

UTT/15/2449/FUL - LITTLEBURY

(Applicant a former Ward Councillor and former Member of the Council's Planning Committee)

PROPOSAL: Conversion and extension of existing barn to provide a one bedroomed annexe.

LOCATION: Paddock rear of Walnut Tree Cottage, Littlebury Green Road, Littlebury.

APPLICANT: Mrs J Menell.

AGENT: Hibbs & Walsh Associates Ltd.

EXPIRY DATE: 28 September 2015 (extended to 28 October 2015).

CASE OFFICER: Mr C Theobald

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The application site is situated towards the end of Littlebury Green Road on its north side and comprises a range of single storey corrugated roofed timber and blockwork outbuildings with separate cart shed to the front used for domestic stabling and storage purposes which extend in a line to the rear of Walnut Tree Cottage, an attractive 1½ storey thatched cottage set back from the road frontage at the end of a long entrance drive, together with enclosed land to the side of the range which is used as additional garden land/smallholding in association with the residential use of that property. Further paddocks lie to the rear of the site. The land within the site is flat.

2.2 Littlebury Green comprises a small linear settlement whereby two storey dwellings front onto the road to the east of the site, whilst a two storey cottage set within extensive grounds (Old Rose Cottage) lies to the immediate west.

3. PROPOSAL

3.1 This proposal relates to the conversion and extension of the existing outbuilding range, including the frontage cart shed to provide a one bedroomed self-contained residential annexe which would accommodate the applicant who currently resides in the main dwelling at the site (Walnut Tree Cottage) and represents a revised application to withdrawn application UTT/15/0787/FUL relating to a similar although larger annexe proposal for this site.

3.2 The principal outbuilding range beyond the frontage cart shed would be extended in width by approximately 1 metre on either side for approximately 4/5ths of its length, whilst the corrugated roof which exists to the range would be replaced with a pitched roof comprising oak shingles. The new external walls to the altered structure would comprise compacted straw bale with a lime render finish. The existing clay tiled roof and external feather-edged boarding for the existing frontage building to be converted would remain. New windows for the new window openings for the annexe would

comprise flush casements. The design scheme would still allow for vehicular access to be gained to the rear of the building range as converted/extended from the front driveway of Walnut Tree Cottage as presently exists.

4. APPLICANT'S CASE

4.1 A Design and Access Statement has been submitted with the application which states as follows:

“The applicant has lived in Walnut Tree Cottage for many years. However, the cottage does not have level floors and the bedroom accommodation is on the first floor. Mrs Menell has no wish to leave Littlebury Green and this application is therefore for a fully accessible annexe with a ground floor bedroom and bathroom”.

4.2 The statement goes on to say that the existing outbuilding range is constructed of poor quality materials and has no aesthetic value by reason of its appearance and generally detracts from the site's rural setting, that the converted/extended building would by reason of its improved appearance compliment the rural setting of Walnut Tree Cottage, that the building would be constructed of highly sustainable materials and would be fully accessible/future proofed for disabled use.

4.3 The application is accompanied by an ecology survey report relating to Great Crested Newts prepared by JP Ecology dated 4 June 2015 and also requested information from ECC Ecology relating to bats.

5. RELEVANT SITE HISTORY

5.1 A previous planning application for a proposed annexe at Walnut Tree Cottage was withdrawn upon Officers' advice earlier in 2015 as the converted/extended outbuilding range as shown for that application partially incorporated a two storey element at the front end and provided a total of three bedrooms across both floors as self-contained residential accommodation whereby it was considered that the modified structure did not constitute an ancillary annexe to the main dwelling on the site but was tantamount instead to representing a new dwelling in the countryside which would have been contrary to the countryside protection aims of ULP Policy S7 of the adopted local plan had the application been determined (UTT/15/0787/FUL).

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy S7 – The Countryside
- ULP Policy GEN2 – Design
- ULP Policy GEN7 – Nature Conservation

7. PARISH COUNCIL COMMENTS

7.1 Comments not received.

8. CONSULTATIONS

Essex County Council Ecology

- 8.1 I note the results of the Great Crested Newt Survey (June 2015) which indicates that a non-breeding population inhabit ponds close to the site and that a breeding pond exists beyond managed lawns and the road. The report concludes that the proposal is “highly unlikely” to result in a contravention to wildlife law subject to appropriate mitigation. These mitigation measures are provided in Section 6.2 of the report and should be adhered to in full.
- 8.2 I note that the barn which forms part of the outbuilding range (cart shed) has not had a bat survey undertaken of it. I am unsure of the construction style of this structure and whether it would be a suitable structure for bats to inhabit and would welcome some photographs from the applicant showing all aspects of the building and preferably any loft void so that I can determine whether or not a bat survey is necessary prior to determination of the application.

Access and Equalities Officer

- 8.3 The application meets the requirements of the SPD on Accessible Homes and Playspace.

9. REPRESENTATIONS

- 9.1 No representations received. Neighbour notification period expired 28 August 2015.

