

## **UTT/14/1898/FUL (BIRCHANGER)**

(Referred to Committee by Cllr Godwin. Reason: Overdevelopment; Unsafe access; Overlooking; Overbearing; Harm to street scene; Harm to listed buildings)

**PROPOSAL:**                    **Erection of 1 no. dwelling**

**LOCATION:**                    **Land at Green Farm Cottage, 275 Birchanger Lane, Birchanger**

**APPLICANT:**                **Mrs A Farr**

**AGENT:**                      **Ian Abrams Architect Ltd**

**EXPIRY DATE:**            **27 August 2014**

**CASE OFFICER:**          **Luke Mills**

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### **1. NOTATION**

1.1 Within Development Limit.

### **2. DESCRIPTION OF SITE**

2.1 The application site is located off Birchanger Lane in Birchanger. It accommodates Green Farm Cottage, a Grade II listed building, and its curtilage.

### **3. PROPOSAL**

3.1 The application is for planning permission to erect a detached dwelling to the southern side of Green Farm Cottage, with associated vehicle access and parking to the front.

### **4. APPLICANT'S CASE**

4.1 The submitted 'Design, Access & Heritage Statement' concludes that the proposal would preserve the setting of the adjacent listed building and the character of the street scene.

### **5. RELEVANT SITE HISTORY**

5.1 No recent, relevant history.

### **6. POLICIES**

#### **6.1 National Policies**

- National Planning Policy Framework 2012

#### **6.2 Uttlesford District Local Plan 2005**

- Policy S3 – Other Settlement Boundaries
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards

- Policy ENV2 – Development affecting Listed Buildings

### 6.3 **Guidance**

- SPD – Accessible Homes and Playspace
- The Essex Design Guide
- Parking Standards: Design and Good Practice

## 7. **PARISH COUNCIL COMMENTS**

### 7.1 Objection, for reasons relating to:

- Harm to the setting of adjacent listed buildings
- Harm to the street scene
- Overshadowing of adjacent private footpath
- Overlooking of Nos. 274, 277 and 281
- Insufficient parking provision
- Unsustainable transport options
- Highway safety

## 8. **CONSULTATIONS**

### **ECC Highways**

#### 8.1 No objection subject to conditions relating to:

- Surface water runoff
- Access construction
- Visibility splays
- Surface treatment

### **ECC Ecology**

#### 8.2 No objection.

### **Conservation Officer**

8.3 Verbal comments: No objection. The surrounding area is developed with a number of detached and semi-detached houses, and the proposed dwelling would not cause significant harm to the setting of Green Farm Cottage. The design of the house is in keeping with the local vernacular.

### **Access and Equalities Officer**

8.4 The design meets the requirements of the SPD entitled 'Accessible Homes and Playspace'.

### **Thames Water**

8.5 No objection.

## 9. **REPRESENTATIONS**

9.1 Neighbours were notified of the application by letter and a notice was displayed near the site. Representations have been received, which raise the following concerns:

1. Loss of daylight to No. 281 and Old Cottage
2. Overlooking of No. 277, 281 and Old Cottage
3. Harm to street scene
4. Highway safety
5. Overdevelopment of the site
6. Harm to the setting of the adjacent listed buildings, Green Farm Cottage and Old Cottage
7. Insufficient parking provision
8. Overshadowing of private access path
9. Noise nuisance from vehicle movements
10. Light disturbance from vehicle movements
11. Damage to old pipework under the site

9.2 Points 1 to 10 are considered in the below appraisal. Point 11 is not a material planning consideration.

## **12. APPRAISAL**

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

- A Character of settlement (ULP Policy S3)
- B Compatibility with surrounding buildings (ULP Policy GEN2)
- C Setting of listed buildings (ULP Policy ENV2)
- D Nature conservation (ULP Policy GEN7)
- E Sustainable transport modes (NPPF)
- F Highway safety (ULP Policy GEN1 and GEN8; Parking Standards: Design and Good Practice)
- G Crime (ULP Policy GEN2)
- H Accessibility (ULP Policy GEN2; SPD Accessible Homes and Playspace)
- I Private amenity space (ULP Policy GEN2; The Essex Design Guide)
- J Living conditions of neighbours (ULP Policy GEN2; The Essex Design Guide)
- K Use of local services and facilities
- L Construction jobs

### **A Character of settlement**

10.1 It is considered that a detached dwelling on the site would be compatible with the pattern of development in this part of the village. It would fill a gap in a long row of residential properties lining Birchanger Lane. There is no conflict with Policy S3, which seeks to protect the rural character of villages such as Birchanger.

## **B Compatibility with surrounding buildings**

10.2 The street scene has a varied appearance, including pre- and post-20th century houses of different styles. The proposed design would have a number of similarities with Green Farm Cottage, and it is considered that the house would appear compatible with the existing street scene. There is no conflict with Policy GEN2, which seeks compatibility with surrounding buildings.

