

UTT/14/2464/OP (Widdington)

(Referred to Committee by Cllr Rose if recommended for approval. Reason:
Overdevelopment of the site, excessive massing of dwellings, impact on wildlife;
Deferred for site visit)

PROPOSAL: Outline application for the demolition of the existing detached dwelling to be replaced with 3 no. dwellings and new access with all matters reserved except access, layout and scale.

LOCATION: Churchmead, Church Lane, Widdington.

APPLICANT: The Ellis Campbell Group.

AGENT: Cheffins.

EXPIRY DATE: 16 October 2014.

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Within Development Limits / Adjacent to Conservation Area.

2. DESCRIPTION OF SITE

2.1 The site lies at the eastern end of Church Lane and contains a 1960's constructed 1½ storey chalet style detached dwelling which stands towards the front of an established garden plot of approximately 0.2 ha with mature hedged frontage. The site is enclosed on its northern side by Dorf House, a two storey detached dwelling and on its southern side by Meadow Croft, a 1½ storey detached dwelling. Widdington Hall, a Grade II listed building stands within large enclosed grounds opposite the site within the village conservation area. A small recently constructed development of 2 to 2½ storey dwellings (Church View) lies to the immediate rear (west) of the site with vehicular access from Church Lane. The dwelling on the application site appears to be unoccupied and the garden has become somewhat overgrown. The site is level.

3. PROPOSAL

3.1 This outline application proposal relates to the erection of 3 No. dwellings with garaging and new access provision involving the demolition of the existing dwelling on the site (Churchmead). Access, layout and scale are those matters which have been selected by the applicant to be considered at outline application stage.

3.2 The indicative site layout drawing for this development proposal shows that the dwellings for Plots 1 and 2 would front onto Church Lane and be accessed from the lane, whilst the dwelling for Plot 3 to be positioned to the rear would face onto Plots 1 and 2, but would be accessed separately via a new entrance from Church View. The development would have a stated density of approximately 15 dwellings per hectare.

3.3 The proposed dwellings for Plots 1 and 2 are shown in two storey traditional form, but with differing footprints, whilst both dwellings would have the same indicated overall ridge height of 7.6 metres with double-pile gabled roofs running across the width of the dwellings. The dwellings are shown to have differing external finishes between brick

and render, although materials are indicative only. The proposed dwelling for Plot 3 is shown to be of 1½ storey form on an L shaped footprint with a ridge height of 6.9 metres with indicated render on brick as external finishes. Each dwelling would be served by a double garage with additional hardstanding parking space and would each have a rear garden amenity area shown to be in excess of 100sqm.

- 3.4 It should be noted that the ridge and eaves heights of the proposed dwellings for Plots 1 and 2 were shown on the originally submitted elevation drawing as being higher than as now indicated and as so described where they have now been reduced from 2½ storeys to two storeys in height at the request of Officers. The height of the dwelling for Plot 3 remains unchanged.

4. APPLICANT'S CASE

- 4.1 The application is accompanied by a supporting planning statement and an arboricultural report providing details of the condition of existing trees at the site. The supporting planning statement describes in more detail the site and its surroundings, the proposed scheme and the planning policy justification for the proposal. The conclusion from the supporting statement is extracted below as follows.

“The application is situated within the settlement boundary for Widdington where there is a presumption in favour of new housing development. The scale and layout of the development is considered to be acceptable, and access, amenity space and parking provision meet all of the relevant adopted standards. The proposed new dwellings are of a scale and massing that is in keeping with the surrounding residential development. For all of the reasons above, we consider that the proposal is in accordance with national and local planning policy and that outline planning permission should therefore be granted”.

5. RELEVANT SITE HISTORY

- 5.1 None (various minor domestic additions relating to Churchmead). However, Members should note that outline planning permission was granted in 2009 for the erection of four dwellings and garages involving the demolition of Church View off Church Lane to the immediate rear of the application site (UTT/1268/09/OP) and a subsequent reserved matters application for the four dwellings was approved in 2011 with minor amendments being subsequently approved. That approved scheme has since been implemented (see site description above) having a site density of approximately 12 dwellings per hectare.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework.

