

UTT/17/1037/FUL (HATFIELD HEATH)

(MAJOR)

PROPOSAL: Conversion of Foxgloves Farm into three dwellings, conversion of domestic barn into two dwellings and conversion of cart lodge into a single residential dwelling.

LOCATION: Foxglove Farm, Dunmow Road, Hatfield Heath

APPLICANT: Mr K Gregory

AGENT: Mr J Salmon

EXPIRY DATE: 7th June 2017

CASE OFFICER: Lindsay Trevillian

1. NOTATION

- 1.1 Metropolitan Green Belt
Tree Preservation order
Listed buildings to the south although not abutting the site
Ancient Monument to the south although not abutting the site

2. DESCRIPTION OF SITE

- 2.1 The application site as outline in red on the submitted location plan is located on the eastern side of Dunmow Road (B183) approximately 700m north of the village of Hatfield Heath. The site itself is relatively level, mainly rectangular in shape and consists of approximately 0.64 of a hectare in size.
- 2.2 A large double storey dwelling house consisting of front and rear gable projecting features with further single storey elements is located centrally within the site with its principle elevation facing north. A large private amenity area containing the normal residential paraphernalia surrounds the dwelling house. The modest size hedgerow is located around the perimeter of the site. Larger dense mature vegetation is located to the west in which part is covered by a blanket tree preservation order.
- 2.3 Set within the residential curtilage near the south western corner of the site is a large barn that is currently used for offices (B1 use) and domestic purposes ancillary to the dwelling house. Planning permission was recently granted consent (Ref: UTT/16/1160/FUL) for this building to be converted into a single dwelling although it should be noted that the works for this have not commenced. In addition, a single storey open three bay cart lodge is located to the north east of the existing dwelling house.
- 2.4 Access to the site is via the existing vehicle crossover off Dunmow Road in which a long private driveway leads up to the dwelling house and larger barn. Off Street Parking is located on the hard standing area or within the existing cart lodge.
- 2.5 The application site is set off Dunmow Road and is located behind 5 small bungalows which are known as 'Lea Hall Bungalows', and these abut onto the western and southern boundaries of the site. Open fields some used for agriculture

and others used for the keeping of horses containing ancillary facilities are located to the north and east of the site.

3. PROPOSAL

- 3.1 Planning permission is sought to convert the existing dwelling house into three separate dwellings, to convert the existing barn into two dwellings and to convert the cart lodge into a single dwelling house. A total of 6 dwelling houses are proposed as a result of the conversions.
- 3.2 The conversion of the existing dwelling house to form three dwellings requires further additions to the building to provide additional living accommodation for plots 3 and 5. A double storey side extension is to be erected for plot 3 whilst a first floor side extension over the existing single storey element is to be erected for plot 5. Further internal alterations are required such as blocking up door openings and inserting new partition walls.
- 3.3 Works to the larger barn that is to be converted into two dwellings includes the demolition of the single storey rear element of the building, the addition of a single storey side extension for plot 1 and internal and external alterations that include the removal and insertion of new openings and new internal partition walls.
- 3.4 The building footprint and the size of the cart lodge is not proposed to be increased as a result of the conversion. Proposed works to the cart lodge include once again the insertion of new openings and enclose the existing front open bays with new glazing.
- 3.5 Each of the proposed dwelling houses would be provided with their own amenity space with ancillary landscaping and off street parking. A circular hardstanding area extending off the existing driveway would provide vehicle access to all of the dwellings.

