

UTT/17/3195/FUL (ARKESDEN)

(District Council owns land required for access)

PROPOSAL: Proposed 1 no. dwelling

LOCATION: 6 Quicksie Hill, Arkesden

APPLICANT: Mr T Wombwell

AGENT: Denn Architects

EXPIRY DATE: 9 January 2018

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Countryside.

2. DESCRIPTION OF SITE

2.1 The site is located off Quicksie Hill, to the north of Arkesden. It contains a semi-detached house, its rear garden and a shared access track serving the rear of the property.

3. PROPOSAL

3.1 The application is for planning permission to erect a detached house in the rear garden. Vehicular access would be via the existing track, and a new shared driveway would provide the existing house with access to a new parking area.

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:

- Design & Access Statement
- Biodiversity Validation Checklist
- Sustainable Construction Pre-Application Checklist for Dwellings

6. RELEVANT SITE HISTORY

6.1 It is considered that there are no historic applications of relevance to the subject application. The following planning history is noted:

UTT/1615/10/FUL Two storey side and rear extension. Single storey front extension.

Approved with Conditions 25/10/2010

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
 - H1 – Housing Development
 - H4 – Backland Development
 - H9 – Affordable Housing

Supplementary Planning Documents/Guidance

- 7.5
- SPD – Accessible Homes and Playspace (2005)
 - The Essex Design Guide (2005)
 - Parking Standards: Design and Good Practice (2009)
 - Uttlesford Local Residential Parking Standards (2013)

National Policies

- 7.6
- National Planning Policy Framework (NPPF) (2012)
 - paragraphs 14, 17, 32-39, 47-49, 55, 58, 100-104, 111 & 118
 - Planning Practice Guidance (PPG)
 - Design
 - Flood risk and coastal change
 - Housing: optional technical standards
 - Natural environment
 - Planning obligations
 - Rural housing
 - House of Commons Written Statement: Sustainable drainage systems (HCWS161) (2014)
 - Planning Update: Written statement (HCWS488) (2015)

Other Material Considerations

- 7.7 Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
Housing Trajectory 1 April 2017 (August 2017)
Arkesden Parish Plan 2009-2014

8. PARISH COUNCIL COMMENTS

- 8.1 Objection. Concerns include:

- Harmful effect on the character of the area
- Loss of amenity for existing residents
- Further damage to the access road maintained by UDC
- Unsuitable vehicular access arrangement for the existing property
- Lack of sustainable transport options
- Approval would set a precedent for future residential development

9. CONSULTATIONS

UDC Housing

- 9.1 "Please note re the above application – there is no access to serve the proposed plans, nor has any been applied for."

Highway Authority (Essex County Council)

- 9.2 No objections, subject to a condition.

10. REPRESENTATIONS

- 10.1 Neighbours were notified of the application by letter and a notice was displayed near the site. The following concerns have been raised among the submitted representations:

- 1) Harmful effect on the character of the area
- 2) Loss of privacy at existing properties
- 3) Unsuitable vehicular access arrangement
- 4) Increased on-street parking on Quicksie Hill
- 5) Risk from surface water flooding
- 6) Approval would set a precedent for future residential development
- 7) Loss of view from existing properties
- 8) Poor condition of the access road

- 10.2 The following comments are made in relation to the above points:

- 1) – 5) Covered in the below appraisal.
- 6) Each case must be assessed on its own merits.
- 7) The loss of a view from private property is not a material planning consideration, albeit the effect on the character and appearance of the area is covered in the below appraisal.
- 8) Maintenance of the road's surface is the responsibility of the owner. Its condition is not a material planning consideration.

11. APPRAISAL

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

- A Location of housing (S7, H1, H4, 55 & PPG)
- B Character and appearance (S7, GEN2, 17, 58 & PPG)
- C Transport (GEN1, GEN8, 32-39 & HCWS488)
- D Accessibility (GEN2, 58 & PPG)
- E Amenity (GEN2 & 17)
- F Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)
- G Infrastructure (GEN6)
- H Biodiversity (GEN7, 118 & PPG)
- I Affordable housing (H9 & PPG)
- J Housing land supply (47-49)
- K Previously developed land (111)

A Location of housing (S7, H1, H4, 55 & PPG)

- 11.1 The site is located beyond Development Limits and therefore in the countryside for the purposes of the Local Plan. Policy S7 seeks to prevent residential development in such a location; however, Policy H1 encourages the reuse of previously developed land and Policy H4 provides support for backland development where it meets certain criteria.
- 11.2 The proposal would reuse domestic garden land, which falls within the definition of previously developed land. Furthermore, the development would make effective use of the large garden associated with 6 Quicksie Hill, while the low number of vehicle movements and the position of the access track prevent significant disturbance to existing residents. It is therefore considered that the proposal accords with Policy H1 and, subject to the amenity considerations assessed later in this report, Policy H4.
- 11.3 Notwithstanding the above, the proposal accords with the more up-to-date policy at paragraph 55 of the NPPF, which only seeks to prevent residential development in isolated locations. The site is located amongst a well-established group of dwellings.