## **C Setting of listed buildings**

10.3 Green Farm Cottage is a Grade II listed building. It is acknowledged that the loss of space to the side of the cottage would affect views of the building. However, none of its special characteristics would be affected, and it is considered that the proposal is in keeping with the pattern of development in the area so there would be no significant harm to the setting of the cottage. Similarly, it is considered that the setting of the opposite Grade II listed building, Old Cottage, would not be harmed. There is no conflict with Policy ENV2, which seeks to protect listed buildings and their settings.

## **D Nature conservation**

10.4 While vegetation would need to be cleared to facilitate the proposed development, it is acknowledged that the Ecological Consultant has raised no objection to the proposal. It is therefore considered that harm to protected and priority species is unlikely. There is no conflict with Policy GEN7, which seeks to protect wildlife.

## **E Sustainable transport modes**

10.5 Prospective residents would be able to access a limited number of services and facilities within the village, including a primary school, recreation ground, social club and public house. Buses run to nearby Bishop's Stortford. It is therefore considered that residents would not necessarily rely on using the private car to access employment, services and facilities. There is no conflict with paragraph 34 of the NPPF, which seeks to minimise the need to travel and maximise the use of sustainable transport modes.

## **F Highway safety**

10.6 The proposal includes a new vehicular access onto Birchanger Lane, and would include two off-street parking spaces. Taking into account the comments of the Highway Authority, it is considered that the proposed access arrangements would not cause harm to highway safety. The proposed parking provision meets the Council's adopted standards for a three-bedroomed dwelling. While it is noted that the representations raise concern that an additional bedroom would be provided rather than a study, it is considered that the proposed layout would most likely lend itself to a three-bedroomed dwelling due to the downstairs location of the study. There is no conflict with policies GEN1 or GEN8, which seek safe vehicular access and appropriate parking provision respectively.

## **G Crime**

10.7 The proposed house would be positioned close to the property's boundary, causing some degree of enclosure to the private footpath which forms the access to Nos. 277 and 279. However, it is considered that the length of footpath affected by the development would be relatively small so there would be no significant increase in the likelihood of burglary or risks to personal safety. There is no conflict with Policy GEN2, which seeks crime reduction.

## **H Accessibility**

10.8 Taking into account the comments of the Access and Equalities Officer, it is considered that the proposal complies with the SPD entitled 'Accessible Homes and Playspace' which seeks an accessible layout for all.

## **I Private amenity space**

10.9 The proposal includes a private garden to the rear of the dwelling, measuring approximately 190 m<sup>2</sup>. Taking into account the minimum standard of 100 m<sup>2</sup> contained within 'The Essex Design Guide', it is considered that sufficient private amenity space would be provided.

## **J Living conditions of neighbours**

10.10 None of the proposed windows would face the rear of any existing dwelling, although the rear windows would face the side of No. 277. However, there are no windows on the side elevation of No. 277 so it is considered that there would be no overlooking impacts from the proposal.

10.11 It is considered that the dwelling would cause a material loss of daylight to the dining room at No. 281, which is served by a small side window at ground floor level. However, limited weight is given to this harm because the occupants of No. 281 have access to a well-lit kitchen/diner to the rear and living room to the front, which adjoins the dining room.

10.12 The living room at Green Farm Cottage would suffer a loss of daylight, albeit a material consideration is that concurrent applications have been made to move the affected window (UTT/14/1902/HHF and UTT/14/1903/LB). These applications for planning permission and listed building consent are recommended for approval. Should these applications be approved, a condition could be used to ensure that the proposed dwelling is not erected until the windows have been moved. This would eliminate overshadowing as an issue.

10.13 In the representations, concern has been raised that the vehicle movements associated with the proposal would cause harm to the living conditions of neighbours from noise and glare. However, it is considered that the level of use proposed, and its domestic nature, ensures that any impact would be minimal.

10.14 There is limited conflict with Policy GEN2, which seeks to avoid harm to the living conditions of neighbours.

## **K Use of local services and facilities**

10.15 Prospective residents may use local services and facilities including the recreation ground, social club and public house, which could contribute to their long term viability and benefit the community as a whole. Nevertheless, the impact of one new dwelling would be small so limited weight is given to this benefit.

## **L Construction jobs**

10.16 It is acknowledged that the proposed development would provide jobs during construction. However, limited weight is given to this benefit because it is temporary, and the jobs would be provided regardless of the location of the new dwelling.

### 13. CONCLUSION

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

- A There is no serious conflict with any relevant planning policies or guidance. While some loss of daylight could be experienced at 281 Birchanger Lane, the impact on the living conditions of the occupants is unlikely to be significant.

### RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

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. No development shall take place until the windows of Green Farm Cottage have been moved in accordance with planning permission reference UTT/14/1902/HHF and listed building consent reference UTT/14/1903/LB.

REASON: To protect the living conditions of neighbouring residential occupiers, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to commencement of the development, samples of the roof tiles and bricks to be used in the external finishes of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples.

