

UTT/15/1541/FUL (THAXTED)

(More than 5 dwellings)

PROPOSAL: Demolition of bungalow and garage and erection of 6 no. dwellings with landscaping and garaging (variation to approved scheme UTT/13/1678/FUL)

LOCATION: Artington, Orange Street, Thaxted

APPLICANT: Shire Hall Homes Ltd

AGENT: Andrew Stevenson Associates

EXPIRY DATE: 23 September 2015

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Within Development Limits; Conservation Area.

2. DESCRIPTION OF SITE

2.1 The application site is located on the corner of Orange Street and St Clements in Thaxted. The land slopes downwards from east to west and accommodates a bungalow and detached garage. It measures approximately 0.17 ha. To the north west is the Brethren Hall, and the other nearby buildings comprise dwellings of varying scale and appearance.

3. PROPOSAL

3.1 The application is for planning permission to demolish the bungalow and garage, and to erect five houses and one bungalow with associated landscaping and garaging. The proposal is an amendment to a similar development permitted under application number UTT/13/1678/FUL.

3.2 The schedule of accommodation is as follows:

Plot	Bedrooms (No.)	Parking (No.)	Garden (sq. m)
1	3	2	104
2	3 (incl. Studio)	2	107
3	3 (incl. Studio)	2	100
4	3	2	102
5	3	2	95
6	3	2	91
Visitors	-	2	-

4. APPLICANT'S CASE

4.1 It is suggested in the submitted Design and Access Statement that:

- There is no 'in principle' objection to residential development on the site

- No harm would be caused to the amenity of neighbours
- No harm would be caused to wildlife, conservation or landscape
- There would be no adverse impacts regarding road safety

5. RELEVANT SITE HISTORY

- 5.1 Following the refusal of planning permission under application number UTT/12/5743/FUL for a 7-dwelling development, permission was granted under application number UTT/13/1678/FUL to demolish the existing buildings and erect six dwellings. If not implemented, the permission would expire on 29 August 2016.
- 5.2 A separate conservation area consent was granted under application number UTT/12/5744/CA for the demolition of the existing buildings. If not implemented, the consent would expire on 1 February 2016.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S3 – Other Development Limits
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV1 – Design of Development within Conservation Areas
- Policy ENV2 – Development affecting Listed Buildings
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy H1 – Housing Development
- Policy H3 – New Houses within Development Limits
- Policy H9 – Affordable Housing
- Policy H10 – Housing Mix

6.3 Guidance

- Supplementary Planning Document – Accessible Homes and Playspace
- Parking Standards: Design and Good Practice
- Local Residential Parking Standards
- The Essex Design Guide
- Developer Contributions Guidance Document

7. PARISH COUNCIL COMMENTS

- 7.1 Thaxted Parish Council objects to the proposed development, raising the following concerns:

- Overdevelopment of the site
- Parking spaces would not be located close to the properties they would serve
- Parking would be cramped
- Negative impact on neighbouring properties

8. CONSULTATIONS

Stansted Airport

8.1 No objection regarding aerodrome safeguarding.

Highway Authority (Essex County Council)

8.2 No objection, subject to the use of planning conditions regarding the following:

- Management of construction traffic
- Construction of vehicular access prior to occupation of the dwellings
- Surface water drainage
- Provision of parking area prior to occupation of the dwellings
- Provision of cycle/motorcycle parking
- Residential Travel Information Pack
- Closure of existing vehicular access

Ecological Consultant (Essex County Council)

8.3 No objection, taking into account the comments of ECC Ecology on the previous application.

Access and Equalities Officer

8.4 Initial objection, preceding the submission of revised drawings. Concerns regarding:

- Level, or gently sloping, access
- Proximity of parking spaces to respective dwellings
- WC compartment size
- Through-floor lift space in houses

9. REPRESENTATIONS

9.1 Neighbours were notified of the application by letter and a notice was displayed near the site. The following comments have been made in opposition to the proposal:

- Incompatible with the character of the area
- Harm to the setting of a listed building – Maytree House
- Overlooking
- Overbearing impact
- Loss of daylight
- Loss of sunlight to garden
- Nuisance to neighbours from cart lodge position
- Removal of valuable trees
- Insufficient infrastructure capacity
- Loss of off-street parking at 9 Mill End
- Proposed loft space is effectively a further bedroom
- Maintenance of retaining wall necessitated by the development
- Existing on-street parking could present difficulties when using driveway
- Adverse effect on road safety from position of vehicular access
- Loss of desirable view from existing buildings
- Access onto neighbouring property would be required during construction
- Devaluation of existing properties

9.2 The following comments have been made in support of the proposal:

- The proposed vehicular access off St Clements would be appropriate

10. APPRAISAL

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

A Accordance with the development plan

B Material considerations

A Accordance with the development plan

Housing development

10.1 Policy H1 identifies locations for housing development, which include the reuse of existing buildings and previously developed land outside urban areas. Policy H3 follows on from this, explaining that new housing will be permitted within development limits if a number of criteria are met. The proposed development, which would make efficient use of previously developed land in walking distance of the village's services, facilities and public transport links, would meet these criteria.