4. APPLICANT'S CASE

- 4.1 The applicant has provided a Planning Statement of conformity in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. The applicant concludes that the conversion of the buildings in principle is appropriate with National and Local policies without the need for major works and as such the development would not result in harm to the Green Belt.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0876/89 - Outline application for erection of an agricultural dwelling (approved)
- 5.2 UTT/1506/89 - Erection of agricultural dwelling and garage (outline approval under reference UTT/0876/89) (approved)
- 5.3 UTT/0700/93 - Renewal of erection of agricultural dwelling and garage (previously approved under UTT/1506/89) (approved)
- 5.4 UTT/1473/08/FUL - Retrospective change of use from agriculture to garden and construction of pond and wildlife meadow (approved)
- 5.5 UTT/2003/08/CLE - Certificate of Lawfulness to confirm that Foxglove Farm can be

occupied without compliance with condition C.22 of planning permission UTT/0700/93/FUL which restricts occupation of the dwelling to persons solely employed or last employed in agriculture following occupation of the dwelling since 1995 by persons not employed in agriculture. (Lawful)

- 5.6 UTT/0913/10/CLP - The proposal is for extensions to the dwelling house known as Foxglove Farm. The extensions comprise a two storey rear extension, two single storey front extensions, and the addition of two chimneys. (Lawful)
- 5.7 UTT/1504/10/FUL - Proposed ground floor extension (approved)
- 5.8 UTT/13/1159/CLP - Proposed rear two storey extension (lawful)
- 5.9 UTT/14/1545/FUL - Retrospective application for change of use of part of domestic outbuilding to Class B1(a) office (approved)
- 5.10 UTT/15/0712/CLP - Construct a two storey extension to the front principal elevation of the original dwelling house. (Lawful)
- 5.11 UTT/15/3810/HHF - Proposed conversion of domestic barn to residential annexe (withdrawn)
- 5.12 UTT/16/1160/FUL - Conversion of barn to dwelling (approved)

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

- Policy S6 – Green Belt
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN3 – Flood Protection
- Policy GEN4 – Good Neighbourliness
- Policy GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV2 – Development effecting listed buildings
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy H1 – Housing development
- Policy H5 – Subdivision of Dwellings.
- Policy H6 – Conversion of Rural Buildings to Residential Use
- Policy H9 – Affordable Housing
- Policy H10 – Housing Mix

6.4 Supplementary Planning Policy

- SPD Accessible Homes & Play Space
- SPD Parking Standards Design & Good Practice September 2009
- SPD Essex Design Guide

7. PARISH COUNCIL COMMENTS

7.1 No representation received at the time of writing this appraisal.

8. CONSULTATIONS

ECC Highways:

8.1 No objection:-

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

ECC Ecology Advice:

8.2 No objection subject to conditions.

Stansted Airport:

8.3 No objection:-

The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with any safeguarding criteria. Accordingly, the Aerodrome Safeguarding Authority for Stansted Airport has no safeguarding objections to the proposal.

Historic England:

8.4 On the basis of the information available to date, we do not wish to offer any comments.

UDC Conservation officer:

8.5 Advised they wished to make no comments.

UDC Environmental Health officer:

8.6 No objection.

9. REPRESENTATIONS

9.1 The application was publicised by sending 11 letters to adjoining occupiers, the displaying of site notices and notification within the local paper. Two letters of objection have been received at the time of writing this appraisal that raise the following concerns:

- The proposal would result in a loss of privacy as a result of overlooking.
- The proposed dwellings would increase general levels of noise.
- Additional traffic would result in further noise and pollution along the access road which backs onto our property.
- The new dwellings would result in further traffic congestion and harm to highway safety.
- The development would set a precedent for other unacceptable green belt developments on adjoining fields.

10. APPRAISAL

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

- A The principle of development of this site for residential development (ULP Policy H5 & H6 and NPPF)
- B Whether the proposal would harm the openness and character of the Metropolitan Green Belt (ULP Policy S6 & NPPF)
- C Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2)
- D Impact upon the setting of the heritage assets (ULP ENV1, ENV4 NPPF and Listed Building and Conservation Area Act 1990)
- E Access to the site and highway issues (ULP Policies GEN1, GEN8 and NPPF)
- F Mix of Housing and Affordable Housing (ULP Policies H9, H10 and NPPF)
- G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 ENV7, ENV8 and NPPF)
- H Drainage and Flood Risk (ULP Policies GEN3, GEN6 and NPPF)
- I Residential Amenity (ULP Policies GEN2 & GEN4 and NPPF)

