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TOWN AND COUNTRY PLANNING ACT 1990

(AS AMENDED BY THE PLANNING AND COMPULSORY PURCHASE ACT 2004)

Design, Access, Planning and Transportation Statement

Proposal: Demolition of existing buildings and erection of 1no. detached dwelling, with associated curtilage, vehicular access from public highway, off-street car parking, and landscaping.

Site: Land at Tithe Cottage, Glebe Lane, Little Easton CM6 2JP

Date: July 2021

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A Planning permission reference UTT/21/1521/OP

B Appeal decision for application number UTT/18/3265/FUL

C Five year housing land supply statement

1.0 Introduction and Description of Proposed Development

- 1.1 This supporting statement has been prepared to accompany an application for outline planning permission to erect 1 no. detached dwelling with associated curtilage, means of access and incidental landscaping. The application site comprises land that is within a residential curtilage.
- 1.2 This application seeks outline planning consent. Except for the means of access, all other matters are reserved for subsequent approval. Nonetheless, an indicative application layout plan has been submitted to demonstrate that the application site is capable of accommodating this dwelling with sufficient parking and private garden area this, and also retain sufficient for the host dwelling.
- 1.3 This application follows refusal of planning permission pursuant to application number UTT/20/0735/FUL for development comprising the "erection of 1 no. dwelling with garage and associated landscaping".
- 1.4 That application was refused because it was considered that the development would have an urbanising effect out of character with the existing location.
- 1.5 The applicant has taken on board the concerns about the location of that dwelling, **and this new application now proposes that the dwelling would be located on land that can reasonably be described as being within the curtilage of the existing property.** Indeed, existing outbuildings would be demolished to make way for this new building.
- 1.6 Although this is an outline application, the application drawings show a proposed dwelling that could be set back from the boundary with the access track, and set further into the site than the existing buildings that would be demolished to make way for the new dwelling.
- 1.7 The site is accessed via Glebe Lane which leads on to the main road through the village, Duck Street. Whilst there have previously been concerns with vehicle access with earlier applications, these have now been resolved and the local Highway Authority consider that this is a safe means to access the property. Adequate space would be provided within the curtilage to enable vehicles to enter and leave within a forward gear.
- 1.8 The indicative layout drawing suggests a detached dwelling with a wide frontage. This drawing demonstrates that built form could be designed such that it would comprise various elements. This would have the effect of breaking up the apparent mass of built form in order to reflect the character of the existing dwellings in this locality. Nonetheless, there is considerable variety, and therefore it is likely that a suitable design solution, both in terms of detail and scale, could be accommodated.
- 1.9 Similarly, in terms of materials of construction, whilst this is an outline application, it is of note that there is a mixed palette of materials used in buildings nearby including

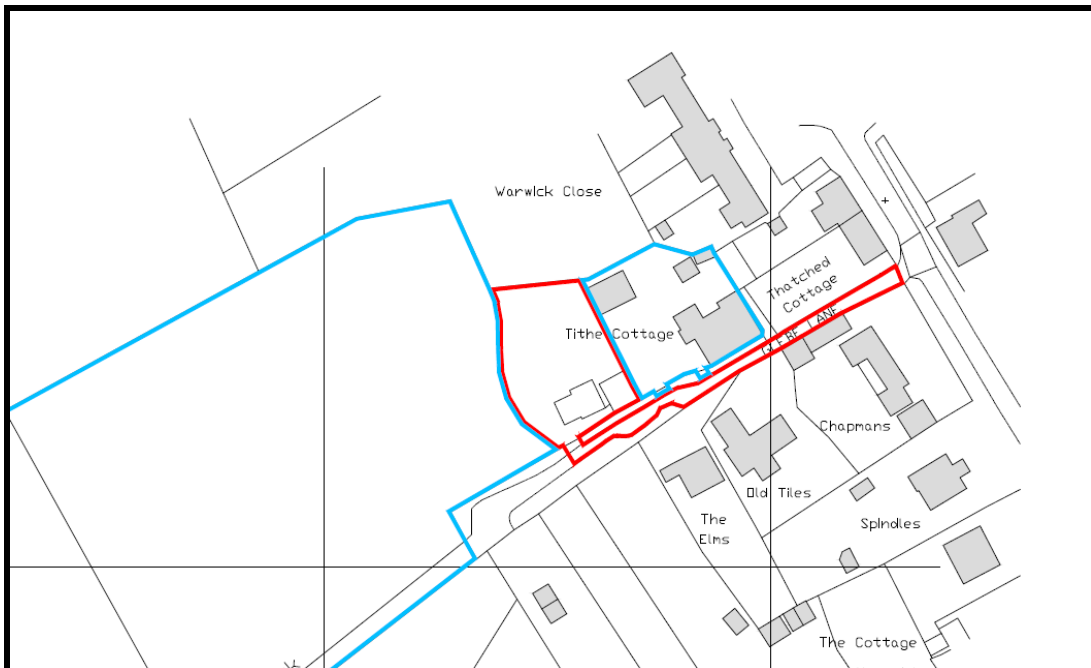
brick, timber boarding and render. There is therefore scope for the external surfaces of the building to be finished with a range of materials.

