

## UTT/17/1124/FUL (GREAT CANFIELD)

Referred to Committee by Cllr Keith Artus – Development would have an overbearing impact on the street scene, the countryside and impact the setting of the listed building.

**PROPOSAL:** Section 73 retrospective application for the erection of a building for stables with associated storage and hay and feed store.

**LOCATION:** Haydens End, Green Street, Great Canfield

**APPLICANT:** Mr and Mrs Earthy

**AGENT:** Penny Little

**EXPIRY DATE:** 15 June 2017

**CASE OFFICER:** Lindsay Trevillian

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### **1. NOTATION**

- 1.1 Outside development limits  
Setting of Listed Building  
Protected Lanes (Green Street)

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

- 2.1 The application site as outline in blue on the submitted location plan is located on the eastern corner of Green Street and Cuckoos Lane outside of the hamlet known as Great Canfield. The site itself has a gradual slope that rises up from its frontage along Green Street towards the rear boundary and is irregular in shape.
- 2.2 Located centrally within the residential curtilage of the site is a one and half storey grade two listed building that is externally finished from cream painted render and consists of a thatched roof. A detached building located to the north of the dwelling house within its residential curtilage has recently been granted permission to be used as a residential annex ancillary to the dwelling house.
- 2.3 Outside the residential curtilage and located north of the existing residential annex is a detached one and half storey building that has been unlawfully developed and is subject to this planning application. The building is shaped like an 'L' and is externally finished from horizontal timber weatherboarding siting on a brick plinth.
- 2.4 Access to the site is via the existing crossover of Cuckoo Lane with the driveway leading up to the dwelling house and the detached building subject to this application. Off Street parking is located on the hardstanding area of the driveway. A modest private amenity area surrounds the existing dwelling house and residential annex.

### **3. PROPOSAL**

- 3.1 It should firstly be noted that planning permission was granted under application UTT/14/0141/FUL that amongst other things allowed for two detached buildings. One of which was to be used as stables and the other for a machinery store with a wash down area and feed room.

- 3.2 During the construction of these buildings, the applicant unlawfully linked the two buildings together that effectively turned the two buildings into one large building which is now subject to this retrospective proposal. Furthermore the so called two buildings were not constructed in accordance with the approved plans. Although the building footprint and siting of the buildings were built in accordance of the approved plans, the height of them were not. The height of the stable building to its ridge has been constructed 500mm lower than that approved whilst the storage building has been constructed on average 100mm higher. In addition, further window and door opening have been inserted and the use of different external finishing materials was used.
- 3.3 Retrospective planning permission is thereby sought by the applicant to regularise the unlawful works as explained above. It should be noted that the residential curtilage is not proposed to be extended as part of this planning application.

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

- 4.1 Apart from the submitted application form and plans, no other documentation was submitted by the applicant in support of the proposal.

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

- 5.1 The most relevant recorded planning history in relation to this application is as follows:

UTT/14/0141/FUL - Proposed change of use of land from agricultural to paddock/grazing equestrian land. Erection of stable block and stables, feed, tack, store and vehicle storage building. (approved with conditions)

UTT/16/1189/HHF - Retrospective application for the erection of an ancillary workshop and store (refused)

- 5.2 The latest planning application was refused as it was considered that the increase in the size of the residential curtilage of the property would harm the character and appearance of the location and fails to accord with Policy S7. Furthermore the visual appearance of the building was considered to appear domestic and the scale and height of the building would resulted in a building that would not subservient to the main dwelling and impact upon its historical setting contrary to GEN2 and ENV2.

#### **6. POLICIES**

##### **6.1 National Policies**

- National Planning Policy Framework

##### **6.2 Uttlesford Local Plan (2005)**

- Policy S7 – The Countryside  
- Policy GEN1 – Access  
- Policy GEN2 – Design  
- Policy ENV2 – Development effecting listed buildings  
- Policy ENV9 – Historical Landscapes

#### **7. PARISH COUNCIL COMMENTS**

7.1 Objects for the following reasons:

- The parish council is concerned that the building has been constructed in view to domestic use and not for the proposed intended purposes.
- There is no design and access statement submitted with the application to confirm the materials of the building.
- The proposals domestic appearance, size and scale are inappropriate contrary to local policy GEN2.
- The proposed development would result in detrimental harm to the existing listed building contrary to local policy ENV2

## 8. CONSULTATIONS

8.1 There was statutory requirement to consult to either internal or external consultees.

## 9. REPRESENTATIONS

9.1 The application was publicised by sending 1 letter to adjoining occupiers, the displaying of site notices and notification within the local paper. No representations received at the time of writing this appraisal.

