

## **UTT/15/0684/FUL - CLAVERING**

(Referred to Committee by Cllr Oliver. Reason: Property too large, out of keeping cart lodge extends over building line)

**PROPOSAL:** Proposed demolition of existing dwelling and erection of replacement dwelling.

**LOCATION:** Hill Green Farm Cottage, Clatterbury Lane, Clavering

**APPLICANT:** Mr E Hitchcock

**AGENT:** Mr C Hennem

**EXPIRY DATE:** 15 May 2015

**CASE OFFICER:** Samantha Stephenson

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### **1. NOTATION**

1.1 Within Development Limits.

### **2. DESCRIPTION OF SITE**

2.1 The application site comprises a 2 storey white rendered detached dwelling with off road parking for several vehicles. The dwelling is set well back from the road and forms part of an established group of dwellings on the eastern side of the B1038. The site is on level ground with neighbouring properties and is bounded by a mixture of hedging and fencing on the northern boundary with Springcroft a detached bungalow, close boarded fencing to the south with Wickets a detached two storey dwelling and hedging to the rear.

2.2 The dwellings on this side of the B1038 are of varying size and design with no uniformity. A replacement dwelling two plots to the south of this site was recently granted permission under UTT/13/0556/FUL and neighbouring properties have benefitted from extensions.

### **3. PROPOSAL**

3.1 The application proposes the demolition of the existing dwelling and the erection of a replacement dwelling. The proposed house would be a 5 bedroom dwelling on two floors and will be sited slightly forward of the existing location to the existing with a larger footprint.

3.2 The scheme would have a maximum depth of approximately 13m and depth of 16.5m with a maximum ridge height of 7.4m, the dwelling will be broadly square in shape with a side projecting gable. Proposed materials are timber frame, painted render with clay tiles and timber fenestration and doors.

3.3 Four parking spaces are proposed to the front of the new dwelling with a rear garden exceeding 320m<sup>2</sup>. The application originally proposed a cartlodge to the front of the dwelling however this has now been omitted.

## **4. APPLICANT'S CASE**

### **4.1 Application supported by;**

- Planning Statement
- Biodiversity supporting statement and questionnaire
- Report on condition and structure
- Sustainable construction statement and checklist
- Site Waste Management Plan
- Lifetimes Homes Statement None.

## **5. RELEVANT SITE HISTORY**

5.1 UTT/0543/99/FUL Formation of vehicular access and detached garage, approved 02.07.99.

5.2 UTT/1050/04/REN Renewal of planning permission for formation of vehicular access and erection of detached garage reference UTT/0543/99, approved 29.07.04.

## **6. POLICIES**

### **6.1 National Policies**

National Planning Policy Framework (2012)

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

Policy S1 – Development limits for the Main Urban Areas

Policy H7 – Replacement Dwellings

Policy GEN1 - Access

Policy GEN2 - Design

Policy GEN7 - Nature Conservation

Policy GEN8 - Vehicle Parking Standards

Uttlesford Local Parking Standards 2013

## **7. PARISH COUNCIL COMMENTS**

7.1 Whilst Clavering Parish Council accepts that the existing building is off low quality and needs replacing with a modern and energy dwelling the size of the proposed replacement is too large. Having 5 bedrooms and 3 en-suites plus bathroom. The northern adjacent property is a bungalow and the southern property is a chalet style dwelling. The replacement building would overpower both neighbours and would visually dominate the corner site.

The proposed development is forward of the building line in relation to adjoining dwellings.

## **8. CONSULTATIONS**

### **Access and Equalities Officer**

8.1 Application meets the requirements of the SPD on Accessible Homes and Playspace. The revised proposed plans submitted with a date on the system on 9 April 2015 support this.

## **ECC Ecology**

8.2 Thank you for consulting us on the above application. I have no objections.

The site comprises of an existing dwelling set in a managed garden. The building proposed for demolition is modern and appears to be intact, with very limited opportunities for bats to enter. I do not consider there to be a reasonable likelihood of bats using the property. In the unlikely event that bats are found during works to the building, an ecologist must be contacted immediately.

I welcome the opportunities for ecological enhancements post development.

## **ECC highways**

8.3 The Highway Authority has no objections to this proposal as subject to conditions.

## **Thames Water**

8.4 No objections.

## **9. REPRESENTATIONS**

9.1 22 neighbours were informed. Consultation expired 16.04.15. 1 objection received.  
Wickets

- 1) The proposed new property footprint is at least 100% larger than the existing property and is out of keeping with the other local residential buildings.
- 2) Approximately 50% of the proposed building extends beyond the building line.
- 3) The proposed cart lodge is, in addition to the new property, way beyond the building line.
- 4) There is a drainage ditch along the Northern boundary of the plot, not shown on the plan, which reduces the usable size of the building plot making the proposed new property even less practical/acceptable. As Uttlesford Council insisted our property, when it was built in 1986, must not extend beyond the building line I would expect the same rules to be applied to this application.

