

UTT/17/2167/FUL - (GREAT CHESTERFORD)

(Applicant is a District Councillor)

PROPOSAL: Proposed amendment to Plot 1 of dwelling approved under UTT/16/3394/FUL. Amendments to Garage, removal of 2 No. windows and insertion of sliding doors to Second Floor

LOCATION: The Delles, Carmen Street, Great Chesterford

APPLICANT: Mr & Mrs Redfern

AGENT: 2P Studio

EXPIRY DATE: 2 October 2017

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Countryside; Conservation Area.

2. DESCRIPTION OF SITE

2.1 The site is located at the corner of Carmen Street and Jackson's Lane, Great Chesterford. It comprises a portion of the garden serving The Delles.

3. PROPOSAL

3.1 The application is for planning permission to erect a detached house and garage. The proposal represents an alternative design for Plot 1 of the two-dwelling development approved by planning permission UTT/16/3394/FUL in February 2017. The main differences are to the design of the garage, the fenestration of the house and an increase of its height by 50 cm (approx.).

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

5.1 The application includes the following documents:

- Heritage / Design and Access Statement
- Phase 1 Habitat Survey & Protected Species Survey
- Biodiversity Validation Checklist
- Tree Survey

6. RELEVANT SITE HISTORY

6.1 As referenced above, planning permission was granted in February 2017 for the erection of two houses in the garden of The Delles (UTT/16/3394/FUL).

7. POLICIES

7.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:

- (a) the provisions of the development plan, so far as material to the application, (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

7.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

7.3 Relevant development plan policies and material considerations are listed below.

Uttlesford Local Plan (2005)

- 7.4
- S7 – The Countryside
 - GEN1 – Access
 - GEN2 – Design
 - GEN3 – Flood Protection
 - GEN6 – Infrastructure Provision to Support Development
 - GEN7 – Nature Conservation
 - GEN8 – Vehicle Parking Standards
 - ENV1 – Design of Development within Conservation Areas
 - ENV2 – Development affecting Listed Buildings
 - ENV3 – Open Spaces and Trees
 - ENV4 – Ancient Monuments and Sites of Archaeological Importance
 - H1 – Housing Development
 - H9 – Affordable Housing

Supplementary Planning Documents/Guidance

- 7.5
- SPD – Accessible Homes and Playspace (2005)
 - Developer Contributions Guidance Document (Feb 2016)
 - The Essex Design Guide (2005)
 - Parking Standards: Design and Good Practice (2009)
 - Uttlesford Local Residential Parking Standards (2013)
 - Great Chesterford Conservation Area Appraisal and Management Proposals (2007)

National Policies

- 7.6
- National Planning Policy Framework (NPPF) (2012)
 - Paragraphs 14, 17, 32-39, 47-49, 55, 58, 100-104, 111, 118 & 128-135 Planning Practice Guidance (PPG)
 - Conserving and enhancing the historic environment
 - Design
 - Flood risk and coastal change
 - Housing: optional technical standards
 - Rural housing
 - Planning obligations

Other Material Considerations

- 7.7 Great Chesterford Conservation Area Appraisal and Management Proposals (2007)
Great Chesterford Historic Settlement Character Assessment (2007)
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
Housing Trajectory 1 April 2017 (August 2017)

8. PARISH COUNCIL COMMENTS

- 8.1 Objection. Extract:

“There has been a progressive increase of size since the initial application. The original cartshed has become a garage, the flat roof has become pitched and the first floor will be very visible from Jackson's Lane. We object to the increase in height, inappropriate choice of materials and the increased visibility from the adjoining road and surrounding houses.”

9. CONSULTATIONS

London Stansted Airport

- 9.1 No objections.

Highway Authority (Essex County Council)

- 9.2 No objections.

Ecological Consultant (Place Services)

- 9.3 No objections.

10. REPRESENTATIONS

- 10.1 Neighbours were notified of the application by letter and notices were displayed near the site and in the local press. No representations have been received.

11. APPRAISAL

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

- A Location of housing (S7, H1, 55 & PPG)
- B Character, appearance and heritage (S7, GEN2, ENV1, ENV2, ENV3, 17, 58, 128-134 & PPG)
- C Transport (GEN1, GEN8 & 32-39)
- D Accessibility (GEN2, 58 & PPG)
- E Amenity (GEN2 & 17)
- F Flooding (GEN3, 100-104, PPG & SFRA)
- G Infrastructure (GEN6)
- H Biodiversity (GEN7, 118 & PPG)
- I Archaeology (ENV4, 128-135 & PPG)
- J Affordable housing (H9 & PPG)
- K Housing land supply (47-49)
- L Previously developed land (111)

- A Location of housing (S7, H1, 55 & PPG)**

11.1 The principle of residential development on the site has already been established by planning permission UTT/16/3394/FUL.

