

UTTLESFORD DISTRICT COUNCIL

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10th July 2017

Our ref: UTT/17/1179/PA

Please ask for Chris Tyler on 01799 510547
email: ctyler@uttlesford.gov.uk

Dear Jackie Pepper

PLANNING ADVICE- 6 Hill Road, Great Sampford

I refer to the above enquiry for planning advice and our subsequent meeting on site. The advice contained in this letter is based on the information submitted and will not be binding upon the Council or any of its Committees when considering a formal planning application.

PROPOSAL

Extension to existing dwelling and proposed erection of additional dwelling, furthermore the pre application seeks clarification on the adjacent access road, does the existing dwelling benefit permitted development rights and whether access to the site is likely to be supported.

HISTORY

N/A

PLANNING POLICIES

The starting point of any planning application decision is the Local Plan, which can be viewed online at www.uttlesford.gov.uk/localplan. The following policies are relevant:

- S7- Other Development Sites
- GEN1- Access
- GEN2- Design
- GEN7- Nature Conservation
- GEN8- Vehicle Parking Standards
- H9- Affordable Housing
- H1- Housing Development

The following documents are relevant to the interpretation of the above policies:

- SPD- accessible homes and Playsafe
- Developer Contributions Guidance
- The Essex Design Guide
- Parking Standards: Design and Good Practice
- Local Residential Parking Standards

The national policy documents are also relevant to the planning assessment:

- National Planning Policy Framework (NPPF)- paragraphs 14,17,32,34,39,50,55,58,111 and 118
- Planning Practice guidance: Housing- Optional Technical Standards

Appraisal

Location of Housing

The site is located outside of any development limits in the countryside as defined within the Local Plan (ULP Policy S7), specifies that planning permission will only be granted for development that is required to take place there or is appropriate to a rural area and that there will be strict control on new development.

Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

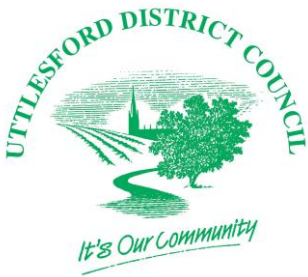
It is considered it is considered that the revised figures show a shortfall and will not demonstrate a 5 year supply of housing land. For the present time, the Council is therefore unable to demonstrate a deliverable 5 year supply of housing land and Paragraph 49 of the NPPF is applicable which states that policies contained in the Local Plan that are relevant to the supply of housing cannot be considered to be up to date.

Paragraph 14 of the NPPF requires development that is regarded as being sustainable to be granted. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

It is therefore necessary to assess whether the application proposal is sustainable and presumption in favour is engaged. There are three strands to sustainability. The NPPF states that the three roles of sustainability should not be taken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Economic: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. The development will deliver a small economic role by the creation of a small amount of employment during the construction phase and the occupiers of the house would contribute to the local economy in the long term, as such there would be some, but limited, positive economic benefit.

Social: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The site is tacked on to the existing settlement and therefore enjoys the benefits of local school, pub and limited public transport as such it is considered the site is fairly sustainable in regards to the social aspect.



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In regards to the environmental strand of the NPPF, the site is of an open characteristic at a slightly raised position from the highway. The site affords a large gap between the the property of 6 Hill Road and Telephone exchange, it is considered the character of the site could may be considered as infill site, however this is assessed under the context of ULP policy S7 (countryside and the NPPF). As such the proposed development of the land may be supported, this also takes into consideration the resent development adjacent the site.

The advice is purely for the principle of the proposed dwelling and has not been assessed against any detailed plans/ drawings.

As discussed at our meeting the site is subject to overhead electric cables, which may constrain the development. There is not set planning policy on this type of issue, however there may be statutory restrictions to the distance that development should be from electric overhead lines, I attach some guidance on this matter.

The following points should also be considered for any future proposed development.

Road Safety

The proposed development will require two new accesses from the main highway to the front of the site following my site visit I did not notice any obvious issues from a road safety perceptive an existing access was located to the side of the site, although this was overgrown with vegetation. Any planning application would need to be determined taking into account the comments from the Highways Authority, Essex County Council.

