

UTT/17/2387/FUL – (HENHAM)

(Call-in request by Cllrs. Lees/LeCount due to impact of development on Conservation Area / adjacent Listed Buildings)

(Report deferred from 11 April 2018 committee meeting for Members site visit)

PROPOSAL: **Demolition of existing garage and proposed erection of 1 no. dwelling**

LOCATION: **Thatch End, The Row, Starr Road, Henham**

APPLICANT: **Mrs Sue Mott**

AGENT: **Groupwork**

EXPIRY DATE: **17 October 2017 (Extension of time agreed)**

CASE OFFICER: **Clive Theobald**

1. NOTATION

1.1 Outside Development Limits / within Conservation Area / affecting setting of Listed Buildings.

2. DESCRIPTION OF SITE

2.1 The site lies on the northern side of The Row at its eastern end close to Starr Road and comprises a partly enclosed laid out level garden plot with low informal frontage boundary wall which fronts onto The Row and which is used ancillary to, but is separated physically from Thatch End (applicant), an attractive thatched and white rendered c.15 Grade II listed cottage which lies directly opposite the site and which fronts onto The Row within a line of similarly attractive Grade II listed cottages (Dolls House and Tuckers Cottage). In contrast, a dilapidated 1960's built shallow pitched double garage block substantially covered in vegetation and which is used by the applicant for domestic storage stands at right angles to the garden plot within the land edged in red at the end of The Row with informal parking used by the applicant existing to the front onto Starr Lane (this additional land falling outside of the application site). A further single garage, under separate ownership pertaining to Dolls House, is physically adjoined to this double garage which flanks onto the beginning of The Row.

2.2 Similar garden plots to these adjacent cottages and also the more defined garden curtilage to a detached dwelling front onto the northern side of The Row along this footpath. A residential property containing another Grade II listed building which fronts onto High Street backs onto the site along its northern boundary.

3. PROPOSAL

3.1 This full application relates to the erection of a single storey one bedroomed dwelling within the aforementioned garden plot and the demolition of the existing double garage.

3.2 Whilst the application form describes the proposal as a "New single storey one

bedroomed garden studio”, the applicant has since accepted and confirmed to the Council that the application proposal should be more accurately described as a single bedroomed dwelling and the application is therefore being treated by the Council on this basis in consideration of the planning merits of the proposal. The application originally included reference to the erection of a replacement garage, although this element of the proposal has now been deleted from the scheme following discussions with Officers.

- 3.3 The proposed dwelling would stand at the rear of the site in a recessed area approximately parallel with the site's rear fenced boundary and would have a hipped roof and rectangular plan form with a height to the eaves of 2.1m and height to the ridge of 3.7m and footprint of 10.0m (w) x 3.7m (d) extending to 4.7m depth when a front projecting entrance lobby is included comprising a single bedroom, kitchen/ dining and living area. The dwelling would have a contemporary style and appearance whereby the roof would be externally clad in lead with traditional construction details and the walls clad with a weathered timber rain screen cladding over a cross-laminated timber (CLT) structure with timber-framed windows, adjacent sliding timber shutters and timber framed bi-folding glazed doors. The single bedroom would have two conservation roof lights, with one being positioned on the front roof plane and the other on the rear roof plane.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposal would not be subject to a formal assessment against the EIA regulations, although it is considered that the impacts of the proposed development would not be significant when measured against relevant indicators.

5. APPLICANT'S CASE

- 5.1 The application is accompanied by a detailed Design and Access Statement incorporating Heritage Statement which informs the proposal, making reference to site constraints and opportunities, a preliminary enquiry made to the Council for a single dwelling on the site, the design rationale behind the revised dwelling scheme whereby it is stated that the design has been influenced by local building grain and organic growth in the village adapting to changing occupational needs, including the introduction of older and more recent “stand-alone” building plots, subsequent further informal advice received from the Council's Conservation Officer and the design response resulting from this, the overall sustainability of the project, including reference to sustainable construction and inclusion of accessible homes measures, and also relevant planning policies having regard in particular to listed buildings and conservation area protection.