- 1.10 To demonstrate the comparison between the previous scheme and that now proposed, the previous block plan, and the now proposed block plan follow:



ABOVE: site location plan for refusal application number UTT/20/0735/FUL

BELOW: proposed site location plan for this new application



- 1.11 We suggest that the planning application should be described as follows:

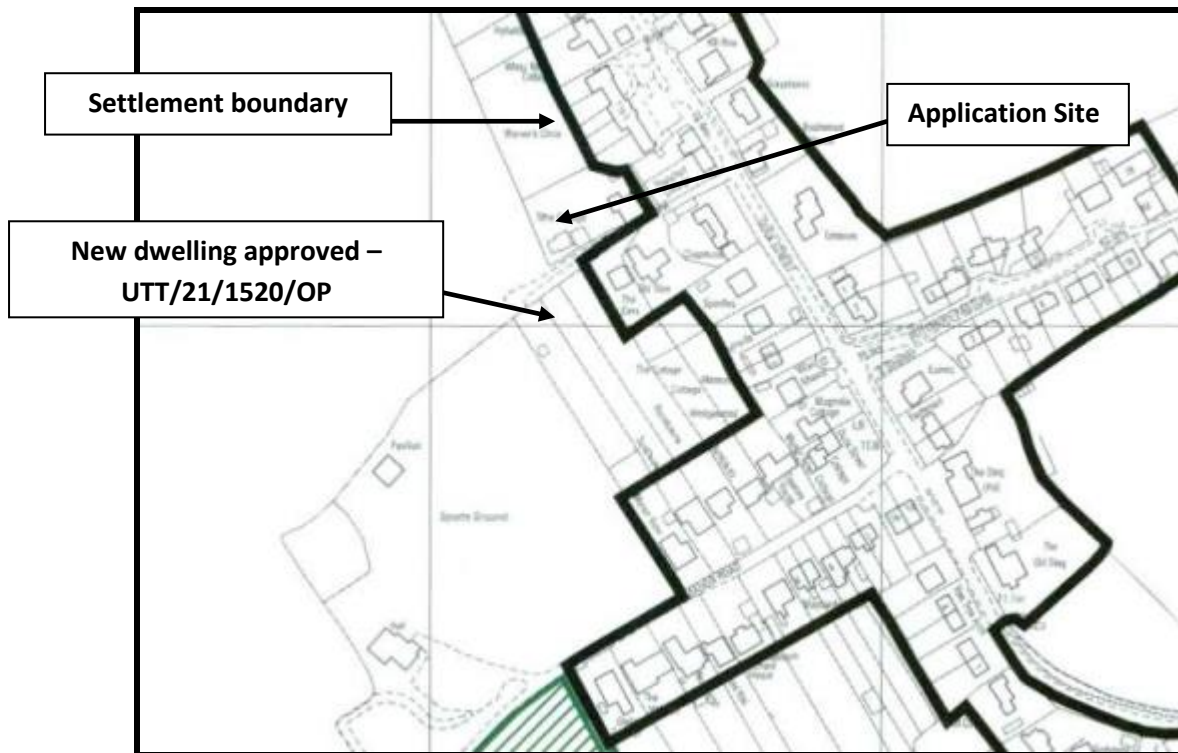
Demolition of existing buildings and erection of 1no. detached dwelling, with associated curtilage, vehicular access from public highway, off-street car parking, and landscaping.

