

**UTT/17/3603/HHF – (GREAT DUNMOW)**

(Planning application by Cllr John Davey)

**PROPOSAL:** Reinstatement of vehicular access

**LOCATION:** Tower House, St Edmunds Lane, Great Dunmow

**APPLICANT:** Mr John Davey

**AGENT:** Ian Abrams

**EXPIRY DATE:** 12 February 2018

**CASE OFFICER:** Clive Theobald

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**1. NOTATION**

- 1.1 Outside Development Limits / affecting setting of Grade II Listed Building / TPO (1/82/48).

**2. DESCRIPTION OF SITE**

- 2.1 The site lies on the east side of St Edmunds Lane approximately half way along its length and comprises a residential property containing a grade II listed two storey house with adjacent former windmill physically linked to it which together stand in generous and attractive grounds containing a number of mature perimeter trees, some of which are subject to a Tree Preservation Order. A mature hedge line runs along the road frontage of the property for its entire length.
- 2.2 A new exclusive housing development comprising seven detached dwellings with garages centred around a small green (Tower View) stands to the immediate south of Tower House which is served by a recently completed private gated access drive leading off St Edmunds Lane (Tower View Drive) which also currently serves Tower House whereby an unmade entrance track leads off the rear end of Tower View Drive back up to the house.

**3. PROPOSAL**

- 3.1 This full application relates to the reinstatement of a former vehicular access to Tower House from St Edmunds Lane with associated driveway works and turning area.
- 3.2 The proposed access would utilise an existing frontage dropped kerb along St Edmunds Lane towards its northern end, whilst the driveway behind it would have a width of 5.5m, a length of some 15m and would incorporate a 3m wide bar field gate which would be positioned approximately 6m in from the back edge of the highway. A 6m wide hardstanding parking and turning area would be formed at right angles at the rear end of the access drive to run parallel in front of Tower House and then extending at a reduced width of 2.5m to an existing garage structure on the south-east side of the house. Both the longer section of new access drive from the recessed entrance gate to the house and the hardstanding parking and turning area behind it would be formed of rolled shingle or similar.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The proposal is not included for formal assessment against the EIA regulations given the nature and scope of the development.

#### **5. APPLICANT'S CASE**

- 5.1 The application is accompanied by a Design & Access Statement which describes the background to the application with reference to a preliminary enquiry submitted to the Council in June 2017, the nature and extent of the proposed works and an assessment of the highway, heritage and environmental impacts of the works, including reference to the impact on adjacent trees. The report concludes by stating that the proposed works would meet the three strands of sustainability when assessed against the NPPF and would additionally not cause any material harm to the setting of the designated heritage asset on the site (Tower House).

#### **6. RELEVANT SITE HISTORY**

- 6.1 It is understood that the dropped kerb which still exists along the St Edmunds Lane frontage at the site and which is the subject of the proposed vehicular access reinstatement works for the current application served as the former vehicular access point into Tower House as shown on old Ordnance Survey records, although there are no planning records for the construction of this former access. The newly completed vehicular access drive to Tower View to the south of Tower House (Tower View Drive) represents a new vehicular access point off of St Edmunds Lane at this location.
- 6.2 A preliminary enquiry was made to the Council in June 2017 relating to both the proposed reinstatement of the existing vehicular access into Tower House from St Edmunds Lane and for the proposed erection of a new dwelling with detached garage to be erected within the frontage grounds of Tower House whereby the new dwelling would be served by Tower View Drive.
- 6.3 Insofar as the Council's response to that preliminary enquiry related to the reinstatement of the vehicular access to Tower House was concerned, Council Officers advised that the reinstated vehicular access to Tower House could have the potential to have an adverse impact on the character of the area and the streetscene through the loss of part of the established hedge line onto St Edmunds Lane.