B Character, appearance and heritage (S7, GEN2, ENV1, ENV2, ENV3, 17, 58, 128-134 & PPG)

11.2 The site is located within the Great Chesterford conservation area and there are a number of Grade II listed buildings to the south and west. Compared with the approved scheme, the most significant change is to the design of the garage. The lightweight, flat-roofed car port has been replaced with a similarly contemporary but more substantial pitch-roofed garage with a room in the roof space. While the visual impact would be greater, it is considered that the building would remain proportionate to the main house and compatible in terms of its design. It is concluded that the amended scheme would, like the original, make a positive contribution to the character and appearance of the conservation area. The proposal would accord with the above policies insofar as they relate to character, appearance and heritage.

11.3 In drawing the above conclusions regarding listed buildings and conservation areas, regard has been had to the Council's statutory duties under S66(1) and S72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

C Transport (GEN1, GEN8 & 32-39)

11.4 Compared with the approved development, there would be no significant effect on sustainable transport, road safety or vehicle parking. Furthermore, the highway authority raises no objections. It is therefore concluded that the amended scheme would accord with the above policies.

D Accessibility (GEN2, 58 & PPG)

11.5 Policy GEN2 and the SPD entitled 'Accessible Homes and Playspace' require compliance with the Lifetime Homes standards. However, these standards have effectively been superseded by the optional requirements at Part M of the Building Regulations, as explained in the PPG. Compliance with these requirements could be secured using a condition.

E Amenity (GEN2 & 17)

11.6 Compared with the approved development, there would be no significant effect on the amenity of existing or future residents. It is therefore concluded that the amended scheme would accord with the above policies insofar as they relate to amenity.

11.7 Compared with the approved development, there would be no significant effect on flood risk. It is therefore concluded that the amended scheme would accord with the above policies.

G Infrastructure (GEN6)

11.8 Compared with the approved development, there would be no significant effect on off-site infrastructure. It is therefore concluded that the amended scheme would accord with Policy GEN6.

H Biodiversity (GEN7, 118 & PPG)

- 11.9 Taking into account the comments of the Council's ecological consultant, it is considered unlikely that the proposal would have any significant adverse effects on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

I Archaeology (ENV4, 128-135 & PPG)

- 11.10 Archaeological investigation on the site has been completed to the satisfaction of the local planning authority, in connection with the existing planning permission. It is considered that the proposed amendment does not necessitate further archaeological work. Therefore, the amended scheme accords with the above policies insofar as they relate to archaeology.

J Affordable housing (H9 & PPG)

- 11.11 As explained in detail in various appeal decisions, including UTT/15/3599/FUL, the Developer Contributions Guidance Document must not be given weight when considering affordable housing requirements. Therefore, the basis for seeking affordable housing provision is Policy H9 and its preamble, which indicate that the proposal need not make a contribution towards affordable housing provision.

K Housing land supply (47-49)

- 11.12 Paragraphs 47-49 of the NPPF describe the importance of maintaining a five-year supply of deliverable housing sites. As identified in the most recent housing trajectory document, Housing Trajectory 1 April 2017 (August 2017), the Council's housing land supply is currently 3.77 – 4.2 years. Therefore, contributions towards housing land supply must be regarded as a positive effect.

L Previously developed land (111)

- 11.13 Paragraph 111 of the NPPF encourages the re-use of previously developed land, a classification which applies to the application site. Therefore, weight should be given to the positive effect of the development in this regard.

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

- A Taking into account the development plan, the NPPF and all other material considerations, it is concluded that the amended scheme should be approved. It is therefore recommended that planning permission be granted.

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. All hard and soft landscape works must be carried out in accordance with the

details of landscaping approved under application UTT/17/1916/DOC.

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, including by ensuring the existing boundary wall is not undermined by new planting, in accordance with Policy S7, Policy GEN2, Policy ENV1 and Policy ENV3 of the Uttlesford Local Plan (adopted 2005).

3. The development must be carried out in accordance with the details of tree protection measures approved under application UTT/17/1916/DOC.

