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## **1) UTT/1708/07/FUL & 2) UTT/1711/07/LB - WICKEN BONHUNT**

1)+2) Alteration and conversion of barn to single dwelling including extensions, replacement roof, new car port, parking and access

Location: Barn 1 Wicken Hall. GR/TL 498-333

Applicant: Mr & Mrs A Mullucks

Agent: Morris and Partners

Case Officer: Ms K Hollitt 01799 510495

Expiry Date: 29/11/2007

Classification: MINOR

**NOTATION:** Outside Development Limits/Curtilage Listed Building.

**DESCRIPTION OF SITE:** The application site is located to the north of the main road running through Wicken Bonhunt, behind the Coach and Horses public house in the middle of the village. The application barn is part of a long range barn and comprises multi-bay stables and storage buildings. The structure has lost its original roof which has been replaced with a mono-pitched roof. The stables are within a cluster of barns, some of which have already been converted to dwellings. To the south, a barn which ends this long stretch of buildings is currently being converted to residential use. Wicken Hall is located to the north of the group of buildings and St Margaret's church is opposite. This group of buildings is accessed via a private road which varies in width along its length.

**DESCRIPTION OF PROPOSAL:** The proposal relates to the conversion and extension of the buildings to form a residential unit. This is an alternative scheme to that previously approved. The alterations relate to the relocation of the first floor element from the northern end of the barn to the southern end; the incorporation of a garage into the main dwelling and utilising the space as a utility room. An existing flat roofed building which was to be retained as a store is to be demolished and a new building erected to form a double car port. The new building would have a width of 5.9m, a depth of 5.6m and an eaves height of 2.2m and a ridge height of 3.8m. This element of the proposals is located adjacent to a boundary wall having a height of around 2.3m on the applicant's side with the ground level falling slightly to the south. The proposals would result in additional glazing the courtyard elevation and the relocation of the rooflights in the rear roof slope.

**APPLICANT'S CASE including Design & Access statement:** See file for full statement. This application seeks to rearrange the position of rooms within the building framework from the previous scheme with bedrooms on the ground floor and first floor at the south east end of the footprint. The living room has a full double storey section. Alterations to the single storey wing perpendicular to the main building accommodating the kitchen and utility room have been extended to the full footprint removing the car port area from this building as shown on the previous plan. The bedrooms and bathroom proposed at first floor level within the new roof structure retain the same number of Velux windows inserted into the new roof structure of the building. Car parking arrangements are altered by enlarging the existing store building at the front of this to a car port structure defined by the existing boundary walls. The vehicle and pedestrian point of access are the same from the existing driveway which is shared by other neighbouring properties.

**RELEVANT HISTORY:** Planning permission and listed building consent granted for the conversion and extension of the buildings to form two residential units in 2004. Amendment to the scheme approved in June 2006.

**CONSULTATIONS:** Design Advice: No objections subject to conditions.

Environment Agency: General advice regarding soakaways.

Building Surveying: No adverse comments.

Accessibility: Any compliance with Lifetime Homes Standards would be beneficial for the future of this housing stock. If access provided through utility ensure access through to WC and the corridor and door widths are compliant.

**PARISH COUNCIL COMMENTS:** None received.

**REPRESENTATIONS:** These applications have been advertised and 28 representations have been received (27 from same address). Period expired 2 November 2007.

Reference to Wicken Hall Gated Entrance is incorrect in that this would be entrance to Wicken Hall, our house and preserved right of access for farm vehicles from Quendon Park Estate. Creation of complete new wall where none existed previously and in a position much further towards Wicken Hall would result in the narrowing of the access to our house and Wicken Hall by some 2/3rds. This would have severe practical and visual negative impacts in that access to our house and Wicken Hall for recycling/refuse collections would be made extremely difficult. Visual impression would make the drive/track access to Wicken Hall appear subservient to Barn 2 and would not respect or conserve the centuries old characteristics of the setting.

20 letters: Storage shed is no higher than wall and is part of this historic setting. It would be overbearing and would result in loss of amenity and loss of daylight and be overbearing and overshadow Wicken Hall Barn and its garden and the front windows. Wicken Hall Barn is lower so the impact would be severe. Proposal destroys existing building and its architectural and historic characteristics and setting. Proposal increases the present storage shed by 300% and its height by 3m. Proposed car port is over twice the area and over twice the height of the store room and would dominate the front elevation next to Wicken Hall Barn causing its destruction and devalue it so much it would destroy it. The proposed front elevation car port-garaging is not sympathetic in terms of scale, height, proportion, form, materials and siting in relation to the general character of the area and the setting of this historic courtyard. It is important to restore this store room exactly in detail with its chimney and small roof as it contributes so much to the character and setting which has been intact for centuries. Ask if the front elevation garden is scaled properly. Present building is an important part of this historical setting and to enlarge it would create an unnecessary blot on the landscape. Building should only be maintained as it is, preserving this historic setting and the present buildings are spread out making a nice courtyard. Enlarging the present store room would overpower this area taking away the light and destroy our amenity altogether. Present building creates a pleasant appearance and enhances. I ask this store room be preserved as it is. Our barn sits down lower to this proposal so it would be so large it would change the view of our barn and hide it as well as hiding us in the shadow of this proposal. Close to my only window on ground floor in the front elevation so will destroy the view from this only window. Recently refused similar garage only metres away from this proposal as it was contrary to the provisions of ERSP Policy HC3 and ULP Policy ENV2 and advice written in PPG15 which say it resulted in the building of a new structure which would have a detrimental impact on rural characteristics of the site also the setting and as such would not respect or conserve the characteristics of the setting of the listed buildings nearby. Building extended without any Party Wall agreement.

**COMMENTS ON REPRESENTATIONS:** The proposed wall adjacent to the access for Barn 2 is outside of the application site and will not be considered as part of this application. Concerns regarding the Party Wall Agreement are outside the scope of planning legislation.

**PLANNING CONSIDERATIONS including Design & Access statement:**

**The main issues are whether the proposals satisfy the requirements of the criteria in relation to conversions of rural buildings (ULP Policy H6); whether the proposals would have an adverse impact on the character and setting of the listed buildings and**

**rural area (ULP Policies S7, GEN2, ENV2); whether the proposals would have acceptable access and parking arrangements (ULP Policy GEN8).**

The principle of residential conversion has previously been established with Members granting planning permission in 2004. This original consent included the demolition of all of the existing outbuildings with the exception of a small flat-roofed building adjacent to the boundary with Wicken Hall Barn. The outbuildings were permitted to be reconstructed with larger footprints and higher ridges and connected by link extensions to the main barns.

This proposal has two main elements – the relocation of the first floor accommodation and the demolition of the small flat roof building adjacent to the boundary with Wicken Hall Barn and its reconstruction as a car port.

With regard to the conversion of the main building, this proposal seeks to relocate the first floor accommodation from the northern end of the barn to the southern end. The principle of this first floor accommodation has already been agreed with the original consent in 2004 and was also included in the 2006 consent. At present there is no first floor structure in this barn and this accommodation would relate to solely new build within the existing structure. It is therefore considered that the relocation of the first floor accommodation should not have a more detrimental impact on the character of the building in comparison to the originally approved scheme.

The previously approved scheme indicated a car port and two parking spaces to serve this unit. This scheme proposes to incorporate the car port into the residential accommodation to be a utility room. An existing flat roof store building, which has little or no architectural merit, is proposed to be demolished and reconstructed to provide a double car port. A further parking space would be provided to the front of the utility room. The incorporation of the previously approved car port into the residential accommodation is considered to be acceptable, particularly as the principle of this development has previously been established. The concept of redeveloping the outbuildings has been established by the original approval in 2004. It is considered that the retention of the existing store building would not add to the character of the development in this location. The proposed new car port would appear to be more visually in keeping with the overall street scene and would provide additional undercover car parking spaces which could be more beneficial to the overall street scene. Representations have been made in respect of this building and reference made to a previously refused scheme in relation to the adjoining barn (barn 2). The proposed garage for barn 2 related to solely new build within the current access track and therefore poorly related to the existing buildings. It is considered that the current proposals are significantly different in that they propose the replacement of an existing building, along similar lines to the other replacement buildings within this overall site. As such, it is considered that the current proposals reflect the scale of development which has already been approved previously.

