

**3/08/1854/FP – Erection of 2 detached, 4 bedroom dwellings at Bonks Hill House, Bonks Hill, Sawbridgeworth for Mr O Hookway.**

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**Date of Receipt:** 24.10.2008

**Type:** Full

**Parish:** SAWBRIDGEWORTH

**Ward:** SAWBRIDGEWORTH

**RECOMMENDATION**

That planning permission be **GRANTED** subject to the following conditions:-

1. Three year time limit (1T121)
2. Samples of materials (2E123)
3. Levels (2E051)
4. Construction workers vehicles (3V221)
5. Wheel washing facilities (3V251)
6. No development shall take place until the applicants have entered into an agreement with the Highway Authority under section 278 of the Highways Act in respect of the access and junction arrangements indicated on drawing number 2007/028 001. Unless otherwise agreed in writing by the local planning authority, such highway works shall be completed prior to the first occupation of any part of the approved development.

**Reason:** In the interests of highway safety

7. Withdrawal of PD Part 2 Class A (means of enclosure) (2E131)
8. Withdrawal of PD Part 1 Class E (incidental structures) (2E223)
9. Landscape works implementation (4P13)
10. Hedge retention and protection (4P06)
11. Tree retention and protection (4P05)
12. Tree/natural feature protection (4P07)
13. Tree protection: No burning (4P08)

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14. Tree protection: Excavations (4P09)
15. Tree protection: Earthworks (4P10)
16. Parking space (3V193)
17. Hours of working (5U081)

### Directives

1. Other legislation (010L1)
2. Highways Works (05FC2)

### Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan and East Herts Adopted Local Plan Second Review April 2007 and in particular policies HSG7, ENV1, ENV2, ENV9, ENV11, BH6, BH12 and TR7. The balance of the considerations having regard to these policies in this case is that planning permission should be granted.

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### **1.0 Background**

- 1.1 The site is located within the built up area of Sawbridgeworth and within the town's Conservation Area. It is sited on the western side of Bonks Hill, just to the north of the access with High Wych Road as shown on the attached OS extract.
- 1.2 The site is accessed via the existing driveway serving Bonks Hill House, off High Wych Road. It currently forms part of the garden of Bonks Hill House, a grade II listed building and contains a large number of specimen trees and mature planting especially on the boundaries of the site. A number of the mature trees are protected via a Tree Preservation Order (No 141).
- 1.3 The character and appearance of the plot itself predominantly revolves around the large, attractive landscaped gardens serving the existing listed property. To the north west of the site lies the modern residential development of Heron Close, and to the south west of the site is an undeveloped plot of land, understood to form part of the garden space to one of the dwellings in Heron Close. To the east of the site is Bonks Hill road which links Harlow to Sawbridgeworth.

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- 1.4 Bonks Hill House itself is described in the list description “as a house of striking appearance in a picturesque setting” and it is believed to date back to the 1700’s. It is significant in terms of its size, design, form and architectural merit.
- 1.5 The proposal seeks planning permission to erect two uniquely designed dwellings of similar footprint, size, scale, form and design, within the site. They would be of a clearly contemporary appearance. In simple terms, the design is of a timber framed ‘box’ (with much of the timber frame being exposed externally) and both would feature a mono-pitch roof with a gentle pitch and would be finished externally with large areas of glazing and also rendered panels and some brickwork.
- 1.6 The façade of plot 2, that facing Bonks Hill, and the façade of plot 1, that facing the access road feature a predominantly timber boarded elevation with a brick plinth and fenestration of differing size, scale and siting. All these facets of the design form the basis for the overall contemporary character and appearance of the proposed dwellings.
- 1.7 Within each proposed plot the existing trees and vegetation features would represent a significant proportion of the amenity space available to each new property. The existing trees and landscaping are proposed to be retained, with the boundaries to the proposed plots and adjoining sites proposed to be reinforced with additional planting, as is outlined within the proposed landscape plans. Each plot benefits from over 150 square metres of garden amenity space.
- 1.8 Access is proposed via the existing access serving Bonks Hill House, which runs adjacent to the rear of properties in Heron Close. There is a close boarded fence approximately 1800mm in height which runs to the rear of 3 and 4 Heron Close. Each new property would have two parking spaces.
- 1.9 During the lifetime of the application an amended layout plan has been received, which seeks to address the concerns initially raised by the Landscape Officer during the consultation process. This re-sites plot 2 approximately 2 metres further in from the eastern boundary and moves that dwelling 3 metres from the boundary to plot 1.