## 10. APPRAISAL

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

- A Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policies S7 & GEN2)
- B Residential Amenity (ULP Policies GEN2 & GEN4 and NPPF)
- C Other issues

### **A Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policies S7 & GEN2)**

10.1 Unlawful works were carried out as part of the construction of the two buildings that were granted planning permission under UTT/14/0141/FUL and as such planning permission is sought to regularise these works as describe within section three of this appraisal.

10.2 Therefore one of the main issues is whether these works are appropriate in terms of their design and appearance. The guidance set out in Paragraph 58 of 'The Framework' stipulates that the proposed development should respond to the local character, reflect the identity of its surroundings, optimise the potential of the site to accommodate development and is visually attractive as a result of good architecture.

10.3 Local Plan Policy GEN2 seeks to promote good design requiring that development should meet with the criteria set out in that policy. Regard should be had to the scale form, layout and appearance of the development and to safeguarding important environmental features in its setting to reduce the visual impact of the new buildings where appropriate.

10.4 The main issue that needs to be given considerable weight is whether the additional link element between the two buildings thereby creating one larger single building is

appropriate or not in terms of the additional bulk and massing it creates and how it appears in relation to the street scene and the surrounding area.

- 10.5 Although the link element is minor in nature on its own, it does however result in one larger building instead of two modest size buildings. However it is considered that the additional built form as a result if the link element is such that on balance the overall built form of the building as a whole is appropriate. Consideration has also been given in relation to the height differentials from that of which was previously granted permission. It is considered that the size and scale of the building is acceptable on balance.
- 10.6 Amendments have been made since the submission of this application to make the building appear more traditional to reflect the rural setting in terms of its appearance and less domestic like. A number of windows have now been blocked up reducing the amount of glazing. It is noted that a substantial amount of glazing has been inserted in the gable end at first floor level on the rear elevation. On balance this is considered to be acceptable as due to significant vegetation along the boundary, this part of the building containing the glazing is heavily screened with limited public views.
- 10.7 Furthermore, the additions and alterations would result in less than substantial harm to the historical significance and setting of the existing grade two listed dwelling house. In addition they would result in less than substantial harm historical significance of Green Street which is defined as a protected lane within the Local Plan. As such the proposal is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and Local Policies ENV2 and ENV9 of the Uttlesford District Local Plan.
- 10.8 The proposal as a whole on balance would not result in a detrimental impact to the character and appearance of the surrounding countryside, the existing street scene and the existing dwelling house. The proposal is thereby in accordance with the National Planning Policy Framework and Local Policy GEN2 of the Uttlesford District Local Plan.

**B. Residential Amenity (ULP Policies GEN2 & GEN4 and NPPF)**

- 10.9 Due consideration has been given in relation to the potential harm cause to the amenities enjoyed by adjoining residential property occupiers.
- 10.10 The relative separation distance between adjoining dwellings and the existing residential annex as illustrated on the location plan and the orientation are such that it is considered that no significant adverse harm would be cause to the amenities of adjoining property occupier's particular in relation to loss of light, privacy and visual blight.
- 10.11 It is considered therefore that the development could be accommodated without significant adverse impact upon the amenity of existing and future residents in accordance with Policy GEN2 and the policies of the NPPF.

**C. Other Issues:**

10.12 It is considered that the proposed application would not give rise to increase flood risk on the site or elsewhere or result in detrimental harm upon biodiversity or ecology. It would also not result upon existing mature vegetation along Cuckoos Lane.

