

UTT/15/1193/FUL (GREAT CHESTERFORD)

Referred to Committee by Cllr J A Redfern. Reason: Over development and detrimental to surrounding area and not deliverable due to access.

PROPOSAL: **The erection of 1 no. 3 bed dwelling and alteration to access.**

LOCATION: **Land North of Dabbs House, London Road, Great Chesterford,**

APPLICANT: **Scott Cranfield**

AGENT: **DS Designs**

EXPIRY DATE: **16 June 2015**

CASE OFFICER: **Emmanuel Allannah**

1. NOTATION

- 1.1 Within Development Limits, Contaminated Land Historic Land Use Area, Aerodrome Direction and Water Authority.

2. DESCRIPTION OF SITE

- 2.1 The application site is part of an existing rear garden to Dabbs House. It is bounded on three sides by wooden fence and hedgerows. The rear garden is approximately 33m in length and 18m in width and narrowed down to 14m in width.

3. PROPOSAL

- 3.1 The proposal is to construct a one and half storey three bedroom dwelling to the rear of Dabbs House.
- 3.2 The proposed access would be via an existing access point to the North West of the property.

4. APPLICANT'S CASE

- 4.1 The submitted Planning Statement concludes that the revised proposed plans would accord with all of the Council's adopted Local Plan policies relevant to the proposed development.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0740/00/FUL – Two storey side/rear extension and single storey rear extension for domestic use. Approve with condition on 27 July 2000.
- 5.2 UTT/1489/01/REN – Renewal of outline permission for erection of bungalow and garage. Approve with condition on 4 January 2002.
- 5.3 UTT/2162/04/REN – Renewal of outline permission for erection of bungalow and garage. Approve with condition on 19 March 2005.

5.4 UTT/15/0151/FUL – Proposed new dwelling and altered access arrangements. Withdrawn on 16 March 2015.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S3 – Other Settlement Boundaries
- Policy GEN1 – Access
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV4 – Ancient Monuments and Site of Archaeological Importance
- Policy H1 – Housing Development
- Policy H4- Backland Development

7. PARISH COUNCIL COMMENTS

7.1 Object to this proposal. The Parish Council has received numerous representations from neighbours expressing concern about the details of the application and the perceived aggressive manner of the applicant. The Parish Council is concerned that considerable distress has been caused to neighbours and considers that the use of strong arm tactics such as removing a fence from neighbouring property without permission is unacceptable.

7.2 The Parish Council wishes to object on the grounds that the property would be overbearing and inappropriate to its surroundings and has insufficient access provision.

8. CONSULTATIONS

The Historic Environment Advisor

8.1 The Historic Environment Advisor has identified the above application from the weekly list, as having potential archaeological implications. And recommended appropriate planning conditions in order to protect and safeguard any archaeological findings within the site.

ECC Highways Authority

8.2 No objection subject to recommended planning conditions.

ECC Ecological Consultant

8.2 No objection.

Minerals and Waste Planning Sustainable Environment

8.3 No comments.

Access and Equality Officer

- 8.4 Application appears to meet the internal design requirements of the SPD on Accessible Homes and Playspace.

9. REPRESENTATIONS

- 9.1 Twenty one letters of objection have been received raising the following points:

- The proposal is a backland development which would lead to overlooking, overbearing and overshadowing.
- Overdevelopment and detrimental to surrounding area and not deliverable due to access.
- No viable strategy of gaining access
- It would lead to loss of light
- It would affect wildlife
- It would affect archaeological remains
- The design is poor and not good
- It would spoil the character of the area.

10. APPRAISAL

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

- A The principle of the proposal (National Planning Policy Framework (NPPF); Uttlesford Local Plan (ULP) 2005 Policies H1 and S3).
- B Whether the scale, mass, form, height, location, width, design and materials would harm the character of the area or the amenity of the area (NPPF; ULP Policies GEN2 and H4, SPD Accessible Home and Playspace).
- C Impact on wildlife (NPPF; ULP Policy GEN7).
- D Heritage impact (NPPF; Policy ENV4).
- E Traffic impact (NPPF; ULP Policies GEN1 and GEN8).
- F Other issues

A The principle of the proposal in which NPPF and ULP Policy S3 applies.