1.9 The application is being reported to Committee at the request of Cllr Gilbert.

### **2.0 Site History**

- 2.1 There have been a number of planning applications relating to extensions and additions to the listed building itself. In relation to applications relating to the plot of land in question within this application, planning permission

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was refused under LPA reference 3/90/1065/OP for the erection of a dwelling to the north east of the current proposal on grounds relating to the impact on the setting on the Listed Building and the impact on TPO's (Tree Preservation Orders) within the site.

### **3.0 Consultation Responses**

- 3.1 Hertfordshire County Highways have commented that they do not wish to restrict the grant of permission. The Highways Officer comments that the proposals outlined within the proposed plans are in accordance with the pre-application discussions that were previously approved 'in principle' by the Highways Authority. The proposed improvements involve modifications to the existing white lining within the carriageway and will assist in achieving visibility for vehicles leaving the access drive and ensure that vehicles entering the site are not blocked by vehicles queuing at the junction of High Wych Road with Bonks Hill.
- 3.2 Within the Councils Landscape Officers initial comments, it was outlined that the trees on the site are the major landscape features on the site. He commented that some adjustment to the positions of the plots (particularly with regard to plot 2) by two or three metres should be considered in order to reduce shading of the dwellings caused by the trees.
- 3.3 Further to those comments an amended plan has been received, as explained in paragraph 1.9. Having been consulted on those amended plans, the Landscape Officer recommends approval of the application, commenting that 'whilst it is a tight fit to accommodate the two proposed dwellings together with the existing trees within the confines of the site, I feel it inappropriate to refuse permission on these grounds alone.' Appropriate conditions protecting the trees through the construction phase of the development are recommended.
- 3.4 The Environment Agency has assessed the application as having a low environmental risk and will not be providing comments on the application.

### **4.0 Town Council Representations**

- 4.1 Sawbridgeworth Town Council objects to the development; they consider that the development would contravene policies BH12 and HSG7 of the Local Plan. Concern is also raised in respect of the dangerous access road, and that the nature of this access would restrict services and emergency vehicles accessing the site.

## **5.0 Other Representations**

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 At the time of writing this report eight letters of objection have been received from numbers 2, 3, 4, 5, 6, 7, 8, 9, 11, 15, 18, 20 Heron Close and Weeping Ash, High Wych Road. A summary of the concerns outlined within these letters are:

- Impact on amenity of neighbouring properties
- Loss of privacy
- Detrimental to outlook
- Refuse collection issues
- Impact on the setting of the listed building
- Impact on trees and vegetation on the boundary
- Impact of increased traffic movements on a dangerous access road
- Access to the site is dangerous and cannot be improved upon
- No access for emergency or public service vehicles
- Impact on natural wildlife within the site and adjoining site

## **6.0 Policy**

6.1 The main policy considerations in this case are:-

- HSG7 (Replacement dwellings and infill housing development)
- ENV1 (Design and environmental quality)
- ENV2 (Landscaping)
- ENV9 (Withdrawal of Domestic Permitted Development Rights)
- ENV11 (Protection of existing hedgerows and trees)
- BH12 (Development affecting the setting of a listed building)
- TR7 (Car parking standards)

## **7.0 Considerations**

7.1 In my view the fundamental considerations in this application are:

- The acceptability of the development having regard to the chosen design and layout of the development and impact on the Conservation Area.
- The impact of the proposal on the setting of the listed building
- The impact and acceptability of the proposal on highway grounds
- The impact on the amenities of adjoining properties

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- The impact of the proposal on trees / existing landscaping within the plot
  - Sustainability proposals included within the proposal
- 7.2 The property is located within the built up area of Sawbridgeworth, wherein there is no objection in principle to development. However, the merits of each individual application must be considered carefully.
- 7.3 It is pertinent to note that planning permission was refused within LPA reference 3/1065-90OP for the erection of a dwellinghouse on the site, a fact that a number of the letters of representation have noted. However, that refusal was some time ago, and policy context for the area has changed significantly. Furthermore, at that time the siting of the proposed dwelling was to the west of the plot, on land in close proximity to Heron Close. Accordingly, taking into account these details, Officers consider that limited weight can be given to that decision in the consideration of this current proposal.