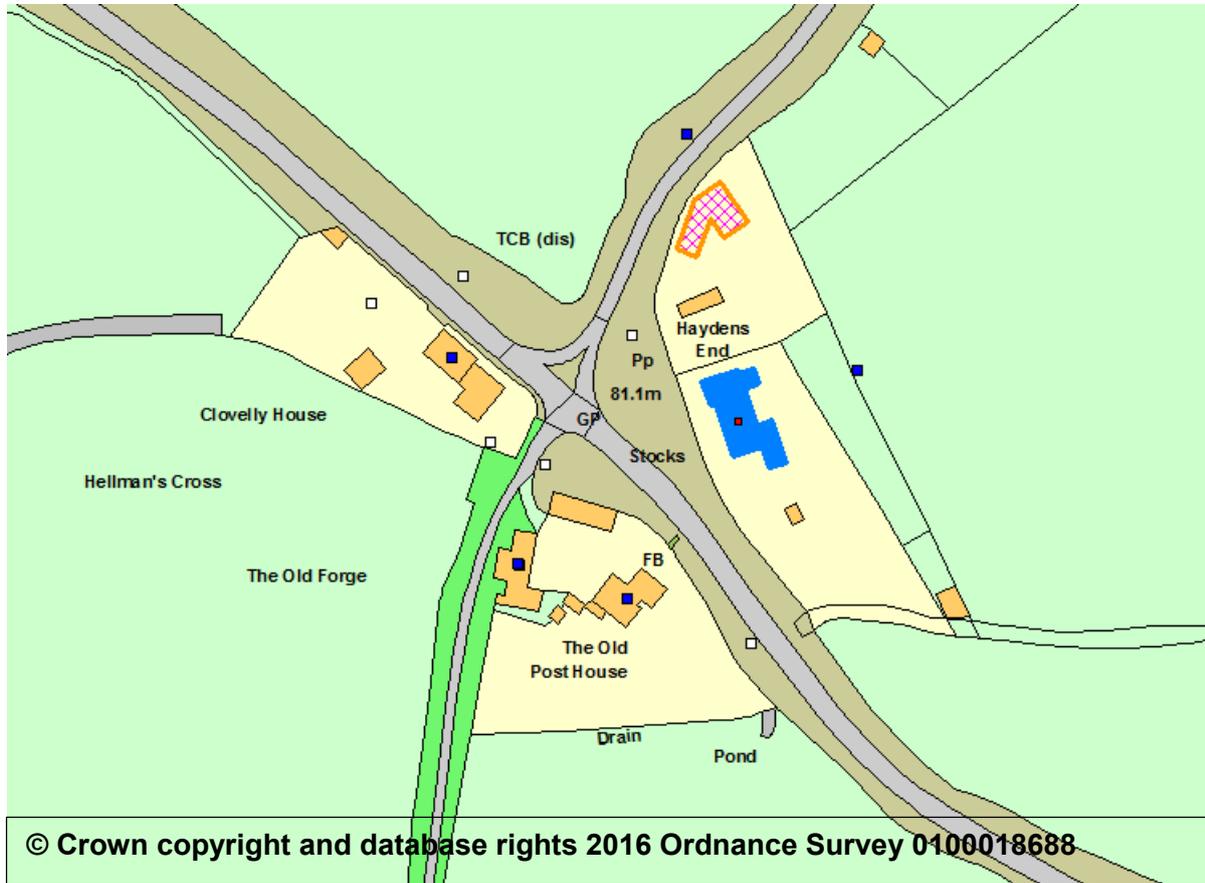
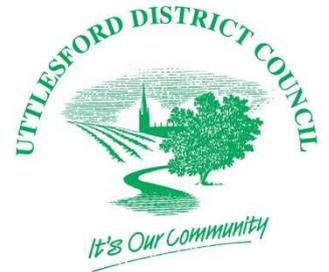
## **11. CONCLUSION**

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

- A The further alterations and works in addition to what was granted planning permission under UTT/14/0141/FUL are appropriate in that the design and appearance of the building as a whole would not result in a detrimental impact to the surrounding countryside, the street scene and the existing dwelling house.
- B. The proposed development would not result in excessive significant harm to the amenities enjoyed by adjoining occupiers.

## **RECOMMENDATION – Approve**

Application: UTT/17/1124/FUL  
Address: Haydens End Green Street Great Canfield



Organisation: Uttlesford District Council  
Department: Planning  
Date: 21 June 2017