#### **7. POLICIES**

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

ULP Policy GEN1 – Access  
ULP Policy GEN2 – Design  
ULP Policy GEN7 – Nature Conservation  
ULP Policy GEN8 – Vehicle Parking Standards  
ULP Policy ENV2 – Development affecting Listed Buildings  
ULP Policy ENV3 – Open Spaces and Trees

##### **Supplementary Planning Documents/Guidance**

ECC Highways Parking Standards  
UDC Parking Standards

## **National Policies**

NPPF

## **Other Material Considerations**

Great Dunmow Neighbourhood Plan – LSC-A: The Historic Environment.

## **8. PARISH COUNCIL COMMENTS**

8.1 Support.

## **9. CONSULTATIONS**

### **ECC Highways**

9.1 The impact of the proposal is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions.

### **UDC Conservation Officer**

9.2 The proposed access reinstatement works would not have a detrimental impact upon the setting of Tower House as a grade II listed asset, although the new access should have a surface dressing of rolled shingle beyond the entrance gate so as to preserve the rural character of the listed building curtilage. Whilst the removal of a section of frontage hedge to facilitate the access is somewhat regrettable, there is an argument that the works would open up the site to more fully appreciate the listed asset.

### **UDC Landscape Officer**

9.3 The proposed works would not have a harmful impact upon the health of the prominent feature Oak which stands at the front of the site along St Edmunds Lane close to the existing dropped kerb providing that a “No Dig” condition is applied to this tree. The removal of minor trees in front of the house which have been identified as having a lesser amenity value to facilitate the access driveway is noted and no landscaping objections are raised to their removal. I have some reservations as to whether the health of the proposed native hedge planting shown on the site layout drawing to be planted along the lines of the opposing site splays at the proposed site entrance would be sustained in the long term in view of their relative closeness to the trunk of this mature Oak tree and the extent of its root spread, although the likelihood of this occurring can be reduced to some degree through appropriate planting measures. I therefore have no landscaping objections to the proposal.

## **10. REPRESENTATIONS**

10.1 Neighbour notification period expired 18 January 2018. 3 representations received. Advertisement expires 25 January 2018. Site notice expires 29 January 2018

- Both Tower House and the proposed new house build application submitted in conjunction (UTT/17/3605/FUL) should be served by the proposed access drive via Tower House and not by separate means of vehicular access via Tower View Drive. Temporary construction traffic should be permitted through this new access to avoid damage to Tower View Drive as the new dwelling proposed will

not form part of this completed development and as there would be issues regarding costs and maintenance as well as public liability insurance for the management company

## **11. APPRAISAL**

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

- A Whether the proposed works would be suitable in terms of highway safety (ULP Policy GEN1)
- B Impact of the proposed works upon the setting of a listed building (ULP Policy ENV2)
- C Impact of the proposed works upon preserved trees / non-preserved trees of significance (ULP Policy ENV3)
- D Parking standards (ULP Policy GEN8)

### **A Whether the proposed works would be suitable in terms of highway safety (ULP Policy GEN1)**

- 11.1 St Edmunds Lane is a classified road which serves as a through route from Braintree Road to Church End and the B184 beyond, although is subject to a 30mph speed restriction. The proposed reinstated vehicular access to serve Tower House would be set at right angles to the highway on the inside of the road curvature and would have 2.4m x 45m sight splays in each direction along St Edmunds Lane.
- 11.2 ECC Highways have been consulted on the application who has advised that the proposed entrance reinstatement works as shown would not be harmful to highway safety subject to standard highway conditions being imposed on any planning permission granted. There would be a neutral impact in terms of traffic generation as the reinstated vehicular access would serve as a replacement means of access into the grounds of Tower House whereupon the existing access into the property from Tower View Drive would be closed off. Given the highways comments from ECC Highways, it is considered that the reinstated access would not give rise to highway safety issues and no highway objections are raised under ULP Policy GEN1. The comments expressed by some of the residents of Tower View relating to the future maintenance of the private drive relate specifically to application UTT/17/3605/FUL (new dwelling at Tower House - see separate report on this agenda) and not the application the subject of this report, although this issue is not a material planning consideration in any event.