6.2 Uttlesford District Local Plan 2005.

- ULP Policy S3 – Other Settlement Boundaries
- ULP Policy H3 – Infilling with new houses
- ULP Policy H4 – Backland Development
- ULP Policy H10 – Housing Mix
- ULP Policy ENV1 – Development affecting Conservation Areas
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design

- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards

6.3 Widdington Village Design Statement.

7. PARISH COUNCIL COMMENTS

7.1 Object on following grounds:

Principle of development - site represents an unsustainable location following a Planning Inspector's previous remarks relating to Widdington's lack of reasonable access to services and amenities in respect of an appeal in respect of proposed residential development at Wood End. Site represents only partially "previously developed land" by NPPF definition and therefore contrary to ULP Policy H3;

Scale – the 2.5 storey dwellings proposed for Plots 1 and 2 seek to replicate the inappropriately scaled and built 2.5 storey development at Church View where this approved scheme should not be viewed as an acceptable precedent. Proposed dwellings would also stand higher on the skyline as the ground rises up from Church View to the application site. Submitted scheme would therefore fail to have good design. The scheme should be reduced to 1½ stories across the site were the Council to be mindful to grant planning permission in principle.

8. CONSULTATIONS

ECC Highways

8.1 From a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

UDC Access & Equalities Officer

8.2 Whilst the application is at outline stage, the applicant makes no reference to the SPD on Accessible Homes and Playspace and the layout and design will need to meet the criteria set out in that document at detailed stage relating to Lifetime Homes.

9. REPRESENTATIONS

9.1 Neighbour notification period expired 7 November 2014. Advertisement expired 2 October 2014. Site notice expired 25 October 2014.

17 objections, including one from CPRE, received against the proposal, which are summarised as follows:

- Inappropriate development for the site's edge of village location adjacent to the conservation area
- Overdevelopment of the site
- Dwellings too large
- Inappropriate housing type/mix
- Frontage dwellings would be intrusive and overbearing
- Proposal should be for a single replacement dwelling only

- Lack of affordable housing
- Historic lane
- Church Lane not able to cope with further development after Church View
- Inappropriate building form for this edge of village site
- Widdington recognised as being unsustainable for future housing development
- Building on garden land
- Would set future building precedent for remaining frontage dwellings along Church Lane
- No evidence that the site needs to be developed
- Construction works would block access to Widdington Hall beyond
- Would compound local flooding problems
- Restrictive covenants for Churchmead (no more than two dwellings)
- Insufficient level of detail provided within the application to allow a decision to be properly made at outline stage
- 2.5 storey dwellings reflecting mass and scale of Church View considered too high as a design rationale for this more rural lane location
- Forward facing garages onto Church Lane would not be commensurate with existing building line

Comments on representations received:

Restrictive covenants are not a material planning consideration. The site is not at high risk of flood (Flood Zone 1).

It should be said that a general theme runs through the representations received in that a lot of local resentment is still felt for the granting of planning permission for the adjacent Churchview development and that there are local concerns that the proposed development the subject of the current application at Churchmead could result in a similar massing development.

10. APPRAISAL

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

- A Principle of development (NPPF, ULP Policies S3, H3 and H4);
- B Layout and scale of the proposed dwellings (ULP Policy GEN2);
- C Whether access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8);
- D Impact on ecology (ULP Policy GEN7).

A Principle of development (NPPF, ULP Policies S3, H3 and H4)

- 10.1 The application which has been submitted is in outline form only with some matters reserved, but where matters concerning access, scale and layout fall to be considered. The site lies within development limits at the north-east end of the village where the general building grain, scale and character of existing housing is mixed and of generally low density varying between older frontage terraces along the northern end of High Street, to a looser row of detached dwellings along Church Lane extending round to the application site and beyond and the recently constructed Church View development built in between. Other approved developments for the village in recent years have been limited to occasional infilling, the development of a redundant poultry farm at Cornells Lane and the aforementioned Church View development