A The principle of development of this site for residential development (ULP Policy, H5 & H6 and NPPF)

- 10.1 Paragraph 14 of the NPPF requires development that is regarded as being sustainable to be granted. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. It is therefore necessary to assess whether the application proposal is sustainable and presumption in favour is engaged.
- 10.2 Paragraph 7 of the NPPF sets out the three dimensions of sustainable development as being economic, social and environmental and a key consideration therefore is whether the proposed application satisfies these three roles. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.3 Economic Role: The NPPF requires that development should contribute to building a strong, responsive and competitive economy by ensuring, amongst other things, that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- 10.4 The application site is located beyond the defined boundaries of the settlement of Hatfield Heath. The proposal put forward for assessment represents a small scale residential development in relation to the existing settlement as a whole. Any new development of this type should function as part of the settlement of Hatfield Heath and the area as a whole where most facilities, services and employment will be found.
- 10.5 The village of Hatfield Heath has a suitable amount of local amenities and services to facilitate the needs of its local residents that includes a school, public houses, shops, church, a doctors surgery, community buildings and restaurants to name just few.

- 10.6 As such it is regarded that the application site would not be significantly divorced or isolated and that it would be capable of accommodating the development proposed in that it could be planned in a comprehensive and inclusive manner in relation to the town of Hatfield Heath.
- 10.7 The proposal itself would bring economic benefits to the town of Hatfield Heath supporting local services and amenities such as those mentioned above as a result of the future occupiers of the development. In addition the proposal would provide some positive economic contribution during the construction process of the development.
- 10.8 As a result, the development provides a positive economic approach that satisfies the economic dimension of sustainability in the NPPF.
- 10.9 Social Role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 10.10 The proposal includes the conversion of the existing buildings on the site into a total of 6 dwellings with ancillary infrastructure. It would be capable of providing some of the day to day needs for future occupiers and the built environment would be of a high quality as required by the Framework.
- 10.11 The application site is approximately 150m from the development limits as defined by the Local Plan and 700m from the village centre in where most of the local amenities and facilities are. In addition, an unmade public footpath along Dunmow Road (B183) provides easy commuting to these facilities. It is considered that although the application site is on the edge of the village, it would form an inclusive development that would provide convenient access to the local services within Hatfield Heath and to the wider surrounding area.
- 10.12 Future occupiers could rely on the village to provide most of their day to day needs such as health, social and cultural well-being as well as shopping ensuring and promoting the village as an appropriate mixed and well balanced community.
- 10.13 It is considered that the proposed development has been designed to ensure access gives priority to sustainable transport options such as walking and cycling which thereby reduces the need and reliance on private cars.
- 10.14 The proposal would make a contribution towards the delivery of the housing needed for the district and housing would be designed to be accessible as per Part M of the Building Regulations.
- 10.15 As a result, the development provides a positive approach that satisfies the social dimension of sustainability in the NPPF.
- 10.16 Environmental Role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste.
- 10.17 The application site is a modest size plot of land located within the green belt. However the proposal involves the conversion of existing buildings with limited additions. As such there would not be a significant amount of additional built form that would result in harm to the openness of the green belt and the wider countryside.

- 10.18 The site is not subject of any statutory nature conservation designation or is located within close proximity to SSSI, important woodlands or country wildlife sites and as such there will be no environmental impacts upon the landscape and biodiversity.
- 10.19 From an historical aspect, the proposal would not result in harm to nearby listed buildings or the Ancient Monument further to the south of the site.
- 10.20 The scheme would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development in this respect as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise.
- 10.21 In consideration of the above the development is sustainable development and the principle of the proposal is acceptable in this context.
- 10.22 Local Policy H6 allows for the re-use of rural buildings for residential accommodation subject to compliance with specified criteria. It is considered that the proposal is in accordance with local policy H6 as the site is not in an isolated position in the open countryside, the buildings are structurally sound capable of conversion without the need for major works and there is no longer a requirement to demonstrate that there is a demand for other uses above from the buildings being converted to residential.
- 10.23 Policy H5 of the Local Plan stipulates that the subdivision of dwellings into two or more units will be permitted if the character of the area would not adversely be affected. It is considered that the subdivision of the existing dwelling house although as a result of some minor additions would not drastically change the character of the surrounding area.