6. RELEVANT SITE HISTORY

- 6.1 A preliminary enquiry was submitted to the Council in 2016 seeking advice as to whether the principle of a small single storey one bedroomed studio dwelling at the site, involving the demolition of the visually detracting garage would be acceptable. The Council informed the applicant's agent that the principle of a separate dwelling could be acceptable subject to all other planning issues being addressed, but that the design of the dwelling submitted for informal comment was not. The summarised points of the Council's informal response were as follows:

- The removal of the existing run-down garage with a replacement would represent a visual enhancement to the visual amenities of the area.
- A large singular building would close the gap in front of Thatch End which would

- cause harm to the setting of the listed buildings in The Row.
- Any proposed building should be of smaller scale and located as close to the boundary as possible separate from the garage.
- A greater emphasis on landscaping should be considered within the proposal to include a green barrier between Thatch End and the new building.
- A more contemporary design with a different roof form would help to reduce the scale and massing of the dwelling and therefore reduce the impact of the development on the surrounding area.

6.2 A subsequent planning application for the demolition of the existing garage and erection of a single storey “studio” dwelling with separate one bedroomed detached annexe with provision of 2 no. frontage parking spaces was submitted to the Council in 2017. This application was later withdrawn when Officers advised that the application was likely to be refused due to (1) a lack of clarity in the way in which the development had been architecturally articulated resulting in Officers being unable to properly interpret and appraise the scheme in terms of the impacts it would have on the character and appearance of the conservation area and setting of adjacent listed buildings where misinterpretation could occur, (2) as the extent of built form shown involving two building elements would be excessive for the size of the development plot and (3) following neighbour and Councillor concerns regarding the scheme (UTT/17/0426/FUL).

6.3 Following the withdrawal of application UTT/17/0426/FUL, an illustrative sketch drawing highlighting the suggested site positioning, massing and detailing of a more acceptable small dwelling scheme at the site was provided by the Council's Conservation Officer to the applicant's agent for consideration of a revised planning application. That drawing forms the basis for the current revised application.

7. POLICIES

Uttlesford Local Plan (2005)

- 7.1 ULP Policy S7 – The Countryside
 ULP Policy H4 – Backland Development
 ULP Policy ENV1 – Design of development within Conservation Areas
 ULP Policy ENV2 – Development affecting Listed Buildings
 ULP Policy GEN1 – Access
 ULP Policy GEN2 – Design
 ULP Policy GEN3 – Flood Protection
 ULP Policy GEN4 – Good Neighbourliness
 ULP Policy GEN7 – Nature Conservation
 ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

- 7.2 SPD “Accessible Homes and Playspace”

National Policies

- 7.3 NPPF

Other Material Considerations

- 7.4 Essex Design Guide
 ECC Parking Standards – Design & Best Practice (Sept 2009)

8. PARISH COUNCIL COMMENTS

8.1 A detailed letter of representation objecting to the application has been submitted by Gardner Planning on behalf of Henham Parish Council. The letter of representation received concludes as follows;

- The proposal is contrary to policies of the Development Plan.
- The proposal is contrary to the advice of the Council's Conservation Officer.
- The proposal has serious flaws in terms of accuracy, legality and implementation.

8.2 Further objection letter received by Geoff Gardner Planning on behalf of Henham Parish Council dated 5 April 2018 in response to revised drawings received (deletion of garage). The letter raises what are considered to be procedural abnormalities concerning the plans re-consultation process and reference to a lack of public engagement in the preliminary enquiry process for the proposal. Issues also raised relating to heritage assessment and parking and the inability for the applicant to be able to receive consent from the Parish Council to create a new access point for the hardstanding parking as the land in front of the site in Starr Lane is held within the control of the parish council whereby *"The relevance of this to the planning application is that even if permission is granted, it would be incapable of implementation in the form applied for"*.

8.3 The letter concludes as follows:

- there is no written record (apart from a note of 5 October 2017) that the Conservation Officer has seen and approved the latest plans;
- the Conservation Officer has not addressed the test of the Development Plan policies that the proposal must preserve or enhance the character of the Conservation Area;
- the design is alien to the character of the Conservation Area, with a partial flat roof and with both front and rear wall being mainly bi-fold doors (and the elevations submitted are inaccurate);
- there is no vehicular access to the parking spaces;
- the development is contrary to the policies of the Development Plan (the Adopted Local Plan 2005): *Policy ENV1 – Design of Development within Conservation Areas & Development Policy GEN8 – Vehicle Parking Standards*;
- The development is also contrary to the policies of the emerging Local Plan (Draft July 2017) including: *Policy D1: High Quality Design, Policy EN1 – Protecting the Historic Environment, Policy EN2 - Design of Development within Conservation Areas*

9. CONSULTATIONS

ECC Ecology

9.1 No objections:

The proposal is limited in scale/scope and is unlikely to impact designated sites, protected/priority species or priority habitats.