The proposed new double car port would be located adjacent to the boundary to an adjoining barn conversion currently being implemented. There is a high wall along the boundary and the ground drops slightly to the adjoining barn from the application site. The proposed new car port has been redesigned with a lower pitched roof to minimise the impact on the neighbouring property. It is not considered, due to the orientation of the buildings, that any overshadowing or loss of light should occur as a result of the proposals. There are no windows proposed to this building and as such no overlooking issues will arise. The proposed building would be located 7m from the front elevation of the adjoining barn. It is considered that, due to the high boundary wall and the fact that the pitched roof slopes away from the boundary, the proposals should not have an overbearing impact on the neighbouring property.

**CONCLUSIONS:** The proposals are considered to be acceptable.

**RECOMMENDATIONS:**

**1) UTT/1708/07/FUL - APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with revised and original plans.
3. C.4.1. Landscaping scheme to be submitted and approved.
4. C.4.2. Landscaping scheme to be implemented.
5. C.5.1. Samples of materials to be submitted and approved.
6. All external joinery to the converted building hereby permitted shall be of painted timber. REASON: In the interests of the appearance of the development and its historic setting.
7. All external timber and all external windows to the converted building hereby permitted shall be stained or painted black. External weather-boarding shall be feather-edged. REASON: In the interests of the appearance of the development and its historic setting.
8. C.6.2. Excluding all rights of permitted development within the cartilage of a dwelling house without further permission.
9. C.6.7. Excluding conversion of garages.
10. C.6.14. Restriction on rebuilding.
11. The dwelling hereby permitted shall not be occupied until the car parking spaces, garage forecourts and hardstandings to which it relates as shown on drawing no. WC.185.1C hereby approved have been hard surfaced, laid out and made available for use. Thereafter these areas shall remain available for the parking of domestic vehicles in connection with the normal residential use of the dwellings to which they relate and shall not be built over or similarly developed, notwithstanding Permitted Development Rights of extensions contained in the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification). REASON: To ensure adequate parking is retained to serve the dwellings, in the interests of highway safety.
12. No development shall take place until the ground conditions on the site have been subject to a detailed investigation to establish their suitability for the proposed end use. An historical investigation, sampling and analysis of current soils, site assessment and action plan to remedy any contamination must be agreed by the local planning authority in writing and carried out prior to the commencement of any other works in relation to any development on the site. The local planning authority is to be consulted at all key stages in this investigation process. REASON: To ensure the ground is in an appropriate condition for redevelopment, in the interest of the safety of future occupants.
13. C.15.1. Superseding previous permission.
14. C.20.3. If protected species found licence from Natural England.

**2) UTT/1711/07/LB – LISTED BUILDING CONSENT WITH CONDITIONS**

1. C.2.2. Time limit for commencement of development - listed buildings.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.5.1. Samples of materials to be submitted agreed and implemented.
4. All external joinery to the converted building hereby permitted shall be of painted timber. REASON: In the interests of the appearance of the development and its historic setting.
5. All external timber and all external windows to the converted building hereby permitted shall be stained or painted black. External weather-boarding shall be

feather-edged. REASON: In the interests of the appearance of the development and its historic setting.

6. C.5.5. Handmade clay plain tiles.
7. C.5.7. Window details.
8. C.5.11. Smooth render.
9. C.5.13. Historic brick bonding.
10. C.15.1. Superseding previous permission.

*Background papers: see application file.*

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## **1) UTT/1712/07/FUL & 2) UTT/1713/07/LB - WICKEN BONHUNT**

1) +2) Alterations and conversion of barn to single dwelling including extensions, replacement roof, new car port and parking and access

Location: Barn 2 Wicken Hall. GR/TL 498-333

Applicant: Mr & Mrs A Mullucks

Agent: Morris & Partners

Case Officer: Ms K Hollitt 01799 510495

Expiry Date: 03/01/2008

Classification: MINOR

**NOTATION:** Outside Development Limits/Curtilage Listed Building.

**DESCRIPTION OF SITE:** The application site is located to the north of the main road running through Wicken Bonhunt, behind the Coach and Horses public house in the middle of the village. The application barn is part of a long range barn and comprises multi-bay stables and storage buildings. The structure has lost its original roof which has been replaced with a mono-pitched roof. The stables are within a cluster of barns, some of which have already been converted to dwellings. To the south, a barn which ends this long stretch of buildings, is currently being converted to residential use. Wicken Hall is located to the north of the group of buildings and St Margaret's church is opposite. This group of buildings is accessed via a private road which varies in width along its length.

**DESCRIPTION OF PROPOSAL:** The proposal relates to the conversion and extension of the buildings to form a residential unit. This is an alternative scheme to that previously approved. The alterations relate to the inclusion of a first floor to part of the main barn, the conversion of an additional building to be incorporate additional residential accommodation, alternations to fenestration and the increase in the length of wall sub-dividing the access track serving Wicken Hall and Wicken Hall Cottage. The alterations to the fenestration include the increase in glazing from two panels to three panels in both ground floor front elevation windows and the increase in size of the first floor window together with the insertion of a roof light to the front roof slope. Additional glazing is proposed to the rear elevation and three roof lights are proposed to the rear roof slope. The existing garaging and store building is proposed to be converted to provide additional floorspace to the lounge, a bedroom and bathroom and walk-in wardrobe area. The courtyard buildings to the front of the main barn have previously been approved to provide bedroom and kitchen/utility room accommodation for the barn. This revised proposal seeks an alternative layout to that previously approved and it is proposed to utilise the area formerly approved as kitchen/utility area to be a garage and study. These revised proposals would result in alterations to the external appearance of the previously approved buildings.

**APPLICANT'S CASE including Design & Access statement:** See file for full statement. This application seeks to rearrange the position of rooms within the building framework from the previous scheme and introduce two bedrooms at first floor level where there exists a floor structure above the lounge area. Alterations to the ground storey involve altering the rooms use within the two single storey ancillary wings perpendicular to the main building by transposing the kitchen and bedroom accommodation at this level. The bedrooms and bathroom proposed at first floor level within the new roof structure will have Velux windows inserted into the new roof structure of the building. Additionally car parking arrangements are altered by using the existing garage of the ancillary wing. The vehicle and pedestrian access to this proposal have been altered along the existing driveway therefore reducing the accumulative vehicle entrances of the original scheme thereby improving road safety and access. Existing building had its original pitched roof structure removed some time ago and

replaced with an almost flat mono pitched frame and covering. Principle feature of the alteration and conversion is the establishment of a new pitched roof structure under a slate roof. Part of the building has an existing first floor joisted structure at a level enabling the ground floor lounge to retain an appropriate sense of scale and new accommodation within the new roof structure profile allowing the new bedroom accommodation to fit comfortably within the building profile created by the new roof structure. The courtyard extends out the vehicle and pedestrian access area which is contained within a new garden wall creating the boundary of the property alongside the access roadway to Wicken Hall.

**RELEVANT HISTORY:** Planning permission and listed building consent granted for the conversion and extension of the buildings to form two residential units in 2004. Amendment to the scheme approved in June 2006. Amendment to scheme refused July 2007 on grounds of extensions not being subservient in character detracting from character of original buildings and introduction of new car port having detrimental impact on rural characteristics of the site and detrimental impact on setting of historical access track.

**CONSULTATIONS:** Design Advice: Proposals overcome some previous concerns with number of roof lights reduced and free standing building removed from application. Principal concern now is the rebuilding of an unsightly shallow pitched range at the rear of the garage area of the main barn for residential purposes. Policy H6 requires for the structure proposed for conversion through their historical traditional or vernacular form enhance the character and appearance of the rural area. The shallow pitched range constructed in unattractive brickwork is unsightly and does not enhance the appearance of the locality. Conversion of this building to residential facilities would create an unfortunate precedent leading to a pressure for similar conversions elsewhere.

Environment Agency: Within Source Protection Zone II of the Environment Agency's groundwater protection policy.

Archaeology: No archaeological recommendations.

Building Surveying: No adverse comments.

Accessibility: Where possible some attention to Lifetime Homes Standards should be incorporated.

**PARISH COUNCIL COMMENTS:** None received.

**REPRESENTATIONS:** These applications have been advertised and 2 representations have been received. Period expired 13 December 2007.