### **B Impact of the proposed works on the setting of a listed building (ULP Policy ENV2)**

- 11.3 The proposed access reinstatement works and associated driveway would have a limited impact upon the setting of Tower House and would lead to less than substantial harm under the provisions of the NPPF given the surface nature of the works. No heritage objections have been raised by the Council's Conservation Officer to the proposed works whereupon it has been suggested that the works would provide an opportunity for a better appreciation of the listed asset within its setting notwithstanding that some of the frontage hedge would have to be removed and no objections are therefore raised to the proposal under ULP Policy ENV2 subject to a surface treatment condition (rolled shingle).

**C Impact of the proposed works upon preserved trees / non-preserved trees of significance (ULP Policy ENV3).**

- 11.4 The southern edge of the reinstated access driveway would run approximately 3m from the trunk of the frontage feature Oak tree which stands onto St Edmunds Lane. A separate tree which is marked on the submitted site layout plan as being adjacent to this Oak tree no longer exists, whilst the smaller trees required to be removed closest to Tower House to facilitate the driveway are denoted from the tree survey accompanying the application as being of lesser quality and condition not worthy of retention. No amenity objections are raised to the access works by the Council's Landscape Officer subject to a planting condition for the splayed site entrance and no objections are therefore raised under ULP Policy ENV3.

**D Parking standards (ULP Policy GEN8)**

- 11.5 The proposed parking hardstanding shown at the end of the access driveway to Tower House would be able to accommodate two vehicles at 5.5m x 2.9m parking bay size, whilst a further vehicle would be able to be parked in front of the existing garage along the proposed vehicle run-in making a total of 3 no. newly created parking spaces for the property. It has been assumed that Tower House is a 4-5 bedroomed dwelling and this level of on-site parking provision for the existing dwelling would conform to ECC Highway parking standards, whilst an adequate turning area is shown to be provided. No objections are therefore raised under ULP Policy GEN8.

**12. CONCLUSION**

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

- A** The proposed access reinstatement works would be suitable in terms of highway safety (ULP Policy GEN1)
- B** The proposed works would not have a harmful impact upon the setting of the listed building (ULP Policy ENV2)
- C** The proposed works would not have a harmful impact upon any preserved trees or non-preserved trees of significance at the site (ULP Policy ENV3)
- D** The associated parking for Tower House as shown would comply with adopted parking standards (ULP Policy GEN8)

**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. The entrance site splays to the reinstated vehicular access as shown on drawing 93217.01 dated Nov 2017 shall be planted with native field mix species hedging planted in a double staggered row at 5 plants per metre capable of supporting bio-diversity and wildlife. Planting shall take place in the first planting and seeding seasons following the completion of the access works hereby approved. Any plants

which within a period of five years from the completion of the works die, are removed or become seriously damaged or diseased shall 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.

REASON: The soft landscaping of this site and its proper implementation is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the works hereby permitted in accordance with ULP Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

3. The vehicular access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

4. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres, shall be retained at that width for 6 metres within the site 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 ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

5. 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 in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. 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 and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. The vehicular hardstanding shown on drawing 93217.01 dated Nov 2017 shall be capable of providing 2 no. 5.5m x 2.9m parking spaces.