An informative is recommended to safeguard nesting birds.

UDC Conservation Officer

9.2 This proposal follows a previously resisted scheme and aims at the formation of a new dwelling serving as an annex to the nearby listed cottage, Thatch End. Thatch End is a timber-framed and plastered cottage of C15 origins which together with 4 other listed buildings face The Row and are accessed by a narrow pedestrian only entrance. The Row is within the core of Henham Conservation Area and its character is defined by mostly single storey thatched modest dwellings which face open areas of gardens on the other side of The Row. It could be said that these gardens form a green buffer between The Row and the buildings along the High Street.

The applicant has been advised that a very modest single storey outbuilding of some 10 metres by 3.5 metres footprint consisting of two good rooms and a bathroom all of traditional design could be considered not out of the question. The revised plans, however, indicate a much larger building which appears to have some 10 metres by 5 metres floor plan. The design of the new structure would be of less traditional character, but on balance I find this modernistic approach quite interesting especially that the proposed materials would still connect well with traditional finishing's. However, the footprint of the new range would have to be reduced to the one previously indicated and the vertical height would have to be single storey meaning the eaves of the roof would have to run on top of the ground floor windows.

Although the removal of the unsightly garage would certainly enhance the character of the conservation area, I am concerned that the suggested what appears to be a storey and a half garage would dominate the locality and may undermine the primacy of the heritage assets nearby. In addition, the formation of such a substantial garage range attached to the semi dilapidated remaining part of the present garage would more than likely be technically difficult and may lead to a neighbourly dispute.

Clearly, the most neighbourly and most productive way to deal with this situation is to reach a friendly agreement and rebuild both garages at the same time. Any such new structure would be single storey, finished in horizontal feather-edged black painted timber boarding and have say a 40 degree natural slate or lead roof with gable end facing The Row. Such an outbuilding would clearly be utilitarian and would respond well to the rural vernacular. Although it would be exciting to have somewhere in the district more examples by award winning architects, I am not convinced that this humble site is likely to do it justice. In conclusion I suggest further negotiations leading to overcoming all my concerns.

(Revised UDC Conservation Officer comments dated 10 April 2018 following receipt of revised drawings):

9.3 The following comments relate to a revised scheme consisting of a single storey small residential unit with steeply pitched roof. Following further negotiations, the proportions of the dwelling have been reduced and the dwelling relocated further away from the row of thatched cottages. Also, the excessively large new garage has been omitted.

In conclusion and on balance, I feel that the formation of this diminutive structure would follow the established pattern of the quite tightly knit residential area, whilst the removal of most of the unsightly range of garages would improve the setting of

the listed buildings in the vicinity and the character of the conservation area. Consequently, should there be no planning objections, I suggest approval subject to the following conditions.

- Any new boundary treatment to be approved.
- All external materials to be approved.

10. REPRESENTATIONS

10.1 Neighbour notification period expires 20 September 2017. Advertisement expired 28 September 2017. Site Notice expires 3 October 2017.

25 neighbour representations received (object).

10.2 In general, the neighbour objections received relate primarily to the principle of the residential development of this small garden plot within the heart of Henham Conservation Area for a new dwelling and the detrimental impacts which the development would have upon its special character, appearance and ambience and also on the setting of adjacent listed buildings within it given the tight building grain and relationships which currently exist between buildings and spaces and the high quality aesthetic which exists for The Row. It is also stated that the contemporary, almost utilitarian style of the new dwelling would not be appropriate within the site's setting along The Row which is "the Jewel in the Crown of Henham" which would be irrevocably changed and that the proposed replacement garage would be too dominant a feature at the beginning of The Row to be acceptable.