Settlement character

10.2 Policy S3 indicates that development will be permitted within the development limit of Thaxted if it would be compatible with the settlement's character and countryside setting. The surrounding area is residential and urban in character so a residential development on the site would be appropriate.

Sustainable transport

10.3 Policy GEN1 states that development will only be permitted if it encourages movement by means other than driving a car. The application site is located within walking distance of a range of services and facilities serving the village, and a regular bus service provides access to Saffron Walden and Stansted Airport. Occupiers of the dwelling would not be heavily reliant upon car use.

Road safety

10.4 Policy GEN1 states that development will only be permitted if access to the main road network is capable of carrying the traffic generated by the development safely, and if its design would not compromise road safety and would take account of the needs of all road users. Five of the proposed dwellings would be accessed via a shared driveway off St Clements, and Plot 4 would be served by a separate, adjacent driveway. These accesses would be similarly positioned to the existing access off St Clements. Taking into account the comments of the Highway Authority, it is considered that the proposal complies with Policy GEN1.

Design

10.5 Policy GEN2 states that development will not be permitted unless it is compatible with the scale, form, layout, appearance and materials of surrounding buildings. The application site is positioned between the historic buildings lining Orange Street and the 20th Century housing on St Clements. The historic buildings are mostly terraced

houses with traditional, narrow spans, while the more modern buildings on St Clements do not make a valuable contribution to the character of the area. The density of the development would be more in keeping with the area than the existing single dwelling on a large plot. The proposed bungalow would be distinct from the houses with smaller footprints, although its discreet position in the site ensures that this would have no significant effect on the street scene. The palette of materials is appropriate for the area and includes painted render, weatherboarding, timber joinery, clay tiles and slates.

- 10.6 Policy GEN2 states that development will not be permitted unless it provides an environment which meets the reasonable needs of all potential users. The policy is supplemented by the SPD entitled 'Accessible Homes and Playspace', which requires compliance with the Lifetime Homes standards. The Access and Equalities Officer raised a number of accessibility concerns regarding the initial drawings. However, the revised drawings have successfully addressed these, ensuring that parking spaces would be close to the dwellings they serve, level or gently sloping access would be provided to each dwelling, ground floor WCs have been enlarged, lift spaces have been identified and an opportunity for a rear access ramp has been identified at Plot 1.
- 10.7 Policy GEN2 states that development will not be permitted unless it has regard to guidance on layout and design. The policy is supplemented by 'The Essex Design Guide', which includes guidance on the provision of private amenity space. While Plots 5 and 6 would not meet the 100 sq m minimum standard, the gardens would be of a sufficient size to ensure a reasonable level of amenity for the future occupiers.
- 10.8 Policy GEN2 states that development will not be permitted unless it would avoid materially adverse impacts on the reasonable occupation and enjoyment of a residential property. The policy is supplemented by 'The Essex Design Guide', which includes guidance on issues including loss of privacy and loss of daylight. While first floor windows on the front elevation of Plots 2 and 3 would overlook the rear gardens of 1 and 2 St Clements, they would serve bathrooms so obscure glazing would prevent a significant loss of privacy. There would be no overbearing or overshadowing impacts.

Biodiversity

- 10.9 Policy GEN7 states that development which would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Taking into account the comments of the Ecological Consultant, it is considered that the proposal would be unlikely to cause harm to protected species or their habitats.

Vehicle parking

- 10.10 Policy GEN8 states that development will not be permitted unless the number, design and layout of vehicle parking places are appropriate for the location. This policy is supplemented by 'Parking Standards: Design and Good Practice' and 'Local Residential Parking Standards', which set minimum parking standards to prevent on-street parking. Each dwelling would be provided with two off-street parking spaces and two additional spaces would be available for visitors, in accordance with the parking standards.

Listed building

- 10.11 Policy ENV2 states that development will not be permitted if it would adversely affect the setting of a listed building. The proposal would affect the setting of a number of

listed buildings to the north west and south east, along Orange Street. The nearest of these are the Grade II listed Woodcroft to the north west and Cutlers Cottage on the opposite corner of St Clements and Orange Street. The existing openness of the site is not considered important to the setting of the listed buildings, and the appropriate design of the development ensures that it would cause no harm to the setting.

