

UTT/20/2169/FUL

(Call-in request by Councillor Evans if recommended for approval – Reason: the original outline application was for 2 houses with a shared drive not 3 houses; Brick kiln lane is a very narrow single track road and can't support the number of vehicles that would be produced by a further 3 houses; Over development of the site.

PROPOSAL: Proposed demolition of existing dwelling and erection of 3 no. dwellings, creation of vehicular access and parking areas and associated landscaping.

LOCATION: The Pyggle, The Downs, Stebbing, Dunmow, Essex, CM6 3TU.

APPLICANT: Mr Roland Rolfe

AGENT: Edward Parsley Associates Ltd

EXPIRY DATE: 18.12.2020

CASE OFFICER: Rachel Beale

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The application site relates to an existing detached single storey dwelling house and attached temporary structure located on the north-eastern side with associated outbuildings dispersed across the plot known as The Pyggle. The host dwelling is within a large triangular shaped plot of land. It is very well screened site with the bungalow set back within the plot, and almost hidden from public view with a gated access off Brick Kiln Lane. The application site is located towards the eastern side of Brick Kiln Lane along a single track public lane providing an alternative access to number of dwellings along this lane. Further to the north of the site is property known as Brambles; to the south-west is Corbets Tey, Downs Terrace further down the south and open countryside to the east side of the application site.

3. PROPOSAL

3.1 Proposed demolition of existing dwelling and erection of 3 no. dwellings, creation of vehicular access and parking areas and associated landscaping.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposal is not EIA development and an environmental assessment is not required to assess the environmental impacts of the development whereby the site does not fall within a "sensitive area".

5. APPLICANT'S CASE

5.1 - Biodiversity Checklist
- Design & Access Statement (including Transport)

- Planning Statement

6. RELEVANT SITE HISTORY

- 6.1 UTT/18/2763/OP - Outline application with all matters reserved except for access and scale for the demolition of existing dwelling and erection of 2 no. dwellings. Closure of existing access and creation of new access – approved.
- 6.2 UTT/20/0592/FUL - Proposed demolition of existing dwelling and erection of 3 no. dwellings, creation of vehicular access and parking areas and associated landscaping – refused.

7. POLICIES

National Policies

National Planning Policy Framework 2019 (NPPF)

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN7 – Nature Conservation
ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

SPD Accessible Homes and Playspace

Other Material Considerations

Parking Standards: Design and Good Practice
Local Residential Parking Standards
The Essex Design Guide

8. PARISH COUNCIL COMMENTS

- 8.1 Stebbing Parish Council strongly objects to the continued change from the Outline Planning consent (UTT/18/2763/OP) granted May 2019, for two houses with one shared access. We consider this application continues to be overdevelopment. The proposed dwellings do not comply with the approved outline application and would have a detrimental impact on the character and appearance of the site, as well as the surrounding area and would fail to respect the character of the street scene and neighbouring properties.
- 8.2 **Case Officer Comment:**
This application is a Full application rather than an Approval of Reserved Matters application. It a new/fresh application that does not need to comply with the terms of the Outline approval UTT/18/2763/OP.
- 8.3 Whilst some issues have been addressed from the previous application (UTT/20/0592/FUL) We maintain the original permission for two houses is the correct solution for this site

8.4 **Case Officer Comment:**

This scheme has responded to the previous refused scheme UTT/20/0592/FUL by

- Plot 1 and 2 now form a pair of semi-detached dwellings
- The eaves and ridge heights of all the dwellings have been reduced in height and the roof forms revised
- The reduction in the size, scale and footprints of the dwellings have resulted in less bulk and massing
- Improved setbacks from boundaries and improved separation distance
- Improved private rear garden amenities.

8.5 Brick Kiln Lane is a single-track road, used by walkers and riders as well as access to existing properties. There is limited visibility for exiting properties, which is why one shared access for two properties could be tolerated, helping retain the natural hedgerow which is an essential vista on the lane. There is no capability for parking outside any properties on this lane.

8.6 **Case Officer Comment:**

ECC Highways have not objected to the scheme in terms of conflict with other users along the Lane/ visibility/ car parking provision. In terms of parking, the proposal is Policy compliant i.e. 2no. spaces for the 3-beds and 3 spaces for the 4-bed; further, space is found within the site for cars to enter and leave in a forward gear. A condition has been included to address concerns with the hedge.

9. CONSULTATIONS

ECC Highways

9.1 From a highway and transportation perspective, the Highway Authority has no objections to make on this proposal as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1. Conditions are advised.

