

UTT/20/3101/HHF- DUNMOW

The application is referred to Planning Committee due to the applicant being a former Councillor

PROPOSAL: Proposed garage and car port

LOCATION: Tower House
St Edmunds Lane
Dunmow
CM6 3BA

APPLICANT: Mr J Davey

AGENT: Mr D Tuttlebury

EXPIRY DATE: /2021

CASE OFFICER: Alishba Emanuel

1. NOTATION

- 1.1 Outside Development Limits
Grade II Listed Building
TPO Tree Type: Field Maple
TPO Tree Type: Oak
TPO Tree Type: Weeping Willow
TPO Tree Type: Plum
TPO Tree Type: Sycamore
TPO Tree Type: Pear
Landfill Site: Within 250M of Landfill Site
Mineral Safeguarding Area: Sand/Gravel
Within 250M of Local Wildlife Site: Merks Hall
SSSI Impact Risk Zones – Natural England

2. DESCRIPTION OF SITE

- 2.1 The site is located at Tower House, St. Edmunds Lane, Great Dunmow, Essex. It contains a Grade II Listed Tower Windmill and Mill House built in 1822 with a domed cap and red brick two-storey house (List Entry: 1087891)
- 2.2 The property has an existing vehicular access onto St. Edmunds Lane forming a driveway arrangement and an access, serving the frontage to the site, to the existing dwelling associated with the location.
- 2.3 The site is adjacent to a new housing development on St. Edmunds Lane.
- 2.4 The site is within the rural countryside neighbouring fields and agricultural land.

3. PROPOSAL

3.1 The application is for planning permission for the proposed garage and car port.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 ULP Policy GEN7 seeks to ensure that development would not have a harmful effect on wildlife, geological features, or protected species. Furthermore, the NPPF requires development protects and enhances biodiversity and geodiversity.

The applicant has supplied a completed biodiversity checklist form which has not identified any concerns regarding biodiversity.

5. APPLICANT'S CASE

5.1 Biodiversity Checklist
Heritage, Design and Access Statement

6. RELEVANT SITE HISTORY

6.1 DUN/0427/72 - Restoration of windmill – APPROVE WITH CONDITIONS

DUN/0465/72 - Site for caravan – APPROVE WITH CONDITIONS

DUN/0486/72- Extension and improvements. – APPROVE WITH CONDITIONS

UTT/0198/85 - Proposed rear porch extension – APPROVE WITH CONDITIONS

UTT/0199/85/LB - Proposed rear porch extension – APPROVE WITH CONDITIONS

UTT/0630/74 - Removal of existing outbuildings construction of car port and garage – APPROVE WITH CONDITIONS

UTT/13/2121/OP - Change of use of agricultural land to residential and erection of 5 No. dwellings and associated garages with all matters reserved except access. – APPROVE WITH CONDITIONS

UTT/17/3603/HHF - Reinstatement of vehicular access – APPROVE WITH CONDITIONS

UTT/18/3161/FUL - Proposed erection of new detached one and a half storey dwelling with detached garaging and associated landscaping works. - REFUSE

7.0 POLICIES

Uttlesford Local Plan (2005)

- S7 - The Countryside
- ENV2 – Development affecting LB

- ENV3 – Open Spaces and Trees
- GEN1 Access
- GEN2 Design
- GEN7 Nature Conservation
- GEN8 Vehicle Parking Standards

National Policies

- National Planning Policy Framework
- Planning Practice Guidance

Other Material Considerations

- Essex Parking Standards – Sept 2009
- Supplementary Planning Document ‘Home Extensions’
- Uttlesford Local Residential Parking Standards (2013)
- Essex Design Guide – Private Amenity Space

8. PARISH COUNCIL COMMENTS

8.1 The Town Council supports this application.

9. CONSULTATIONS

9.1 Essex County Council Place Services: Historic Buildings and Conservation Advice

“The revised plans are an improvement from previous, the height has been reduced to 4.4 metres. Therefore, previous concerns have been addressed and I have no objection to this application subject to condition”.

9.2 Uttlesford District Council Environmental Health

“It is considered that the proposed development will not negatively impact neighbouring properties.