Conservation area

10.12 Policy ENV1 states that development will be permitted if it would preserve or enhance the character and appearance of the essential features of a conservation area. The application site is in a conservation area. The dwellings lining St Clements are almost exclusively mid to late 20th Century houses and bungalows, while Orange Street possesses a more traditional and varied street scene. The proposed development comprising new dwellings of a traditional and vernacular design would sit comfortably within these varied surroundings.

Archaeology

10.13 Policy ENV4 seeks appropriate archaeological investigation. In relation to the previous planning application, the Historic Environment Officer identified that the site lies within the archaeologically sensitive area of the medieval town of Thaxted. It would therefore be appropriate to secure appropriate investigation before the commencement of development.

Affordable housing

10.14 Policy H9 states that the Council will seek to negotiate on a site by site basis an element of affordable housing of 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up to date Housing Needs Survey, market and site considerations. The most up to date information on affordable housing provision is contained within the Developer Contributions Guidance Document. This indicates that, for a development of the proposed number of dwellings, a financial contribution would be required if the gross floorspace would exceed 1000 sq. m. However, the measurement is approximately 910 sq. m so a contribution is not required.

Housing mix

10.15 Policy H10 states that developments on sites of 0.1 hectares and above or of 3 or more dwellings must provide a significant proportion of market housing comprising small properties. Small properties are those with 2 or 3 bedrooms. As all of the dwellings would have 3 bedrooms, the proposal complies with Policy H10.

Conclusion on the development plan

10.16 The proposal accords with the development plan as a whole, with no significant breaches of policy.

B Material considerations

National Planning Policy Framework (NPPF)

10.17 Paragraph 14 explains that at the heart of the NPPF is a presumption in favour of sustainable development. This states that development proposals that accord with the development plan should be approved without delay. Taking into account the policies

of the NPPF as a whole, it is considered that there are no considerations which indicate that an alternative decision should be taken.

11. CONCLUSION

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

- A The proposal is in accordance with the development plan, and there are no material considerations that indicate that planning permission should be refused.

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 commencement of the development, details of the external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details.

REASON: To ensure compatibility with the character of the area, in accordance with Policy GEN2 and Policy ENV1 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

3. Prior to commencement of the development, details of hard and soft landscaping (including planting, hard surfaces and boundary treatment) must be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, 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 must 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 must be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compatibility with the character of the area and prevent surface runoff onto the highway, in accordance with Policy GEN2, Policy ENV1 and Policy GEN1 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

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, must be submitted to and

approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details.

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 Policy GEN1 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

5. Prior to commencement of the development, a written scheme of investigation including a programme of archaeological trial trenching must be submitted to and approved in writing by the Local Planning Authority. The archaeological trial trenching must be carried out in accordance with the approved details prior to commencement of the development.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

6. Following completion of the archaeological trial trenching required by Condition 5 and prior to commencement of the development, a mitigation strategy detailing the excavation/preservation strategy must be submitted to and approved in writing by the Local Planning Authority. The works detailed in the mitigation strategy must be carried out in accordance with the approved details prior to commencement of the development.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

7. Within 6 months of the completion of the works required by Condition 6, a post-excavation assessment (including 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) must be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

8. Prior to occupation of the dwelling identified on the drawings as Plot 1, details of the 'Alternative Ramp to Garden' as shown on Drawing No. 4837 04 Rev D must be submitted to and approved in writing by the Local Planning Authority. The ramp must be installed in accordance with the approved details prior to occupation of the dwelling.

REASON: To ensure the garden is accessible, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

9. Prior to occupation of the development, the vehicular access must be constructed at right angles to the highway boundary and to the existing carriageway in accordance with drawing No. 4837 03 Rev D.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

10. Prior to occupation of any dwelling hereby permitted, the vehicle parking area indicated on the approved plans must be hard surfaced, sealed and marked out in parking bays. The vehicle parking area must be retained in this form at all times. The vehicle parking must not be used for any purpose other than the parking of vehicles that are related to the use of the development, unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided, in accordance with Policy GEN1 and Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

11. The parking spaces must be arranged in relation to their respective dwellings as shown on Drawing No. 4837 03 Rev D, with the exception of the visitor spaces and Plot 3 spaces which must be swapped, unless otherwise agreed in writing by the Local Planning Authority.