B Character and appearance (S7, GEN2, 17, 58 & PPG)

- 11.4 The existing houses in the group off Quicksie Hill are arranged so that they front the road, with those in the middle set behind an area of open space. The only exception is a converted dwelling to the rear of 1 Quicksie Hill.
- 11.5 A departure from the established pattern of development has the potential to adversely affect the rural character of the surrounding area. However, in this case, the proposal is to reuse land that is within an established residential curtilage. It is therefore considered that any harm to the character of the area would be negligible.
- 11.6 The proposed design is a two-storey detached house, with the main living accommodation on the upper floor and the two bedrooms on the ground floor. An under-croft would be cut out of a portion of the ground floor to facilitate vehicular access for the occupiers of the donor property, which would be provided with a new parking area to the rear of the proposed dwelling.

11.7 In isolation, it is considered that the proposed design is appropriate for the area generally. However, in context, it is considered that the development would appear cramped. Symptoms include the span of the building across the full width of the plot and the use of an under-croft to supply access to the new parking area for the donor property; both of these elements are uncharacteristic when compared with the existing properties in the group. Furthermore, the proposed access and parking arrangements would not be workable because the Council's minimum residential parking standards require parking bay dimensions of at least 2.9 x 5.5 m.

11.8 While there would be no significant harm to the rural setting, it is concluded that the design would be incompatible with existing development due to its cramped appearance, in conflict with Policy GEN2 and paragraph 58 of the NPPF.

C Transport (GEN1, GEN8, 32-39 & HCWS488)

11.9 Taking into account the distance between the site and Arkesden, and the limited services, facilities and employment opportunities, it is clear that sustainable transport opportunities are very limited. This represents a conflict with both Policy GEN1 and paragraph 34 of the NPPF. While the NPPF encourages some flexibility in rural areas, it is considered that the purpose is to facilitate the social benefits arising from the growth of existing settlements (paragraph 55). This is not the case with the proposed development, which would be located some distance from the nearest village.

11.10 Taking into account the comments of the highway authority, it is considered that there would be no significant adverse effects on road safety or the highway network. While the indicated parking spaces are smaller than required by the Council's minimum residential parking standards, it is recognised that a condition could be used to secure an alternative layout that utilises a portion of the proposed front garden.

D Accessibility (GEN2, 58 & PPG)

11.11 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)

11.12 Taking into account The Essex Design Guide, a non-adopted but useful guidance document, it is considered that the proposed and retained rear gardens would be of a suitable size, and that there would be no significant adverse effects on the amenity of neighbouring premises with respect to daylight, privacy or overbearing impacts. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

F Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)

11.13 Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG. The SFRA confirms that the

site is not in an area at risk of flooding and, as the development is for less than 10 dwellings, national policy does not require the use of a sustainable drainage system. It is therefore concluded that the proposal would not give rise to any significant adverse effects with respect to flood risk, such that it accords with the policies in the NPPF and PPG.

G Infrastructure (GEN6)

11.14 Taking into account the nature and scale of the development, and the above consultation responses, it is considered that there would be no requirement for improvements to off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6.

H Biodiversity (GEN7, 118 & PPG)

11.15 Taking into account the completed Biodiversity Validation Checklist and the observations made during the officer's site visit, it is considered unlikely that the proposed development would have a significant adverse effect on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

I Affordable housing (H9 & PPG)

11.16 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that the proposal need not make a contribution.

J Housing land supply (47-49)

11.17 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.

K Previously developed land (111)

11.18 Paragraph 111 of the NPPF encourages the reuse 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.

12. CONCLUSION

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

- A The proposed development does not accord with the development plan due to conflicts with policies on sustainable transport and design.
- B Notwithstanding the above, the proposal does not represent 'sustainable development' in the context of the NPPF. There would be benefits from a contribution towards the Council's housing land supply and the reuse of previously developed land. However, the adverse effects arising from a lack of sustainable transport opportunities and a design that would be incompatible with its surroundings ensure that the adverse effects would significantly and demonstrably outweigh the benefits of the development.

