

UTT/0401/12/FUL (Stansted)

(Call in request by Councillor Rich – Neighbour concerns)

PROPOSAL: Erection of two bay garage with hobby room/home office to first floor.

LOCATION: Land rear of 46 Bentfield Green, Stansted.

APPLICANT: Mrs L Gilbert

AGENT: Mr R Stretton.

GRID REFERENCE: TL 506-256

EXPIRY DATE: 19 April 2012.

CASE OFFICER: Mr C Theobald

1.0 NOTATION

1.1 Within Development Limits / Conservation Area / Listed Curtilage.

2.0 DESCRIPTION OF SITE

2.1 The site is situated on the northern side of Bentfield Green opposite the Rose and Crown Public House and comprises a c16 timber framed, plastered and thatched Grade II listed cottage with a rear two storey and lean-to single storey linked outbuilding range, including an unused garage, with associated long garden curtilage. The site is flanked on its eastern hedged boundary by a short frontage terrace of two storey Victorian dwellings and by a further, longer terrace of similar dwellings situated in parallel behind this frontage terrace accessed from the road by a pedestrian entrance track along this boundary. The site is flanked on its western side by a modern frontage dwelling, whilst fields exist to the hedged rear boundary. The dwelling on the site is currently in the process of being refurbished.

3.0 PROPOSAL

3.1 This proposal relates to the erection of a timber framed, weatherboarded and slate roofed double garage incorporating a first floor over for incidental use (hobby room/home office) with side external timber staircase to be sited within the rear garden of the application site. The new structure would have a footprint of 40sqm, a height to the ridge of 5.7 metres and would incorporate a wide span front gable with narrow module central feature window with vertically boarded double doors below. The roof to the rear elevation would contain 3 No. rooflights. The proposal represents a replacement and larger garage scheme for the present older garaging on the site which would be demolished as part of an approved remodelling of the present outbuilding range to the dwelling (see below).

4.0 APPLICANTS CASE

4.1 The accompanying Design and Access Statement is summarised as follows:

- The existing residential rear garden that expands behind the listed dwelling is substantial in size to accommodate the replacement garage.
- The garage height has been kept to a minimum to ensure it sits within the garden area with as little impact as possible with the first floor being a function of the 45 degree roof that it sits within.
- The structure would have a green oak frame and would be appropriate for its listed setting.
- Care has been taken to ensure the positioning and design of the garage block would not cause any loss of amenity to adjoining properties.
- The external garage staircase could accommodate an external stair climber lift in the future should the need for disabled access be required.
- The focal point Monkey Puzzle tree in the rear garden would remain and be protected during development.

5.0 RELEVANT SITE HISTORY

- 5.1 Planning permission refused in 1985 for two new dwellings to be sited within the side garden of Havering (46 Bentfield Green). Permission granted on 14 August 2012 (re-submission application) for the demolition of the existing timber lean-to to the rear range, conversion of the existing garage into a playroom, construction of a new link to the house, reconstruction of existing shower/utility room with new roof and internal alterations to provide 2 No. en-suites. In the delegated officer report for that application, it was stated that *"This proposal follows the refusal of a previous application that was considered to be overpowering in terms of scale and the existing diminutive size of the listed building and its setting. The Conservation Officer has not commented on this scheme, but this application follows negotiation and a scheme agreed in principle...Subject to conditions, the extensions are [now] considered to be of a scale and appearance that would respect the original building, preserve the setting of the listed building and the character and appearance of the conservation area"* (UTT/1419/12/FUL & UTT/1420/12/LB refer).

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (NPPF)

6.2 East of England Plan 2006

- Policy ENV6: The Historic Environment
- Policy ENV7: Quality in the Built Environment

6.3 Essex Replacement Structure Plan 2001

- None

6.4 Uttlesford District Local Plan 2005

- ULP Policy S1: Settlement Boundaries for Main Urban Areas
- ULP Policy GEN1: Access
- ULP Policy GEN2: Design
- ULP Policy GEN8: Parking Standards
- ULP Policy ENV1: Design of Development within Conservation Areas
- ULP Policy ENV2: Development affecting Listed Buildings

- ULP Policy ENV3: Trees

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7.0 PARISH COUNCIL COMMENTS

- 7.1 Objection on the grounds of loss of trees/hedges with TPO's and as the proposal would not enhance the conservation area.

