

**UTT/17/1227/FUL – GREAT DUNMOW**

(Application by Uttlesford District Council)

**PROPOSAL:**        **Removal of existing wooden building and the construction of 2 no. one-bed flats and 2 no. two-bed houses for rent including associated external works and parking**

**LOCATION:**        **Land to the East of Newton Villas, Great Dunmow**

**APPLICANT:**      **Uttlesford District Council**

**AGENT:**           **Mrs R White**

**EXPIRY DATE:**    **7 July 2017**

**CASE OFFICER:**   **Karen Denmark**

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**1.        NOTATION**

1.1       Within Development Limits.

**2.        DESCRIPTION OF SITE**

2.1       The majority of the site is an area formerly occupied by garages although only one remains on site. The ground is hardstanding and has hedging to the boundary with properties on Newton Green, and to the side boundary where there is a footpath connecting Newton Green to the Stortford Road. There is a fence to the boundary with the property to the north east. The remainder of the site forms part of the garden to 19 Newton Green.

2.2       The secondary part of the application site is the green area to the front of the properties located in Newton Grove.

**3.        PROPOSAL**

3.1       The proposal relates to the demolition of the remaining garage and the erection of two one-bed flats and two two-bed houses. These would be two storey buildings constructed in red brickwork with weatherboarding and brown tiled roofs. Six car parking spaces would be provided to serve the properties.

3.2       The second part of the proposals is the provision of additional parking for the residents of Newton Grove. It is proposed to replace the existing green to the front of the properties with a car park providing 16 car parking spaces serving 8 properties.

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

- 4.1 An Ecological Survey has been submitted with the application which concludes that the site is generally of low ecological value, but there is some low potential to support reptiles and hedgehogs as well as roosting and foraging bats along the mature hedgerow within the Site, and high potential to support nesting birds in all hedgerows and brash piles on the Site. Recommendations for vegetation clearance outside the bird-nesting season (nesting season is March-August) and debris and brash clearance outside the reptile and hedgehog hibernation period (hibernation period November-early March) will mitigate any short-term impacts and legislative issues relating to these receptors. The creation of bird-nesting and bat-roosting features, and bird and bat-friendly planting will enhance the Site for these species into the future.

#### **5. RELEVANT SITE HISTORY**

- 5.1 None.

#### **6. POLICIES**

##### **6.1 National Policies**

- National Planning Policy Framework

##### **6.2 Uttlesford Local Plan (2005)**

- S1 – Development Limits for the Main Urban Areas
- GEN1 – Access
- GEN2 - Design
- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- ENV3 – Open Spaces and Trees
- H1 – Housing Development
- H3 – New Houses within Development Limits

##### **6.3 Great Dunmow Neighbourhood Plan (2016)**

- Policy DS1: TDA: Town Development Area
- Policy DS12: Eaves Height
- Policy DS13: Rendering, Pargetting and Roofing

#### **7. TOWN COUNCIL COMMENTS**

- 7.1 The Town Council supports the concept of housing and parking for that housing, but objects to the loss of amenity green space by providing 16 parking spaces. EC

#### **8. CONSULTATIONS**

##### **ECC Ecology**

- 8.1 Holding objection.
- 8.2 Revised Ecological Report: No objections subject to condition.

## **ECC Highways**

8.2 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

## **9. REPRESENTATIONS**

9.1 Four letters of representation have been received. Notification period expired 3 June 2017.

- Site used by parents dropping/collecting children from primary school
- Insufficient parking for existing residents and visitors
- Will make existing situation worse
- We are partially responsible for the upkeep of the road – what compensation will there be?
- Appreciate need for additional affordable housing but will cause more problems
- Too much for the site
- Increased dangers during construction works
- No objections to houses but would be shame to lose wildlife area
- Ecological Report not complete for site and failed to identify a pond
- Biodiversity Questionnaire incorrect

## **10. APPRAISAL**

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

- A Principle of development (ULP Policies S1, H1, H3; GDNP Policy DS1; NPPF)**
- B Layout and design (ULP Policy GEN2; GDNP Policies DS12, DS13; NPPF)**
- C Access and parking (ULP Policies GEN1, GEN8; ENV3; NPPF)**
- D Ecology (ULP Policy GEN7; NPPF)**

**A Principle of development (ULP Policies S1, H1, H3; GDNP Policy DS1; NPPF)**

10.1 The site lies within the development limits where there is a policy presumption in favour of appropriate development. As such the proposal complies with Policy S1. Policies H1 and H3 direct new development towards previously used land within the development limits of the larger towns and villages, in particular Great Dunmow. This site constitutes a brownfield site within the development limits and therefore complies with the requirements of Policies H1 and H3.