Further objections received can be summarised as follows:

- 10.3
- Inaccuracies in the submitted drawings and not being legible.
 - Is this a studio "retreat" for the applicant or tantamount to being a new dwelling. This is not clear and needs clarifying.
 - The applicant's requirements could be more simply addressed by an extension to Thatch End if this is a domestic type proposal.
 - The project has no logical basis other than potential financial profit.
 - The need for the new dwelling if this is what it is, is questioned and would cause an undesirable precedent within the conservation area.
 - Cramped form of development.
 - Would increase housing density along The Row.
 - Insufficient parking arrangements.
 - Demolition of the existing garage would be physically impossible without destroying the adjacent garage owned by another person.
 - Impact on residential amenity (loss of privacy, erosion of outlook).
 - The development would be distracting to visitors/tourists visiting Henham.
 - Concerned about safety of school children using The Row as a footpath during construction works.
 - Burden on existing utilities.
 - Applicant does not own land to the side of the site onto Starr Lane (Parish Council land)

10.4 The applicant's agent has responded to the various representations received in the form of a rebuttal appendix to the application following submission.

(Neighbour comments on revised drawings omitting replacement garage from the originally submitted scheme - neighbour notification period expires 6 April 2018):

15 further representations received (object):

The third party comments received on the revised plans are essentially those as received for the original plans submission as cited above with the additional comments that the revisions are not considered to be major and “do not change anything”.

11. APPRAISAL

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

- A Whether the proposal would amount to a presumption in favour of sustainable development in terms of location (NPPF, GEN3, S7 and H4);
- B Principle of residential development having regard to heritage protection (NPPF and ULP Policies ENV1 and ENV2);
- C Access (ULP Policy GEN1);
- D Design (ULP Policy GEN2 and SPD “Accessible Homes and Playspace”);
- E Parking Standards (ULP Policy GEN8);
- F Impact upon residential amenity (ULP Policy GEN2);
- G Impact upon protected species (ULP Policy GEN7).

A Whether the proposal would amount to a presumption in favour of sustainable development in terms of location (NPPF, GEN3, S7 and H4)

- 11.1 The NPPF has a presumption in favour of sustainable development whereby planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that there are three strands to sustainable development; economic, social and environmental and that these strands should not be undertaken in isolation because they are mutually dependent.
- 11.2 Paragraph 49 of the NPPF states that “*Housing applications should be considered in the context of the presumption in favour of sustainable development*”, adding that “*Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites*”. Paragraph 55 states that housing should be located where it will enhance or maintain the vitality of rural communities if it is to promote sustainable development in rural areas, for example “*where there are groups of smaller settlements, development in one village may support services in a village nearby*”, and that LPA's should avoid new isolated homes in the countryside unless there are special circumstances. Paragraph 14 states that permission should be granted unless “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole*”. This paragraph for the purposes of the current application should also be read in the context of the extent of harm that a proposal may have on the heritage value of an area, which is discussed further on in this report.
- 11.3 The site lies outside development limits for Henham and ULP Policy S7 of the adopted local plan applies which seeks to protect the countryside for its own sake. However, the site should be more properly viewed in the context of its physical location within a nucleus of residential properties which make up part of the western side of Henham village within the heart of the Henham Conservation Area which is bordered on its north-east and south-west sides by more defined and modern residential development which together make up the two separate defined village

envelopes for Henham. As such, the site does not read as countryside and it can be argued that the proposal site represents a form of residential infilling where ULP Policy H3 of the adopted plan states at paragraph 6.14 that “There is no specific policy on infilling outside development limits because any infill proposals will be considered in the context of Policy S7...However, if there are opportunities for sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements these will be acceptable if development would be in character with the surroundings and have limited impact on the countryside in the context of existing development”.

- 11.4 It is a moot point perhaps as to whether the proposal would represent infilling in the truest sense of the word for the purposes of planning definition. However, that said, the site is bordered by dwellings to both the front and rear and to the immediate west and with a further dwelling lying on the east side of Starr Lane beyond the existing garage on the site and the development must therefore be said to represent a form of infilling if taken in this physical context, although clearly whether the proposal would represent sensitive infilling must be viewed principally in the context of heritage protection in this particular instance.
- 11.5 Consideration has been given as to whether the proposal could be described as backland development and whether in this context it constitutes “a parcel of land that does not have a road frontage” (wording reference to ULP Policy H4). However, the proposal site as identified edged in red does and would continue to have a road frontage, namely vehicular access onto Starr Road, albeit that this access is and would continue to be gained from the side of the site rather than from The Row footpath frontage. However, the site does have some characteristics of backland development and due consideration has to be given as to the impacts that the proposed development could have on residential amenity.
- 11.6 In terms of location, the site is located within the centre of the village whereby it is within easy walking distance to village services and local amenities. Therefore, in terms of assessment against the social and economic strands of the NPPF the proposal would amount to a presumption in favour of sustainable development with regard to accessibility and these strands are met. In terms of assessment against ULP Policy S7, this local policy has been found by the Ann Skippers Review to be only partially compatible with the NPPF, which seeks to direct new housing to areas which would be sustainable. However, the overall environmental sustainability of the proposal is assessed below against the NPPF and ULP Policies ENV1 and ENV2. The site is located within Flood Zone 1 as shown on the government’s flood risk map which represents the lowest risk of flooding. Therefore, it is not likely that the proposed development would be at significant risk of flooding and no objections are raised under ULP Policy GEN3.