8.0 CONSULTATIONS

ECC Ecology Officer

- 8.1 No ecology objections.

Specialist Advice on Listed Buildings and Conservation

- 8.2 The proposed replacement garage scheme as submitted would be appropriate for its listed setting in terms of its design, scale, appearance, use of materials and distance from the historic dwelling on the site and would be in line with the existing back row of Victorian dwellings to continue this linear built form. Any siting further forward would cramp the setting of the listed building and any further back into the rear garden would lose its sense of connectivity to the dwelling. No objections are therefore raised subject to appropriate conditions.

Landscape Officer

- 8.3 The only tree of feature value on the application site is a Monkey Puzzle, which is not subject to a Tree Preservation Order contrary to the Parish Council's comment in its consultation response that it is. No landscaping objections are therefore raised subject to this tree being retained and protected by a tree safeguarding condition during construction phase to safeguard its future health.

9.0 REPRESENTATIONS

- 9.1 4 received. Notification period expired 22 March 2012. Advertisement expired 29 March 2012. Site notice expired 31 March 2012.

- The development by reason of its design and proportions would seriously affect the character and appearance of the listed thatched cottage and its surroundings
- The development would affect the overall appearance of the conservation area
- The two storey nature of the proposed structure would materially overlook and shade the adjacent terraced block and entrance path, particularly during the afternoon
- The proposal would represent overdevelopment of the site and would detract from its quite rural feel and ambiance
- The inclusion of a business office would result in an overall increase in traffic and noise levels in a quiet residential area. The present cottage refurbishment already generates a lot of building noise and approval of the proposal scheme would increase this.

10.0 APPRAISAL

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

- A Proposal justification / design / whether the replacement garage would preserve the character and appearance of the conservation area / preserve the setting of the listed building (NPPF, ULP Policies S1, GEN2, ENV1 and ENV2);
- B Whether the proposal would have a materially adverse effect on the reasonable occupation and enjoyment of neighbouring properties (ULP Policy GEN2);
- C Whether access and parking provision would be satisfactory (ULP Policies GEN1 and GEN8).
- D Other Considerations: Trees (ULP Policy ENV3).

A Proposal justification / design / whether the replacement garage would preserve the character and appearance of the conservation area / preserve the setting of the listed building.

10.2 The site is located within village development limits where proposed curtilage outbuildings to dwellings for incidental purposes are normally considered acceptable in principle where planning permission is required for such buildings or structures. As described above, planning permission and listed building consent has very recently been granted for the remodelling of the existing linked outbuilding range to the dwelling at this residential site, including the conversion of the sub-standard garage to a playroom. It is therefore considered that need has been demonstrated for a proposed replacement garage to be sited within the site curtilage in lieu of the existing garage facility to be lost where there is sufficient garden space within the site to accommodate such a structure subject to it complying with other relevant criteria as discussed below.

10.3 The proposed garage would have a vernacular form and appearance using traditional external materials onto an oak frame where the gabled frontage elevation would reflect various existing design elements of the gabled rear elevation of the dwelling and present outbuilding range. Whilst the garage would introduce additional built form at the site, the recently approved remodelling scheme would remove an existing unattractive single storey storage lean-to which currently leads off the rear of the two storey element of the range to be converted and there would therefore be some compensatory loss of existing building footprint in view of this should the approved proposal be implemented.

10.4 The Council's Conservation Officer has not raised any listed building objections to the scheme for the reasons stated above, whilst the garage would be only partially visible from the highway in view of its rear positioning away from the street frontage and by existing frontage dwellings along Bentfield Green. As such, it is considered that the character and appearance of the conservation area at this attractive location would be preserved.

B Whether the proposal would have a materially adverse effect on the reasonable occupation and enjoyment of neighbouring properties.