10. REPRESENTATIONS

10.1 3 representations received. Summary of representations received as follows:

- Outside Development Limits;
- Density of site;
- Highway safety impacts
- Proposed dwellings too high
- Overlooking
- Dwellings out of scale with surrounding dwellings
- Unnecessary excavation of site
- Impact on water pressure
- No mains drainage
- Narrow lane can't support additional traffic

11. APPRAISAL

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

- A Principle of development (S7, NPPF, PPG)**
- B Design, appearance & character (S7, GEN2, Essex Design Guide, NPPF)**
- C Highways safety and parking provision (GEN1, GEN8, NPPF)**
- D Impact on neighbours amenity (GEN2, NPPF)**

A Principle of development (S7, NPPF, PPG);

11.1 The principle of housing development has been established by the outline permission of UTT/18/0365/OP.

B Design, appearance & character (S7, GEN2, Essex Design Guide, NPPF)

11.2 The permitted outline application established the site layout for two detached dwellings, approving the new access and the principle of residential development on this site. Whilst this proposal increases the number of dwellings from two to three, the scale and form of the proposed three dwellings (two semis and one detached) does not significantly differ from the approved outline and it is considered that the current proposal would not cause any substantial or increased harm from that of the approved outline.

11.3 It must be acknowledged that this is a new “stand alone” full application and so does not need to comply with the terms or conditions of the previous outline application. The proposed layout within this full application is however nearer to the approved outline, by way of the siting the proposed development in similar positions. The scale is also similar with dwellings at 1.5 storeys. Plots 1 & 2 are designed as a single unit, in a “T” plan configuration, albeit subdivided onto 2no. dwellings, and well-designed and articulated with cottage style proportions with low eaves heights, dormer windows and external stacks, using good quality materials. Whilst the footprint is greater, this is not considered to cause any demonstrable harm on the character and appearance of the site and the surrounding dwellings.

11.4 It is considered by the Officer that the proposed dwellings are in keeping with the character of the settlement and respect the existing neighbouring dwellings. By proposing semi-detached dwellings and one detached dwellings, it is considered that the proposals address the concerns of the previously refused application and preserves the character of the settlement, in keeping with the surroundings.

11.5 Concerns were previously raised in regard to the gardens but these revised proposals will provide the future occupants with appropriately sized gardens that will meet their amenity requirements.

11.6 It is considered that the proposal accords with the above policies and guidance in so far as they relate to character, design and appearance.

C Highways safety and parking provision (GEN1, GEN8, NPPF)

11.7 The dwellings would be served by one new access and also utilise the existing access. Essex County Council Highways have been consulted and following requested amendments confirm they have no objections and deem the accesses to be safe and acceptable, subject to condition. The Council's parking standards

indicate that two of the proposed dwellings should be provided with at least two off-street parking spaces and one dwelling with three. These parking standards will be provided for within these proposals. It is therefore concluded that the proposal accords with the above policies and guidance insofar as they relate to highways safety and parking.

D Impact on neighbours amenity (GEN2, GEN4, NPPF)

11.8 Policy GEN2 of the Local Plan states that new development should not have any materially adverse effect on the reasonable occupation and enjoyment of a residential property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing. The separation distances between the proposed and the surrounding dwellings is sufficient to not have a significant impact. The two storey element of Plot one is 30.2 metres from the neighbouring property, measured from the flank wall of plot 1 to the south facing wall of the 2 storey element of the neighbour dwelling. It is 40.7 metres from the south facing wall of Plot 1 to the rear elevations of Downs Terrace. It is 35.6 metres from the west facing wall of Plot 3 to the front (east facing wall) of Corbets Tey opposite the site.

11.9 It is therefore concluded on the basis of the above separation distances to the nearest dwelling that their amenity would be protected, and the proposal therefore accords with the above policies and guidance insofar as they relate to amenity.

12. CONCLUSION

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

- A The principle of development has been established via the outline approval.
- B The proposal would not have a harmful impact upon character and appearance of the surrounding area.
- C The proposal would be compatible with the surrounding settlement.
- D The proposed access and parking arrangements are considered acceptable
- E The proposal would not have a significantly harmful impact on residential amenity.

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 any works above slab level, 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 S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005), and the National Planning Policy Framework.

3. Prior to occupation of the development the visibility splays, as shown on DWG no. 09C (Proposed Site Plan, Oct 2020), shall be provided and retained free of any obstruction in perpetuity.

Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety, 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.

4. Prior to the occupation of any of the proposed dwellings, the proposed shared private drive shall be constructed to a width of 5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate vehicle crossing of the 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, 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.

5. The proposed development shall not be occupied until such time as the vehicle parking area indicated on DWG no. 09C (Proposed Site Plan, Oct 2020) has been provided. The vehicle parking area and associated shared turning area shall be retained in this form at all times.

Reason: To ensure that appropriate parking is provided, 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.

6. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety, 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.

7. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety, 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.

8. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity, 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. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport, 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.

10. Prior to occupation each dwelling shall be provided with an electric vehicle charging point. The charging point shall be fully wired and connected, ready to use and retained thereafter.

REASON: to encourage/support cleaner vehicle usage in accordance with policy ENV13 of the Uttlesford Local Plan (adopted 2005) and the NPPF.