which multi-period archaeological deposits have been identified (HER 46298). During the development of Priors Green a large medieval field system and settlement and prehistoric occupation has been identified. The southern edge of the development is formed by the line of the original road from Braughing to

Colchester (HER 4697). Elsewhere along this road evidence of both Roman and medieval settlement has been found. A recognised professional team of archaeologists should undertake the archaeological work. The work will consist of the initial excavation of a trial trench followed by the excavation of any area of archaeological deposits identified. In accordance with Uttlesford Local Plan policy ENV4

4. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be identified clear of the highway. Details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that appropriate loading/unloading facilities are available so that the highway is not obstructed during the construction period in the interest of highway safety in accordance with Uttlesford Local Plan Policy GEN1.

5. No tree, hedgerow or scrub removal shall be carried out on site between the 1st March and 31st August in any year, unless an ecological assessment of the affected vegetation which confirms that no bird nests will be affected has been undertaken, and submitted and approved in writing by the Uttlesford Planning Authority.

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 Local Plan policy GEN7.

UTT/13/2905/FUL

The Laurels Dunmow Road Takeley



Scale: 1:1250

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Organisation	Uttlesford District Council
Department	Planning and Building Control
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