

UTT/18/2572/OP

(Applicant is related to Uttlesford Council Employee)

PROPOSAL: Outline application, with all matters reserved except for access, for the erection of 1 no. dwelling and garage with associated access and parking, and demolition of existing garage.

LOCATION: Chaumiere, Nats Lane, Wendens Ambo, CB11 4LQ

APPLICANT: Mr Harvey

AGENT: Mr Peter Purkiss

EXPIRY DATE: 09th November 2018

CASE OFFICER: David Gibson

1. NOTATION

1.1 Within development limits (Wendens Ambo), Adjacent to Conservation Area, Adjacent to Listed Building

2. DESCRIPTION OF SITE

- 2.1 The site lies to the North-West of the Conservation area which includes the neighbouring property 'Reeves'. This property has a thatched roof with a modern tiled roof rear wing. Reeves is referred to in the Wendens Ambo Conservation Area Appraisal 2013 and is included in the Local Heritage List. The property is thought to be of 17th Century origin.
- 2.2 Planning consent was granted for Chaumiere in 1973 (SWR/0284/73) on the rear garden land of Reeves.
- 2.3 The site lies within the Local Plan Settlement Boundaries. The applicant resides in Chaumiere and the site lies at the rear. The site is bounded by trees and mature hedgerows.

3. PROPOSAL

- 3.1 This outline application seeks consent for a new dwelling on the application site. The application includes the demolition of a garage.
- 3.2 All matters are reserved except the access. A new access is proposed via the driveway leading to the host dwelling and is enabled by the removal of the existing single garage.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is

not required.

5. APPLICANT'S CASE

5.1 See Design and Access Statement

6. RELEVANT SITE HISTORY

6.1 SWR/0284/73 – Approval of one dwelling - 1973

7. POLICIES

7.1 National Policies

- National Planning Policy Framework

Uttlesford Local Plan (2005)

7.4 Uttlesford Local Plan (2005)

- S3: Other settlements
- GEN1: Access
- GEN2: Design
- GEN4: Good neighbourliness
- GEN7: Nature Conservation
- GEN8: Vehicle Parking Standards
- ENV9: Historic Landscapes

8. TOWN / PARISH COUNCIL COMMENTS

8.1 No objections to the development

9. CONSULTATIONS

Essex County Council Highways

9.1 No objections to the development

Essex County Council Place Services Ecology

9.2 No objection subject to securing biodiversity mitigation and enhancement measures. This can be conditioned on any approval.

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 objections or representation were received.

11. APPRAISAL

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

- A Whether the proposal is acceptable in this location (NPPF and ULP policies S3)
- B Scale and whether the proposal would impact on neighbours amenity (GEN2)
- C Biodiversity (GEN7)
- D Access, parking and Highway Safety (GEN1 and GEN8)
- E Impact on character and setting of Conservation Area and Listed Buildings (ULP policies ENV1 and ENV2)

A Location of housing (ULP Policy S3)

- 11.1 The site is located within the Development Limits and built-up area of Wendens Ambo. The site is located adjacent to other dwellings and is considered to be located within a sustainable location. As such residential development is consistent with the above local and national policies.

B Scale and whether the proposal would impact on neighbours amenity (GEN2)

- 11.2 Local Plan Policy GEN2 sets out general design criteria for new development and in particular requires that development is compatible with the scale, form, layout, appearance and materials of surrounding buildings. The Essex Design Guide (2005) supplements this policy and the NPPF complements it by resisting poor design. Overall it is noted that, although matters relating to design, including appearance, layout and scale, will be assessed at reserved matters stage, there is no reason why the site would not be able to accommodate an appropriately designed single dwelling that is consistent with the character of the surrounding pattern of development.
- 11.3 In relation to garden space, it is noted that the subject site is sufficiently large to allow for the provision of amenity area well in excess of the 100sqm standard as set out in The Essex Design Guide for dwellinghouses with three or more bedrooms.
- 11.4 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties. Although this matter would be assessed at the reserved matters stage, given the size of the site and the position of neighbouring dwellinghouses in relation to the subject site, it is considered that the subject site could very comfortably accommodate a single dwelling without an unacceptable impact on the amenity values of neighbouring residential properties.

C Biodiversity

- 11.5 Policy GEN7 seeks to protect wildlife, geological features and protected species and their habitats. Development that would be harmful to these elements will not be permitted. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.
- 11.6 In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. A Biodiversity Questionnaire has to be submitted by the applicant of any application to assess the likely presence of protected species within or in close proximity to the application site
- 11.7 Accordingly specialist ecology advice has been sought from Essex County Council Place Services Ecology. They have no objections subject to conditions being complied with. The development is therefore considered to accord with Policy GEN7.

D Access, parking and Highway Safety (GEN1 and GEN8)

- 11.8 Policy GEN1 requires development to have access to the main road network which must not compromise road safety. The proposal looks to use the existing access. Essex County Council Highways Department have assessed the access and consider it to be acceptable. The increase in traffic using the access would be minimal and would not have an adverse impact on highway safety.
- 11.8 Policy GEN8 requires development to provide the number, design and layout of parking spaces in accordance with the current adopted standards. Parking layout will be assessed at the Reserved Matters stage. The site is large enough to accommodate sufficient car parking for a new dwelling.
- 11.9 It is therefore considered that the scheme would not lead to an increase in on street car parking nor would it have an adverse impact on the highway network, in accordance with Policies GEN1 and GEN8 of the adopted local plan.