- 10.1 The National Planning Policy Framework paragraph 7 and 8 affirms that there are three dimensions to sustainable development namely economic, social and environmental. These roles should not be undertaken in isolation, because they are usually depended. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. The principle of the development needs to be judged against saved Policy S3 – other settlement boundaries because the site is located within development limits. Given that the site area is also characterised by existing residential buildings; the principle of one three bed dwelling. Taken into consideration that the proposed site is easily accessible to Greater Chesterford Railway Station and local Bus Services, the proposal in principle is also within a sustainable location.

B Whether the scale, mass, form, height, location, width, design and materials would harm the character of the area or the living condition of the adjoining occupiers (NPPF; ULP Policies GEN2 and H4, SPD Accessible Home and Playspace).

- 10.2 The application area comprised of different scale and footprint of residential dwellings with staggered building line. The “L” shape of the proposed footprint of the proposed revised scheme mirrored some shape of footprint of some residential buildings in the area. The site is also screened from other existing residential properties through an existing 1.8m high wooden fence coupled with some hedgerows. The height of the proposed scheme has been amended in addition with the design details because of the concerns raised by adjoining occupiers concerning overlooking.
- 10.3 The design approach taken to overcome the concerns raised by adjoining occupiers would involve designing the proposed dwelling by having an accommodation in the first floor roof space by reducing the ridge height to 6.72metres. The height would be further reduced by setting the dwelling 300mm into the ground effectively reducing the ridge height to 6.42m and making it lower than the closest property, ‘Byways’ to the north and other neighbouring properties on the site frontage.
- 10.4 In order to prevent an overlooking to properties identified as Kismet and Byways, the first floor windows has been designed to serve bedroom 3, the stairway and an en-suite bathroom. And as result the distance between the first floor rear facing windows and Palm Glades is stated to be more than 34m.
- 10.5 The distance between Dabbs House and the first floor windows of the new dwelling is given as more than 35m and the window would serve an en-suite bathroom.
- 10.6 The proposed rear of the dwelling would be sited between 1.5m and 1.8m from the boundary with the end of the rear garden of Medway House. A previously proposed landing rooflight has been removed, leaving two obscure-glazed bathroom rooflights and a secondary window to bedroom 2. Such window would also be obscured glazed and fitted with window restrictors to prevent wide opening that might lead to overlooking. Such details would be secured through planning condition in order to protect and safeguard the amenity of the adjoining occupiers.
- 10.7 Whilst the existing matured trees and hedges to its boundaries would be kept and untouched in order to integrate the new dwelling into its setting; such existing boundary features would equally assist in screening the development. Hence, the proposed development has been sited towards the south-east corner of the site in order retain the prime trees, and to minimise the its impact on adjacent residents.

C Impact on wildlife (NPPF; ULP Policy GEN7).

- 10.8 The application site also comprised of an existing pond at the rear of Dabbs House and it considered it could be a potential habitat for wildlife. The revised scheme demonstrated that the proposed scheme would not be close to harm existing nearby matured trees. Having consulted Essex County Council Ecologist Consultant; it has been confirmed that the proposal would not have any ecological implication hence no objection on ecological terms.

D Heritage impact (NPPF; Policy ENV4)

- 10.9 The application site lies within archaeological zone and in the absence of any submitted mitigation measures; the Essex County Council Archaeologist advised that in order to protect and safeguard the likely finding of any archaeological remains within the site appropriate planning condition has been recommended in accordance with Policy ENV4.

