

## UTT/15/2373/FUL (THAXTED)

(Referred to Committee by Cllr Foley. Reason: Public concern regarding a valuable community asset)

**PROPOSAL:** Proposed change of use to residential dwelling

**LOCATION:** Clarence House, Watling Street, Thaxted

**APPLICANT:** Mrs K O'Donnell

**EXPIRY DATE:** 16 September 2015

**CASE OFFICER:** Luke Mills

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### **1. NOTATION**

1.1 Within Development Limits; Conservation Area; Local Centre.

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

2.1 The application site is located off Watling Street in Thaxted. It accommodates a Grade I listed building, with a garden to the rear that is bounded by a Grade I listed wall. To one side is a driveway and a series of buildings associated with the main building.

### **3. PROPOSAL**

3.1 The application is for planning permission to change the use of the site to a dwelling. Its existing use is an adult education centre and library.

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

4.1 It is suggested in the applicant's supporting letter that Historic England is fully supportive of the proposed change of use, and that Essex County Council is aware of the proposal.

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

5.1 While a number of additions and alterations have been made to the property, there are no recent planning applications that are relevant to the present proposal.

### **6. POLICIES**

#### **6.1 National Policies**

- National Planning Policy Framework

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

- Policy S3 – Other Development Limits
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV1 – Design of Development within Conservation Areas

- Policy ENV2 – Development affecting Listed Buildings
- Policy ENV3 – Open Spaces and Trees
- Policy H1 – Housing Development
- Policy H3 – New Houses within Development Limits
- Policy RS3 – Retention of Retail and Other Services in Rural Areas
- Thaxted Local Policy 1 – Local Centre

### 6.3 **Guidance**

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

## 7. **PARISH COUNCIL COMMENTS**

7.1 Thaxted Parish Council wishes to make no comment.

## 8. **CONSULTATIONS**

### **Highway Authority (Essex County Council)**

8.1 No objection.

### **Historic England**

8.2 No objection. Extract:

“Although the building has been well looked after by Essex County Council (notwithstanding some compromises) during its long and valued public use, its return to single domestic use would be - a priority - wholly compatible with the conservation of its special architectural and historic interest. It would be fair to consider single domestic use to be the “optimum viable use” of the house and its ancillary structures.

Historic England consider the proposed change of use consistent with the National Planning Policy Framework’s provisions for the conservation of the historic environment and of designated heritage assets (NPPF, 7, 17, 131, 132). In particular we consider it to be consistent with the aim of “sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation” (NPPF, 131).”

## 9. **REPRESENTATIONS**

9.1 Neighbours were notified of the application by letter and notices were displayed near the site. No representations have been received.

## 10. **APPRAISAL**

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

- A Accordance with the development plan
- B Material considerations
- A Accordance with the development plan**

### **Housing development**

- 10.1 Policy H1 identifies locations for housing development, which include the reuse of existing buildings and previously developed land outside urban areas. Policy H3 follows on from this, explaining that new housing will be permitted within development limits if a number of criteria are met. The proposed new dwelling, which would reuse an existing building in walking distance of the village's services, facilities and public transport links, would meet these criteria.

### **Settlement character**

- 10.2 Policy S3 indicates that development will be permitted within the development limit of Thaxted if it would be compatible with the settlement's character and countryside setting. The application site is located close to a range of uses, including residential properties. Taking into account the original design of the building as a house, the proposal would respect the character of the settlement.

### **Sustainable transport**

- 10.3 Policy GEN1 states that development will only be permitted if it encourages movement by means other than driving a car. The application site is located within walking distance of a range of services and facilities serving the village, and a regular bus service provides access to Saffron Walden and Stansted Airport. Occupiers of the dwelling would not be heavily reliant upon car use.

### **Community facilities**

- 10.4 Policy RS3 strictly controls the change of use of community facilities in rural areas, and lists a number of examples including shops, public houses and village halls. While an adult education centre may be valuable to its users, it is not one of the listed examples, nor is it of the same nature as those listed. It is a County Council operated facility which serves a wider community than those in the village, and may be moved to alternative locations in the county as is deemed appropriate. This is distinct from shops, public houses, village halls and the other examples, which provide vital day-to-day services specifically for residents of, and visitors to, the village and its immediate surroundings. It is therefore considered that the proposal does not breach Policy RS3.