REASON: To ensure compatibility with surrounding buildings and to protect the setting of the adjacent listed building, in accordance with policies GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

4. Prior to commencement of the development, details of the boundary treatment to be used (including height, layout and appearance) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

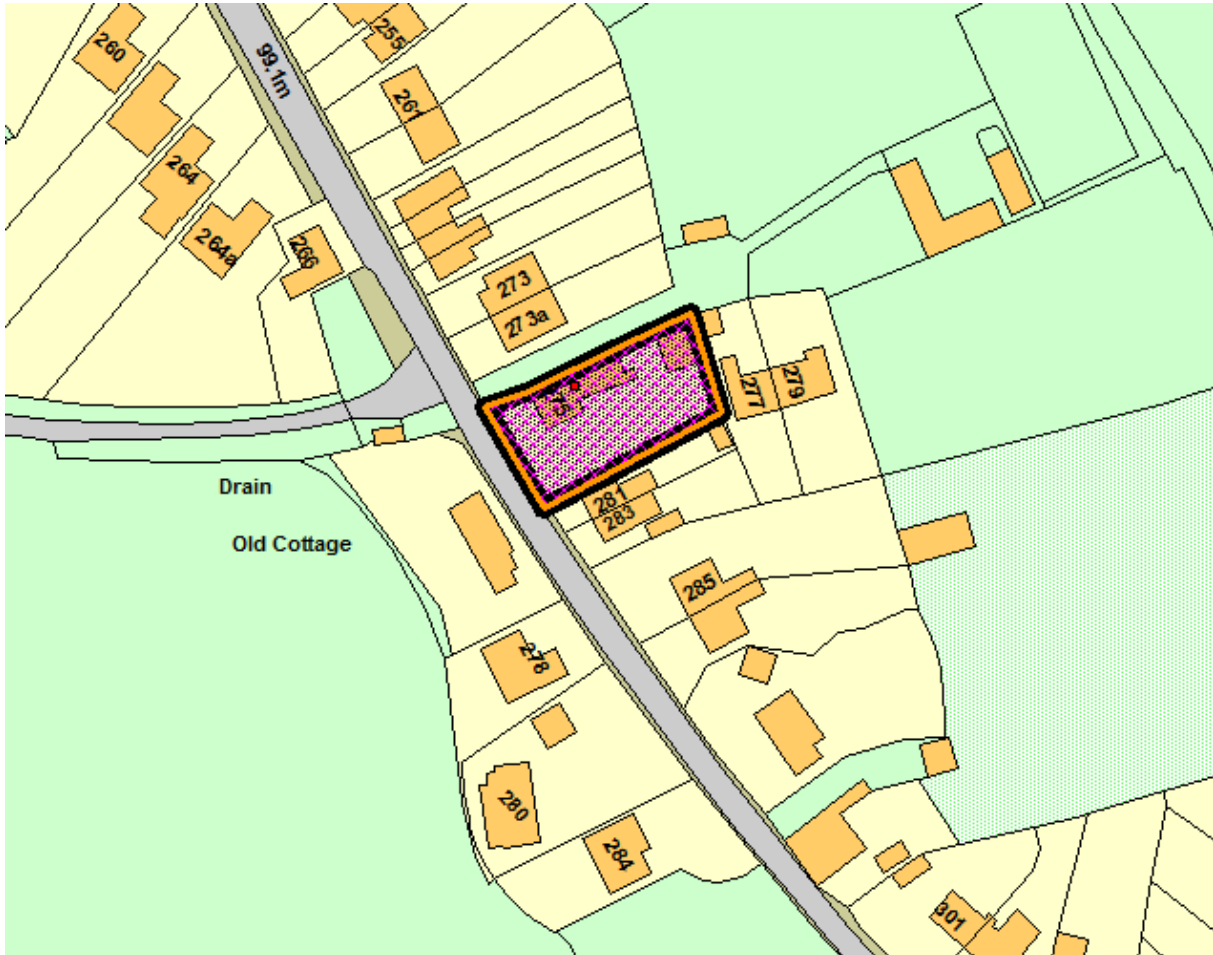
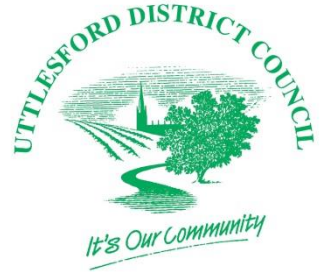
REASON: To protect the character of the area and the setting of the adjacent listed building, in accordance with policies S3 and ENV2 of the Uttlesford Local Plan (adopted 2005).

5. The hard surfaces to be formed to the front of the dwelling shall be made of porous materials, or provision shall be made to direct runoff water from the hard surface to a permeable or porous area within the curtilage of the dwelling.

REASON: To prevent risks to highway safety from surface runoff, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/1903/LB

Address: Green Farm Cottage  
275 Birchanger Lane  
Birchanger



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