**B Layout and design (ULP Policy GEN2; GDNP Policies DS12, DS13; NPPF)**

10.2 The proposals relate to the erection of a pair of semi-detached two bedroom dwellings and two one bedroom flats, designed to look like a detached dwelling. The properties in the area are a mix of detached and semi-detached dwellings and the proposed units would be in keeping with the character of the area. The design of the units is in keeping with the general character of the area, in particular the newer properties within the vicinity.

10.3 The proposed dwellings are required to have a minimum garden area of 50sqm as set out in the Essex Design Guide. This is easily achieved on site. The flats are required to have 50sqm of communal space and these have been designed to have a private garden area each.

- 10.4 The properties have been designed so that there would be no loss of residential amenity due to overlooking, overshadowing or overbearing. As such, the proposals comply with Policy GEN2.
- 10.5 The Great Dunmow Neighbourhood Plan sets out policies in relation to various design criteria. Policy DS12 requires development to preserve and enhance the existing good character in the area in terms of eaves height and other respects, such as existing architectural layout. The proposed buildings would be two storey in height with similar eaves heights to the neighbouring properties. As such the proposals comply with Policy DS12.
- 10.6 Policy DS13 states that development should, where possible, be constructed with tiled or slate roofing. It also supports the use of pargetting in new developments. The proposed materials are brown concrete tiles and the walls are to be constructed in red facing brickwork with painted featheredged weatherboarding. These would be appropriate materials for the area and the proposals comply with Policy DS13.

### **C Access and parking (ULP Policies GEN1, GEN8; ENV3; NPPF)**

- 10.7 The access to the new dwellings would be via Newton Green and Newton Grove. The parking area for the proposed new dwellings would be located adjacent to the north western boundary, to the front of plots 3 and 4. Two parking spaces for the one bedroom flats are proposed (1 space each) and four for the two bedroom dwellings (2 spaces each). The spaces comply with the adopted size standards and the quantum is in accordance with the standards. The proposals therefore comply with Policies GEN1 and GEN8.
- 10.8 Some concern has been raised with regards to the loss of the green area to the front of the properties in Newton Grove. This would be converted to hardstanding to provide 16 car parking spaces for the properties in Newton Grove. Part of this would compensate for the loss of the former garage and parking area. These proposed works would also result in the loss of 3-4 spaces in a layby that currently exists. At the present time, there is insufficient parking area to serve the existing dwellings. These spaces would assist in alleviating some of the on-street parking pressures that currently exist. Whilst the concerns in respect of these spaces are noted, these works could be carried out as permitted development by the local authority. They are shown on the plans to indicate the Council's intentions for this land. Therefore, whilst this element of the proposals would result in the loss of an area of open space in front of the properties which would be contrary to Policy ENV3, this falls outside the control of the planning department's control.

### **D Ecology (ULP Policy GEN7; NPPF)**

- 10.9 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.
- 10.10 The site has a mixture of habitats within it, such as hardstanding, gravel, short ephemeral vegetation and tall ruderal vegetation. The garden to 19 Newton Green which forms part of the application site has semi-mature trees and shrubs with scattered piles of brash (grass cuttings etc). There are two sections of poor quality hedgerow and a hedge of tall Cypress fir trees.

- 10.11 The application is accompanied by an Ecological Survey which concludes that the site is of low ecological value, but with some low potential to support reptiles, hedgehogs, roosting and foraging bats and well as a high potential to support nesting birds. Various ecological recommendations are made in the report, including the careful removal of brash piles, clearance in the appropriate seasons and the installation of bird nesting boxes and bat boxes to improve biodiversity.
- 10.12 Initially the Ecologist issued a holding objection in relation to insufficient information being submitted in order to assess the potential impacts on bats and inconsistencies between the biodiversity questionnaire and the Ecological Report. Further information has now been submitted and the Ecologist has now removed their holding objection. Therefore, subject to the imposition of a condition relating to ecology, it is considered that the proposals comply with Policy GEN7.

## **11. CONCLUSION**

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

- A The site is located within the development limits where the principle of residential development is acceptable.
- B The proposals are of an appropriate scale and design and appropriate materials are proposed. There would not be any loss of residential amenity.
- C The proposals have adequate vehicular access and the appropriate parking standards are met.
- D The proposals would not result in adverse harm to biodiversity, subject to the mitigation measures in the Ecology Report being implemented.