1.12 In addition to this supporting document and its appendices, the application comprises:

- Planning application form
- Biodiversity questionnaire
- Drawing no B/4826/21/PL-01
- Drawing no B/4826/21/PL-02

2.0 Site Description and Location

- 2.1 The application site comprises land that is presently part of the curtilage to a detached dwelling that itself appears to have been erected as “back land” development to the rear of Thatched Cottage.
- 2.2 As set out within the Adopted Local Plan 2005, the application site is beyond but nonetheless immediately adjoining the settlement boundary for Little Easton:



- 2.3 Although the site is beyond the boundary of the settlement as defined in the 2005 local plan, this settlement boundary has not stood the passage of time. Clearly, national policy has evolved in terms of infilling and edge of settlement development, and this has been reflected in the grant of planning permissions for new dwellings within neighbouring curtilages.
- 2.4 One key aspect that the above local plan does demonstrate is that the application site is largely made up of land within a defined curtilage. Indeed, that is self-evident at the site where there is a clear change in character between the application site and the paddock/open land adjoining to the south-west.
- 2.5 Glebe Lane is also the route of a public footpath extending from Duck Street into the countryside to the south-west.
- 2.6 In terms of topography, the countryside in the locality of the application site rises gently towards the south-west reflecting the undulations in the wider landscape within this part of the district. However, there are no material changes in ground level that

affect the assessment of the merits of this application; in particular, there are no significant distant views towards the application site.

2.7 The application site is not within a Conservation Areas. There are no listed buildings at the application site, and none of the immediately adjoining dwellings/buildings are listed.

2.8 The nearest listed building is due east of the application site fronting onto Duck Street. The curtilage to that dwelling does not adjoin the application site. As that listed building is surrounded by other residential dwellings, it is considered that the erection of this new dwelling would have no impact upon that heritage asset:



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2.9 The Council does not identify any other non-listed buildings as having local significance.

3.0 Planning History

- 3.1 As well as the aforementioned application for a new dwelling on the site adjoining to the south-west that was refused planning permission, there are other recent applications for the erection of dwellings on land on the opposite side of Glebe Lane, to the south-east. These are considered in more detail below.

4.0 The Applicant's Case

- 4.1 In summary, it is the applicant's case that this proposal would represent sustainable development and would make more efficient use of existing land that presently forms part of a residential curtilage, and land that makes only a modest contribution to the wider rural character of the locality; in particular, this dwelling would fit with the linear pattern of residential development on either side of Glebe Lane.
- 4.2 Furthermore, it is the applicant's case that the new dwelling would assist with meeting a clearly identified need for further housing within the area. This scheme would provide development of the site that respects the character of the locality. There would be no harm to the amenities of adjoining occupiers, and safe vehicular access to and from the public highway would be provided.

Principle of Development

- 4.3 In the context of the adopted 2005 Local Plan, it is the case that the proposal represents new development beyond the existing defined settlement limits. However, adopted local plan policy acknowledges the scope for infill development in settlements that are not defined in the local plan, and such development is also supported by the NPPF.
- 4.4 Also, the Council has acknowledged that a contribution to housing supply is a material consideration in the determination of planning applications, and this development, if permitted, is very likely to be speedily implemented once approval of matters reserved for subsequent consideration is given.
- 4.5 In addition, it is considered that the character of the site and surrounding locality, identified in detail above, means that the development could be accommodated with only a modest impact upon the general character of the area in terms of its openness and character. In particular, the building would replace existing structures that would be removed, and other residential development has been permitted in the immediate locality.
- 4.6 National guidance for the determination of planning applications is now provided within the National Planning Policy Framework 2018. Paragraph 10 sets out the presumption in favour of sustainable development:

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

- 4.7 Paragraph 8 defines the three overarching objectives for the planning system:

a) an economic objective – to help build a strong, responsive and competitive economy;

b) a social objective – to support strong, vibrant and healthy communities; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment.

