

## UTT/14/1709/FUL (Great Chesterford)

(Councillor interest - Councillor Redfern)

**PROPOSAL:** Erection of dwelling with triple detached garage (alternative scheme to that approved under planning permission UTT/1615/12/FUL).

**LOCATION:** Site adjacent to The Delles, Carmen Street, Great Chesterford

**APPLICANT:** Mr A Redfern

**EXPIRY DATE:** 13 August 2014

**CASE OFFICER:** Clive Theobald

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### **1.0 NOTATION**

1.1 Outside Development Limits / Within Conservation Area.

### **2.0 DESCRIPTION OF SITE**

2.1 The application site comprises part of the extensive lawned grounds of The Delles, a large mid-Victorian dwelling, albeit not listed, on the corner of Carmen Street and Jackson's Lane measuring approximately 0.3 ha. The site is physically enclosed along its frontage boundary onto Carmen Street and along its north-eastern boundary with Jacksons Lane by continuous 2m high flint curtilage walling and is further screened at the front of the site and along Jacksons Lane by extensive tree cover. Open amenity/pasture land exists to the rear of the site. Vehicular access to The Delles is gained via a gated entrance onto Carmen Street through the boundary wall opposite School Street with secondary courtyard access being gained on the dwelling's western flank. The trees on the site collectively form a TPO grouping.

### **3.0 PROPOSAL**

3.1 This revised proposal relates to an alternative scheme for the erection of a 4 bedroomed detached dwelling with basement with detached triple bay garage block positioned to the front. The new dwelling would have an overall span of 15 metres, a maximum depth of 13 metres and maximum height to the ridge of 8.5 metres and would incorporate a Georgian period style front façade incorporating a 5 window range with centrally positioned front portico porch with side lean-to utility. The proposed garage would have a height to the ridge of 6.5 metres. The new dwelling would have either a plain clay tiled or slated roof and be externally clad with brick and render. The dwelling would be served by the existing vehicular access onto Carmen Street, whilst the existing internal drive through to the Delles would be closed off with access to that property being subsequently gained via the existing courtyard access.

3.2 It should be noted that the design for the proposed triple garage does not alter from the 2012 approved scheme, namely that it would have a gabled roof with small front dormers in the roofspace.

#### **4.0 APPLICANT'S CASE**

- 4.1 The application is accompanied by an updated Design and Access Statement which describes the reasons and justification for the design changes to the approved dwelling scheme for this site.

#### **5.0 RELEVANT SITE HISTORY**

- 5.1 Planning permission granted in 2012 for the erection of a two storey detached dwelling in period style with forward projecting detached triple garage within the grounds of The Delles (UTT/1615/12/FUL) following refusal of permission for the same said development earlier in that year (UTT/0579/12/FUL). The officer report for the approved application commented that the applicant had suitably addressed the previous sole reason for refusal relating to UTT/0579/12/FUL in respect of landscape impact and biodiversity enhancements and that the proposed development now represented an appropriate form of sustainable development at this village location which would not harm the setting and character of the conservation area.

#### **6.0 POLICIES**

##### **6.1 National Policies**

- National Planning Policy Framework.

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

- ULP Policy S7 - The Countryside
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN7 - Nature Conservation
- ULP Policy GEN8 - Vehicle Parking Standards
- ULP Policy ENV1 - Design of development within Conservation Areas
- ULP Policy ENV3 - Open Spaces and Trees
- ULP Policy ENV4 - Archaeological Sites

##### **6.3 Uttlesford Local Plan – Pre-Submission Consultation, April 2014**

- Policy SP1 - Presumption in favour of Sustainable Development
- Policy DES1 – Design
- Policy SP8 - Environmental Protection
- Policy SP9 - Protection of the Countryside
- Policy HE1 - Design of Development within Conservation Areas
- Policy SP11 - Protecting the Natural Environment

##### **6.4 Other documents referred to:**

- Great Chesterford Conservation Area Appraisal and Management Proposal document adopted 2007.

#### **7.0 PARISH COUNCIL COMMENTS**

- 7.1 (To be reported).

## 8.0 CONSULTATIONS

### Essex County Council Highways:

- 8.1 No highway objections. Informative: The highway authority has concerns over the restricted visibility at the existing site access and it is likely that any further intensification of the access would attract a recommendation of refusal.

### Specialist Design on Listed Buildings and Conservation:

- 8.2 I have no objections to this alternative dwelling scheme where the proposal would have no greater impact on the character and appearance of the conservation area than the previously approved scheme where it is noted that the siting for the proposed dwelling would be in the approximate position of the previously approved dwelling.

## 9.0 REPRESENTATIONS

- 9.1 (To be reported). Notification period expired 14 July 2014. Advertisement expires 24 July 2014. Site Notice expires 24 July 2014.

## 10.0 APPRAISAL

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

- A Countryside protection / whether the proposal would constitute sustainable development by reason of its location (NPPF, ULP Policy S7)
- B Whether the proposal would be harmful to bio-diversity, including protected species (ULP Policy GEN7)
- C Design / whether the proposal would preserve or enhance the character and appearance of the conservation area, including open spaces and trees (ULP Policies GEN2, ENV1 and ENV3)
- D Whether access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8).