C Regard has been had to all other material considerations, and it is concluded that planning permission should be refused.

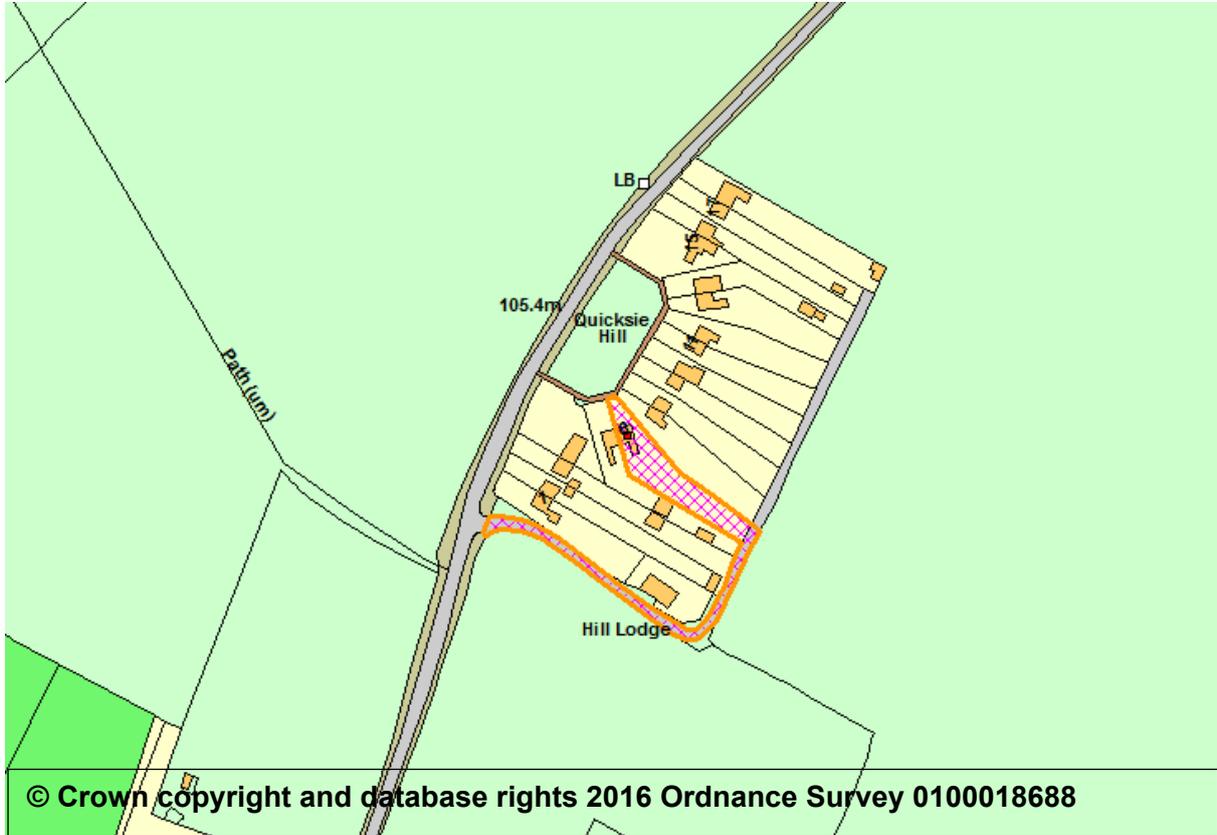
RECOMMENDATION – REFUSAL

Reasons

1. The proposed development does not accord with the Uttlesford Local Plan (adopted 2005) due to conflicts with policies on sustainable transport (Policy GEN1) and design (Policy GEN2). Furthermore, the proposal does not represent 'sustainable development' in the context of the National Planning Policy Framework. There would be benefits from a contribution towards the Council's housing land supply and the reuse of previously developed land. However, the adverse effects arising from a lack of sustainable transport opportunities and a design that would be incompatible with its surroundings ensure that the adverse effects would significantly and demonstrably outweigh the benefits of the development.

Application: UTT/17/3195/FUL

Address: Quicksie Hill, Arkesden, Saffron Walden



Organisation: Uttlesford District Council

Department: Planning

Date: 4 January 2018