### **Road safety**

- 10.5 Policy GEN1 states that development will only be permitted if access to the main road network is capable of carrying the traffic generated by the development safely, and if its design would not compromise road safety and would take account of the needs of all road users. The proposal utilises the existing site access off Watling Street. Taking into account the comments of the Highway Authority, it is considered that the proposal complies with the policy.

### **Design**

- 10.6 Policy GEN2 states that development will not be permitted unless it provides an environment which meets the reasonable needs of all potential users. The policy is supplemented by the SPD entitled 'Accessible Homes and Playspace', which requires compliance with the Lifetime Homes standards. The existing buildings do not fully meet the criteria of the SPD.

- 10.7 Policy GEN2 states that development will not be permitted unless it has regard to guidance on layout and design. The policy is supplemented by 'The Essex Design Guide', which includes guidance on the provision of private amenity space. The proposed garden is larger than 100 sq. m, in accordance with the guidance.
- 10.8 Policy GEN2 states that development will not be permitted unless it would avoid materially adverse impacts on the reasonable occupation and enjoyment of a residential property. The policy is supplemented by 'The Essex Design Guide', which includes guidance on issues such as loss of privacy and loss of daylight. There are no existing impacts on neighbouring properties that would be compounded by the proposed change of use, and the occupiers of the new dwelling would not experience adverse impacts on their living conditions.

### **Vehicle parking**

- 10.9 Policy GEN8 states that development will not be permitted unless the number, design and layout of vehicle parking places are appropriate for the location. This policy is supplemented by 'Parking Standards: Design and Good Practice' and 'Local Residential Parking Standards', which set minimum parking standards to prevent on-street parking. The existing driveway benefits from ample space to park at least three vehicles, in accordance with the parking standards.

### **Listed building**

- 10.10 Policy ENV2 states that development affecting a listed building should be in keeping with its scale, character and surroundings. Taking into account the comments of Historic England, it is considered that the proposed use is the optimum use for the building. The proposal does not include any operational development so there would be no effect on its appearance.

### **Conservation area**

- 10.11 Policy ENV1 states that development will be permitted if it would preserve or enhance the character and appearance of the essential features of a conservation area. Taking into account the above assessment in relation to the listed building, there would be no effect on the conservation area.

### **Trees**

- 10.12 Policy ENV3 states that the loss of important groups of trees and fine individual tree specimens will not be permitted unless the need for the development outweighs their amenity value. While a tree on the site is protected by a Tree Preservation Order, no operational development is proposed so it would not be affected by the proposal.

### **Local centre**

- 10.13 Thaxted Local Policy 1 applies strict control in the defined Local Centre for change of use of shops, restaurants, public houses and hot food takeaways to residential uses. It is silent on the type of change of use proposed and is therefore not applicable.

### **Conclusion on the development plan**

- 10.14 The proposal does not comply with the part of Policy GEN2 that relates to accessibility. However, given the need to preserve the character of the listed building in accordance with Policy ENV2, it is considered that the shortcomings in terms of accessibility are

outweighed by the benefit of converting the building to its optimum viable use. The proposal complies with all other relevant policies so it is generally in accordance with the development plan.

## **B Material considerations**

### **National Planning Policy Framework (NPPF)**

10.15 Paragraph 14 explains that at the heart of the NPPF is a presumption in favour of sustainable development. This states that development proposals that accord with the development plan should be approved without delay. Taking into account the policies of the NPPF as a whole, it is considered that there are no considerations which indicate that an alternative decision should be taken.

### **Asset of Community Value**

10.16 The site has been listed as an Asset of Community Value in accordance with the Localism Act 2011 and the Community Right to Bid. This listing ensures that the community is given the opportunity to purchase the asset when it is advertised for sale. While this is an indication of the value of the facility to the local community, it does not override planning policies that are designed to guide planning decisions. It is noted that a local community group has had the opportunity to purchase the asset, but a sale was not agreed.

## **11. CONCLUSION**

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

A The proposal is in accordance with the development plan, and there are no material considerations that indicate that planning permission should be refused.