- 10.2 The current application in effect comprises both infill development along the Church Lane frontage consisting of two dwellings (Plots 1 and 2) and backland development off Church View consisting of one dwelling (Plot 3) where the proposal would represent a net gain of two dwellings at the site given the existence of the dwelling to be demolished. Whilst the dwellings for Plots 1 and 2 would be built over the existing dwelling at Churchmead to be demolished, which is of no architectural merit, the dwelling for Plot 3 would be built on garden land pertaining to that residential property. However, given the overall length of the existing garden plot and the availability of access from Church View, it is considered that this additional dwelling would make more efficient use of the land. At approximately 15 dwellings per hectare, the proposed development would respect the character of this part of the settlement and would reflect the low density of existing development within the area generally.
- 10.3 The NPPF has a presumption in favour of sustainable development encompassing the economic, social and environmental strands of sustainability and requires LPA's to determine planning applications in accordance with this general guidance principle as well as in accordance with its development plan. It should be noted in this respect that the adjacent Church View development was granted planning permission prior to the NPPF coming into effect in 2012. It is acknowledged that Widdington has limited local services, albeit that it has a village hall, public house and a bus service running through the village, a position which has been recognised by separate planning inspectors when considering successive planning appeals against the refusal of planning permission by the Council for the erection of a line of dwellings on a parcel of frontage land at Wood End, Widdington which lies outside development limits to the south of the High Street and considered not to constitute infilling by definition within the countryside (appeal decision currently awaited for the reduction to just one dwelling at this site). The Inspector for the last determined appeal for that site (February 2014) in respect of four dwellings remarked that the occupiers of the new dwellings would need to rely to a significant extent on the use of private transport to satisfy daily needs and services, including employment, shopping and schools. However, he found that the condition of the road links to Newport was reasonable and in this respect the proposal would meet the requirements of ULP Policy GEN1, but that the distance to be travelled to services was "considerable".
- 10.4 Whilst these remarks are noted, the site the subject of the current application lies within existing development limits for the village compared to this greenfield site lying outside development limits within the countryside and this material factor is considered to carry weight in consideration of whether planning permission ought to be granted in principle for infill at Churchmead as proposed as representing further residential development for the village following the completion of the Church View development. The 2009 Widdington Village Design Statement has been adopted as Council Guidance in determining planning applications and can therefore be given some weight. The statement discourages further development within village development limits for Widdington and within the conservation area stating that there is no remaining development space available, adding that any further housing should be confined to suitable infill sites outside development limits or as a village extension and that the existing village infrastructure should be taken into account. The statement also seeks to generally continue to maintain the low density of Widdington, to restrict building to no more than ten houses and to minimise the loss of gardens through residential infill.
- 10.5 The applicant makes the case within the submitted Design and Access Statement accompanying the current application that the site at Churchmead represents an opportunity as a "windfall" infill site in line with ULP Policy H3 which states that infilling with new houses will be permitted on land within the identified settlements (including Widdington) if the development would be compatible with the character of the

settlement. Whilst the planning merits relating to the principle of this development proposal therefore has to be viewed against the sustainability of Widdington as a settlement taken as a whole, it is considered on balance that the proposal would be acceptable at this location within settlement limits where it would have a low density subject to an assessment of access, layout and scale as discussed below.

B Layout and scale of proposed dwellings (ULP Policy GEN2)

- 10.6 The proposed dwellings are shown for illustrative purposes only, although layout and scale are matters which fall to be considered with this outline application. In terms of scale, the proposed dwellings for Plots 1 and 2 as infill dwellings are now indicated at two storey level as previously mentioned, having been subsequently reduced by the applicant from 2½ storeys during consideration stage at the request of Officers as it was considered that such ridge heights would have been too dominating within the context of the site's rural edge compared to the more mews court feel of Church View located behind. The reduction in height of the dwellings to two storey level where the ridge height of the dwellings would now be set at 7.6 metres compared to 8.8 metres (reduction by 1.2 metres) and eaves height at 5.0 metres compared to 6.4 metres as originally shown is now considered to represent a more appropriate scale and massing for its location adjacent to the conservation area with a more traditional appearance and more in keeping with the two storey height of Dorf House located to the immediate north. As such, the dwellings would be stepped down slightly from the larger height and massing of some of the dwellings in Church View to the immediate west.
- 10.7 The proposed dwelling for Plot 3 to the rear of Plots 1 and 2 would be set at 1½ storey level as originally shown with a ridge height of 6.6 metres. The dwelling would therefore have a reduced height and scale as the "backland" unit where it would stand between the 2 storey dwellings proposed at the front of the site and Church View behind. An established 3 metre high hedge runs along the south side of the private drive leading into Churchview, which would be retained by the proposal save for the removal of a section of hedge at the front corner of the drive to provide the vehicular access point to serve Plot 3. Given the height of the hedge, only the upper part of the wall and the roof would be visible from Church Lane at the bottom end of the private drive in terms of streetscene impact. Whilst appearance of the dwelling is a reserved matter, the design of the dwelling as indicated is considered to be acceptable.
- 10.8 In terms of site layout, the dwellings for Plots 1 and 2 would have a similar building frontage as the existing dwelling on the site, whilst there would be a separation distance of 3 metres between the two new dwellings and a distance to the flank boundaries with Dorf House and Meadow Croft respectively of 2 metres. Each dwelling would have private garden amenity areas well exceeding the Essex Design Guide recommended minimum 100sqm amenity standard for 4 bedroomed dwellings and would therefore be acceptable in this respect. With regard to the dwelling for Plot 3, the dwelling would sit comfortably within its site plot and would also have a private amenity area well in excess of 100sqm as an indicated 3-4 bedroomed dwelling.
- 10.9 Other design matters: The final external treatment of the proposed dwellings would be properly addressed at reserved matters stage where no specific written details of external finishes have been provided with the current application. The dwellings would be required to meet Lifetime Homes standards under the Council's SPD, which can also be addressed in the detailed design stage for the subsequent reserved matters application. In terms of likely impact on residential amenity, it would be necessary at detailed design stage to ensure that the residential amenities of the occupants of the new dwelling for Plot 3 in particular would be sufficiently protected from overlooking from the two storey dwellings at the front given this dwelling would represent the