#### Density and layout

- 7.4 I turn firstly to the appropriateness of the chosen layout upon the character of the area. The density of properties within the locality is generally low, comprising detached dwellings with average sized rear garden spaces and generous spacing between dwellings. It is acknowledged that the proposal will subdivide a significant plot size, (details of the impact on the setting of the listed building will be dealt with later) however, it is considered that the space around the proposed development would nevertheless be acceptable and would not create a significantly cramped or dense development in the context of the site or area in general. It should be noted that, in terms of density, Planning Policy Statement 3 indicates that an indicative density of 30 dwellings per hectare should be considered as a national indicative minimum. Furthermore, the Council's Housing Capacity Assessment (HCA) suggests that a density of 40 dwellings per hectare is realistically achievable.
- 7.5 The site within this proposal is considered to be in a sustainable location and, by virtue of the size and area of the site, could realistically achieve a significantly greater number of dwellings. However, considering the relationship with the listed building (which shall be discussed in more detail later in the report), and the number of and siting of protected trees (also discussed later within the report) the proposal is considered to be acceptable in terms of density.
- 7.6 Turning to the level of amenity space that the development would provide for future occupiers; as discussed above, the proposal would allow for a significant space for amenity for each of the new houses. As such, I am

satisfied that the proposal would result in an acceptable degree of amenity being achieved in compliance with Policy ENV1.

**Design and historical context**

- 7.7 In respect of the proposed design, this is clearly contemporary and of an unusual and striking appearance which would be in sharp contrast to the character and appearance of the listed building and also to the more modern surrounding development. However, the design approach is considered by Officers to be of a high quality and provided that the details of the materials proposed are of equally high quality (which can be controlled by condition) then Officers are satisfied that the scheme would not be detrimental to the historic context of the site and the setting of the listed building.
- 7.8 The Design and Access statement explores in detail the architects thought and design process in this case. The historic context of the site and its previous resident, Thomas Rivers, is considered in the submitted Design and Access statement to be a key inspiration. Thomas Rivers is understood to be a major contributor to the 'glass house' concept with Rivers' book entitled "The Orchard House" published in 1856, providing details of early glass house design and heating processes. Before the development of the adjoining residential site, Heron Close, a number of the 'Orchard' glass houses were located within the site. The glass house approach is considered to form the basis and justification for the expansive use of glass within the design.
- 7.9 The Design and Access statement also considers the site's unique landscaped characteristics to be another key inspiration to the design. The trees that are sited within the site and form the boundary are considered by the agent to add a sense of 'rhythm, lightness and structural integrity to the site'. The use of the timber frame and its protrusion beyond the internal envelope are considered to be a key element to the design, which the architect considers will mimic the shape and angle of tree branches on the outside of the building.
- 7.10 Taking into account the above considerations, Officers are of the opinion that the innovative design approach and reasoning behind it is justified in this instance. The design, whilst clearly contemporary and different to that of the adjoining developments and of course the listed building, is considered to be acceptable in this context. It would not seek to mimic or compete with the listed building itself and would not, in Officers opinion, impact detrimentally on local distinctiveness or the wider character of the Conservation Area.

Setting of Bonks Hill House

- 7.11 I turn now to the impact of the proposal on the setting of the listed building known as Bonks Hill House. The two new dwellings have been sited so as to protect important views of the listed building and not appear dominant in its setting. Taking into account this siting and the distance between the proposed dwellings and the listed building I consider that, subject to a detailed landscape scheme relating to the boundary treatment, there would not be a significantly detrimental impact on the setting of the listed building that would warrant the refusal of the application.

Highway and parking matters

- 7.12 I note that Hertfordshire Highways do not wish to restrict the grant of permission, and raise no concerns with highway safety. Amendments to the existing access are proposed which are considered by the Highways Officer to improve access into and out of the site; these are matters which I endorse and recommend that are implemented via condition and the necessary s.278 agreement.
- 7.13 In respect of parking provision, within the SPD, the maximum standard for a four bedroom dwelling is for 3 spaces. It is noted that a total of two parking spaces are proposed to the frontage of the properties curtilage. This is less than the maximum standard; however taking into account the sustainable location of the site, I consider that level of provision to be acceptable.

