

UTT/15/2446/HHF (FELSTED)

(Referred to Committee by Cllr Mills. Reason: The nature of Willows Green is overwhelmingly Bungalow low-level development admittedly with some chalet style 1 1/2 level construction and various dormers etc. This development lifts the roof level [ridge] over 2.5 mtr. and nearly doubles the footprint changing the nature of the scale of development in this road, its surroundings and the village green. The site is currently being used as a waste consolidation and transfer site by a developer, and is vacant, pending this application which has designs more on profit than the community in which it stands.)

PROPOSAL: **Proposed demolition of existing garage and conservatory, erection of two storey side and front extension first floor extension including dormer windows and widening of existing access**

LOCATION: **Pantiles Molehill Green Road Felsted Chelmsford Essex**

APPLICANT: **Mr Nicholas Seels**

EXPIRY DATE: **20 October 2015**

CASE OFFICER: **Madeleine Jones**

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

- 2.1 The application site comprises a detached bungalow with single garage attached to the side. There is post and rail fencing to the front boundary and close boarded timber fencing to the rear boundaries. There is picket fencing between the shared front boundary with Ashley to the west.
- 2.2 The adjacent properties are bungalows in a linear development, with Pantiles and Ashley set further back from the road than the properties to the east.
- 2.3 The front garden has been cleared and the rear garden is laid to lawn with a single tree in the middle of the lawn.
- 2.4 The conservatory to the east of the bungalow has been demolished.
- 2.5 The front boundary to the east is part timber boarding and part open with a couple of small trees
- 2.6 There is a listed building 46m to the west.
- 2.7 The property to the east is a chalet bungalow with dormer windows to the front and Velux windows to the rear and the bungalow further to the east has a large flat roof dormer window to the side.

3. PROPOSAL

- 3.1 The proposal is for the demolition of existing garage and conservatory and the erection of a two storey side extension, raising the roof to provide first floor accommodation, insertion of front and rear dormer windows, erection of front porch and widening of existing access.
- 3.2 Revised plans have been submitted as the original plans were not to scale and omitted the front porch on the floor plan.
- 3.3 The proposed roof will be 7.2m high (to ridge) which is 2.6m higher than the existing roof. (the neighbouring property to the west is 5.2m in height to the ridge and the property to the east is 6.1m to the ridge)

4. APPLICANT'S CASE

- 4.1 None.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0028/89 – Bay window - Approved

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S7 – The Countryside
- GEN1 – Access
- GEN2 – Design
- GEN8 – Vehicle Parking Standards
- H8- Home Extensions

6.3 Supplementary Planning Documents

- SPD1 - Home Extensions
- ECP - ECC Parking Standards (Design & Good Practice) September 2009
- Uttlesford Local Parking Standards

7. PARISH COUNCIL COMMENTS

- 7.1 A condition of approval should be that the roof height of the house shall not be any higher than that shown on the submitted plan.

8. CONSULTATIONS

Essex Ecology Advice

- 8.1 No objections

Essex County Council Highways

- 8.2 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following:
- 8.3 The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.
Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.
- 8.4 There shall be no discharge of surface water onto the Highway.
Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.
- 8.5 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.
- 8.6 The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

9. REPRESENTATIONS

- 9.1 8 neighbours have been notified of the application and four representations have been received. Three objections and one in support. Expiry date: 22nd October 2015

A summary of the issues raised are:

- Out of character with settlement
- Prominent position
- Unacceptable scale – size and appearance
- overwhelming
- Dormers too large
- Impact on setting of Listed Building
- Height – far taller than the rest of the street
- Untraditional span
- Unacceptable/inappropriate design
- Overlooking
- Highway issues- parking
- Overbearing