B Principle of residential development having regard to heritage protection (NPPF and ULP Policies ENV1 and ENV2)

- 11.7 The Planning (Listed Buildings and Conservation Area) Act 1990 imposes duties requiring that special regard be had to the desirability firstly in section 16(2) of preserving a listed building or its setting or any features of special architectural or historic interest. Paragraph 133 of the NPPF 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. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the

significance of a designated heritage asset that this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

11.8 ULP Policy ENV1 – Design of Development in Conservation Areas - states that;

‘Development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation Area, including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features. Outline applications will not be considered. Development involving the demolition of a structure which positively contributes to the character and appearance of the area will not be permitted’.

ULP Policy ENV 2 – Development affecting listed buildings states that;

‘Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting’.

11.9 The application proposal submitted has been assessed both against the statutory provisions relating to heritage protection and also against the policy advice contained within the NPPF and ULP Policies ENV1 and ENV2 of the adopted local plan. The Council has also had due regard to the Henham Conservation Area Appraisal and Management Proposals document 2012 whereby the relevant sections of the appraisal document insofar as they relate to the proposal site are as follows:

Part 1: Appraisal

Area 2 - Crow Street, The Row and High Street

1.101 Linking both High Street and Crow Street is the diminutive passageway known as The Row. Its narrowness means that pedestrian access only is possible which helps to maintain the atmosphere of a well-kept secret. Here, the buildings are all low mostly one and a half storey constructions with oversailing reaching out over the path, or set back in pretty cottage-style gardens.

1.107 The further area of The Row is very different in scale and function. A pedestrian thoroughfare, the buildings are low and tightly clustered. The Old Post Office, Tuckers Cottage, Doll’s Cottage, Thatch End and Ship Cottage are characterised by their thatched roofs pierced by narrow dormers and with eaves extending almost to the ground floor windows, low doors, small windows and sections of over-sailing supported on decorative brackets. Most date from the 17th – 18th century, though Thatch end has its origins in a 15th century hall house. Together they form an almost unbroken run linking Crow Street with the High Street. At the High Street end are to be found Apple Cottage and Starr Cottage. The latter was formerly the Star and Garter Inn, a 17th century timber-framed and plastered single-storey building with attics, the thatch pierced by two dormers and a central chimney stack. In more recent years this was associated with the now defunct Starr Garage. All are Grade II listed and form a most pleasing group with a continuity of shape, scale and form that is quite appropriate to their setting.

Important views

1.123 By contrast, the view up The Row is much more enclosed, presenting a pleasingly varied juxtaposition of built styles, materials and shapes where low hedges, trees and thatched roofs combine to preserve an atmosphere of gentle rurality.

Overall Summary

1.146 There are very few remaining infill plots for development but where such development does occur, it must be sensitive and respect the character of the conservation area in that particular location.