B. Whether the proposal would harm the openness and character of the Metropolitan Green Belt (ULP Policy S6 & NPPF)

- 10.24 The National Planning Policy Framework indicates that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. A purpose of the Green Belt is to assist in safeguarding the countryside from encroachment.
- 10.25 The Framework states that there are many exceptions to what is considered to be appropriate development within the Green Belt and local policy S6 is broadly in accordance with this. Paragraph 90 of 'The Framework' where it states that the re-use of buildings provided that the building is of a permanent and substantial construction is deemed to be appropriate provided that it would preserve the openness of the Green Belt and the purposes of including land within it.
- 10.26 A Structural Feasibility Report was not submitted as part of the application submission however a Structural Statement was attached to the submitted Planning Statement as appendix two. The structural statement concluded that the cart lodge and agricultural building are recently erected, constructed to modern standards and subsequently a full structural report is not required.
- 10.27 Following on from the above, it was relatively clear from the officer's site inspection that the existing buildings would be capable of conversion with or without the modifications and associated work. It is thereby deemed that a full structural survey

is not required to demonstrate that the buildings could be converted without major works.

- 10.28 The size and scale of the cart lodge would not alter as a result of the conversion. Works to the larger barn that is to be converted into two dwellings includes the demolition of the single storey rear element of the building and the addition of a single storey side extension for plot 1. The conversion of the existing dwelling house to form three dwellings requires further additions to the building to provide additional living accommodation for plots 3 and 5.
- 10.29 Although additional extensions are required to convert some of the existing buildings, it is considered that these extensions are modest in terms of their size and scale and are offset slightly by the removal of other built form on the site. They are not deemed to be major works in comparison to the sites existing conditions and its overall design would be one of tradition features to enhance the surrounding rural area. As such it is regarded that the conversion would not result in substantial additional built form over and beyond from that of existing conditions.
- 10.30 It is therefore considered that the proposal to convert the existing building along with its modifications would by definition not be inappropriate development in the Green Belt and, as such accord with 'The Framework' and local polies.
- 10.31 In terms of visual impact, Paragraph 79 of the Framework states that the essential characteristics of Green Belts are their openness and permanence. The proposed works and particular the additional extensions are considered to be relatively modest in terms of the existing built form on the site as a whole. Having regard to the nature of the development, the introduction of 6 dwelling units would not amount to significant or an intrusive development within the open landscape due to the relative limited amount of built form proposed. Accordingly, it is concluded that there would be no unacceptable harm cause to the visual amenity, openness and character of the Green Belt and therefore no conflict with 'The Framework' or local polices would arise.
- 10.32 In addition, it is concluded that the size and position of each of the residential curtilages along with the normal residential paraphernalia that is associated with them would not be excessive and it would not have an adverse effect upon the open character of the landscape.

C. Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2)

- 10.33 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.
- 10.34 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. Furthermore, development should not have a materially adverse effect on the reasonable occupation and enjoyment of residential properties as a result of loss of privacy, loss of daylight, overbearing or overshadowing.