E Proposed access and traffic impact (NPPF; ULP Policies GEN1 and GEN8)

10.10 Given that the application site is a backland development the proposed access would be via an existing access point to the north-west of the Dabbs House. The applicant stated in the Planning Statement that the proposed access would be widened to enable two vehicles to pass at the entrance.

10.11 Policy GEN1 affirms that Development will be permitted if it meets all of the following criteria:

- Access to main road network must be capable of carrying the traffic generated by the development safely. The current proposed Byway leading to the proposed development as the applicant suggested would need to be widened to allow two vehicles to pass at the entrance.
- The traffic generated by the development must be capable of being accommodated on the surrounding transport network. The proposed development although located at rear of Dabbs House, the traffic that might be associated to such scale of development can be said to be accommodated with the existing transport network such local bus services and the Great Chesterford Railway Station.
- The design of the site must not compromise road safety and must take account of the needs of cyclist, pedestrians, public transport users, horse riders and people whose mobility is impaired. The proposed development would rely upon an existing Byway which appeared to be too narrow to accommodate both vehicles, horse riders, pedestrians and other road users at the same time. It is partly for such reason the applicant agreed that the existing Byway would be widened.
- It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access. This is not a public building but a proposed private dwelling.
- The development encourages movement by means other than driving a car. The proposed alteration to the proposed access would make the development easily accessible by pedestrians, horse riders and cyclist once the Byway has been widened. In traffic terms, it would appear that the proposed development would not satisfy all the above policy criteria which amounts to some of the concerns raised by adjoining occupiers.

10.12 The Essex County Council Highways Authority have considered the applicant's submitted documents in support of the proposed development and advised they have no objection; and recommended appropriate planning conditions in order to protect and safeguard traffic in the area in accordance with Policies GEN1 and GEN8.

11. CONCLUSION

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

- A The application site is located within a development limits and also within easy reach of Greater Chesterford Railway Station and other local bus services, it is considered to be in a sustainable location. Therefore the proposal is not in conflict with NPPF and Policy S3 of the adopted Local Plan (2005).
- B The proposed location, mass, height, width, length, form, appearance and design of the proposed development is considered acceptable because it would not adversely harm the character or the amenity of the area; hence it is not contrary to Policies NPPF and Policies GEN2 and H4 of the adopted Local Plan (2005).

- C The Proposed access and alteration would improve accessibility to the proposed backland development which appeared not to satisfy all the Policy criteria of Policy GEN1; and notwithstanding the Highways Authority having considered the proposed development and access is acceptable subject to the recommended planning condition in order to protect and safeguard traffic in the in accordance with Policies GEN1 and GEN8 of the adopted Local Plan.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/Refusal 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. 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 Policy GEN2 of the adopted Local Plan (2005).

JUSTIFICATION: Prior to development it is imperative that the appropriate materials are agreed.

3. The proposed two bathroom rooflight shall be obscured glazed and the secondary window to bedroom 2 shall be fitted with restrictors.

REASON: In order to prevent overlooking and to safeguard the amenity of the adjoining occupiers in accordance with Policy GEN2 of the adopted Local Plan (2005).

4. No development or preliminary groundworks can commence until a programme of archaeological trial trenching and excavation 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.

REASON: The Historic Environment Record identifies the proposed development as being located within the cemetery area to the south of the nationally protected monument of Great Chesterford walled Roman town (SM 24871). Evidence of burials have been recovered from within the area of the proposed development (EHER 4949). This is in accordance with Policy ENV4 of the adopted Local Plan (2005).

JUSTIFICATION: Important heritage assets could be destroyed if programme of works is not agreed prior to development.

5. 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 order to protect and safeguard archaeological findings within the site in accordance with Policy ENV4 of the adopted Local Plan (2005)

6. Prior to the occupation of the proposed dwelling, the proposed private drive shall be widened to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway/verge.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with Policy GEN1 of the adopted Local Plan (2005).

7. 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 in accordance with Policy GEN1 of the adopted Local Plan (2005).

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Location: Land North of Dabbs House London Road
Great Chesterford



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