Neighbour amenity

- 7.14 The nearest adjoining property to the development will be 5 Heron Close. However, there is a distance of some 23 metres as a minimum between Plot 1 and that property. Furthermore, there is substantial degree of screening and a belt of trees to the western boundary. Taking into account these two factors and the siting of the proposed dwellings in relation to the properties in Heron Close, I do not consider that the proposed development will result in a significant degree of impact on those adjoining dwellings that would warrant the refusal of the application.
- 7.15 From my site visit I noted that the adjoining site, that to the south west of the site, appeared to be used as a garden/recreational use. Whilst this is not directly attached to a residential dwellinghouse, regard should be made to the possible impact on that plot of land and its users. In my opinion, taking into account the orientation of the nearest proposed dwelling in relation to that plot and the degree of screening as existing and proposed, I do not consider that the proposed development will result in any significant detrimental impact.



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7.16 I note that a concern has been raised with respect to the impact that the increased number of dwellings and associated vehicle movements will have on the amenity of residents backing onto the access road, in terms of noise and general disturbance. There will, in my opinion, be an increase in traffic movements along the access road as a result of the proposed development. However, taking into account the number of dwellings proposed, I do not consider that the degree of impact will be to such an extent as to warrant the refusal of the application.

#### Landscape and tree issues

7.17 The Design and Access Statement submitted with the application considered the landscaped setting of the listed building and the protected trees on the site to be of significant importance in the overall design and layout of the scheme.

7.18 The proposed dwellings have been sited in order to satisfy two important criteria, one being to protect the setting and views of the listed building, and the other being to prevent harm being caused to the protected trees on the site. The dwellings have therefore been sited so as to avoid the root protection areas of the significant trees on the site, whilst still permitting important views to the façade of the listed building.

7.19 The Council's Landscape Officer initially raised some concern regarding the siting of plot 2 in particular, suggesting that it might be moved slightly further to the west so as to take it further away from the trees on the eastern boundary with Bonks Hill. This advice has been accepted, as explained in paragraph 1.9. Accordingly, taking into account the comments from the Landscape Officer, and with regard to the siting of the dwellings which have been designed so that their principal living rooms and significant amounts of glazing face away from the potential overshadowing effect of the nearest protected trees, on balance, I do not consider that the proposed development will result in a significantly detrimental impact on the existing protected trees on the site. However, as recommended by the Landscape Officer, conditions are considered to be appropriate in this instance, to protect the existing trees from damage during the construction process.

7.20 With regard to the proposed new landscape design proposals, I am of the opinion that this would complement the existing pattern and form of planting within the plot. The boundaries of the dwellings are proposed to be formed by hedgerow and trees, which complement the existing character, in my view. Furthermore, the existing boundary treatment (predominantly landscaped with mature vegetation and trees) is proposed to be reinforced with further planting.

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7.21 From the information available to me I am of the opinion that the proposed development would not result in a significant impact on the existing trees or landscape features within the site. The landscape design proposals would meet the requirements of policies ENV1 and ENV2 of the Local Plan, and are considered to complement the existing character of the site and setting of the listed building.

#### **Sustainability/Energy efficiency**

7.22 The Design and Access statement gives some detail with regards to the use of sustainable energy and construction measures within the development. Although such measures are not considered to be required by policy SD1 of the Local Plan (which relates to applications for 15 dwellings or more), the implementation of sustainable development measures is to be welcomed as part of this proposal.

7.23 The design and layout of the proposal, and particularly the use of fenestration, seeks to optimise the energy efficiency and sustainability of the development. Solar energy, rainwater harvesting and the use of renewable materials are all proposed.

### **8.0 Conclusion**

8.1 To conclude, I consider that the development is acceptable in its size, scale, layout and design. It would not appear incongruous in the context of the surrounding area and would in my opinion have no significantly adverse impact on the character and appearance of the locality; the setting of the nearby listed building; or the important landscape features on the site.

8.2 The proposal has been considered with regard to the policies of the Development Plan and the balance of the considerations having regard to those policies is that planning permission should be granted subject to the conditions set out at the commencement of this report.