- 11.10 The Council's Conservation Officer has appraised the submitted proposal where her consultation comments are provided within this report (original and updated). Her comments reflect pre-application advice resulting from the withdrawal of application UTT/17/0426/FUL for a single "studio" dwelling scheme at the site which itself resulted from an initial preliminary enquiry made to the Council in 2016. The siting and building form of the proposed building shown for the latest revised drawings reflects closely the pre-application advice given to the applicant's agent after the withdrawal of UTT/17/0426/FUL whereby the building as now presented has been positioned onto the rear boundary of the site in a recessed area and the footprint of the building has been reduced subsequent to application submission through a revised drawing whereupon the main footprint dimensions, excluding the front entrance lobby, have been reduced from 10m x 5m, which were considered too excessive by the Council, to 10m x 3.7m which read closely to the 10m x 3.5m dimensions as suggested and advised in the Conservation Officer's pre-application advice and where the eaves line of the roof of the building are now shown to run along on top of the ground floor windows. The design of the new structure as shown would be of less traditional character, although the Conservation Officer states in her original consultation comments that *"on balance, I find this modernistic approach quite interesting, especially that the proposed materials would connect well with traditional finishing's"*.
- 11.11 The Conservation Officer has commented that the demolition of the existing dilapidated garage would enhance the character of the conservation area, albeit that it has a low and non-offending roof profile within the streetscene. She has remarked, however, that the replacement garage as originally proposed for the application at the ridge height shown (5.4m) would *"dominate the locality and may undermine the primacy of the heritage assets nearby"* notwithstanding that the garage would have had a traditional steep pitched roof with lead covering. The design of the garage was subsequently revised following the Conservation Officer's comments so that it showed a pitched roof rather than a hipped roof. However, after taking into account the general comments concerning the height of the garage, this element of the submitted scheme has now been removed.
- 11.12 The Conservation Officer concludes in her original consultation comments that *"Although it would be exciting to have somewhere in the district of more examples by award winning architects, I am not convinced that this humble site is likely to do it justice. In conclusion I suggest further negotiations leading to overcoming all my concerns"*. The applicant's agent has subsequently responded to these concerns during the application process, namely that the new studio dwelling has been reduced in footprint and incorporates a low eaves line and the garage has been removed from the scheme as previously mentioned. Following these changes, the

Conservation Officer has subsequently confirmed in her revised consultation response dated 10 April 2018 relating to the revised drawings omitting the garage that she can support the scheme providing that all other planning considerations are met and subject to appropriate conservation conditions being applied.

- 11.13 Given this heritage assessment following the revisions made to the submitted proposal scheme, it is considered that this small single storey dwelling development would preserve the character and appearance of the conservation area and would lead to less than substantial harm to the significance of the adjacent designated heritage assets subject to appropriate conditions being imposed. On this basis, it is considered that the development would not be contrary to ULP Policies ENV1 and ENV2 and would not be contrary to the provisions of the NPPF in terms of heritage protection and would thus accord with the wider environmental strand of the NPPF whereby the principle of the development is considered acceptable under these policy provisions.

C Access (ULP Policy GEN1)

- 11.14 The site is presently accessed from Starr Lane, which is a quiet lane leading off High Street which stops at The Row outside the site. ECC Highways have been consulted on the proposal who have not offered any formal comments regarding access given the unclassified nature of Starr Lane and where in any event no actual physical access would be created for the proposed dwelling as the development would utilise a new parking space/spaces to be created on the footprint of the garage to be demolished whereby vehicles would simply pull off the site onto a private corner triangle at the bottom of Starr Lane and onto the lane itself. No highway objections are therefore raised under ULP Policy GEN1.

D Design (ULP Policy GEN2 and SPD “Accessible Homes and Playspace”)

- 11.15 Due consideration has to be given to private amenity standards for new dwellings where paragraph 17 of the NPPF states that it is one of the core principles of the framework that new housing should provide a good standard of amenity for all future occupants. The site fronts onto The Row and is enclosed to the rear boundary by 1.8m high close-boarded fencing with trellising, to the west flank boundary by vegetation onto an adjacent rear lawned garden of the adjacent dwelling and to the east flank boundary onto Starr Lane by the existing garage, although this is proposed to be removed as part of the dwelling proposal. The site itself has a boundary curtilage of approximately 200sqm, although as a proposed single bedroomed dwelling unit the development would only require a 25sqm private sitting out area as part of the new wider residential curtilage in accordance with amenity design principles set out in the Essex Design Guide.
- 11.16 The latest revised proposal drawing (246-505-G dated 21 March 2018) shows that a private sitting out area of 45sqm would be able to be achieved and provided in the north-east corner of the site, which would be visually protected, whilst the remainder of the curtilage pertaining to the new dwelling would be subject to proposed new boundary planting to make the site more private to The Row and also to help screen and soften the development as recommended by the Council's Conservation Officer. The dwelling would be single storey in nature positioned on level ground and it is intended that the dwelling would be built to accessible standards. This requirement can be conditioned.
- 11.17 It is considered from this that the proposal would accord with paragraph 17 of the NPPF and would comply with ULP Policy GEN2 relating to design.