- 10.35 It is considered that the works required as a result of converting the three buildings to form a total of 6 dwelling units is appropriate. The extensions are deemed to be limited in their size and scale in comparison the existing built form on the site and thereby they would not result in all three buildings appearing excessive in terms of their bulk and massing. The extensions would appear sympathetic and inclusive to the existing buildings and would ensure that they are well articulated that creates visual interest.
- 10.36 The conversion of the buildings would represent and maintain a pleasing blend of traditional features such as dormer windows, chimneys and the general roof form extending over the narrow plain of the buildings whilst incorporating more contemporary elevational details such as the large glazing along the front elevation of the converted cart lodge. The design and appearance of the buildings would ensure that all the buildings would reflect the local vernacular of traditional buildings found within a rural area.
- 10.37 Short and long distance view lines would be restricted to adjoining properties and these would be limited due to existing screening on the boundaries. Furthermore the development would not be seen from the Dunmow Road due to existing mature vegetation. It is considered that the development would not result in a detrimental impact to the character and appearance of the surrounding countryside and the street scene.
- 10.38 For a three or more bedroom dwelling unit, the provision of 100sqm of amenity area has been found to be acceptable and a workable minimum size that accommodates most household activities in accordance with the Essex Design Guide. In addition to the minimum size guidance, the amenity space should also be totally private, not be overlooked, provide an outdoor sitting area and should be located to the rear rather than the side.
- 10.39 Each residential unit within the scheme has been provided with at least the minimum private garden sizes as stipulated above to meet the recreational needs of future occupiers.

D. Impact upon the setting of the heritage assets (ULP ENV2, ENV4, NPPF and Listed Building and Conservation Area Act 1990)

- 10.40 The farmhouse known Lea Hall and its ancillary buildings are listed and its grounds are set within an Ancient Monument. The heritage assets are located approximately 100m south of the application site.
- 10.41 The main issue to address is whether the proposed development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and local policies ENV2 and ENV4.
- 10.42 Paragraph 133 of the Framework states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.
- 10.43 Furthermore, paragraph 134 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

- 10.44 The application was consulted to both Historic England and Uttlesford Council's conservation officer who both advised that they wish to make no comments.
- 10.45 The relative separation distance between heritage assets and the proposed area of housing as illustrated on the master plan within the site and the orientation are such that it is considered that no significant adverse harm would be cause to the significance and setting of the heritage assets.
- 10.46 Consequently, officers consider that the proposal would cause less than substantial harm to the setting of the Ancient Monument and Listed Buildings and would provide sufficient public benefits such as providing additional housing. The development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and local policies ENV2 and ENV4.

E. Access to the site and highway issues (ULP Policies GEN1, GEN8 and NPPF)

- 10.47 Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must not compromise road safety and to take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and also encourage movement by means other than the car.
- 10.48 The application includes details of the proposed access to the site. The site would utilise the existing single point of vehicle access off Dunmow Road and provide a circular driveway towards the frontage of the dwellings ensuring that vehicles can enter and exit the site in a forward gear.
- 10.49 The application was consulted to Essex County Council Highways who confirmed that they had no objection to the proposal subject to conditions being imposed on any granted permission.
- 10.50 In relation to the amount of traffic generated from the development, the Highway Authority has not made an objection in terms of the potential impact on the surrounding road network. As a result, it is considered that the amount of traffic generated from the development could be accommodated and that there would be no impact upon the traffic flow on the surrounding road network particularly along Dunmow Road (B183).
- 10.51 It is acknowledged that Dunmow Road is a busy highway. An established footpath along Dunmow Road provides a safe convenient pedestrian access into the village centre of and to nearby bus stops. This would help encourage movement by other means than a car from the site and be beneficial in that it would help ensure and take into account the needs of cyclists, pedestrians impaired to gain access into the village of Hatfield Heath and beyond.
- 10.52 The proposed vehicle access is deemed acceptable and that the proposed development would cause no harm to matters of highway safety. The development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.
- 10.53 Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning Guidance 'Vehicle Parking

Standards.

- 10.54 The Adopted Council Parking Standards recommends that a minimum of two vehicle spaces for a two or three bedroom dwellings, and three spaces for a four-bedroom dwelling house along with additional visitor parking spaces. In addition each dwelling should also be provided with at least 1 secure cycle covered space. A total of 17 off street vehicle spaces have been provide for the future occupiers and an additional 9 visitor spaces. Each dwelling has been provided with the minimum amount of spaces as required by the Adopted Parking Standards.
- 10.55 All appropriate size vehicles including emergency and refuse vehicles would be able to access the site. All refuse storage points would be located within 25m carry distance.
- 10.56 It is concluded that the proposed development would cause no harm to matters of highway safety.