If you would like to obtain specific pre application advice from the Highway Authority please contact the strategic Development Officer at Essex County Council tel: 03330 13058

The Councils Minimum residential parking standards indicate that the provision would need to be made for two parking spaces measuring at least 2.9m by 5.5m. Should a 2+ bedroom dwelling be proposed, the requirement would be for a minimum of two spaces, 4+ bedrooms will require 3 off street parking spaces.

Accessibility

In accordance with Supplementary Planning Document – Accessible Homes and Playspace the proposed dwelling would need to accessible and be designed to Lifetime Homes Standards. It is our policy to request all units meet the Lifetime Homes Standards.

Proposed dwelling must comply with optional requirement M4(2) for accessible and adaptable dwelling, as set out in Approved Document M of the Building Regulations 2010.

Amenity

A two bedroom dwelling at least 50sqm, whilst a three bedroom dwelling would require 100sqm. The detailed design would need to protect the privacy of occupants in habitable rooms and private sitting areas.

Affordable Housing

The proposal would not give rise to a requirement for a contribution towards affordable housing provision. I advise that recent changes to the National Planning Practice Guidance (NPPG) means that affordable housing contributions will no longer be imposed on development schemes of 10 or less dwellings, unless the floor-space of the proposed development is 1000sqm or more.

Trees/biodiversity/ecology:

Given the nature of the site, an ecological appraisal must be submitted as part of the application. The site may provide habitats for protected species. We would consult our ecologist (ecology.placeservices@essex.gov.uk web: www.placeservices.co.uk) on any planning application, but you may wish to commission protected species surveys to prevent any delays. If this assessment indicates that further surveys should be undertaken these must be done prior to the submission of the application. Failure to do so is likely to result in the application being refused.

Conclusion,

I am of the opinion there is scope for the for the erection of a new dwelling between 6 Hill Road and the telephone exchange subject to scale and design, however prior to further details I would advise you to get some specialist clarification to whether there are any restriction in building close to overhead lines.

Access from my opinion the site has clear visibility, however further clarification should be sought from Essex County Council Highways.

Additional Questions Raised

Does the dwelling benefit from permitted development rights?

I have checked the history of the site and cannot find any planning applications that have removed permitted development rights by condition or consider the dwelling as an agricultural workers dwelling.

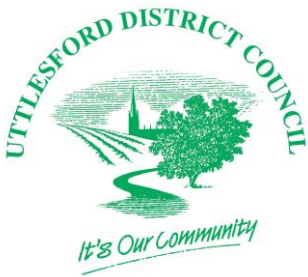
Is the track to the side of the dwelling considered highway?

A definition of highways is as follows:

A Highway is an area of land which the public at large have the absolute right to use to 'Pass and Repass without let or hindrance'.

I have checked the highways map from Essex County Council Highways, there is no classification show on this area. My initial conclusion is that the track is an access drive to the water-works, however I would advise some further clarification from Essex County Council highways to ensure this.

If you are going to approach highways for futher advise this could be sought at the same time. However if it is concluded that the access track is indeed a highway, I would advise that it is likely that a moderate extension to the dwelling may likely be considered acceptable and supported under a planning application, this would be subject to the design, scale and finishing.



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Making an Application

Should you wish to submit an application for full planning permission, please ensure that the following information is included as a minimum:

- Application form
- Location Plan
- Block plan
- Proposed/ Existing elevations, floor plans, roof plans and any other relevant drawings e.g. site sections
- Biodiversity Questionnaire, and further ecological surveys as appropriate

Further guidance on information requirements can be found in the planning practice guidance and at www.uttlesford.gov.uk/planningapplicationforms - or please call our registration team directly tel: 01799 510605

I trust that the above advice is useful, although please do not hesitate to contact me if you require any further clarification

You will appreciate that the views expressed in this letter are those of an Officer which will be in no way binding upon the Council or any of its Committees when considering any formal application.

Your sincerely

Chris Tyler

Chris Tyler
Planning Officer