E Parking Standards (ULP Policy GEN8)

- 11.18 The new dwelling would be served by a single parking space to be formed on the area of level ground within and to the side of the site which would become available for resident parking by the proposed demolition of the existing garage, whilst an additional parking space is proposed to be created parallel to this space for the private benefit of the applicant who lives at Thatch End and who it is understood currently parks her vehicle on the informal triangle of private land in front of the garage which it is further understood is not land within the applicant's ownership or control, but on Parish Council land.
- 11.19 A one bedroomed dwelling unit requires a single parking space under ECC/UDC adopted parking standards. The provision of the single parking space for the new dwelling as shown would mean that the proposal would comply with these minimum standards whereby the space would be convenient to the entrance to the dwelling. An additional parking space is shown to be provided which could serve either as visitor parking to the site or for the applicant's private use, although the latter benefit is not itself a material planning consideration. No parking objections are therefore raised to the proposal under ULP Policy GEN8.

F Impact on residential amenity (ULP Policy GEN2)

- 11.20 The proposed dwelling would be single storey in nature and would have the outward appearance of a large incidental garden building by intended design. Given this, there would not be any loss of privacy by way of overlooking or overbearing effect. The property to the rear of the site would be protected by existing 1.8m high close-boarded fencing, whilst planting or other measures sensitive to the site's setting could be introduced along the west flank boundary of the site to protect the residential amenities of the adjacent property where this issue has been raised in representation. The front of the dwelling would look out onto The Row which is overlooked by the listed 1½ storey frontage cottages along it. In the circumstances, it is considered that the development would not have a materially adverse effect on the reasonable occupation and enjoyment of adjacent residential properties and no amenity objections are raised under ULP Policy GEN2.

G Impact upon protected species (ULP Policy GEN7)

- 11.21 The site comprises a laid out informal garden plot, whilst the proposed garage to be demolished is a 1960's built structure which has fallen into disrepair and has considerable vegetation on it. Consideration therefore has to be given as to whether the development would result in harm to any protected/priority species. An ecology report accompanying the application (t4 ecology Ltd, March 2017) states that neither the garden nor the garage contains any natural habitats conducive to use by protected species, namely bats, reptiles, GCN's or badgers nor that any evidence of these species were found at the site. Furthermore, the report advises that the site comprises a maintained residential curtilage surrounded by identical such land uses whereby the site does not provide, nor have connectivity to, potentially suitable off-site habitat. Given the survey findings, the report advises that no further species surveys are required and the proposed development would not be harmful to protected or priority species, although recommends an informative relating to nesting birds given that the garage, associated ivy and the garden may provide some nesting habit.
- 11.22 ECC Ecology have been consulted on the application who have advised that the

proposal is limited in scale and scope and is unlikely to impact designated sites, protected/priority species or priority habitats and have not raised any ecology objections in light of the survey findings. No objections are therefore raised under ULP Policy GEN7.

12. CONCLUSION

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

- A** The proposal would amount to a presumption in favour of sustainable development in terms of location when assessed against sustainable objectives (economic and social strands of the NPPF).
- B** The development would preserve the character and appearance of the conservation area and would lead to less than substantial harm to the significance of the adjacent designated heritage assets and would meet the environmental strand of the NPPF.
- C** There would be no material change in present access arrangements.
- D** Living standards for the occupants of the new dwelling would be met.
- E** Parking standards would be met.
- F** Impacts on adjacent residential amenity would not be significant.
- G** There would be no impact on protected/priority species.

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 the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-
 - a) proposed finished levels
 - b) means of enclosure, including details of how the site's west flank boundary would be screened and also details of the provision of a screened private sitting-out area for the occupants of the new dwelling for the north-east corner of the site
 - c) car parking layout
 - d) vehicle and pedestrian access and circulation areas
 - e) hard surfacing, other hard landscape features and materials
 - f) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
 - g) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
 - h) details of siting and timing of all construction activities to avoid harm to all nature conservation features
 - i) location of service runs
 - j) management and maintenance details

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with ULP Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: The details of landscaping 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 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 ULP Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005).

- 4 Prior to the commencement of development samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and heritage protection in accordance with ULP Policies GEN2, ENV1 and ENV2 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.

- 5 All rooflights shall be of a conservation range.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and heritage protection in accordance with ULP Policies GEN2, ENV1 and ENV2 of the Uttlesford Local Plan (adopted 2005).