F Dwelling mix and Affordable Housing provisions (NPPF, Local Polies H9 & H10)

- 10.57 Paragraph 50 of the Framework requires that developments deliver a wide choice of high quality homes, including affordable homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 10.58 In accordance with National Planning Guidance, there is no statutory requirement to provide on-site affordable housing or an offsite financial contribution for a housing scheme that has 10 or less dwellings proposed. For this reason, no affordable housing is proposed as part of this scheme.
- 10.59 ULP Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2 and 3 bedroom market dwellings. However, since the policy was adopted, the Strategic Housing Market Assessment (SHMA) has identified that the market housing need is generally for dwellings with three or more bedrooms.
- 10.60 The proposal consists of:
- 1 x 2 bedroom bungalow
 - 2 x 3 bedroom houses
 - 3 x 4 bedroom houses
- 10.61 Given the size of the housing development is limited to 6 dwellings, officers consider the mix of residential units across the development is appropriate and the inclusion of a bungalow is considered to be a bonus addition in that it would normally not be a requirement to supply one for this type and size of scheme.

G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)

- 10.62 Existing ecology and natural habitats found on the site must be safeguarded and enhanced and new opportunities for increasing the biodiversity should be explored. Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.

- 10.63 Paragraph 98 of Circular 06/05 states *'that presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would likely to result in harm to the species or its habitat'*. Furthermore, the NPPF states that *'the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible'*.
- 10.64 The application site itself is not subject of any statutory nature conservation designation being largely an overgrown field with limited vegetation.
- 10.65 The application is supported by a Bat Roosting Assessment dated June 2017. This assessment concluded that with little of the exteriors of the structures affected by the proposed building works, the potential for the works to impact on potential bat roosting would ordinary be deemed to be low. The complete lack of bat roosting features on all three buildings and the lack of any evidence to suggest the site supports important maternity roots suggest there is no discernible impact on important roosting bats at this time.
- 10.66 Essex County Council's ecology officer had no objections subject to the proposed works being carried out in accordance with the Bat Assessment and that a condition imposed on any granted permission that a lighting strategy be submitted prior to works commencing.
- 10.67 It is considered therefore that the application is acceptable on ecology grounds and that subject to the imposition of appropriately worded conditions; the proposal would be consistent with the policies contained within the Uttlesford District Local Plan as Adopted (2005) and the National Planning Policy Framework.

H Drainage and flooding (ULP Policies GEN3 and GEN6)

- 10.68 The NPPF states that inappropriate development in areas of high risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 10.69 The development site lies within Flood Zone 1 (low probability of flooding) as defined by the Environmental Agency. The Framework indicates that all types of development are appropriate in this zone and hence there is no requirement for sequential or exemption testing.
- 10.70 It is considered that the proposed application would not give rise to increase flood risk on the site or elsewhere.

I Whether the proposal would cause harm to the amenities of adjoining property occupiers (NPPF and ULP Policies GEN2 & GEN4).

- 10.71 Policy GEN2 requires that developments are designed appropriately and that they provide an environment which meets the reasonable needs of all potential uses and minimises the environmental impact on neighbouring properties by appropriate mitigating measures. The NPPF also requires that planning should seek to secure high quality design and a good standard of amenity for all existing and further occupants of land and buildings.
- 10.72 The relative separation distance between adjoining dwellings and the proposed area

of housing as illustrated on the master plan within the site and the orientation are such that it is considered that no significant adverse harm would be caused to the amenities of adjoining property occupiers particular in relation to loss of light, privacy and visual blight. In addition it is considered that there would not be a significant impact to adjoining occupiers in relation to general noise and disturbance and air pollution. Furthermore, no significant harm would occur in relation to the amenities that will be enjoyed by the future occupiers of the development.

- 10.73 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.