E Impact on character and setting of Conservation Area and Listed Buildings (ULP policies ENV1 and ENV2)

- 11.10 The scheme would be located outside of the conservation area and adjacent to a listed building. The indicative drawings show a separation distance of approximately 30 metres.
- 11.11 The full impact on the listed building and conservation area will be assessed at the Reserved Matters stage but at this point it is considered that the proposal would not adversely affect the setting of the Conservation Area or the

neighbouring Listed Buildings and would comply with ULP policies ENV1 and ENV2.

12. CONCLUSION

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

- A The site accord with Adopted Uttlesford Local Plan Policy S3, it is considered that the proposals represent a sustainable form of development and therefore comply with the policy thrust of the NPPF.
- B The indicative layout of the site indicates that there would not be any adverse loss of amenity to the occupiers of the neighbouring residents. In addition there would not be any significant adverse loss of amenity due to overlooking, overshadowing or overbearing between the proposed dwellings and the adjacent dwellings. The scheme is therefore in accordance with Policies GEN2, GEN4 and the standards set out in the Essex Design Guide
- C Specialist ecology advice has been sought from Essex County Council Place Services Ecology. The development would not impact on any protected species. The development is therefore considered to accord with Policy GEN7.
- D The scheme would not lead to an increase in on street car parking nor would it have an adverse impact on the highway network, in accordance with Policies GEN1 and GEN8 of the adopted local plan.
- E It is considered that the proposal would not adversely affect the setting of the Conservation Area or the neighbouring Listed Buildings and would comply with ULP policies ENV1 and ENV2.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

- 1 Approval of the details of layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the Local Planning Authority in writing before development commences and the development must be carried out as approved.

REASON: In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the Reserved Matters must be made to the Local Planning Authority not later than the expiration of three years from the date of

this permission.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

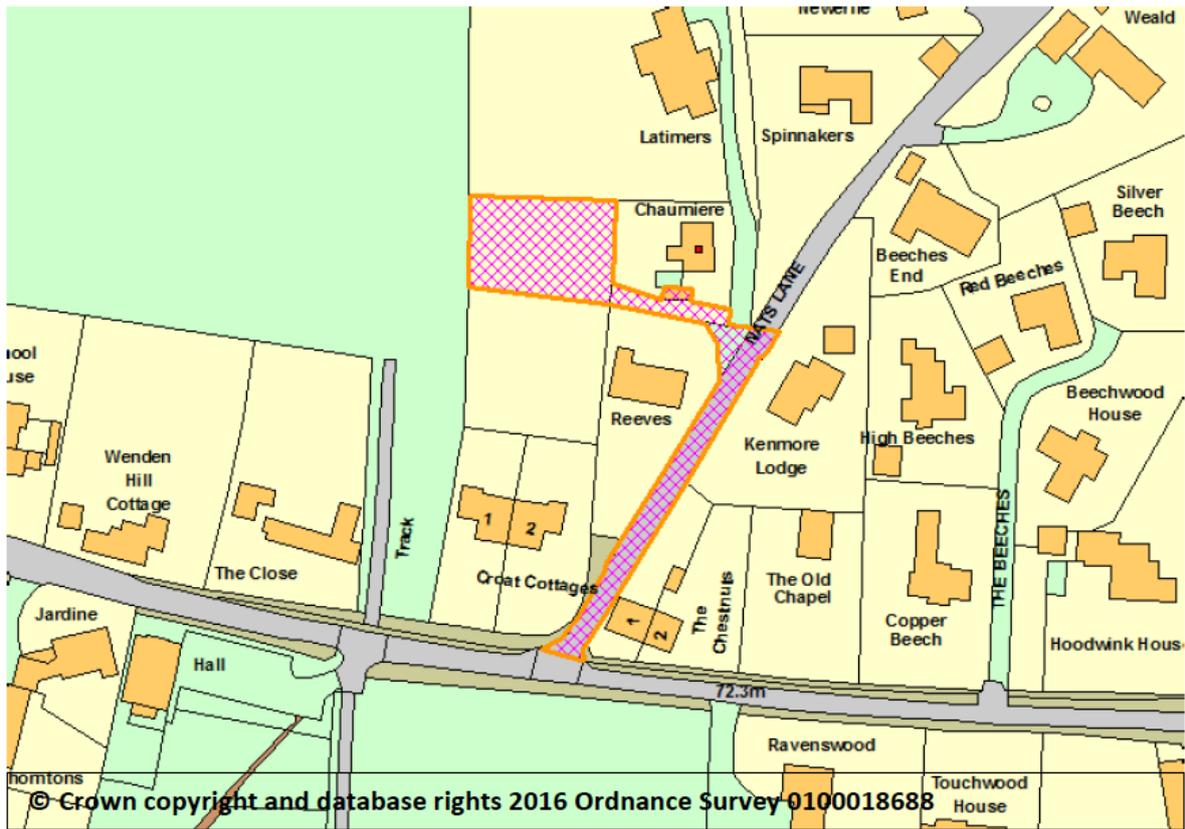
REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the SPD on Accessible Homes and Playspace.

- 5 All ecological measures and/or works shall be carried out in accordance with the details contained in Ecological Appraisal as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: This condition is required to ensure there is no harmful impact to protected species and Biodiversity, in accordance with ULP Policy GEN7 and NPPF and the NERC Act (2006),



Organisation: Uttlesford District Council

Department: Planning

Date: 11 December 2018