I therefore have no in principle objections to the application and do not recommend any further environmental protection conditions.”

10. REPRESENTATIONS

10.1 There were no representations received for this application.

11. APPRAISAL

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

- A** Character and Appearance (S7, GEN2, NPPF)
- B** Access and Parking Arrangements (GEN1, NPPF)
- C** Amenity (GEN2, NPPF)
- D** Biodiversity (GEN7, NPPF)

A Character and Appearance (S7, GEN2, NPPF)

- 11.1 The Local Plan identifies the site to be outside of the Dunmow settlement development limits and so Local Plan Policy S7 applies. The principle of development on the site will be established if the development's design and scale conform and respects the immediate character and setting.
- 11.2 ULP Policy GEN2 seeks to ensure that development is of an appropriate design compatible with the scale, form, layout, appearance and materials of surrounding buildings and mitigates any potential harm. In addition, the NPPF seeks to ensure good design is applied to all development.
- 11.3 The proposal is seeking to introduce a two-bay open structure car port on a concrete floor, with oak posts and brackets under a pitched clay tile roof. The car port will be positioned towards the rear of the existing access road/driveway and will have limited visibility from the public realm. The open structure is considered sympathetic and therefore less intrusive within the countryside setting in which the plot resides.
- 11.4 It is noted that as the car port is not an enclosed garage, and therefore although the carport does not comply with the adopted Uttlesford Parking standards 7m x 3m for one garage parking space, this is offset by the available parking spaces onsite.
- 11.5 The site is characterised by its rural and countryside aesthetic and greenery in the form of trees surrounding the curtilage of the site. The development will not result in the removal of the TPO'd trees within the site, nor the existing soft landscaping and hedging. The principle of the car port development to serve the vehicular access has been established within the curtilage of the site due to the existing access point available.
- 11.6 Therefore, on balance the proposed scheme is seen to accord with the NPPF and comply with Local Plan Policies S7, GEN2, NPPF

B Access and Parking Arrangements (GEN1, GEN8, NPPF)

- 11.7 The access will remain unaltered and therefore will be not impacted by the implementation of the car port to the rear of the host dwelling. The parking spaces afforded to the dwelling as a result of the double bay car port does not comply with the adopted Uttlesford Parking Standards, however when considered in the context of the number of existing parking available onsite, it is considered the site has sufficient parking to the front of the dwelling to accommodate the host dwelling.
- 11.8 Paragraph 103 of the NPPF highlights the significance of differentiating how sustainable transport solutions will vary between urban and rural areas, therefore the proposal to create additional sheltered parking is considered to comply with the NPPF and the above policies insofar as they relate to parking.

C Biodiversity (GEN7, NPPF)

- 11.9 Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation.

Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.

11.10

The applicant has supplied a completed biodiversity checklist form which has not identified any concerns regarding biodiversity.

D

Whether the development will impact the Listed Building (ENV2, NPPF)

11.11

S16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy ENV2 of the adopted Uttlesford Local Plan 2005 is consistent with the provisions of the above Act, and seeks to protect the fabric, character and setting of listed buildings from development that would adversely affect them. Plans were submitted and amendments were requested following the conservation officer's initial comments. The Essex County Council Place Services Conservation Officer has provided consultation comments following discussions and potential amendments and have advised that they have no objection to this application" subject to a condition.

11.12

It is therefore considered the proposal complies with the above policies insofar as they relate to the character, appearance and historical significance of the listed building.

12. 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 acceptable sustainable development for a rural area and acceptable in terms of design, layout, impacts upon the integrity and setting of the listed building, and vehicular access, in accordance with local and national planning policies.

RECOMMENDATION – APPROVAL WITH 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. Prior to their first use on site, a schedule of the types and colour of the materials to be used in the external finishes should be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Justification: The setting and character of the building is of a historical importance and it is thereby necessary that these details are submitted and approved before works commence to ensure that no detrimental harm is caused.

REASON: In the interests of protecting the architectural and historical significance of the Listed Building, in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (NPPF).

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Organisation: Uttlesford District Council

Department: Planning

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