backland dwelling at lower height. The indicative site layout plan shows that a separation distance of 24 metres would exist between the rear elevations of the dwellings for Plots 1 and 2 and the rear boundaries of these properties, whilst an “eye to eye” distance of 32 metres would exist between the dwellings for Plots 1 and 2 and the dwelling for Plot 3. These distances, together with boundary planting should ensure that adequate levels of amenity would be protected for all three dwellings, whilst the reasonable amenities of Dorf House and Meadow Croft either side of the dwellings for Plots 1 and 2 should also be able to be adequately protected subject to detailed design at reserved matters stage.

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

10.10 Vehicular access into the proposal site would utilise the existing “in-out” access points situated at the front of Churchmead from Church Lane to individually serve the dwellings for Plots 1 and 2, whilst a new access would be formed off the private drive into Church View to serve the dwelling for Plot 3 where a hammerhead already exists in front of the hedge line. The end of Church Lane is a private road, whilst Church View is a shared private drive. Church View currently serves four dwellings and the addition of a fifth dwelling off this private drive for Plot 3 would still comply with ECC Highway standards. ECC Highways has been consulted on the proposal and has not raised any highway objections. Whilst it is recognised that the proposal is likely to increase the number of vehicle movements along Church Lane, the increase would not adversely affect the character of the lane, which is not a designated protected lane. The proposal would therefore comply with ULP Policy GEN1.

10.11 All three dwellings would be served by double garages/car ports in the positions indicated on the submitted layout plan and by an additional hardstanding space. The dwellings are indicated to be 4+ bedroomed and there would therefore be a requirement for each dwelling to have a minimum of 3 No. parking spaces under currently adopted parking standards. This requirement would therefore be met. The garages/car ports for Plots 1 and 2 would be located behind the established frontage hedge along Church Road and would not be readily visible subject to height restrictions where it would be expected that any grant of permission for the proposal would require this hedge to be retained in the interests of the protection of rural amenity.

D Impact on ecology (ULP Policy GEN7)

10.12 The site currently contains a 1960's chalet dwelling with front driveway and rear garden with a number of trees located within the site and along its boundaries. The residential nature of the site with a lack of suitable hibernacula or ponds does not make the site conducive to suitable habitats for protected species such as reptiles or Great Crested Newts. Whilst the site is located within 500 metres of a large pond located to the east within the grounds of Widdington Hall, the existence of a lawned area between the pond at this nearby property and Church Lane and the presence of the lane itself is likely to discourage any frequent migration of newts from the pond to the application site. Whilst the chalet dwelling on the site appears to be currently unoccupied, the building does not contain any obvious entry points for bats with sealed soffits and is very unlikely in the consequences to represent a roosting site for bats. Whilst reference is made in some of the representations received that the bottom end of Church Lane is a natural corridor for bats coming from the nearby church, it is likely that this corridor would remain after building construction were to be completed should permission be granted for the proposal.

11. CONCLUSION

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

- A The development is considered acceptable in principle as an identified small infill/backland residential scheme within development limits where the low density of the scheme would be consistent with the housing density of the surrounding area.
- B The layout and scale of the proposed development is considered acceptable following the reduction in height of the dwellings for Plots 1 and 2 at the front of the site from 2½ to 2 storeys where the dwellings would now be more appropriate in scale for their edge of village siting adjacent to the conservation area.
- C Access and parking arrangements are considered satisfactory.
- D The proposal would not have any significant harmful impact upon protected species.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. Approval of the details of the 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. 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.