Reference to "Wicken Hall Gated Entrance" incorrect in that this would be entrance to Wicken Hall, our house and preserved right for farm vehicles from Quendon Park Estate. Proposed creation of a complete new wall where none previously existed and in a position much further towards Wicken Hall than approved under UTT/0385/06/FUL. Would result in the narrowing of the access to our house and Wicken Hall to less than 4 metres over a distance of some 30 metres. By comparison the drive width approved under UTT/0385/06/FUL is about 7 metres and the historically established right of way is generally greater than 6 metres with no point narrower than 5 metres. Would have severe practical and visual negative impacts in that access to our house and Wicken Hall for emergency vehicles would be compromised. Visual impression would make the drive/track access to Wicken Hall appear subservient to that for Barn 2, and would not respect or conserve the centuries old characteristics of the setting. We also feel that the addition of a hedging boundary is out of keeping with the farm yard setting.

Drawings are showing a huge car port garage in the front elevation of barn one. Concerned if they are approved a technicality in law will be used to build it.

**COMMENTS ON REPRESENTATIONS:** The proposed car port for Barn 1 is outside of the application site and will not be considered as part of this application.



## **PLANNING CONSIDERATIONS including Design & Access statement:**

**The main issues are whether the proposals satisfy the requirements of the criteria in relation to conversions of rural buildings (ULP Policy H6); whether the proposals would have an adverse impact on the character and setting of the listed buildings and rural area (ULP Policies S7, GEN2, ENV2); whether the proposals would have acceptable access and parking arrangements (ULP Policy GEN8).**

The principle of residential conversion has previously been established with Members granting planning permission in 2004. This original consent included the demolition of all of the existing outbuildings with the exception of a small flat-roofed building adjacent to the boundary with Wicken Hall Barn. The outbuildings were permitted to be reconstructed with larger footprints and higher ridges and connected by link extensions to the main barns.

This proposal has two main elements – the creation of the first floor accommodation and the conversion of an existing garage/store building into additional residential accommodation.

The principle of first floor accommodation has already been established within these barns with the approval of the original scheme in 2004. This permitted the insertion of a first floor structure within a barn which did not have an existing floor. This building already has an existing first floor structure within the main building and it is this area which it is proposed to utilise for additional residential accommodation. This revised proposal overcomes the main objections to the previous scheme by reducing the number of roof lights and it is considered that this element of the proposals is now acceptable in principle.

The original low-key conversion scheme which has been approved ensured the buildings kept their utilitarian characteristics and therefore did not detract from the setting of the Grade II\* listed church and nearby listed buildings. The previously refused scheme resulted in the frontage buildings losing their subservient nature, which would have resulted in development having a detrimental impact on the characteristics of the area and the setting of the listed buildings. This revised proposal reintroduces the subservient nature of the outbuildings but seeks to utilise the buildings for different purposes to those originally approved. In principle, there are no objections to the alternative layout. The introduction of a garage to the front of the site would be acceptable in principle, as this would utilise an existing approved building, but the size of the building would only be sufficient to accommodate one vehicle and provide some storage space. Additional parking would be provided to the front of the site within a walled courtyard. In some respects this scheme is an improvement to the previously approved scheme in that it incorporates some under cover car parking.

However, this revised proposal seeks to increase the size of the walled courtyard from that previously approved. The adjacent barn conversion (Wicken Hall Barn) has courtyard parking, but in that case the “courtyard” is formed by existing walls and is part of the characters of this part of the former farmyard complex. In this instance the courtyard would be created within the existing open area serving as a wide entrance track to the listed property, Wicken Hall, and Wicken Hall Cottage. The principle of the creation of the courtyard has been established in the 2006 consent. However, this proposal seeks to enlarge the courtyard area, thereby increasing the visual dominance of the area, increasing the prominence of Barn 2 and detracting from the setting of the entrance to Wicken Hall. It is considered that this element of the proposals is unsatisfactory and would still result in the proposed development having a detrimental impact on the setting of the listed building.

The current proposals seek to incorporate an additional building into the fabric of the residential conversion. This element of the proposals was the subject of discussions held in relation to trying to overcome the reasons for refusal in respect of the previous scheme. No drawings were available and officers’ advice was that the historic or architectural merit of this

building would need to be proven before favourable consideration could be given to this proposal. Whilst drawings showing the original structures have been submitted, no written structural report has been submitted in support of this element of the conversion. The building appears to be of a later construction than the main range of barns and does not appear to have any historic or architectural merit. It is considered that the scale of the additional accommodation, utilising a building which was originally proposed to provide garaging and storage for Wicken Hall, together with the creation of first floor accommodation would result in overdevelopment of this site. The scale of residential accommodation would be significantly increased and would be out of scale and character with the adjacent barn conversions. The scale of accommodation could result in increased vehicular movements in comparison to the previously approved scheme.

**CONCLUSIONS:** The proposals are considered inappropriate in this rural location, resulting in a scale of development having a detrimental impact on the character and setting of listed buildings.

**RECOMMENDATIONS:**

**1) UTT/1712/07/FUL – REFUSAL REASONS**

1. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states that a planning authority shall have special regard to the desirability of preserving a listed building or its setting. The conversion of the additional garaging and store building to provide additional residential accommodation would result in a scale of development which would be out of character with the adjoining barn conversions and would compete with the setting of the adjacent listed building. In addition, the building forming the area for conversion is of little or no historic or architectural merit and its conversion would be contrary to ULP Policies H6 and ENV2.
2. The proposed increased length of the new wall along the side of the access track serving Wicken Hall would result in the introduction of a new structure having a detrimental impact on the rural characteristics of the site. The proposed additional walling would have a detrimental impact on the setting of the historical access track and as such would not respect or conserve the characteristics of the setting of the listed buildings nearby. This would be contrary to the provisions of ULP Policy ENV2, and advice contained within PPG15.

**2) UTT/1713/07/LB – REFUSAL OF LISTED BUILDING CONSENT**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states that a planning authority shall have special regard to the desirability of preserving a listed building or its setting. The proposals would be unacceptable because they would involve the conversion of a building with little or no historic or architectural merit. The scale of conversions would not appear subservient and as a result the development as a whole appear out of scale with the adjacent properties. In addition, the construction of an increased length of wall adjacent to the former access track of Wicken Hall would result in development which would not respect or conserve the characteristics of the setting of the listed buildings nearby. This would be contrary to the advice contained within PPG15, and reflected in ULP Policy ENV2.

*Background papers: see application file.*

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## **1) UTT/1950/07/FUL & 2) UTT/1951/07/LB - WICKEN BONHUNT**

1) +2) Barn Conversion, alternative scheme to that approved under UTT/0054/07/FUL & UTT/0056/07/LB

Location: Wicken Hall Barn. GR/TL 498-332

Applicant: Daniel Wild

Agent: Daniel Wild

Case Officer: Ms K Hollitt 01799 510495

Expiry Date: 10/01/2008

Classification: OTHER

**NOTATION: NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** The site is located to the north of the main road running through the village behind the 'Coach and Horses' public house. The barn is one section of a multi-bay structure which has lost its original roof and been replaced with a monopitch roof. The site lies among a cluster of barns, some of which have been converted to residential properties and some of which remain as stabling. To the rear of the site is an area of overgrown land, with a large shed a couple of metres from the rear elevation of the building the subject of these proposals. The grass species on this land appears to be of poor quality, usually a sign of no or little management. This land is strewn with rubble and debris, much of which is covered with vegetation. The main element of the building is in the process of being converted into a dwelling. The end bay of the barn was originally required to be demolished to provide a garden area to serve the dwelling. This element of the building has a floor structure within it. Work has been carried out to this element of the building which obscures the original structure of the building.

**DESCRIPTION OF PROPOSAL:** The proposal relates to an alternative scheme for the conversion of the building to residential accommodation. This proposal includes the retention of the existing element of the building which was originally required to be demolished in order to provide a small garden for the residential unit. The proposal involves the retention of the insertion of windows to the rear elevation, mostly of different sizes and locations to the windows in the original structure, and the removal of part of the roof and the creation of a partial pitch roof to the end bay of the barn.

**APPLICANT'S CASE including Design & Access statement:** See accessibility statement on file.

The end bay represents the historic change many decades ago and one wishes to keep this intact to show how things evolved. Scale as its built form which already exists and preserves its built form and footprint. Appearance is visually sympathetic to its surroundings and itself and makes a satisfactory appearance in this now to be residential area of a terrace of three. The external built form has existed for years and architecture and materials, decoration, lighting, colour and texture are all as its built form existing for decades and some for hundreds of years.