10.5 The proposed garage block would be sited approximately 2 metres at its closest point from the eastern flank boundary with No.34 Bentfield Green, a two storey end terrace Victorian dwelling set back behind a row of frontage dwellings (see Description of Site above) and approximately 5 metres from the flank boundary wall of the dwelling itself, which contains two ground floor lounge windows running front to back with a

small end conservatory. The 1½ storey height of the garage at 5.7 metres and its approximate east-west positioning on the application site would mean that it is likely that there would be some loss of sunlight and overshadowing to the side of that property, particularly in the late afternoon. However, the presence of an existing 2 metre high closeboarded fence and hedgeline running along this boundary and the gabled roof of the proposed building onto this side is such that significant loss of sunlight/overshadowing is unlikely to occur. Similarly, the development is unlikely to lead to any significant overbearing effect. The garage would not contain any windows in its east flank elevation facing onto No.34, so no overlooking or loss of privacy would occur as a result of the use of the building as proposed.

C Whether proposed access and parking provision would be satisfactory

- 10.6 The application site is served by an established single width vehicular access to the side of the existing cottage. Access to the proposed replacement garage would be via this access point where no intensification of the access would occur given the incidental nature of the building, including homeworking. The application proposes an increase in the existing turning area which presently exists to the rear of the dwelling, which would represent a site improvement. No objections are therefore raised on highway grounds.
- 10.7 Whilst the garage as shown would not meet current minimum parking standards for new garages in terms of internal depth dimensions to allow for sundry storage space, the need for storage space within the structure would not be required in this instance given the size of the application site and where an increase in the size of the structure would in turn make it more prominent on the site in terms of overall volume and increase in ridge height within its setting where it is stated that its ridge height has been purposely kept as low as practical to minimise its overall impact. No objections are therefore raised on this basis.

D Other Considerations: Trees

- 10.8 The Council's Landscape Officer has assessed the proposal in terms of the impact of the proposal on existing trees and other vegetation on the site and has not raised any landscaping objections (see above). Whilst the rear garden of the application site has an attractive, semi-rural feel, it is considered that the loss of an existing group of semi-mature trees and shrubs as required to facilitate the garage with associated hardstanding would not by itself be damaging to the character and appearance of the conservation area at this location in this respect.

11.0 CONCLUSION

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

- 11.1 The proposed development as a replacement garaging facility with incidental first floor accommodation at this residential location is considered acceptable in principle where the scale, design and appearance of the building would preserve the character and appearance of the conservation area and would protect the character and setting of the listed building on the site;
- 11.2 The design, height and positioning of the garage from the boundary would not have a significant adverse effect on the reasonable occupation and enjoyment of the adjacent neighbouring property, No.34 Bentfield Green;

11.3 The proposed access and parking provision shown for the garage would be satisfactory;

11.4 No landscaping objections are raised to the proposal.

RECOMMENDATION – CONDITIONAL APPROVAL

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

3. The roof to the development hereby permitted shall be clad with natural slate, in accordance with details that have been submitted to and approved in writing by the local planning authority before the development commences. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and in order to preserve the character and appearance of the conservation area in accordance with Policies GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

4. All external timber and windows shall be softwood and painted. All external weatherboarding shall be feather-edged and painted. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and in order to preserve the character and appearance of the conservation area in accordance with Policies GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

5. All new rooflights shall be of a conservation range and details of all the new rooflights shall be submitted to and approved in writing by the local planning authority before development commences and installed in accordance with those details.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and in order to preserve the character and appearance of the conservation area in accordance with Policies GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

6. The erection of fencing for the protection of the existing Monkey Puzzle tree on the site as identified as T17 on the submitted Existing Tree and Hedge Plan, Dwg ref; 10765/A3/31 shall be undertaken in accordance with details approved in writing by the local planning authority to comply with the recommendation of British Standard 5837:2005 (Trees in relation to construction) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored

or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20 metres of the retained tree.