### **A Countryside protection / whether the proposal would constitute sustainable development by reason of its location (NPPF, ULP Policy S7)**

- 10.1 The application site falls just outside development limits for the village where ULP Policy S7 states that the countryside will be protected for its own sake and where permission will only be granted for development that needs to take place there or is appropriate to a rural area, adding that development will only be permitted if its appearance protects or enhances the particular character of the countryside within which it is set. Strictly, therefore, the proposal would be contrary to rural constraint policy. However, the site forms part of an established large residential curtilage in an otherwise built up frontage along Carmen Street/Carmel Street and does not because of this have the appearance of countryside at this just north of village centre location where its rear boundary borders onto pasture/amenity land beyond and which is clearly more open in character. Furthermore, the site is considered by its location to be within a sustainable location close to village services, including the village post office and primary school and where the NPPF states that there will be a presumption in favour of sustainable development where a proposal is in all other respects in

accordance with the development plan for the area. As such, it is considered that the proposal would not conflict with the countryside protection aims of ULP Policy S7 on this basis where this view was similarly expressed for the officer report for the previously approved scheme.

**B Whether the proposal would be harmful to bio-diversity, including protected species (ULP Policy GEN7)**

- 10.2 The application site currently comprises a large and established domestic grassed tennis court area set between two belts of site perimeter tree vegetation. Standing advice from Natural England states that ecology surveys may be required in such situations subject to site specific conditions. However, the officer report for the previously submitted application identified that there were no protected species recorded for the site or within its immediate vicinity where the site area for the proposed development is of low ecological habitat value given its domesticated nature. Given this, it is considered that the proposal would not be harmful to local bio-diversity or protected species under ULP Policy GEN7 where an officer site visit has shown that there have not been any changes on the site since to influence the previous assessment where this has been confirmed by the applicant.

**C Design / whether the proposal would preserve or enhance the character and appearance of the conservation area, including open spaces and trees (ULP Policies GEN2, ENV1 and ENV3);**

- 10.3 As previously stated for the 2012 approved application, the proposal would represent a large dwelling containing an imposing neo-classical design principal façade with detached frontage triple garage. The frontages along Carmen Street contain properties of a varied built form and it is considered that the design of the proposed dwelling would represent an appropriate frontage continuum where the development would not have a material adverse impact upon either the setting or the reasonable enjoyment of The Delles or the character and appearance of the conservation area where the proposed garage block would be subservient in scale to the proposed dwelling
- 10.4 The design of the dwelling varies from the approved scheme insofar as the rear elevation would now have a less vernacular style where this previously incorporated a ground floor bay window and would have instead a more modern style incorporating sliding doors on the ground floor and a balcony with full height windows to the first floor for the master bedroom with the substitution of a two window range previously shown between the two rear projecting gables on the rear elevation with a single window at first floor level. The revised dwelling scheme also varies from that approved insofar as the roof would have a central flat roofed element with flat roof lantern and would incorporate internal room layout changes. Additionally, the dwelling would be sited further back into the site by approximately 2 metres from that as previously approved, whilst the garage block would be very slightly re-oriented on the site boundary. In all other respects, including footprint and external profile, the design of the dwelling would remain the same as previously approved.
- 10.5 Whilst the dwelling as modified for this alternative scheme would have contrasting styles between the principal and rear elevations, the retention of the period style front facing elevation would ensure consistency with the previous application submission, whilst the rear facing more contemporary elevation would face onto fields, albeit still within the conservation area, separated from the site by a tree screen. In the circumstances, the proposal alternative design is considered acceptable in design

terms for its location and setting in accordance with ULP Policies GEN2, ENV1 and ENV3.

**D Whether access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8)**

- 10.6 As with the previous application submission, the proposal would utilise the existing and established entrance at the south-east corner of the site which comprises a 3.4m span gap between brick piers within the existing 2 metre high front boundary flint wall where the existing driveway through to The Delles would be sealed off where the and for vehicular access to that property to be served instead by the existing access on the courtyard side of the existing dwelling. As such, the proposal would not give rise to any intensification of the existing use of the eastern access point and ECC Highways have not objected on this basis as previously notwithstanding that visibility outside the site at the corner junction is considered to be restricted. No highway objections are therefore raised on this basis under ULP Policy GEN1.
- 10.7 The triple garage proposed for the front of the dwelling would provide covered parking, whilst further parking would be available on the front hardstanding area. On-site vehicle manoeuvring would be satisfactory. The parking provision shown where this does not vary from the previously approved dwelling scheme would comply with adopted parking standards and no parking objections are raised under ULP Policy GEN8.

**11.0 CONCLUSION**

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

- 11.1 The revised design for this new dwelling scheme would be acceptable under ULP Policy GEN2 where the principle of a dwelling at this sustainable location just outside developments, but within the conservation area has previously been accepted under planning approval UTT/1615/12/FUL.

**12.0 RECOMMENDATION – CONDITIONAL APPROVAL**

Conditions

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. The development shall be carried out in complete accordance with the landscaping enhancement measures identified in the Landscape Impacts Statement, Five Year Management Plan and the Biodiversity Enhancement Scheme, together with other relevant landscaping details included in these measures accompanying the application. Any proposed planting scheme forming part of these measures shall be carried out within one planting season of the completion of the development hereby permitted, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in

accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To seek a positive landscape enhancement of the site in order to justify the development hereby permitted in accordance with ULP Policies GEN2, ENV1 and ENV3 of the Uttlesford Local Plan (adopted 2005).

3. Before development commences samples of 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. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

4. 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 F 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 visual amenity in accordance with ULP Policies S7, GEN2, ENV1 and ENV3 of the Uttlesford Local Plan (adopted 2005).

5. Before any development or preliminary groundworks of any kind commence the applicant shall secure 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 by the local planning authority.

REASON: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

6. The development hereby permitted shall be implemented in accordance with the scheme of mitigation and bio-diversity enhancement measures submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

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

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

REASON: To ensure that the new dwelling can be readily used by people with physical disabilities in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