**RELEVANT HISTORY:** Various refusals from 1984 and dismissed appeals on grounds of over development and effect of traffic on neighbours in 1984 and 1989. Permission granted for residential conversion of other barns in 1991 and renewed in 1996 and 2001. Approval granted in 1991 as the applicant had overcome the Inspectors' concerns by amending the access arrangements. Refusal for residential conversion in 1998 and 2000 on grounds of effect of traffic on neighbours. These schemes reverted to the access previously dismissed on appeal. Permission granted for revised scheme for residential conversion in 2003 utilising the access point previously dismissed on appeal, but overcoming the Inspectors'

concerns regarding effect of traffic on neighbours. Permission refused for revised scheme omitting car port and reintroducing parking in courtyard to front of building on same grounds as previously refused schemes. Application for revised scheme incorporating a vehicle turntable to the front of the site approved 9 January 2006. Alternative scheme and change of use of land to rear for garden approved July 2006. Alternative scheme retaining the end bay with a pitched roof to match the main barn refused December 2006 and dismissed on appeal September 2007. Alternative scheme retaining the end bay as a single storey structure approved March 2007.

**CONSULTATIONS:** Design Advice: The structure in question has an untraditional, practically flat roof, which at present forms an eyesore to the detriment of the setting of listed church and listed buildings nearby. The conversion of this element in its present form would give it an unjustified sense of permanence with a very little hope for future visual improvement. The indicated large domestic windows would not respect and conserve the utilitarian characteristics of this rural building. In conclusion I consider that proposed conversion would be damaging to the visual amenity of the listed buildings nearby and would detract from the pleasant character of the locality. I suggest refusal of this application.  
Building Surveying: No adverse comments.

**PARISH COUNCIL COMMENTS:** None received.

**REPRESENTATIONS:** These applications have been advertised and 5 representations have been received. Period expired 7 December 2007.

Object. Alters size of proposed development as it is proposing to add a further floor to this end bay and to lift the height of the ridge. Would obscure light to our property. When planning originally granted it was on the basis that it was going to be a 2 bedroom dwelling and the end bay was to be taken down completely freeing up light to our gardens adjoining. Now wishes the bay to remain and made even higher and to add a third bedroom, shower room, toilet, study and further playroom and lounge. Applicant has already gone ahead and built his proposed structure without bothering to gain the relevant permission to do so. Clearly this house is being designed for more people than originally intended by original plans and with parking limited to two cars the property resulting is above the satisfactory accommodation that the site is capable of holding without detrimental effect to all of the neighbouring residential amenity.

Object. Substantially alters size of proposed development by adding a further floor to the end bay and to lift the height of the ridge. Concerned about the increase in noise from second additional storey and noise from the playroom would travel out over the gardens adjoining. Two flue pipes obscure our views – not shown on plans. Clearly this house is being designed with purpose of maximum resale value and does not meet the specification for which original planning was granted.

Object as substantially alters size of proposed development. Anybody proposing to live or visit property will have to travel around three sides of my own dwelling and I am concerned about the potential danger to my children and to pollution and noise they may face as a result.

Two storey extension refused by Council and Inspector on appeal. Applicant has created a two-storey extension and were told Council would deal with this once result was known. New extension is substantially the same as earlier proposal except that ridge is not 'centred' on extension. We believe that this is to protect the illicit second storey development. Object most strongly. Believe proposal does not meet the architectural design standards required in the listed curtilage of which Wicken Hall Barn forms part. Believe the car parking area misrepresents the amount of space available for parking.

Object. Proposed additional accommodation is excessive in relation to site access and car parking facility and the terms of the existing approvals. Elevations are totally out of keeping with the existing structure and the adjacent buildings and bear no resemblance with the

original historical barn structure. Proposed rear elevation indicates existing rear elevation. This includes the illegally built upper floor which was never part of the original barn structure. Would result in the destruction of the character of this originally charming setting.

**COMMENTS ON REPRESENTATIONS:** See report below. Parking standards for 3 bedrooms are the same as for 2 bedroom properties and the proposals satisfy the criteria. Enforcement action is being considered in relation to the works carried out, but action has been deferred pending the determination of this application.

**PLANNING CONSIDERATIONS including Design & Access statement: The main issues are whether the proposal:**

- 1) **complies with the criteria for barn conversions to residential (ULP Policy H6);**
- 2) **would safeguard the residential amenity of neighbouring properties (ULP Policies GEN2 and GEN4) and**
- 3) **would safeguard the setting and character of the listed building (ULP Policy HC3, ULP Policy ENV2).**

1) The acceptance in principle of the conversion of this barn to residential was accepted by the appeal Inspector in 1990 who stated that there was no overriding policy objection to the residential conversion of the barn, which makes an important contribution to the visual enclosure and courtyard character of the group, which would be lost if it were to be removed. ULP Policy H6 require that buildings should not be reconstructed or extended and should respect and conserve the characteristics of the building. Whilst these proposals would require the partial demolition and the extension of the barn, the principle of this development has already been set by the previous consent granted in 2003. The current proposal seeks to retain the element of the building which was originally intended to be demolished in order to provide a small courtyard garden to serve the property. Additional land has been purchased to the rear of the site and this garden area is no longer required. Due to extensive works having been carried out to this element of the building it is difficult to establish the historic worth or merit of this part of the building. However, on a previous site visit to the property prior to works being started on this part of the building it was established that the existing element of the building is already two storey in character internally, with the windows already being in place. Notwithstanding this, it would appear that the windows which have been inserted do not reflect the original locations of openings in the building. Certainly, the window locations shown on the submitted drawings, whilst reflecting the current situation, appear to be different to those shown on earlier applications. It is considered that the works proposed/carried out amount to substantial alterations to the original building and would be contrary to the provisions of ULP Policy H6.

The revised proposals aim to retain the existing mono-pitched roof, with an increase in eaves height. It is considered that the design of the retained structure would result in development having a detrimental impact on the setting and characteristics of the area and adjoining barn conversions. Despite the precedent having been set by the original appeal decision, it is considered that the current proposals fail to comply with the provisions of ULP Policy H6.

2) The erection of a new mono-pitched roof to the building would result in the retention of the predominantly two storey end bay of the building. When considering the proposed two storey proposal the Inspector considered that the height of the development would have an overbearing and overshadowing impact on the small garden of Marches Barn. It is considered that the retention of this element of the building also has this impact, an impact that was to be reduced in the original schemes by the total removal of this part of the structure. It is considered that the retention of this element of the building would still have an

overbearing and imposing impact on the residential amenity of the adjoining property. Therefore, it is considered that the proposals fail to comply with ULP Policy GEN2.

3) The original proposals allowed for the retention of the historic building. The Inspector considered that the end bay is an intrinsic part of the farmyard complex. Notwithstanding this, the Inspector would also have taken into account the schemes that have previously been approved and capable of being implemented. His comments would not sanction the retention of this end bay in its present format, or with a mono-pitched roof. It is considered that the structure, with its untraditional, practically flat roof, presently forms an eyesore to the detriment of the setting of listed church and listed buildings nearby. The conversion of this element in its present form would give it an unjustified sense of permanence with a very little hope for future visual improvement. The indicated large domestic windows would not respect and conserve the utilitarian characteristics of this rural building. Therefore it is considered that proposed conversion would be damaging to the visual amenity of the listed buildings nearby and would detract from the pleasant character of the locality. The proposals therefore do not comply with ULP Policy ENV2.

**CONCLUSIONS:** The proposals are considered unacceptable.

**RECOMMENDATIONS:**

**1) UTT/1950/07/FUL – REFUSAL REASONS:**

1. The retention of this element of the building would require significant reconstruction and alterations. The element of the building is not of significant historical merit and its retention is not required in order to protect the setting of the historic courtyard. The amount of reconstruction works required would be contrary to the provisions of ULP Policies H6 and ENV2.
2. The increase in ridge height of this element of the building would result in increased overshadowing and loss of light to the amenity area of adjacent properties. This would be contrary to the provisions of ULP Policy GEN2.

**2) UTT/1951/07/LB – REFUSAL OF LISTED BUILDING CONSENT**

In the absence of any planning permission for the conversion of the barn to residential accommodation, the proposals would result in unnecessary physical alterations to this historic building, contrary to advice contained in Planning Policy Guidance Note 15 and the requirements of the Planning (Listed Buildings and Conservation Areas) act 1990.