10. APPRAISAL

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

- A Countryside protection / Design (NPPF and ULP Policies S7 and GEN2)
- B Whether the proposal would be harmful to protected species (ULP Policy GEN7)
- C Impact on neighbouring residential amenity (ULP Policy GEN2)

A Countryside protection / Design (NPPF and ULP Policies S7 and GEN2)

- 10.1 ULP Policy S7 of the adopted local plan has a clearly stated presumption against development within the countryside except for that which needs to take place there or is appropriate to a rural area. It is generally accepted, however, that appropriate development includes limited extensions and alterations to dwellings situated within the rural areas and it is for each proposal to be considered on its merits with regard to its impact on countryside character. ULP Policy GEN2 states amongst other design criteria that development shall be compatible with the scale, form, layout, appearance and materials of surrounding buildings, does not have a materially adverse effect on the occupiers of neighbouring dwellings and has due regard to Supplementary Design Guidance.
- 10.2 The proposed annexe building the subject of this revised application would stand on the approximate footprint of the existing outbuilding range behind and within close proximity of the main dwelling on the site and would be restricted to single storey height as one bedroomed self-contained accommodation to Walnut Tree Cottage. As such, the annexe as re-designed and as reduced in scale from withdrawn application UTT/15/0787/FUL would appear as an ancillary and subordinate building to the main dwelling in terms of its presented form, size and physical relationship and would in the

circumstances represent an acceptable annexe “extension” to the dwelling of limited size at this rural location outside development limits under the rural provisions of ULP Policy S7 and be acceptable in terms of its revised design as negotiated with the Council for the current application under ULP Policy GEN2 whereby the annexe building as introduced would represent a visual enhancement on the existing outbuilding range in terms of its impact on the rural amenities of the immediate area.

B Whether the proposal would be harmful to protected species (ULP Policy GEN7)

10.3 As previously mentioned, the site is within close proximity of ponds and surrounding terrain which have been identified within the applicant’s accompanying ecology survey report as in some cases being good aquatic breeding, non-breeding and terrestrial habitats for Great Crested Newts (GCN’s) with one pond located 150-200 metres away from the site being the main breeding pond. The conclusions from the survey are as follows:

“Based upon the Great Crested Newts population class assessment only very small numbers of Adult Great crested newts, 4 maximum during early May, were found on the site. <10 = low. Small numbers of Great Crested Newts were found to be present. However, no evidence of egg laying was found during any of the surveys suggesting the ponds are not being used as breeding ponds and the newts found on the site were an outlying population of young and foraging newts. The main breeding pond was located 150-200m away and separated by close mown lawn and a road”.

10.4 The executive summary for the report states that “Subject to the mitigation recommendations outlined below, it is reasonable to conclude that the development will be highly unlikely to result in an offence” and further that “Subject to the development being undertaken in accordance with the detailed mitigation measures included then it is reasonable to assume the risk of causing harm to individual newts will be negligible”.

10.5 ECC Ecology have been consulted on the proposal and has advised that it has noted the findings of the applicant’s ecology survey report relating to Great Crested Newts and that it raises no objections to the proposed outbuilding scheme in terms of nearby newt activity providing that the newt mitigation measures put forward in the report are adhered to in full to reduce any harm to this protected species. The applicant has provided further details to the Council relating to the condition of the frontage cart shed as requested by ECC Ecology. In response, ECC Ecology have stated in an email to the Council dated 30 September 2015 that the building is open to the front and rear and that the roofing tiles appear tightly sealed and further that the cut timber construction is unlikely to provide any suitable crevices for roosting bats. Taking these factors into account, it advises that it does not consider a bat survey to be necessary as there is not a ‘reasonable likelihood’ of bats being present. As such, the proposal would not be contrary to ULP Policy GEN7 in terms of impact upon protected species.

C Impact on neighbouring residential amenity (ULP Policy GEN2)

10.6 The annexe by reason of its single storey nature, its distance to the flank boundary with Old Rose Cottage situated to the immediate west (some 30 metres) and the enclosed nature of that boundary would mean that the proposal would not have any significant, if any detrimental effect on the residential amenities of that nearby property and the proposal would not therefore be contrary to ULP Policy GEN2.

11. CONCLUSION

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

- A The proposed annexe building would not have a significant harmful impact on the rural amenities of the area at this location by reason of its reduced scale and level of accommodation to be provided and would be acceptable in terms of design.
- B The development would not have a harmful impact on protected species.
- C The proposal would not have a detrimental impact upon residential amenity.

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. The development hereby permitted shall be carried out in strict adherence to the mitigation measures and “Generic Method Statement for Reptiles and Amphibians” as set out on pp12-15 of the “Ecology Survey Report for Protected Species (Great Crested Newts) Presence / Presence & Population Assessment” prepared by JP Ecology dated 4 June 2015.

REASON: To ensure that the development hereby permitted does not cause harm to protected species which have been identified as being present within the immediate vicinity of the site in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Application number: UTT/15/2449/FUL

Location: Paddock At Rear Of Walnut Tree Cottage Littlebury Green Road Littlebury



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Organisation: Uttlesford District Council

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