Other issues:

- 10.74 All development should be designed around a landscape structure. The landscape structure should encompass the open space system but should also provide visual contrast to the built environment and constitute a legible network based, where appropriate, on existing trees and hedgerows. No details of either hard or soft landscaping have been submitted, however if permission were to be granted, it would be deemed necessary to impose a planning condition that a detail landscape plan be submitted.
- 10.75 It should be noted that the protected trees along the front entrance of the application site would not be affected by this proposal.
- 10.76 The National Planning Policy Guidance provides guidance in regards to procedures which are required in establishing whether an EIA is required. This guidance requires the local planning authority (LPA) to consider whether the proposed development is described in Schedule 1 or 2 of the Regulations.
- 10.77 Schedule 2 identifies 13 different categories, of which Class 10 is 'Infrastructure Projects' and the development proposed falls within the description of sub section - (b) 'Urban development projects'. The proposal does not exceed the thresholds and it is not, located in wholly or partly within a 'sensitive area' as defined by the Regulations.
- 10.78 On the evaluation of the information submitted by the applicant, and the Council's knowledge of the local area and its environment, bearing in mind that it is not required to have full knowledge of every environmental effect, it is considered that the proposed development is not likely to give rise to significant environmental effects on the environment. An Environmental Impact Assessment (EIA) is therefore not required for the proposed development shown on the submitted drawings by the applicant.
- 10.79 On the basis of the above it is considered that an Environmental Statement is not required to be submitted with any planning application for the proposed development.
- 10.78 There may be implications under Article 1 and Article 8 of the Human Rights Act First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

11. CONCLUSION

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

- A The principle of the development is deemed to be appropriate in that it would be of a sustainable development in accordance with the National Planning Policy Framework and is in accordance with local polies H5 and H6.
- B The conversion of the buildings into a total of 6 dwelling units is in principle appropriate within the green belt as defined by the Framework and it would not result in significant harm to the openness and character of the green belt.
- C The design and appearance of the converted buildings are deemed to be appropriate in that they would not result in harm to the character and appearance of the street scene and the surrounding area.
- D The proposed development would not result in substantial harm upon the setting of the surrounding heritage assets.
- E It is concluded that the proposed development would cause no harm to matters of highway safety or result in unwanted traffic congestion.
- F There is no requirement to provide on-site affordable housing and it is regarded that an appropriate mix of dwelling units has been provided across the development.
- G It is concluded that the with appropriate mitigation measure by way of planning conditions, the proposal would not result in a significant harm to the ecology and biodiversity of the surrounding area.
- H The proposed development would not give rise to increase flood risk on the site or elsewhere.
- I It is considered that the development could be accommodated without significant adverse impacts upon the amenities of existing and future residents.

RECOMMENDATION – Approval subject to the conditions

Conditions:

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. Notwithstanding the details shown on the submitted plans, the external finishing materials of the works hereby approved shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing on site. The works approved shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: The details of materials would need to be submitted for approval prior to the commencement of the development to ensure that the resulting appearance of the development is safeguarded and the amenity of the surrounding locality is protected.

3. The development hereby approved shall be carried out in accordance with the submitted 'Bat Roosting' prepared by Sworders dated June 2017 unless otherwise agreed in writing by the local planning authority.

REASON: In the interest of protecting the natural habitat and protected species in accordance Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Prior to occupation, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To ensure the site and surrounding area retains its value as a bat foraging area in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

4. Prior to commencement of the development, details of hard and soft landscaping (including planting, hard surfaces and boundary treatment) must be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works must be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compatibility with the character of the area, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be

'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

JUSTIFICATION: The landscaping would help enable the development as a whole to integrate into the wider setting within this rural setting and ensure a sense of well-being for future occupiers and therefore it is essential that these details are submitted for approval in advance of the works being undertaken.

5. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with policy GEN2 of the Uttlesford Local Plan (adopted 2005)

6. Prior to the first occupation of the development, the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purposes.

REASON: In the interest of highway safety in accordance with policy GEN1 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.