*Background papers: see application file.*

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**UTT/1956/07/DFO - LITTLE CANFIELD**

Details following outline permission UTT/1042/02/OP for erection of 35 dwellings with associated access and parking

Location: PG23, Priors Green Land north of Dunmow Road. GR/TL 571-211

Applicant: Barratt Eastern Counties

Agent: Bidwells

Case Officer: *Mr M Ovenden 01799 510476*

Expiry Date: 04/02/2008

Classification: MAJOR

**FULL REPORT TO FOLLOW ON SUPPLEMENTARY SCHEDULE**

**UTT/1995/07/FUL - HENHAM**

***(Managing Director of applicant company related to a member of staff)***

Erection of Barn/Grain store  
Location: Parsonage Bury Farm. GR/TL 543-285  
Applicant: J F Pimblett & Sons  
Agent: A D Chapman  
Case Officer: Mrs A Howells 01799 510468  
Expiry Date: 18/01/2008  
Classification: OTHER

**NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** The application site comprises a range of farm buildings in several rows made up from a mixture of modern and traditional styles. The location site for the proposed barn is at the end of a row of farm buildings and adjacent to open farm land. Access is derived from Church Street.

**DESCRIPTION OF PROPOSAL:** The application seeks planning permission for the erection of a farm building; 27.4m wide by 18.2m deep and 8.6m high; materials – steel cladding to walls and fibre cement sheets to roof; elevation plans indicate brick plinth.

**APPLICANT'S CASE including Design & Access statement:** The new barn is to be situated on the edge of the existing farmyard which has been established for over 100years. There is access by 2 separate access points to the site both from the fully adopted road from the centre of the village and is wide enough to comfortably accommodate all sizes of vehicles.

The yard is formed from well compacted hardcore and gravel with some concrete/tarmac hard standings.

Access to the new buildings is level with no raised edge as there will be full vehicular and pedestrian access into the building. The floor to the new building will be of smooth concrete construction.

No new access is required to either the farmyard or the building.

To summarise, no alterations will be necessary to facilitate access to the new barn.

**RELEVANT HISTORY:** Change of use of farm building to B1 and B2 Use.

**CONSULTATIONS:** ECC Archaeology: The Historic Environment Record identifies the development site as being located immediately adjacent a possible deserted medieval village, near to a medieval moated site and a church. Recommendation for an implementation of a programme of archaeological work and recording.

Building Control: This building is exempt from Building Regulations.

**PARISH COUNCIL COMMENTS:** To be reported (reply due 14 December 2007).

**REPRESENTATIONS:** None. Notification period expired 5 December 2007.

**COMMENTS ON REPRESENTATIONS:** None.



**PLANNING CONSIDERATIONS including Design & Access statement: The main issues are**

- 1) principle of development (ULP Policy S7);
- 2) design (ULP Policy GEN2);
- 3) other material planning considerations.

1) In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. The proposal is for a barn to be used on a working farm for the storage of grain and will be amongst a group of similar buildings and therefore it is considered acceptable and in accordance with ULP Policy S7.

2) The existing barns on the site are both traditional and modern. Immediately adjacent to the proposed barn is a modern steel clad barn with a brick plinth and therefore the proposed steel clad barn is appropriate to the location. The proposed barn is of a similar scale, form, layout, appearance and materials of surrounding buildings and is unlikely to 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 and complies with ULP Policy GEN2.

3) No other issues are considered to arise.

**CONCLUSIONS:** The proposal is considered acceptable and recommendation is for conditional approval

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

- 1. C.2.1. Time Limit for commencement of development.
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. C.27.1 Cessation of agricultural use of PD development.
- 4. C.16.2. Full archaeological excavation and evaluation.

*Background papers: see application file.*

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## **UTT/1893/07/FUL - GREAT EASTON**

Change of use from agricultural land to residential garden land

Location: Land rear of 1 Blamsters Rise Duton Hill. GR/TL613 269

Applicant: D Johnson

Agent: B Phillips

Case Officer: *Mr C Theobald 01799 510464*

Expiry Date: 24/01/2008

Classification: MAJOR

**NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** This irregular shaped parcel of land comprising 1.034 ha (stated) is located on the eastern side of the B184 to the immediate north of Blamsters Rise. The site has an open frontage and contains a large islanded pond, which is situated adjacent to the garden of No.1 Blamster's Rise. The land within the site falls away gently from the main road, rising again behind the pond up to the rear field boundary. The land has been set to grass following minor improvement works and contains several trees that surround the pond. Post and rail fencing has been erected along the site's northern, eastern and western boundaries. The original boundary fence line which existed along the site's southern boundary with No.1 Blamsters Rise has been moved further southwards to a new position running parallel with the entrance into Blamsters Rise.

**DESCRIPTION OF PROPOSAL:** The application seeks the change of use of the land from former agriculture to extended residential garden for No.1 Blamsters Rise as a "private recreational space". The application should be treated as retrospective in view of the improvement works already carried out as described above. Whilst the application is being sought for a change of use from agriculture to residential garden, it is known to the Council that the site was formerly used in connection with a transport and distribution business and that it had become unused following the closure of that business. Notwithstanding this, the permitted use of the land still remains that of agricultural and thus it is correct for the application to be made on this basis.

### **APPLICANT'S CASE: (Summary)**

- Site formerly part of Blamster's Hall and used for the storage of old lorry and vehicle parts in connection with a transport and distribution business
- Site became unused and unkempt following cessation of the business and had no agricultural potential in view of its contours, smallness, difficult access and central pond feature.
- Land purchased by applicant in May 2007 in order to ensure security of property and rights to quiet enjoyment in view of interests expressed by fishing clubs and a builder.
- Scrubland has been cleared, pond dredged and the land seeded. Intention is to hedge the boundary of the B184 with native hedgerow.
- Should not be unreasonable to grant planning permission to reclassify the land as extended garden land in light of the improvements which have taken place.

A Design and Access Statement is not required for this type of application.

**RELEVANT HISTORY:** Planning permission granted in 2001 for the redevelopment of haulage yard for residential purposes comprising two dwellings, conversion and extension of listed barns to form three dwellings, associated garaging, boundary walls and alterations to

vehicular access (UTT/1323/00/FUL). Conditions imposed on permission removing permitted development rights for extensions, freestanding buildings, chattels and for boundary enclosures within the site and on the site boundaries (in order to protect the rural character of the area and the setting of the listed buildings). Enforcement investigations commenced in September 2007 following a referral that land improvement works were taken place and that fencing was being erected around the site (ENF/147/07/B), resulting in the submission of the current application.

**PARISH COUNCIL COMMENTS:** None received.

**REPRESENTATIONS:** None received. Notification period expired 15 November 2007 (Site Notice expired 22 November 2007).

**PLANNING CONSIDERATIONS: The main issue is whether the proposal by its nature and scale would result in a material change in the character and appearance of the countryside (ULP Policies S7 and ENV6).**

The application site is situated within the countryside with views afforded across open farmland. Policy S7 of the Adopted Uttlesford Local Plan states that the countryside will be protected for its own sake and that planning permission will only be given for development that needs to take place there (including changes of use) or is appropriate to a rural area. The recent land improvement works already carried out by the applicant in connection with the application proposal have visually enhanced the appearance of the site to form what is in effect a large landscaped amenity area. It is considered, therefore, that no objections can be raised to the proposal in principal under Policy S7.

The preamble to Policy ENV6 states that proposals to change agricultural land to domestic garden which are not likely to materially change the character or appearance of the surrounding countryside are those which can include unworkable corners of fields and do not create wedges of domestic garden intruding into an agricultural landscape. The site has no practical use for agriculture given its physical constraints, including the large islanded pond and trees, its previous commercial storage use and the fact that it has been recently landscaped. Additionally, the site fronts onto a main road between existing residential properties (Blamsters Rise and Blamsters Villas), whilst the original rear boundary line has been retained and not extended. In the circumstances, it is considered that the proposal would not result in a material change in the character or appearance of the surrounding countryside and thus conforms to Policy ENV6 in its objectives.

Advice contained within the preamble to Policy ENV6 states that proposed garden extensions should include appropriate boundary landscaping treatment, such as hedgerows of indigenous species or fencing appropriate to a rural location, such as post and rail fencing, which do not have the effect of urbanising the area or of compromising the openness of the countryside. In this respect, the post and rail fencing that has already been erected around the perimeter of the site is considered to be a suitable means of enclosure for this rural location. Additionally, the applicant has stated that he wishes to plant a native hedgerow as a landscape feature along the frontage boundary with the B184, details and implementation of which can be controlled by way of a planning condition should planning permission be granted for the proposal. It would be necessary to impose a restrictive condition removing permitted development rights for curtilage buildings, chattels and further means of enclosure in order to protect the site's open rural character and to prevent its domestication.