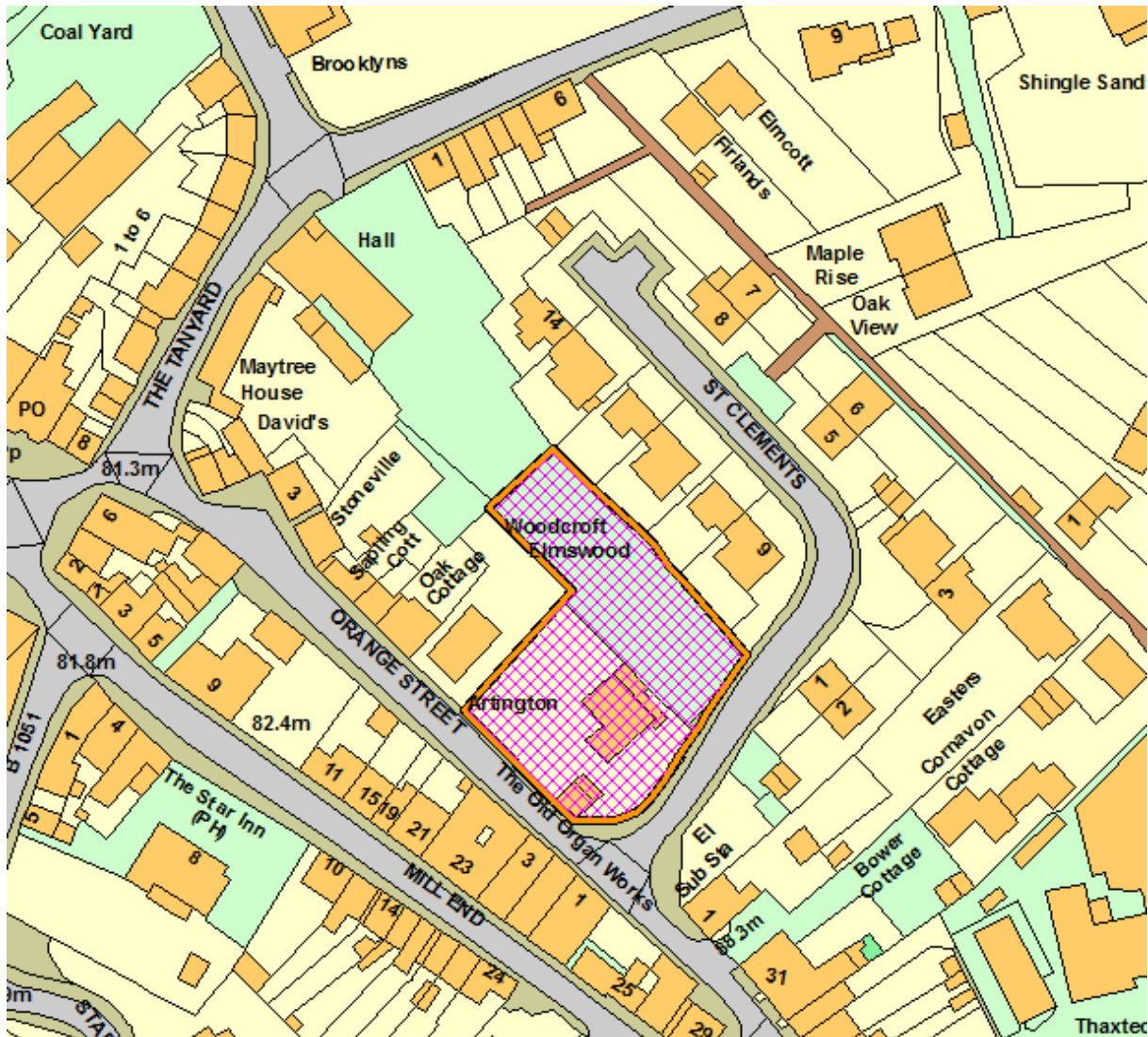
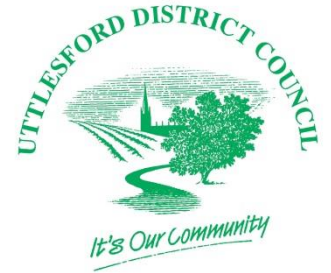
REASON: To ensure ease of access to each property, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

12. The first floor windows on the south east elevation of the dwellings identified on the drawings as 'Plot 2' and 'Plot 3' must be obscure glazed prior to occupation of the dwellings and thereafter retained.

REASON: To protect the privacy of the occupiers of 1 and 2 St Clements, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/15/1541/FUL

Address: Artington, Orange Street, Thaxted



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