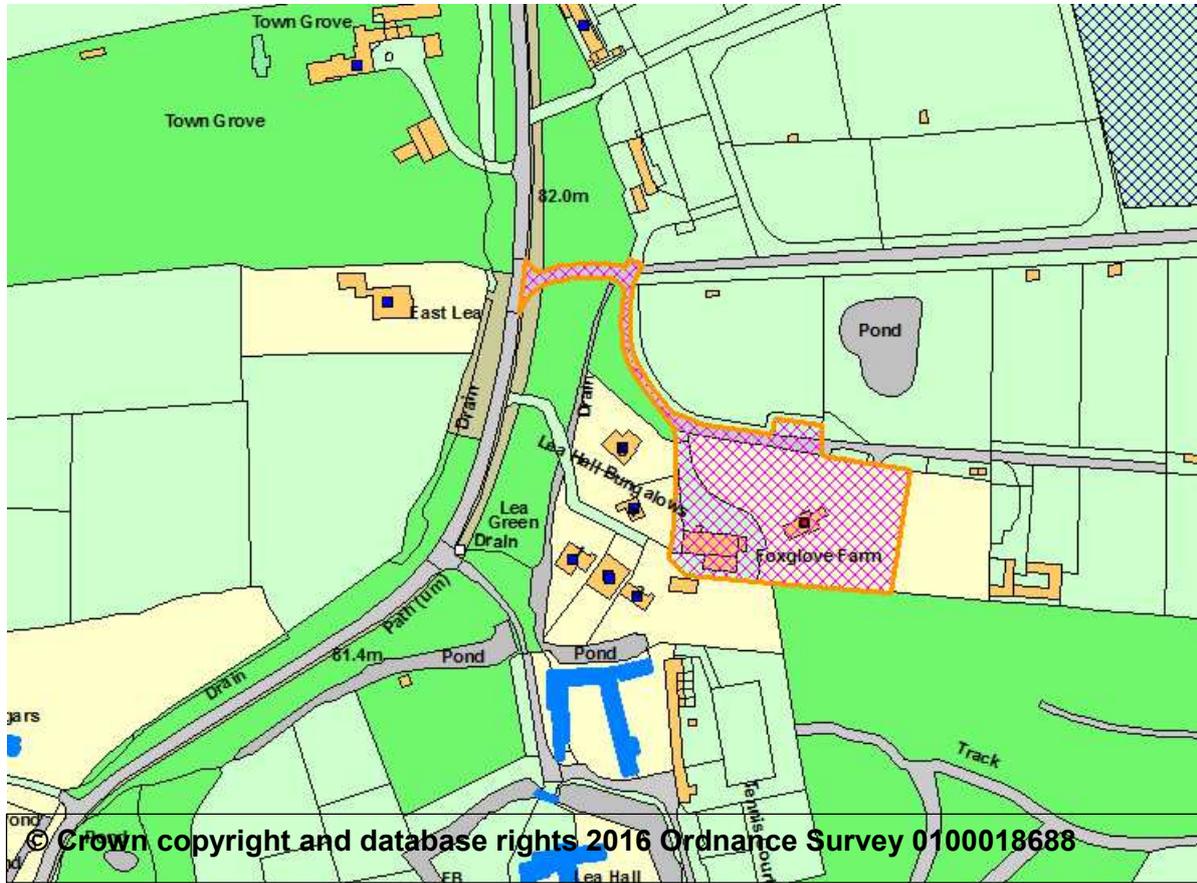
7. The cycle/powered two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with policy GEN1 and GEN8 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.

8. Notwithstanding the provisions of the Town and Country Planning General Permitted Order 1995 as amended, no development generally permitted by virtue of Part 1, Class A to E shall be undertaken without the written permission of the Local Planning Authority.

REASON: The specific circumstances of this site warrant the Local Planning Authority having control over any further development in accordance with local policies S6 and GEN2 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.

Application: UTT/17/1037/FUL
Address: Foxglove Farm, Dunmow Road Hatfield Heath



Organisation: Uttlesford District Council

Department: Planning

Date: 19 July 2017