**CONCLUSIONS:** The application should be approved.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping.
4. C.6.2. Permitted Development rights excluded.

*Background papers: see application file.*

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## **UTT/1861/07/FUL - SAFFRON WALDEN**

Loft conversion with dormer to rear. Change flat roof to pitched  
Location: 25 Highfields. GR/TL 542-388.  
Applicant: Mr Kevin Cordall  
Agent: Dominic Boutall Associates  
Case Officer: Consultant North 2 telephone 01799 510478/605  
Expiry Date: 14/12/2007  
Classification: OTHER

**NOTATION:** Within settlement limits.

**DESCRIPTION OF SITE:** Application site comprises a two-storey detached dwelling located within a short row of similar properties. The main distinguishing feature of this dwelling and the attached property and other adjacent pairs of dwellings to the south is that they are finished with flat roofs. All other dwellings in the close vicinity are finished with pitched roofs. Nonetheless, these dwellings have some individual character and are not in themselves harmful to the appearance of the street.

**DESCRIPTION OF PROPOSAL:** Application seeks planning permission to construct a pitched roof over this dwelling and to insert a box dormer window into the resultant rear facing roof slope. It should be noted that the original plans included a front facing dormer window, but this has now been deleted from the proposal.

**APPLICANTS CASE including Design & Access statement:** None.

**RELEVANT HISTORY:** No. 27: 1860/07 - concurrent application for similar pitched roof and rear dormer window - under consideration.

**CONSULTATIONS:** SERCO: No comment.

**TOWN COUNCIL COMMENTS:** None received. Expired 21 November 2007.

**REPRESENTATIONS:** None. Period for representation expired 12 November 2007

**PLANNING CONSIDERATIONS: The main issues are**

- 1) design (ULP policies: H8, GEN2);
- 2) neighbour's amenity (ULP policies: H8, GEN2 and GEN4)
- 3) other material considerations including Supplementary Planning Document "Home Extensions"

With regard to the design and appearance of this extension, and the impact upon the existing dwelling, both the adopted local plan policies and the Supplementary Planning Document "Home Extensions" indicate that extensions should respect the appearance of the existing dwelling. Extensions should also have regard to the street scene that exists.

The main consideration is the visual impact of converting this flat roof dwelling to a conventional pitched roof dwelling. As indicated above, this pair of dwellings, and the adjacent pairs to the south, has some group value and these contribute to the diverse character of the locality. Nonetheless, although of note, it is not considered essential to preserve these dwellings in their existing form. In any event, other examples would remain to the south. The addition of these pitched roofs would result in dwellings with a traditional

character and appearance that would harmonise with other adjoining built form. It is considered therefore that the addition of a pitched roof would be satisfactory.

With regard to the rear dormer window, although this would be a relatively large feature, it would nonetheless be clearly subordinate to the proposed roof slope. It would have little wider impact and there are many other similar rear dormer windows in the close locality. Matching materials are appropriate and these can be required by planning condition.

This application is only acceptable in design terms if it is implemented concurrently with the extension that is also proposed to the adjoining property, number 27. If only one of these dwellings were extended it would result in an unbalanced and discordant appearance to the pair of dwellings. This matter is to be dealt with by way of a S106 Agreement.

With regard to the impact upon the amenities of adjoining occupiers, this dwelling is set approximately 2.0 metres forward of the neighbour to the south. Therefore, the roof and rear dormer window would cause no significant loss of light and outlook to the rear and only a limited impact to the front. However, having had regard to the scale of the existing built form, and the physical separation between these dwellings, it is considered that this would not cause excessive additional harm to the amenities of adjoining occupiers.

As there are other first floor rear facing windows, the extension would not cause additional loss of privacy. The window to the side elevation would serve a staircase and would not be afforded direct views to neighbouring habitable rooms and therefore privacy would be adequately safeguarded.

**CONCLUSION:** It is considered that the extensions would be of an acceptable design and scale and would not harm the amenities of adjoining occupiers.

**RECOMMENDATION: APPROVAL WITH CONDITIONS AND S106 AGREEMENT**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.3. Matching materials.
4. C.8.28. Cost Effective Energy Efficiency Measures.

*Background papers: see application file.*

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## **UTT/1860/07/FUL - SAFFRON WALDEN**

Loft conversion with dormer to rear. Change flat roof to pitched.  
Location: 27 Highfields. GR/TL 542-88  
Applicant: L Davis  
Agent: Mr D Boutall  
Case Officer: *Consultant North 2 telephone 01799 510478/605*  
Expiry Date: 14/12/2007  
Classification: OTHER

**NOTATION:** Within settlement limits.

**DESCRIPTION OF SITE:** Application site comprises a two-storey detached dwelling located within a short row of similar properties. The main distinguishing feature of this dwelling and the attached property and other adjacent pairs of dwellings to the south is that they are finished with flat roofs. All other dwellings in the close vicinity are finished with pitched roofs. Nonetheless, these dwellings have some individual character and are not in themselves harmful to the appearance of the street.

**DESCRIPTION OF PROPOSAL:** Application seeks planning permission to construct a pitched roof over this dwelling and to insert a box dormer window into the resultant rear facing roof slope. It should be noted that the original plans included a front facing dormer window, but this has now been deleted from the proposal.

**APPLICANTS CASE including Design & Access statement:** None.

**RELEVANT HISTORY:** No. 25: 1861/07 - concurrent application for similar pitched roof and rear dormer window - under consideration.

**CONSULTATIONS:** None.

**TOWN COUNCIL COMMENTS:** None received. Expired 21 November 2007.

**REPRESENTATIONS:** None. Period for representation expired 12 November 2007

**COMMENTS ON REPRESENTATIONS:** N/a.

**PLANNING CONSIDERATIONS:** The main issues are

- 1) design (ULP policies: H8, GEN2);
- 2) neighbour's amenity (ULP policies: H8, GEN2 and GEN4)
- 3) other material considerations including Supplementary Planning Document "Home Extensions"

With regard to the design and appearance of this extension, and the impact upon the existing dwelling, both the adopted local plan policies and the Supplementary Planning Document "Home Extensions" indicate that extensions should respect the appearance of the existing dwelling. Extensions should also have regard to the street scene that exists.

The main consideration is the visual impact of converting this flat roof dwelling to a conventional pitched roof dwelling. As indicated above, this pair of dwellings, and the adjacent pairs to the south, has some group value and these contribute to the diverse character of the locality. Nonetheless, although of note, it is not considered essential to

preserve these dwellings in their existing form. In any event, other examples would remain to the south. The addition of these pitched roofs would result in dwellings with a traditional character and appearance that would harmonise with other adjoining built form. It is considered therefore that the addition of a pitched roof would be satisfactory.

With regard to the rear dormer window, although this would be a relatively large feature, it would nonetheless be clearly subordinate to the proposed roof slope. It would have little wider impact and there are many other similar rear dormer windows in the close locality. Matching materials are appropriate and these can be required by planning condition.

This application is only acceptable in design terms if it is implemented concurrently with the extension that is also proposed to the adjoining property, number 25. If only one of these dwellings were extended it would result in an unbalanced and discordant appearance to the pair of dwellings. This matter is to be dealt with by way of a S106 Agreement.

With regard to the impact upon the amenities of adjoining occupiers, this dwelling projects approximately 2.0 metres further to the rear than the neighbour to the north. Therefore, the roof and rear dormer window would cause some loss of light and outlook. However, having had regard to the scale of the existing built form, it is considered that this would not cause excessive additional harm to the amenities of adjoining occupiers.

As there are other first floor rear facing windows, the extension would not cause additional loss of privacy. The window to the side elevation would serve a staircase and would not be afforded direct views to neighbouring habitable rooms and therefore privacy would be adequately safeguarded.

**CONCLUSION:** It is considered that the extensions would be of an acceptable design and scale and would not harm the amenities of adjoining occupiers.