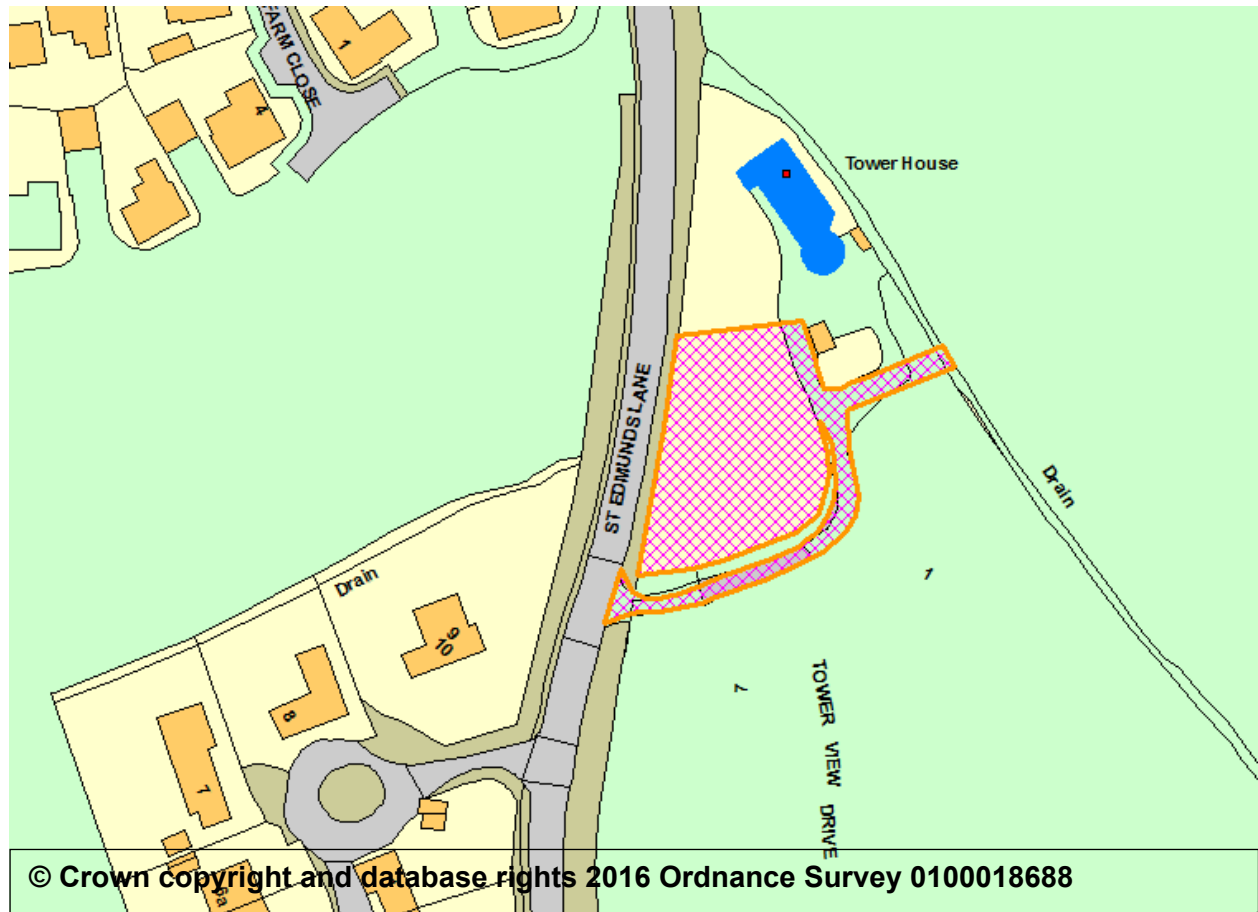
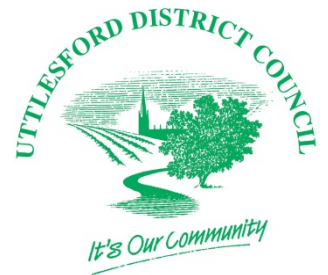
REASON: To ensure that the development complies with Essex County Council adopted parking standards (Parking Standards - Design and Good Practice, September 2009) and to reduce the possibility of undesirable on-street parking at this location.

8. The access driveway as shown on drawing 93217.01 dated Nov 2017 (excluding the first 6m section of driveway length from the back edge of the highway which shall be laid in tarmac) shall be laid with a bonded/rolled shingle surface or similar.

REASON: To ensure that the finished treatment of the proposed works is commensurate with the setting of the site and its immediate surroundings in accordance with ULP Policies GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/17/3603/HHF

Address: Tower House, St Edmunds Lane, Great Dunmow



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018