### **RECOMMENDATION – CONDITIONAL APPROVAL**

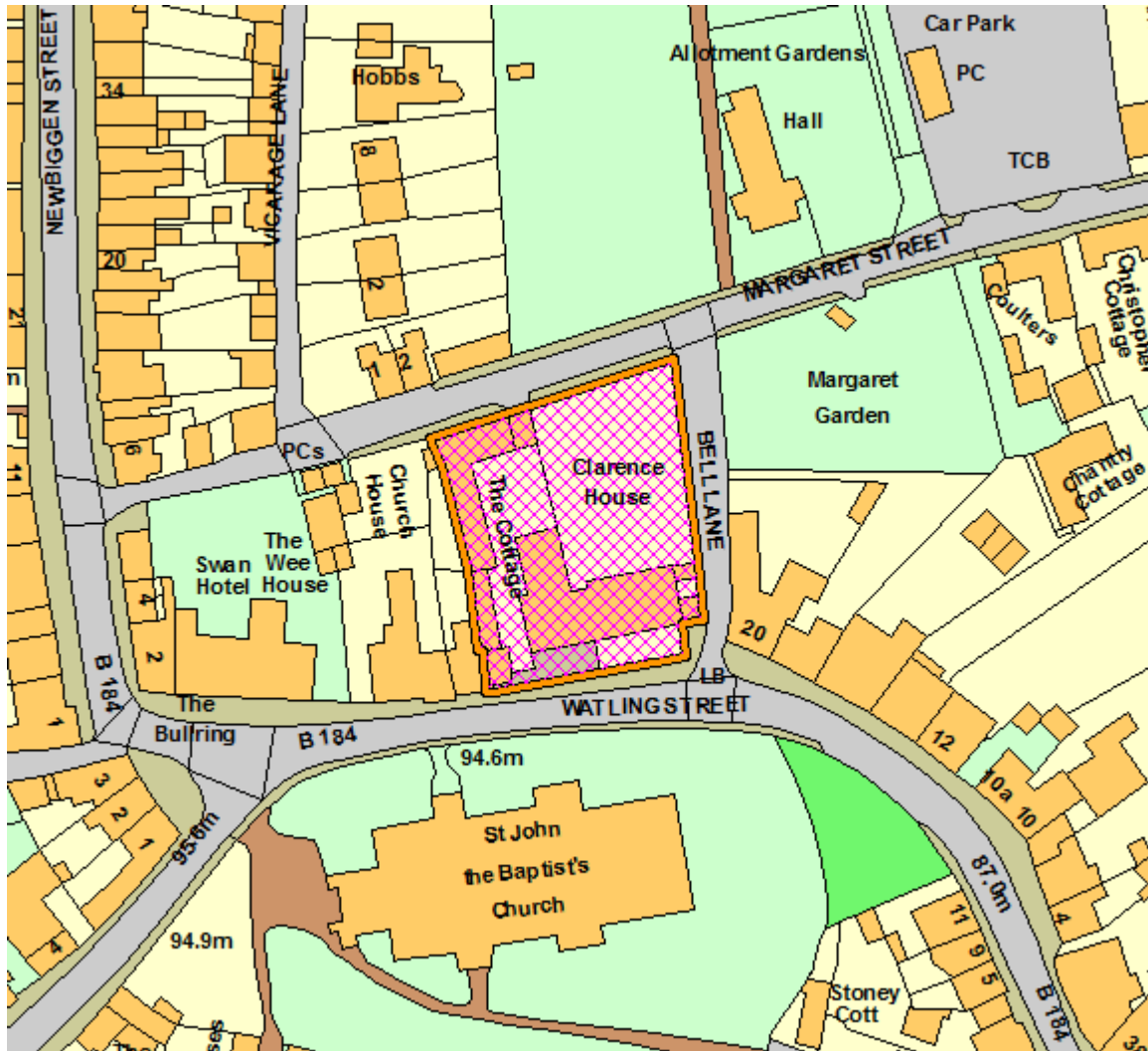
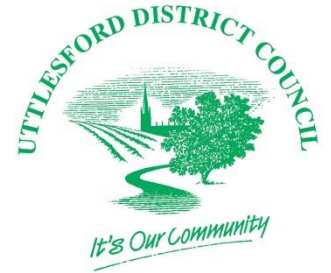
Conditions/reasons

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.

Application no.: UTT/15/2373/FUL

Address: Clarence House, Watling Street, Thaxted



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Organisation: Uttlesford District Council

Department: Planning

Date: 1 September 2015

SLA Number: 100018688