**RECOMMENDATION: APPROVAL WITH CONDITIONS AND S106 AGREEMENT**

- |    |        |   |
|----|--------|---|
| 1. | C.2.1. | Time limit for commencement of development          |
| 2. | C.3.1. | To be implemented in accordance with approved plans |
| 3  | C.5.3. | Matching materials                                  |
| 4. | C.8.28 | Cost Effective Energy Efficiency Measures           |

*Background papers: see application file.*

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**UTT/1909/07/FUL - HATFIELD HEATH**  
***(Called in by Cllr. Lemon – controversial in Parish)***

Erection of two storey rear extension and single storey side extension  
Location: Pellhurst Sawbridgeworth Road. GR/TL 513-150  
Applicant: Mr M Ring  
Agent: Mr Alistair Allan  
Case Officer: Consultant South 2 telephone: 01799 510478/605  
Expiry Date: 02/01/2008  
Classification: OTHER

**NOTATION:** Metropolitan Green Belt.

**DESCRIPTION OF SITE:** The application site comprises a two-storey dwelling with a range of single storey extensions to the side. To the rear of the dwelling is a swimming pool, a brick built garage and a substantial rear curtilage. This dwelling is one within a ribbon of development on the outskirts of Hatfield Heath, to the west. It is set amidst a number of preserved trees which form an important part of the wooded backdrop.

The immediate locality is characterised by detached houses set in spacious grounds. The houses are generally well spaced and there is a high degree of privacy along the road due to tall vegetated boundaries.

This dwelling is setback from the road, similar to other adjoining properties. The site and close locality are on flat ground and open countryside, generally in agricultural use, adjoins to the rear.

**DESCRIPTION OF PROPOSAL:** Application seeks planning permission for the erection of a two-storey and single storey rear extension. These would replace the existing range of single storey extensions to the original 1930s dwelling. Compared to the previously refused scheme (that was also dismissed at appeal) the main difference is that the width of the dwelling would not be increased other than the single storey element adjacent to the proposed rear extension.

The two-storey element would have a maximum depth of 9.0 metres, reducing to 4.5 metres for the more eastern part of it. The maximum width would be 10.2 metres and this would be contained within the existing rear elevation of the property. The single storey element to the west side would be a maximum of 6.0 metres in width and a maximum of 8.0 metres in depth. These extensions would be finished with pitched roofs.

The footprint would result in ground floor area of approximately 180.5 square metres and a total floor space of 330 square metres.

**APPLICANT'S CASE including Design & Access statement:** Statement dated 9 October 2007 in summary, refers to the previous appeal decision and indicates that Inspector was of the opinion that the proposal, comprising a two storey side extension, would substantially reduce the gap between existing dwellings and therefore adversely affect the openness of the Green Belt. The current proposal adds only around two thirds of the appeal scheme and results in the loss of an almost equivalent ground floor area. It is considered that the modest increase in net new floor space, added to that which would be removed, means that this extension is not disproportionate.

**RELEVANT HISTORY:** 1586/05/FUL: Two-storey side and rear extensions -- refused and appeal dismissed. It was considered that the proposals would undermine the openness of the Green Belt. See Appeal Decision attached at end of report.

**CONSULTATIONS:** None.

**PARISH COUNCIL COMMENTS:** No objections.

**REPRESENTATIONS:** One. Period for representations expired 7 December 2007

Willowcroft: the first floor accommodation would double in size; proposed bedroom five and bathroom would overlook property directly into habitable rooms resulting in loss of privacy; the proposed single storey side extension is unclear, the proposal is to demolish existing extensions where swimming pool pump is housed, no provision for new pump house; although it is claimed proposal would result in significant reduction in footprint, this would be altered once provision is made for replacement swimming pool pumphouse.

**COMMENTS ON REPRESENTATIONS:** The comments about the swimming pool pumphouse are noted, however the proposal is for consideration on the basis of the plans put to the Council; any future building would be the subject of a further planning application. The other comments are discussed in the report below

**PLANNING CONSIDERATIONS including Design & Access statement: The main issues are**

- 1) **Green Belt/countryside protection (UDP Policies S6; PGG2 Green Belts);**
- 2) **design (ULP Policies H8, GEN 2) including Supplementary Planning Document "Home Extensions";**
- 3) **neighbour's amenity (ULP Policies H8, GEN2 and GEN4).**

1) This site is within the Metropolitan Green Belt where, in accordance with PPG2, there is considerable constraint on development with the particular objective of ensuring that the openness of the Green Belt is not adversely affected. Green Belt policy is stricter and provides a stronger protection than in non Green Belt rural areas. Central to PPG2 is the need to protect the Green Belt from inappropriate development'. *"Inappropriate development is by definition harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations"*. Development in the Green Belt is inappropriate unless for specified types of development and one of the few types of acceptable development is 'limited extension' of existing dwellings. It further states that proposals which would not result in disproportionate additions over and above the original building are not inappropriate. There is a similar requirement in the Council's adopted Supplementary Planning Document – Home Extensions. Policy H8 also requires extensions/alterations to respect the appearance of the dwelling.

A key element in the determination of this application is the previous scheme that was refused planning permission and subsequently dismissed at appeal. It is accepted that the latest proposal is of a reduced bulk, however it would nonetheless result in the provision of a substantial increase in both the habitable accommodation and the scale and mass of two-storey built form that this site, to a degree where the resultant dwelling would be disproportionate to the original dwelling and therefore inappropriate development in the Green Belt which the PPG tells us is "by definition harmful".

By way of illustration, the two-storey extension to the rear would have a footprint of 75 square metres and therefore a total of 150 square metres of additional habitable

accommodation would be provided. This would more than double the amount of two-storey built form at the site. Additionally, a single storey side extension of approximately 30 square metres will also be added.

In these circumstances, although the width of the two storey part of the dwelling would not be increased, it is considered that the proposal would nonetheless significantly harm the sense of openness of this site, particularly towards the rear. Although the demolition of the pool plant room would be an improvement by reason of the reduction in the footprint, and increase in the distance between the flank boundary of the adjoining property at Willowcroft, the benefits in terms of the openness of the Green Belt would be very limited as noted by the appeal Inspector. These benefits would be more than outweighed by the two-storey rear extensions which would have a much greater presence due to their much increased height and bulk.

2) With regard to detailed design, the substantial size of these extensions means that the additions would also fail to respect the appearance of the existing property. As indicated previously, the two-storey element would more than double the two-storey element of the existing property. The extensions would therefore fail to be visually subordinate features and, in this regard, the proposal does not comply with the Council's adopted supplementary planning document "Home Extensions".

3) With regard to the amenities of adjoining occupiers, unlike the previously refused scheme, this proposal would introduce a further side facing bedroom window. Although there is an existing side facing bedroom window, this new bedroom window (to bedroom 5) would result in a greater degree of overlooking than which presently exists. This would be harmful to the amenities of the adjoining occupiers and is a further reason to refuse planning permission.

**CONCLUSION:** In summary, the proposal would be harmful to the objectives of the Metropolitan Green Belt as it would continue to result in the excessive loss of openness at this site. Furthermore, these extensions would fail to satisfactorily respect the appearance of the existing dwelling and would also result in the loss of privacy to adjoining occupiers.

**RECOMMENDATION: REFUSAL REASONS**

1. The proposed extensions, by way of the excessive size and scale of the two-storey rear extensions, would result in disproportionate additions to the dwelling leading to built form that would be harmful to the objectives of preserving the openness of the Metropolitan Green Belt. As such the proposal would be contrary to the guidance within PPG2 Green Belts and to policy S6 of the Adopted Uttlesford Local Plan.
2. The proposed new bedroom window facing west would result in an increased sense of overlooking towards the adjacent dwelling, resulting in a loss of privacy that would be harmful to the amenities of the occupiers of that dwelling. As a result the proposal would be contrary to policy H8 of the Adopted Uttlesford Local Plan, including Supplementary Planning Document 'Home Extensions'.
3. The proposed two-storey rear extension, by reason of its excessive width, depth and overall mass, would fail to be a visually subordinate addition to the existing property. It would therefore fail to properly respect or preserve the appearance of this dwelling, harmful to its character and the relationship it has to the scale and mass of adjoining built form. As a result the proposal would be contrary to policies GEN2 and H8 of the Adopted Uttlesford Local Plan, including Supplementary Planning Document 'Home Extensions'.

*Background papers: see application file.*

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## **UTT/1625/07/FUL - MARGARET RODING**

***(Call in by Cllr Barker – Parish Council would like opportunity to speak at Committee)***

Replacement dwelling.