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. The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

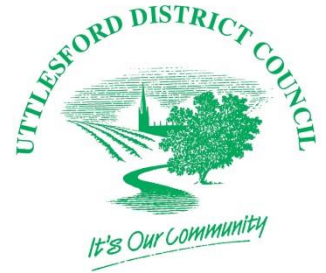
REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

4. An accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority relating to the reserved matters application. The details submitted shall set out measures to ensure that the building is accessible to all sectors of the community. The buildings shall be designed as 'Lifetime Homes' and shall be adaptable for wheelchair use. All the measures that are approved shall be incorporated in the development before occupation.

REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005 in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

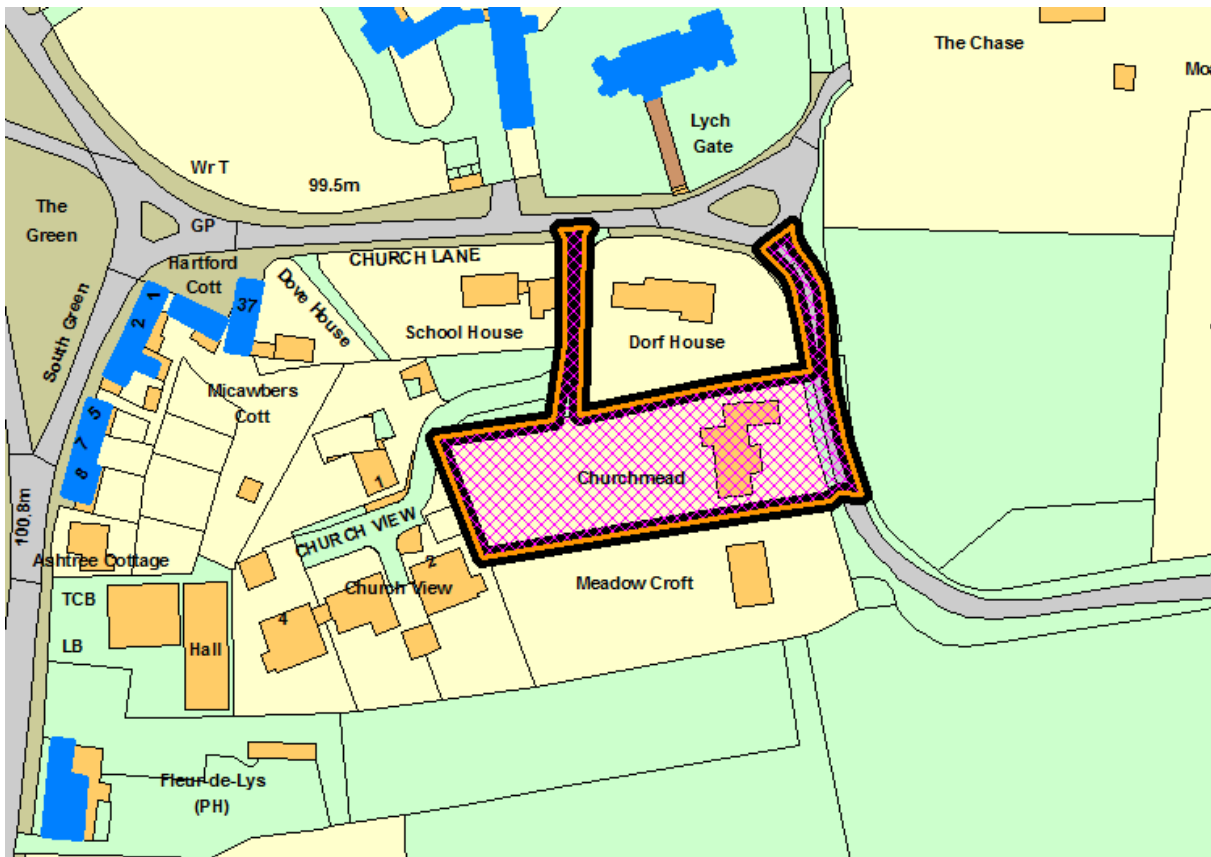
5. All garages/car ports shown to be provided for the development hereby permitted shall meet the specified bay sizes as contained within "Parking Standards – Design and Good Practice", (Essex County Council, September 2009) in accordance with ULP Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

REASON: To ensure that a satisfactory level of resident parking is achieved at the site and to avoid the necessity for on-street car parking in the interests of highway safety in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).



Application no.: UTT/14/2464/OP

Address: Churchmead, Church Lane, Widdington



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Organisation: Uttlesford District Council

Department: Planning

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