- 4.8 Also, at the heart of the NPPF is the primacy of the development plan. Planning law states that decisions must be taken in accordance with the development plan unless material considerations, including the NPPF, indicate otherwise. Although the local plan predates the NPPF, it is nonetheless the development plan relevant for determining this application.
- 4.9 Regarding the tests for sustainable development, the erection of a new dwelling would make a positive social impact by increasing the supply and affordability of residential properties and building work, and then the subsequent occupation of the dwelling means that there would be a positive contribution to the local economy.
- 4.10 With regard to environmental impact, it is submitted that, having regard to the location of the new dwelling, there would be little impact upon the character of the countryside. Furthermore, the NPPF is unambiguous in stating that development in small villages can support the viability of services in other nearby ones.

Development Plan policy

- 4.11 Policy S7 of the 2005 Adopted Local Plan sets out the decision-making framework for development within the countryside. The policy seeks to protect the countryside for its own sake by restricting development to that which *needs* to take place there or is *appropriate* to a rural area.
- 4.12 Policy S7 sets out two categories of development for which planning permission may be granted in the countryside. These comprise **“development that *needs* to take place there”**, or is **“*appropriate* to a rural area”** (our emphasis). The policy then says that permissible development includes that identified in paragraph 6.13. This paragraph identifies that although infilling is permitted within settlements.
- 4.13 Policy S7 also identifies that infilling may be considered appropriate. Paragraph 6.14 expands on this by identifying that **“if there are opportunities for sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements these will be acceptable if development would be in character with the surroundings and have limited impact on the countryside in the context of existing development.”**
- 4.14 Para 4.14 of the ALP notes....**the development of other village sites often provide opportunities for the provision of additional homes.....**

- 4.15 Also, the Council will be aware of case law that confirms villages are not defined in terms of size or facilities, for example, by any aspect of Government policy in the NPPF. Nonetheless, Little Easton is a defined settlement within the adopted local plan.

Need

- 4.16 This application does not present a case that there is land-use need for a further new dwelling on this specific location, for example to supervise and provide security for other uses taking place at the site. We have highlighted previously the wider need for the delivery of new housing.

Appropriate for the locality

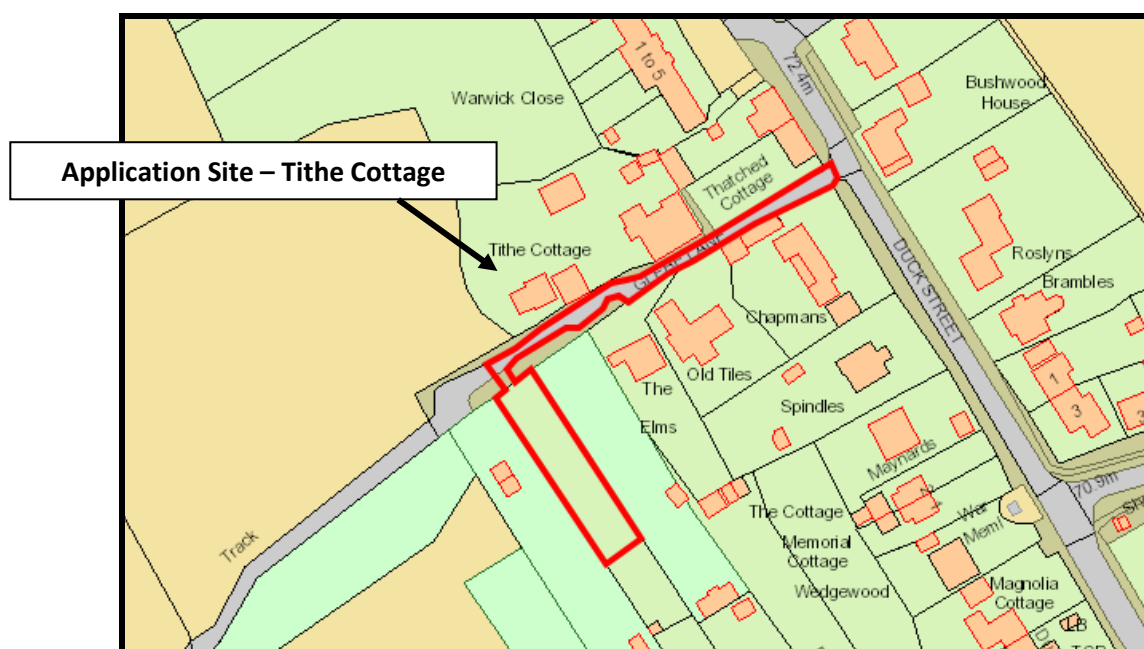
- 4.17 However, it is considered that this development would be *appropriate* to the specific location the new dwelling would be situated, having regard to the balance to be made within a range of factors. It is accepted that there would be encroachment into land designated as being beyond defined settlement limits. However, it is considered that the development of this site would nonetheless represent appropriate infilling in a location within an existing settlement, and it is also land that is not open countryside – it is within the curtilage of an existing dwelling.
- 4.18 Furthermore, the erection of the dwelling would simply reflect the existing character of the area and it would be a dwelling that, subject to an appropriate design, would be wholly proportionate in scale and character to other existing residential dwellings in this locality.
- 4.19 Historically, the infilling of existing plots with new dwellings has been successfully resisted by the LPA particularly within Little Easton. However, with the combined effect of a new National Planning Policy Framework, and a shortage of housing land supply, a number of permissions have now been granted, including in the immediate vicinity, on the opposite side of Glebe Lane.
- 4.20 With this in mind, it is considered that the proposed dwelling would represent wholly appropriate infilling of land on the edge of the settlement as defined within the local plan; nonetheless, given the fact that the proposal would be located within the curtilage of an existing dwelling, there is a clear sense that the site is visually part of the village, and therefore the scheme can legitimately be described as infilling.
- 4.21 Therefore, the development would be more visually appropriate for the site when compared to the previous scheme refused for the adjoining site on the paddock land to the south-west. Furthermore, for those same reasons, the new dwelling, particularly given the context of immediately adjacent existing built form, would not result in a visually dominant or intrusive feature in the wider landscape. The position of the new