Location: Mayes Cottage Chelmsford Road. GR/TL 617-109

Applicant: Mr & Mrs D Bevan

Agent: Speer Dade Planning Consultant

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 15/11/2007

Classification: MINOR

**NOTATION:** Outside Settlement Limit and within Metropolitan Green Belt (MGB).

**DESCRIPTION OF SITE:** This isolated application site comprises a small two-storey (in part) cottage that faces side onto the road. It is of small proportions, characterised by a cat slide type roof with a mono-pitched ground floor addition to the side (furthest elevation from the road). The ridge height looks to be around 6 metres in height. External materials comprise of yellow smooth render to the elevations with natural slate to the roof. A detached garage/workshop is located on the western side of the cottage and further smaller containers/sheds are located to the rear within the garden that narrows in width towards its southern (rear) boundary. The site is open in nature and appears 'exposed' when viewed from the road, with a backdrop of fields to the east, west and south. Away from the site to the north of the site on the opposite side of the road are three character properties, which are more substantial in size.

**DESCRIPTION OF PROPOSAL:** This application relates to the erection of a replacement dwelling on the site. The dwelling would be a two-storey building covering an area of approximately 109m<sup>2</sup> and would have a maximum ridge height of 6.5m.

The following table provides a comparison between the existing and proposed dwellings.

	<b>Original dwelling</b>	<b>Proposed dwelling</b>
Area covered	72m <sup>2</sup>	109m <sup>2</sup>
Floor space – ground floor	63.61m <sup>2</sup>	90.55m <sup>2</sup>
Floor space – first floor	44.44m <sup>2</sup>	78.35m <sup>2</sup>
Volume	296m <sup>3</sup>	516.6m <sup>3</sup>

**APPLICANT'S CASE including Design & Access statement:** A planning statement has been submitted ([see copy attached at end of report](#)) and a statement has been submitted detailing the site appraisal, relevant policy, design principles, amount of built form, layout, scale, landscaping, appearance and access issues relating the scheme (copies of the statement are available to view on the file at the Council Offices).

**RELEVANT HISTORY:** Outline application with means of access determined for replacement dwelling conditionally approved 2006, subject to a condition limiting its size. Application for replacement dwelling refused July 2007 on grounds of inappropriate size, bulky and inadequate access and turning facilities.

**CONSULTATIONS:** ECC Highways: No objections subject to conditions.

Building Surveying: Cloakroom door to open outwards. No fire access concerns. Lifetime Homes: Drawing has been examined, if the scale used is 1:100 the design will comply.

Chelmsford Borough Council: Objects. The proposed replacement dwelling is significantly larger than the building it would replace and could to be considered similar in size and scale.

Additionally the design of the replacement building is unattractive, bulky and wide span and would cause demonstrable harm to the openness of the Green Belt.

**Design Advice:** The proposed new house would be visually unsightly because of its lack of architectural cohesion, untraditional shallow roof form and disorganised elevational treatment. The incidental use of brick and render and poor proportion of void to solid would exacerbate the lack of elevational harmony so essential to a successful design. The proposal totally disregards the perception of local vernacular and represents a missed opportunity on this important location.

**PARISH COUNCIL COMMENTS:** No objections.

**REPRESENTATIONS:** This application has been advertised and one representation has been received. Period expired 12 November.

Main points: we wrote in support of the previous application, have viewed the amended plans and again we support the application. There are only two owner occupier neighbours to this dwelling who will be looking at it every day and we both want this derelict property developed into the tastefully designed family home that has been submitted to you for approval as soon as possible.

**COMMENTS ON REPRESENTATIONS:** None.

**PLANNING CONSIDERATIONS including Design & Access statement:**

**The main issues are whether the proposal would comply with policies relating to:**

- 1) **Development within the Metropolitan Green Belt & Replacement dwellings (PPG2 – Green Belts, ULP Policy H7 & [SPD](#) Replacement dwellings);**
- 2) **Design (ULP Policy GEN2 & [SPD](#) Accessible Homes and Playspaces);**
- 3) **Access (ULP Policy GEN1);**

1) Within Green Belts, there is a presumption against inappropriate development which is by definition, harmful to the Green Belt. The replacement of existing dwellings need not constitute inappropriate development provided the new dwelling is not materially larger than the dwelling it would replace. Members will recall refusing other proposals for replacement dwellings and being supported by the Planning Inspectorate at appeal. In order to make this assessment, it is necessary to determine whether the new dwelling would have a materially larger volume, in addition to comparing other factors such as the bulk, height, width and length of the original and proposed dwellings. The original dwelling on this site has a volume of 296m<sup>3</sup>.

From the table above, it can be seen that the proposed dwelling would be significantly larger than the original in terms of the area covered, the floor space provided and the volume. Consequently, the proposal fails to meet the requirements of national policy in PPG2 and must be considered to be inappropriate development "which is by definition harmful". Even taking into account the possibility of a permitted development extension to the original dwelling (which the PPG does not), the resultant volume would amount to a maximum of 366m<sup>3</sup>, approximately 150m<sup>3</sup> less than the proposed volume.

The adopted Replacement Dwelling Supplementary Planning Document (SPD) embodies a similar restriction on the size of replacement dwellings in the Green Belt. The SPD also specifies that existing garages will not be included in the size of the replacement dwelling as it is likely that the garage will be replaced, even if this is not undertaken at the stage of constructing a replacement dwelling. Therefore it is not appropriate to include the volume of the garage in the comparison calculations of the volumes of the original and proposed dwellings.

It should be noted that in a recently determined appeal decision for a replacement dwelling within the Green Belt in Hatfield Heath, the Inspector made clear that even a 32% increase in floor space amounted to a materially larger dwelling which would be harmful to the MGB and was therefore unacceptable. In this instance the replacement dwelling would have an increase in floor space of approximately 55%.

In addition to the physical increase in the proposed dwelling above the original on the site, the subsequent visual impact of the proposal would also be greater than the original. The western elevation would have a longer two-storey element than currently exists and the northern elevation would be more than double the width of the existing dwelling, with much of this length being two-storey. These higher, longer and wider elevations would result in the dwelling appearing as a more prominent feature within the landscape and would detract from the open and rural character of the surrounding countryside.

Therefore, the increase in the size of the dwelling would result in additional built form in the Green Belt constituting inappropriate development which would be harmful to the open and rural character of the surrounding countryside and Green Belt.

2) The proposed design of the replacement dwelling indicates a shallow roof form, presumably to disguise the size of the dwelling, a disorganised elevational treatment and a lack of architectural cohesion. The appearance of the dwelling would have little regard to the scale, form, appearance and materials of the neighbouring properties and the local vernacular contrary to ULP Policy GEN2 and fails to overcome the previous reason for refusal.

The site has no close neighbouring properties which would be affected by the proposal. There are dwellings on the opposite side of the A1060 however these are distant enough for the proposed dwelling to not have an impact in terms of overbearing, overshadowing, loss of daylight or loss of privacy.

The dwelling appears to comply with the requirements of the Accessible Homes and Playspaces requirements and as such would meet the reasonable needs of potential users.

3) One of the reasons for refusal for the previous application related to there being insufficient space within the site for parking and turning to ensure vehicles would be able to enter and leave the site in forward gear. The current proposal would be set back further into the site than the previous scheme and additional space would be provided for parking and turning. The Highways Authority has raised no objections to the scheme subject to conditions and therefore it is considered that the revised scheme would comply with the requirements of ULP Policy GEN1.

**CONCLUSIONS:** The proposed replacement dwelling would be materially larger than the original dwelling on the site and would constitute inappropriate development within the Metropolitan Green Belt. In addition the poor design and greater size, bulk and built form of the proposed dwelling would result in a prominent dwelling on the site which would be visible from a number of view points some distance away and would have a detrimental impact on the open and rural character of the surrounding countryside.

**RECOMMENDATION: REFUSAL REASONS:**

1. The proposed replacement dwelling would be materially larger than the original dwelling on the site with larger dimensions and an increase in volume of approximately 75% greater than that of the original building and would constitute inappropriate and harmful development within the Metropolitan Green belt. In addition, the proposal would result in a larger bulky building which would appear as a prominent feature in the surrounding

countryside and would fail to protect or enhance the open and rural character of the surrounding countryside. The proposal would therefore be contrary to PPG2 – Green Belts, ULP Policy H7 and adopted SPD – Replacement Dwellings.

2. The proposed replacement dwelling would have an untraditional shallow roof form, a lack of architectural cohesion and a disorganised elevational treatment and would fail to respect the scale, form, appearance and materials of the neighbouring properties contrary to the requirements of ULP Policy GEN2.

*Background papers: see application file.*

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