- 6 Prior to the approved dwelling coming into first use, the two parking spaces for the development as shown on drawing 246-505 G dated 21 March 2017 shall be laid out and properly hardened and surfaced for their intended purpose and shall thereafter be retained for parking for the site and shall not be used for any other purpose(s) without the written consent of the local planning authority having first been obtained.

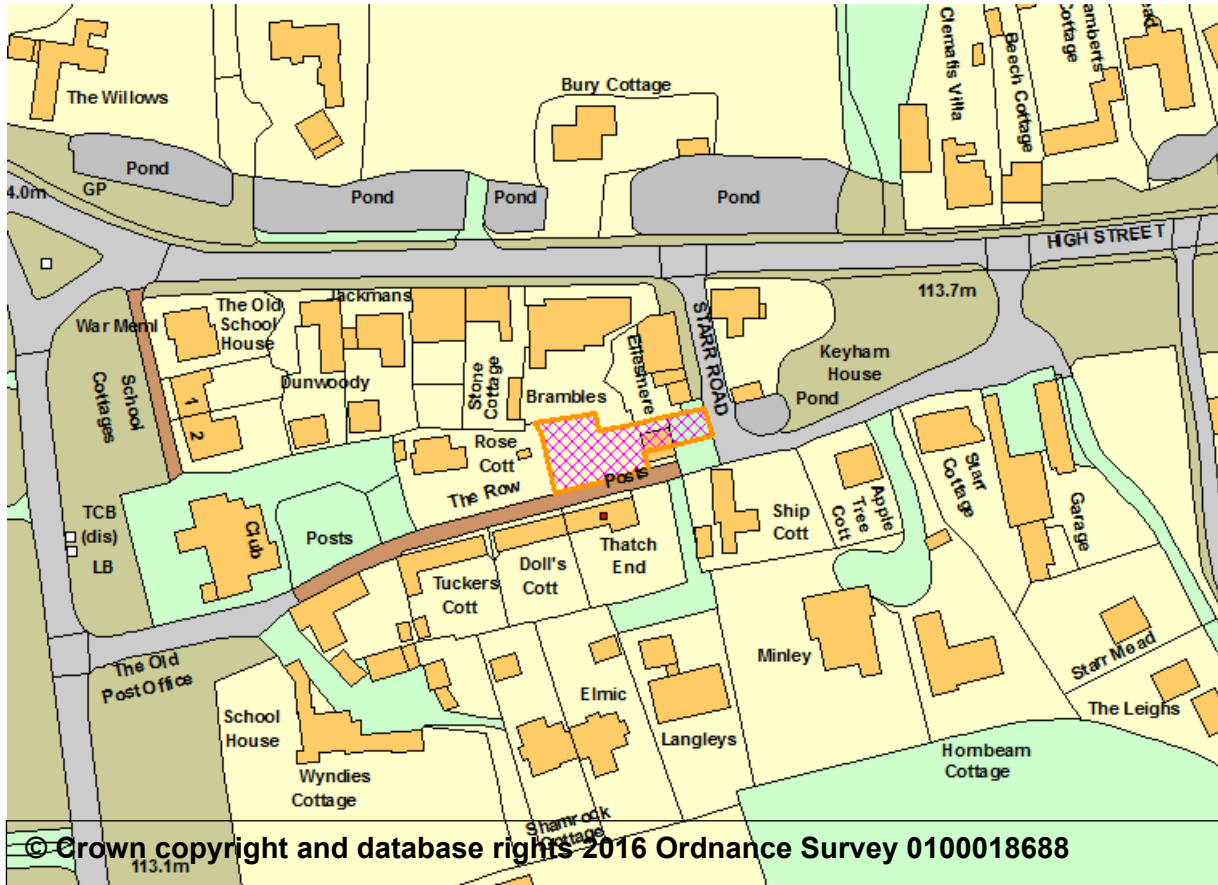
REASON: To ensure that an appropriate provision of on-plot parking is afforded to the development and to avoid on-street parking in accordance with ULP Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

- 7 The dwelling approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the Council's SPD "Accessible Homes and Playspace".

Application: UTT/17/2387/FUL

Address: Thatch End, The Row, Starr Road, Henham



Organisation: Uttlesford District Council

Department: Planning

Date: 27 April 2018