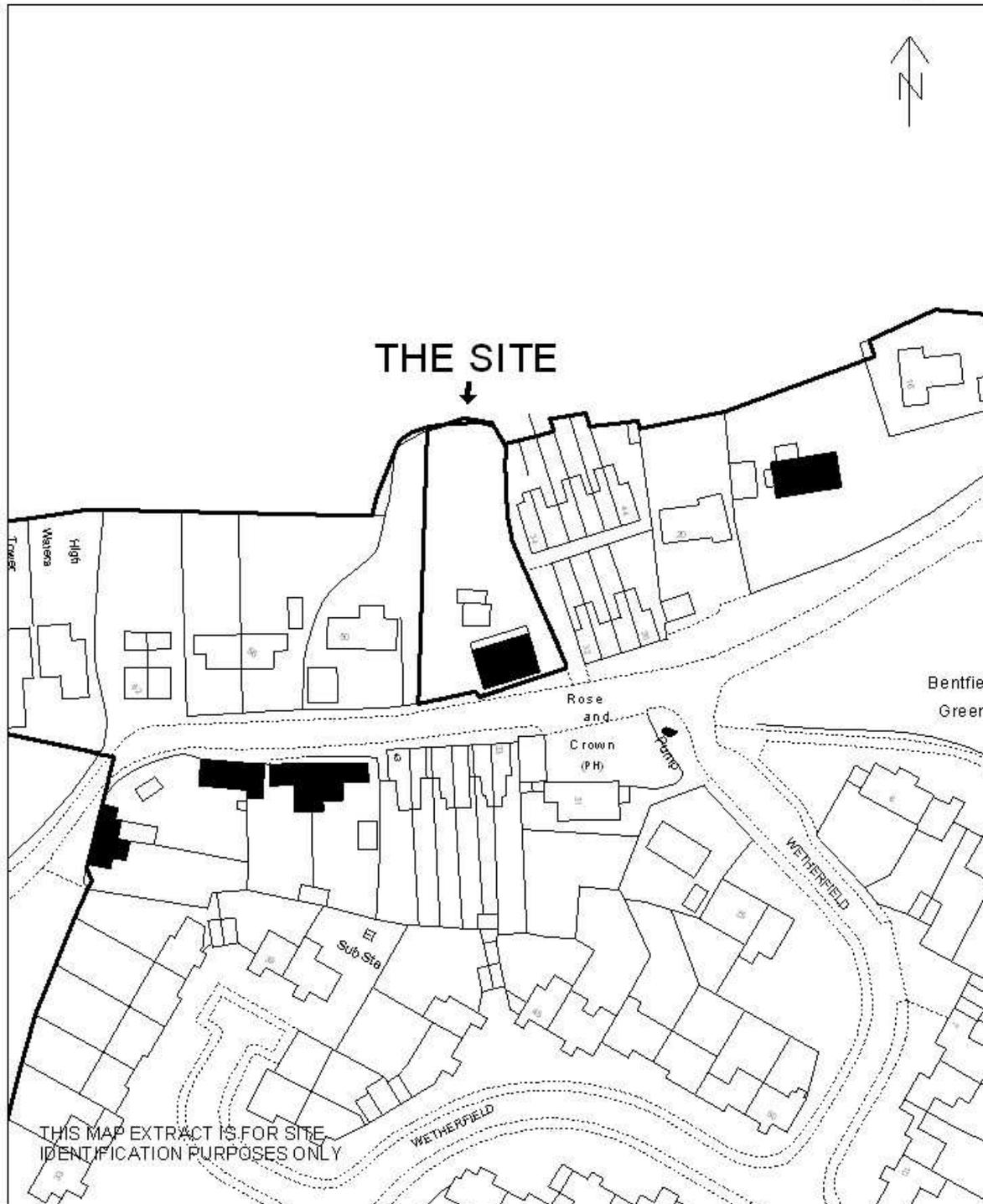
REASON: In the interests of protecting a tree which is considered to be worthy of retention and in view of the contribution that this tree makes to the appearance of the conservation area in accordance with Policies ENV1 and ENV3 of the Uttlesford Local Plan (adopted 2005)..

7. No windows shall be placed into the east flank elevation and no rooflights shall be inserted into the east facing roof plane of the forward projecting gable of the building hereby permitted without the prior written consent of the local planning authority.

REASON: To avoid overlooking and loss of privacy to No.34 Bentfield Green in the interests of the protection of neighbouring residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

8. The use of the garage outbuilding hereby permitted and as described shall remain ancillary and subservient to the primary use (i.e., residential use) of the site known as Havering, 46 Bentfield Green, Stansted and shall not become a separate or dominant use at any time, including use as a separate dwelling, without the prior written permission of the local planning authority.

REASON: The use of the building for purposes other than as stated above would be contrary to ULP Policy S1 of the Uttlesford Local Plan (adopted 2005) where planning permission has been granted on the basis of demonstrated need.



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