## **10. APPRAISAL**

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

- A The principle of development of the site (ULP Policies S1 and H7);
- B Design and visual impact (ULP Policies H7 & GEN2);
- C Impact on adjacent residential amenity (ULP Policy GEN2).
- D Access and Vehicle Parking Standards (ULP Policy GEN8 & GEN1)
- E Nature Conservation (ULP Policy GEN7)

### **A The principle of development of the site (ULP Policies S1 and H7).**

10.1 The site is located within the development limits for Clavering where, in principle, development will be permitted.

10.2 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. While Policy H7 states replacement dwelling will be permitted if in scale and character with neighbouring properties. The SPD on Replacement Dwellings expands on this and

specifies that dwellings must be lawful, structurally unsound or poorly constructed for a replacement dwelling to be acceptable. In addition replacement dwellings should be of a similar size to the dwelling to be replaced, take account of local character and the footprint should be similar.

- 10.3 The site accommodates an existing dwelling which is in a poor state of repair, is beyond economic repair and is not of historic or visual merit
- 10.4 In addition to the requirements of Policies GEN2 and H7 mentioned above the SPD also states that development should result in an enhanced building on the site. The proposed replacement dwelling is of modern construction using sustainable and renewable energy sources, in line with the SPD- Energy Efficiency and Renewable Energy Adopted October 2007 and the Code for Sustainable Homes.

**B Design and visual impact (ULP Policies H7 & GEN2).**

- 10.5 The proposed dwelling would be larger than the existing with a proposed ground floor footprint of approximately 170m<sup>2</sup>. Whilst it is larger than the existing it is considered that given the allowance for extensions and development that would be allowed under permitted development rights, as well as the size of the plot and distances between neighbouring sites that the size is acceptable in this case.
- 10.6 The design of the new dwelling addresses the scale of the adjacent houses to the north and south, it would be set in from the boundaries and in particular on the boundary with Springcroft, which is a single storey dwelling, the dwelling has been designed to keep the height low at the point closest to it. The submitted street scene drawing demonstrates that the proposed dwelling would provide an appropriate transition between the neighbouring properties and would be compatible with the group as a whole.
- 10.7 The new dwelling has been set slightly forward however this follows the curvature of the road and remains broadly in-line with neighbouring properties. The plot is a deep one, the deepest in this group of dwellings and as such there is scope to re-position the dwelling. The large front garden remains and the general sense of space that exists in the street scene achieved by the separation between buildings and their deep open front gardens will be preserved.
- 10.8 The gables reflect the design details of the neighbouring dwellings and whilst the overall proposed design differs from the existing, it is of vernacular design and similar to neighbouring properties along this part of Hill Green. It is not considered therefore that the proposal is so out of keeping as to warrant refusal. Given the area is characterised by a mix of development styles with no conforming style, the proposed dwelling would not look out of place or be unduly prominent in the street scene. It would replace an unremarkable building with a more attractive property, more in keeping with nearby dwellings. It is considered that the design would not be out of keeping with the street scene or detrimental to the character and appearance of the street scene.
- 10.9 The Essex Design Guide recommends 100sqm of private amenity area for a dwelling of this size and this plot with a rear garden of 320m<sup>2</sup> is well in excess of that.
- 10.10 The site is sustainable with regard to the availability of public transport and services within walking distance. The erection of one replacement dwelling would not generate a volume of traffic that would impact on the surrounding transport network.

## **C Impact on adjacent residential amenity (ULP Policy GEN2).**

10.11 With regard to the proposed replacement dwelling and its impact on residential amenity, the dwellings to both the north and south are at sufficient distance that there will be no overshadowing or overbearing impact. Apart from one first floor window on the side elevation, that serves an ensuite bathroom, there are no first floor windows proposed on the side elevations and while there are additional windows on the front and rear elevations it is considered that there is no significant detrimental impact on amenity with regard to overlooking, compared to what already exists.

## **D Access and Vehicle Parking Standards (ULP Policy GEN8 & GEN1)**

10.12 The proposal would utilise the existing access into the site. Essex County Council Highways Department has no objection to the proposal subject to conditions. There is sufficient space within the site to provide sufficient parking to meet the Uttlesford Local Residential Parking Standards adopted December 2012.

## **E Nature Conservation (ULP Policy GEN7)**

10.13 Policy GEN7 seeks to ensure that development would not have a harmful effect on wildlife. As part of the application a Biodiversity supporting statement and questionnaire was submitted and as part of the determination of the application the County Ecologist was consulted. The County Ecologist commented that the property to be affected is modern, appears tightly sealed and is unlikely to support bats and that there will be no impact on other habitats within the garden. The proposal complies with Policy GEN7.

## **11. CONCLUSION**

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

A The proposed development is acceptable and complies with all relevant Development Plan policies.

## **12. RECOMMENDATION – APPROVAL WITH 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. No unbound material shall be used in the surface treatment of the vehicular access 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, in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005

3. 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 provided clear of the highway.

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 the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