- Overshadowing
- Inaccuracies regarding the planning history
- No application for an increase in height to an existing roof or the total rebuild of a property has been allowed thus respecting the character of the hamlet.
- Consideration should also be given to the impact the proposed development will have on the existing pattern of build of the hamlet edge viewed across open country and the valley of the River Ter to the north. This view was specifically mentioned in an earlier draft village plan by Uttlesford District Council.
- The planning application recently submitted for works at Pantiles relates, in essence for a replacement dwelling that pays little respect to the constraints and character of the existing linear development in this part of the hamlet of Willows Green.
- The scheme presented creates, from a modest two bedroom property, a large four bedroom family dwelling with considerable floor space proposed at a new first-floor level. The volume that is enclosed under a single wide spanning roof form creates an unacceptable and overbearing bulk set just over 100 mm from the boundary between our properties and only just over a metre between dwellings. This form of enclosure completely erodes the open spatial character between relatively modern properties that become loose knit as you travel further away from the hamlet centre. The application drawings show a large blank flank gable elevation set just under 1.1 m from the outside wall of our property. At present the integral single storey garage abuts our boundary however the proposal is to extend the boundary wall a further 5.5 metres forward with a maximum height increase above the garage roof of 4.7 metres. This height and massing will remove any chance of being able to maintain natural sunlight throughout the day and large shadows will be cast across our property. At first-floor level a dormer window shown to bedroom three looks directly into our back garden. Although this may be acceptable in a suburban situation, any scheme submitted should respect the current status quo that exists between properties to ensure that, within the constraints of policy development does not adversely affect the personal enjoyment of neighbouring residents.
- We are concerned that the height of the building has been raised to an un-acceptable level when read in conjunction with, in essence single-storey accommodation located to the East and West of the application site.
- Inaccurate plans - On the submitted proposed drawings a porch is shown on the front elevation. However this does not appear on plan or side elevation and we assume that this will be omitted from the current application. The agent employed to produce the drawings requested permission to take a dimension from the front corner of the garage of Pantiles to the front corner of the side extension of Ashley. This diagonal dimension is then shown at right angles on the existing and proposed plans submitted rendering it incorrect. It is interesting to note that no attempt has been made to define the boundary dimension between the existing and proposed build of Pantiles to the boundary of Ashley. The drawings all show a true scale bar that has been used for comparisons.
- e.g. maximum height quoted on drg. No. MG14_13_08 at 6875mm is not shown to full ridge height and from scale is 7200mm, whereas their height 6100mm to dormer is to full ridge height. This inaccuracy leaves the final maximum height unknown.

- Biodiversity Questionnaire inaccurate – there are two ponds to the front of Lower Rays
- Extensive external ground works including the erection of maximum height close boarded fence and demolition works to conservatory, internal partitions and chimney stack have already been undertaken. These are all part of the works specified under the current submitted application.
- It is acknowledged that individually many of the works undertaken would not require consent.
- However, it appears that these were works undertaken by the owners building firm in an attempt to pre-empt consent for a planning application formulated in March but not submitted until August.
- Although no dimensions are given on the existing elevation drawings (MG14_13_02C) The scale suggests an existing ridge height of approx. 4.5m compared to a proposed ridge height of 6.875m (drawing MG14_13_05C) This suggests an increase in height of around 52% from the existing structure
- The increase in scale of the building from small two bedroom bungalow to large two storey house is again a fundamental change which is contrary to existing buildings and I feel would create a significant visual juxtaposition in a road of otherwise modest bungalows
- In principle I'd fully support the applicant to extend and modernise the property if the scale of the proposed designs were more conducive to retaining the character of the area.

One representation supports the application

- The modernisation of a tired property will be a welcome addition to street. The dimensions are proportionate to the other houses nearby and the plans contain no first floor windows which look east or west into other gardens and properties.

10. APPRAISAL

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

- A Whether the proposal would detract from the character of the countryside, and be of appropriate design and scale respecting the original property (ULP Policy S7, GEN2 and H8)
- B Whether the proposal would adversely affect amenity values of neighbouring residents (ULP Policy H8 and GEN 2)
- C Biodiversity (Policy GEN7)
- D Whether the proposal would adversely affect Highway safety and parking provision (ULP Policy GEN8 and Uttlesford Parking standards)
- A Whether the proposal would detract from the character of the countryside, and be of appropriate design and scale respecting the original property (ULP Policy S7, GEN2 and H8)**

- 10.1 Uttlesford Local Plan Policy S7 is concerned with the protection of the countryside and supports development that needs to take place there or is appropriate to a rural area.

Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set.

The neighbouring properties are predominantly bungalows of similar designs and materials; however the immediate neighbouring property to the east has been extended into the roof to create a first floor and has dormer windows to the front elevation.

Additionally a further property to the east has a dormer window extending the full length of the side of the property; as such the properties in the immediate vicinity are of mixed design and appearance.

The design is acceptable and the extensions are in proportion to the original dwelling.

Adequate amenity space would be provided for the size of the property.

Although the property would be higher than its immediate neighbours it is not considered that the difference in height would result in harm significantly enough to warrant refusal of the proposal. The proposal complies with policies GEN2, H8 and S7.

- 10.2 Representations have been made in relation to the impact the proposal would have on the character of the setting of the Listed building which is located to the west of the application site. The listed building is however, some 46m away from the site and in view of this separation distance, it is considered that proposal not adversely affect the setting of the adjacent listed buildings and therefore complies with policy ENV2.

B Whether the proposal would adversely affect amenity values of neighbouring residents (ULP Policy H8 and GEN 2)

- 10.3 Policies H8 and GEN2 of the Local Plan state that development should not have a materially adverse impact on the reasonable occupation and enjoyment of any nearby property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing. There are residential properties to the south, east and west of the site. The proposed building would not have doors and windows facing the residential properties to the west of the site and there is only one ground floor window facing east. There would be a gap of 17m from the rear elevation and the rear boundary fencing and 44m from the property to the south. The proposal therefore complies with the recommended back to back separation distance within the Essex Design Guide. Although the built form of the property would be slightly forward of the front elevation of the property to the west

The proposal would not result in any material detrimental impact to neighbours amenity. The proposal therefore meets the criteria of ULP Policies GEN2 and H8.

C Biodiversity (Policy GEN7)

- 10.4 Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured. The proposal includes the demolition of the existing conservatory and as such there is the potential of the proposal to have a detrimental impact to protected species. The Applicants have completed a biodiversity checklist form and answered no to all of the questions. It was observed at the site visit that the conservatory has already been demolished and that the site has been cleared. The rear garden has a small tree and recently cut lawn.

10.5 Representations have been received in respect of the ponds located at Lower Ray's Farm, however, they are some distance away from the application site and Essex County Council Ecologists have been consulted. They have no objections to the proposal and it is considered that the proposed development is unlikely to adversely impact upon protected species.

D Whether the proposal would adversely affect Highway safety (ULP Policy GEN8 and Uttlesford Parking standards)

10.6 The proposal would increase the number of bedrooms at the property to four which would require the provision of three parking spaces to comply with the adopted parking standards document. The proposal shows the provision of two parking bays, but there is sufficient space to the frontage to accommodate a further parking bay. This can be achieved by an appropriate condition.

11. CONCLUSION

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

- A The proposal is of acceptable design and scale and would not be materially detrimental to the character of the area.
- B The proposal would not result in any material detrimental impact to neighbours amenity
- C The proposed development is unlikely to adversely impact upon protected species.
- D Adequate parking can be provided to comply with the adopted Parking Standards requirements.

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. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with Uttlesford local plan policy GEN1.

- 3 There shall be no discharge of surface water onto the Highway.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety in accordance with Uttlesford local plan policy GEN1

4. 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 accordance with Uttlesford local plan policy GEN1

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 no development within Classes A 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 the amenity of the occupiers of adjoining dwellings/buildings in accordance with Uttlesford Local Plan policy GEN2

6. Before development commences a revised plan shall be submitted to and approved by the local planning authority in writing showing the following amendments which shall be incorporated into the design for the development/works hereby permitted and the permission shall be implemented in accordance with the amendments listed below:

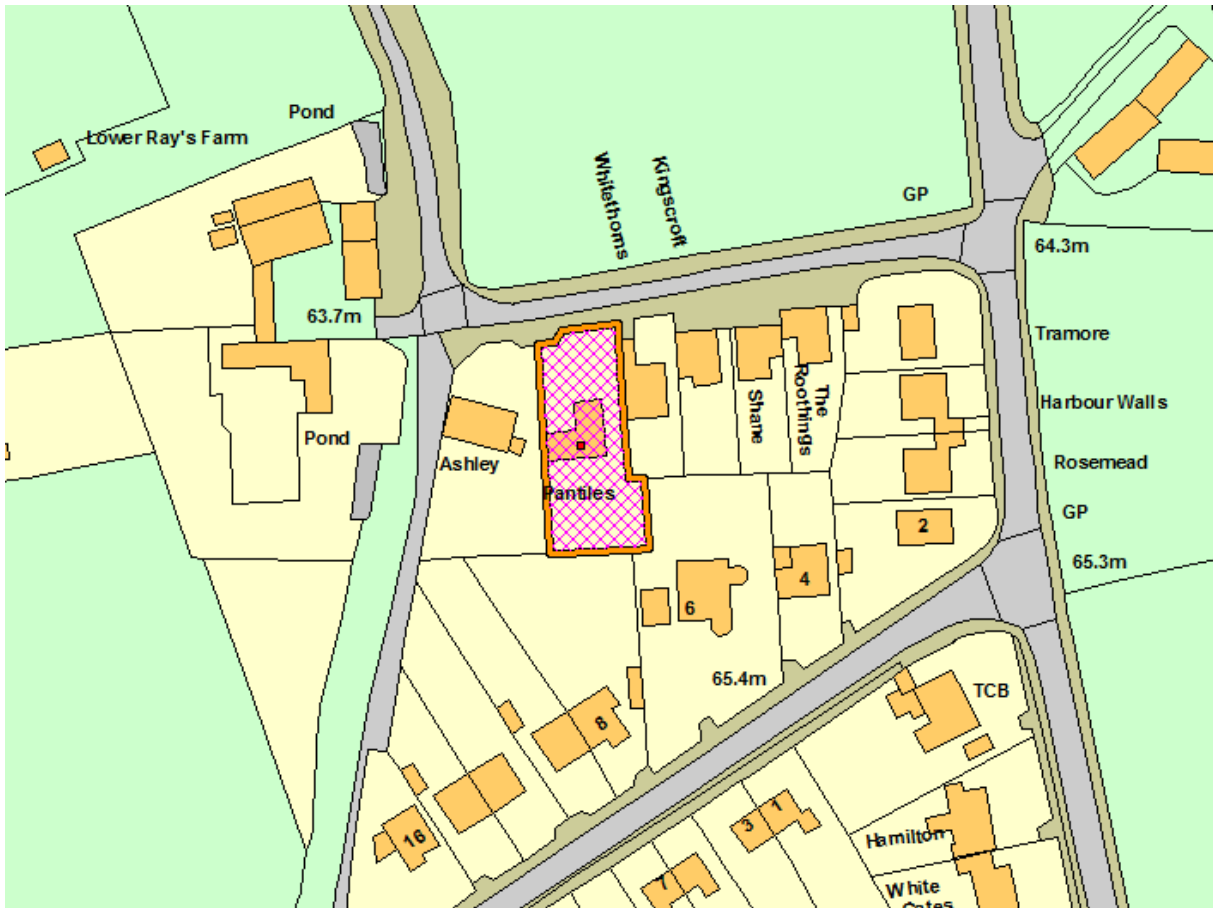
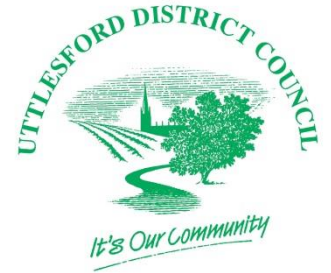
The provision of three parking spaces to the adopted parking standards 2013. Each space should be a minimum of 5.5m x 2.9m.

REASON: To meet the requirements of the adopted parking standards (2013) in accordance with Uttlesford Local Plan policy GEN8.

Justification: The above condition is required to ensure that the development does not result in unacceptable highway safety issues

Application no.: UTT/15/2446/HHF

Address: Pantiles, Molehill Green Road Felsted



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Organisation: Uttlesford District Council

Department: Planning

Date: 04 November 2015

SLA Number: 100018688