dwelling means that the general sense of clustering of built form around a defined and established settlement is retained, rather than it being a wholly isolated or sporadic development or, indeed, development that intrudes beyond an existing village envelope.

- 4.22 For similar reasons, the proposal therefore also reflects policy GEN2 in that it would comprise development that is compatible with the scale, layout and appearance of surrounding buildings.
- 4.23 Furthermore, it would also comprise development that would be characteristic of the wider locality which is made up of various groups of dwellings and other development including the aforementioned development on the south-east side of Glebe Lane.
- 4.24 Also, in further mitigation, it is possible to incorporate landscaping to enhance the rural character of the locality. Hedgerows could be planted along the front and side of the application site, and also along the rear boundary.
- 4.25 In these circumstances, it is considered that, with regard to the wording of policy S7, the proposed development would not cause harm the character of this part of the countryside. The dwelling would simply appear as an infill of a small gap between existing built form that makes up this village. Therefore, the proposals would comprise development that satisfies the requirements of policy S7 and paragraph 6.14 of the adopted local plan.

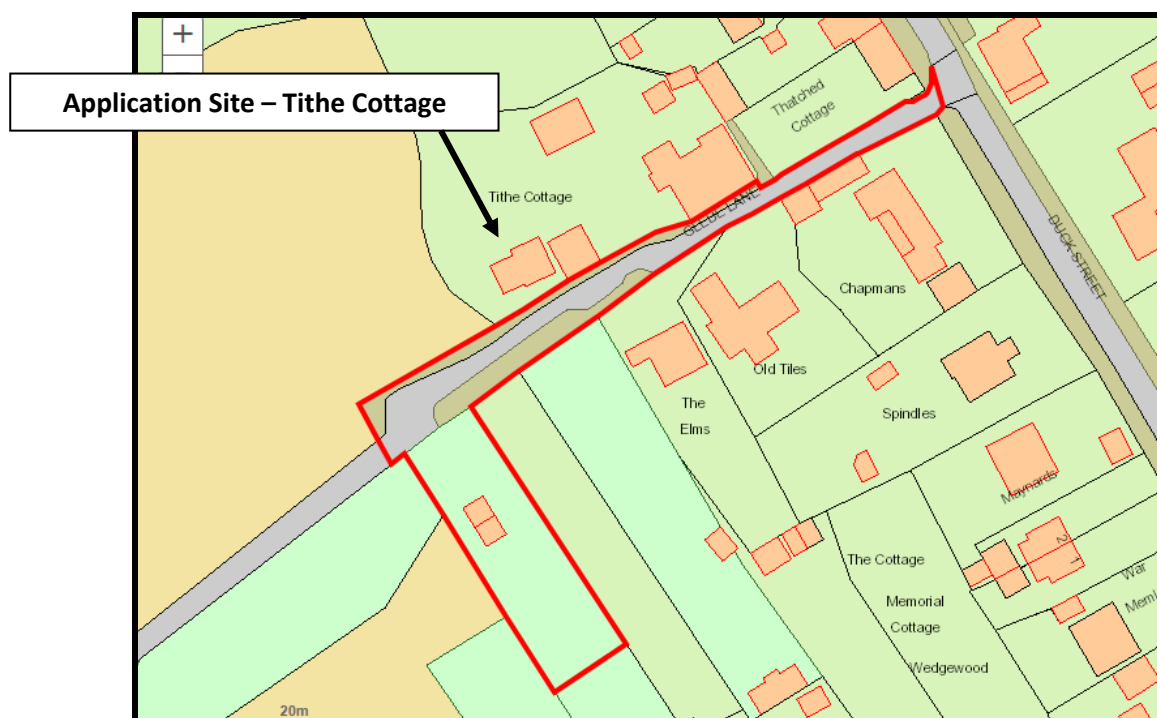
Precedent

- 4.26 Every case is for consideration of its own individual merits. However, consistency in decision-making is a clear policy expectation laid down by Government. To that end, we would draw attention to various recent planning permissions.
- 4.27 Pursuant to application number UTT/18/3265/FUL, permission was granted on appeal for the demolition of existing buildings and the erection of a new dwelling. That application site also fronts onto Glebe Lane, but on the opposite side of the road.
- 4.28 Furthermore, outline planning permission has very recently been granted for the erection of a detached dwelling on land immediately adjacent to the above application site (reference UTT/21/1521/OP).
- 4.29 The circumstances of both those applications are very similar to this new application. Application number UTT/18/3265/FUL involve the demolition of existing buildings, and the application site for UTT/21/1521/OP also involves land within the residential curtilage of an existing dwelling.
- 4.30 For ease of reference, the locations of the development subject of those planning permissions are as follows:



ABOVE: application site for UTT/21/1521/OP, approved – decision notice attached as appendix A

BELOW: application site for UTT/18/3265/FUL, allowed at appeal – decision notice attached as appendix B



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Housing Supply

- 4.31 A further material consideration is that there is an ongoing supply challenge as reflected in the Council's published five-year housing supply statement. A copy is attached as appendix C to this Planning Statement. Within Table 5 the Council identifies that as at April 2020 there was only a 3.11 year supply.
- 4.32 There is therefore a significant shortfall in supply and the 2018 NPPF is unambiguous in that, in these circumstances, development should be approved, unless the Council can show that "**any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.....**" of granting permission (our emphasis).
- 4.33 As set out above, it is the applicant's case that, having regard to this being an infill site adjacent to existing built form in the locality where other dwellings have recently been permitted, there would be no "adverse impacts" arising from the development.

Layout, Scale and Design

- 4.34 Policy GEN2 of the 2005 Adopted Plan sets out that development will not be permitted unless its design meets certain criteria. In particular, new built form should have regard to the scale, form, layout, appearance and materials of surrounding buildings.
- 4.35 In this case an outline planning application with only access for approval is submitted for consideration. Nonetheless, having regard to the indicative layout submitted it is considered that the scale and density of built form could clearly reflect that of adjoining and nearby buildings. Therefore, the scale of development would be proportionate to the overall site. The dwelling would be located within a spacious plot and therefore within an appropriate layout.
- 4.36 In terms of detailed design, this is an outline planning application. Nonetheless, it is of note that there is no clear unifying theme to built-form in this locality. There are a mixture of dwellings of various scale and detailed design, utilising a mixture of surfacing materials, including render, boarding, brick, and slate and plain tiles. Therefore, the addition of further variety that could arise would not be out of keeping with the character of the locality.
- 4.37 In summary, it is considered that the proposed dwelling could be of a high-quality design that reflects the scale and character of adjoining built form and therefore make a positive contribution to the appearance of the site.