REASON: To ensure compatibility with the character of the area and to preserve wildlife habitats, in accordance with Policy S7, Policy GEN2, Policy ENV1, Policy ENV3 and Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

4. The development must be carried out in accordance with the details of site sections approved under application UTT/17/1916/DOC.

REASON: To ensure compatibility with the character of the area and to prevent overbearing impacts on neighbouring buildings, in accordance with Policy S7, Policy GEN2 and Policy ENV1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

5. The development must be carried out in accordance with the details of external finishes approved under application UTT/17/1916/DOC.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7, Policy GEN2 and Policy ENV1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

6. The development must be carried out in accordance with the details of windows and doors approved under application UTT/17/1916/DOC.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7, Policy GEN2 and Policy ENV1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

7. The render finish to the dwelling hereby permitted must be smooth.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7, Policy GEN2 and Policy ENV1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

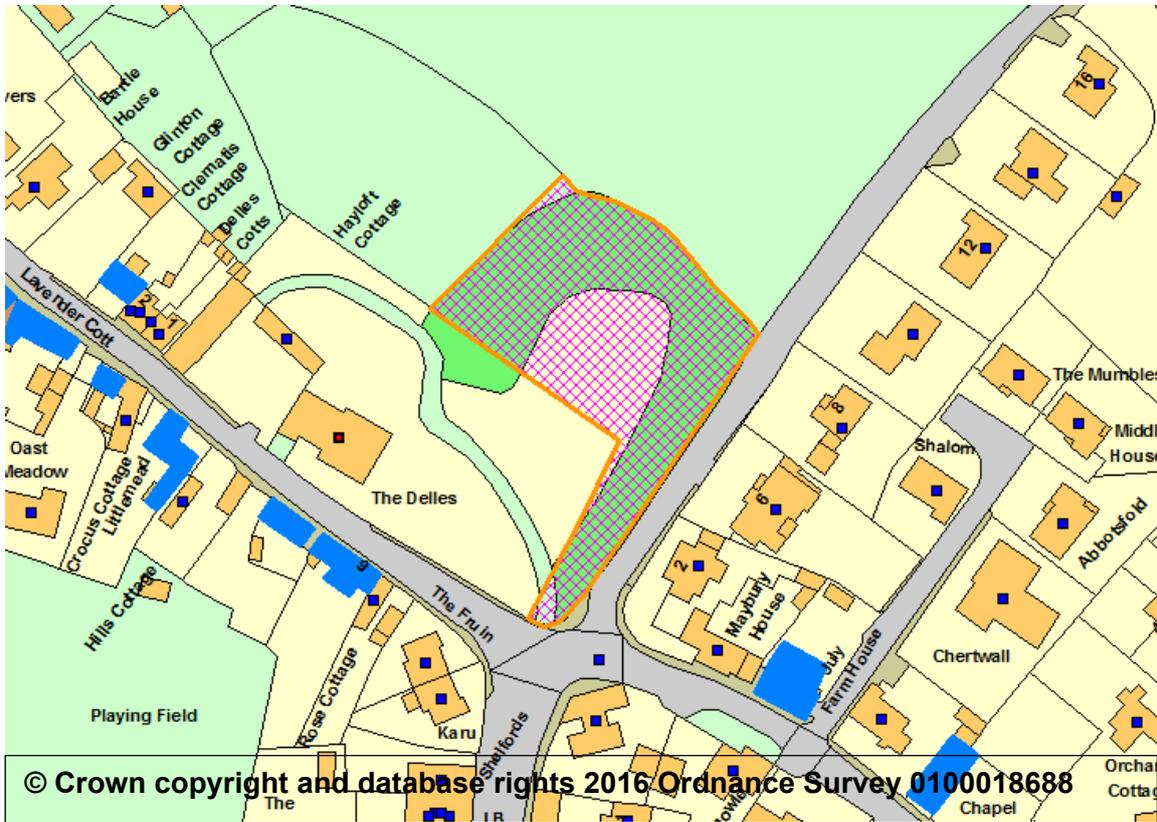
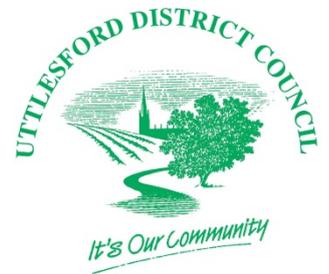
8. The dwelling hereby permitted must be built in accordance with Requirement M4(2)

(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.

Application: UTT/17/2167/FUL

Address: The Delles, Carmen Street, Great Chesterford



Organisation: Uttlesford District Council

Department: Planning

Date: 14 September 2017