## **RECOMMENDATION – APPROVAL WITH CONDITIONS**

### **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. Prior to the erection of the development hereby approved samples of the 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. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Justification: This pre-commencement condition is required to ensure the appropriate materials can be sourced for the development without delay.

3. The dwellings hereby permitted must be built in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

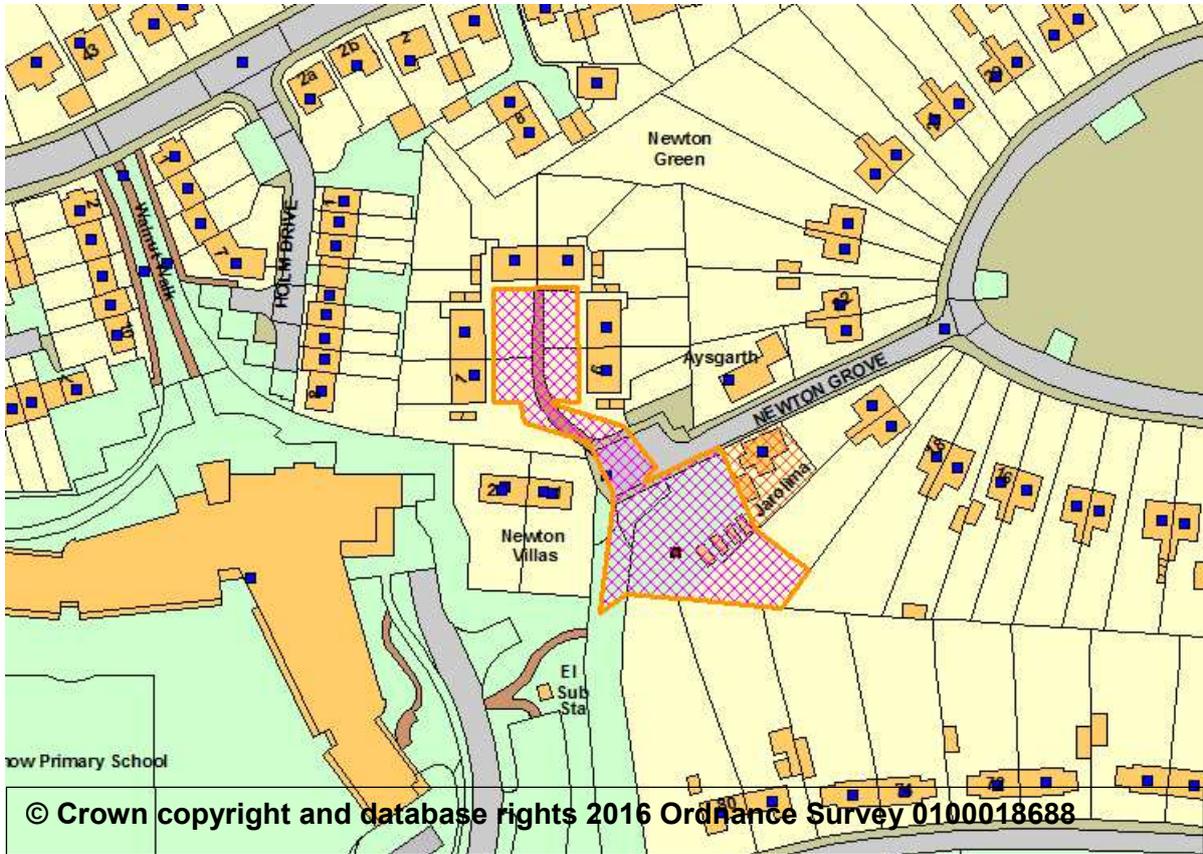
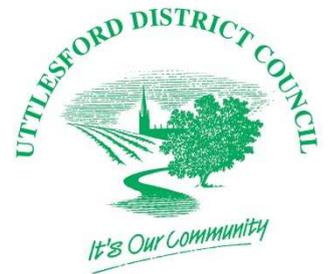
4. The proposed development shall not be occupied until such time as the vehicle parking and turning area as indicated on drawing no. UDC-729-P01 has been provided and marked out in parking bays. The vehicle parking and associated turning area shall be retained in this form at all times.

REASON: To ensure that vehicles can enter and leave the highway in a forward gear and to ensure that on street parking of vehicles in the adjoining street does not occur in the interests of highway safety, in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).

5. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Denny Ecology, July 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: In the interests of conserving biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Application: UTT/17/1227/FUL  
Address: Land to the East of Newton Villas Dunmow



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 August 2017