Transport, Access, and Parking

- 4.38 Policy GEN1 requires that new development must have safe access to the main road network. In this case the front layout would enable the vehicles accessing both the host and this new dwelling to enter and leave in a forward gear. There have also been no objections with regard to highway safety regarding the two planning permissions identified above, both of which access onto Glebe Lane.
- 4.39 There are no traffic generation implications arising from the development in the context of policy GEN1, and the design doesn't compromise road safety, as highlighted above. Insofar as there is limited access at this locality, the proposals do not compromise the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired. Nonetheless, the countryside is generally gently undulating and lightly trafficked, and it is also a short ride into great Dunmow. Therefore, it is a location where modes of transport other than the motorcar are likely to be utilised either for recreation or journeys to nearby settlements.
- 4.40 It is also the case that travel to work patterns are likely to change due to the Covid 19 pandemic, with a significant increase in homeworking likely to become permanent, and therefore reduced need for car travel. This will undoubtedly be considered at a more strategic level, but in the short term it is a factor to consider.
- 4.41 The dwelling would be designed to lifetime homes standards and therefore capable of being occupied by persons with varying mobility. The dwelling therefore can be adaptable over the lifetime of future occupants. The level ground of the site facilitates ease of access to the main front door.
- 4.42 The Council has adopted as supplementary planning guidance Essex County Council's Parking Standards - Design and Good Practice - September 2009. The Council has therefore adopted an "originator/destination" standard for car parking. Dwellinghouses are originators and therefore according to the standard warrant car parking to be provided on a minimum basis. The standard for class C3 dwellinghouses requires the provision of minimum of two car parking spaces and one covered secure space to store a bicycle.
- 4.43 A number of car parking spaces can be provided within the curtilage and therefore demonstrates that a detailed scheme would be able to meet the LPA's standards. Also, there would be sufficient space to enable vehicles to enter and leave Glebe Lane and therefore onto the main road in a forward gear.
- 4.44 Given that the dwelling would have good-sized rear curtilage, it is likely that a small garden shed would be erected by future occupiers and this would provide adequate opportunities for the storage of bicycles, in addition to utilisation of the garages.

- 4.45 With regards to transport, the village is served by public transport including a bus service running between Saffron Walden and Great Dunmow (313 and 313A). This provides a realistic alternative to the use of the private motor vehicle.
- 4.46 Also, the NPPF inherently recognises that these rural locations will be more dependent on the motor car. Specifically, the NPPF recognises that development in one village supports services in another (NPPF para 78).
- 4.47 Nonetheless, and as identified above, the landscape topography and the immediate proximity of a public footpath means that it is conducive to cycling and walking, a further factor to support alternatives to the motorcar.

Ecological Issues

- 4.48 Policy GEN7 – Nature Conservation - of the adopted plan sets out that development that has a harmful effect on wildlife will not be permitted. Where a site provides a habitat for protected species, a nature conservation survey will be required, and the Council recognises that any mitigation that might be identified through this survey can be secured through planning condition.
- 4.49 The application site comprises a residential curtilage and although there are existing buildings these are small scale and modern. There is no evidence of any wildlife or other habitats within the buildings, and therefore the applicant has not commissioned a preliminary ecological assessment. Nonetheless, the grant of planning permission does not reduce or remove the legal obligations upon landowners and others with regard to the protection of habitats and species.

Neighbour Amenities

- 4.50 Policy GEN2 requires that new development should **“not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing”**. Other than some limited disturbance during building work, the new dwelling would have no significant impact upon the amenities of any adjoining occupiers.
- 4.51 Though the development would bring built form in closer proximity to the existing dwelling, the indicative layout plan demonstrates that an appropriate level of outlook would be safeguarded. In this case, the existing dwelling has an aspect towards the north-west, and is positioned away from the proposed site boundary. The detailed design of the new dwelling can ensure that there would be no direct overlooking, for example by way of avoiding first floor side windows facing north-east.

5.0 Conclusion

- 5.1 There is a clear presumption in favour of sustainable development. The proposal does represent such sustainable development as it would make more efficient use of an existing site and would have a positive social and economic contribution. There would not be a significant adverse impact upon the character of the countryside beyond the application site and, indeed, regard should be had to its location within an existing curtilage, in contrast to the wider countryside to the south-west.
- 5.2 Furthermore, it is considered that the impact of built form upon the application site would be relatively limited and therefore a new dwelling could be designed to ensure that it has appropriate regard to the scale and design of neighbouring buildings, and would not have an adverse impact upon the amenities of adjoining occupiers, including the host dwelling, Tithe Cottage.

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