

**5j 3/13/0714/FP – Construction of detached dwelling at Camelot, 9, Church End, Braughing, SG11 2QA for Mr J Haworth**

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**Date of Receipt:** 08.05.2013

**Type:** Full – Minor

**Parish:** BRAUGHING

**Ward:** BRAUGHING

**RECOMMENDATION:**

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

1. Three Year Time Limit (1T12)
2. Programme of Archeological Work (2E02)
3. Levels (2E05)
4. Boundary Walls and Fences (2E07)
5. Approved Plans (2E10) (Location Plan, MW1221 03 B, MW1221 04 A)
6. Samples of Materials (2E12)
7. Obscured glazing (2E18)  
Insert “to bedroom 2 in the first floor south facing flank elevation and the bathroom in the first floor east facing rear elevation”, delete “and fixed shut”
8. Tree/hedge retention and protection (4P05)
9. Landscape Design Proposals (4P12)
10. Landscape works implementation (4P13)
11. Hours of Working - Plant and Machinery (6N05)

**Directives:**

1. Other Legislation (01OL)
2. Street Naming and Numbering (19SN)
3. Unsuspected Contamination (33UC)

**Summary of Reasons for Decision**

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

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**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. Camelot is a detached 2 storey dwellinghouse that has been constructed in red brick, render and weatherboarding. It is set centrally within its plot and has a large garden curtilage. A detached garage is sited over 10 metres from the entrance of the site off Church End. The front elevation of Camelot faces north, towards the highway but is screened from the street scene by mature landscaping along the northern boundary. The site lies within Braughing a category 1 village in Local Plan terms.
- 1.2 The application proposes the erection of a detached three bedroom dwellinghouse within the curtilage of Camelot. The proposed dwelling would be sited to the south of the existing property and the existing plot would be divided generally from east to west, but enabling access to the proposed property from the north. The proposed dwelling would have its principle elevation facing west and would in part be 2 storeys in height and have facing materials of brick and render. The proposed dwelling would be afforded front and rear amenity space. An area of off-street parking for both the existing dwelling and the proposed dwelling would be provided.

**2.0 Site History:**

- 2.1 Camelot has previously been granted planning permission for various extensions and outbuildings.

**3.0 Consultation Responses:**

- 3.1 The Council's Conservation Officer recommends approval of the application and comments that due to the siting of the proposal, to the

rear (south) of Camelot and due to the built and green character of the area, the proposed dwelling would have little visual impact upon the appearance of the wider Conservation Area or the setting of St Mary's Church. It is also considered that the mass and scale of the proposed dwelling is subservient to that of Camelot and as such would not dominate the immediate setting; the design is also reflective of the wider area.

- 3.2 The Councils Landscape Officer has recommended refusal and raises concerns that the proposal fails to respect the local landscape character and local distinctiveness in the area surrounding the church. It is considered that the layout is symptomatic of an overdevelopment of the existing plot, which in essence has been poorly subdivided with the eastern half of the plot not being considered. The Officer also refers to the lack of the submission of a tree survey.
- 3.3 The Historic Environment Unit comment the proposed site is located in the historic core of Braughing and in Area of archaeological Significance No60 as identified the Local plan. Having regard to this location, it is considered that the proposed development is likely to have an impact on heritage assets of archaeological interest. They therefore recommend that a condition is attached to any grant of permission requiring the implementation of a programme archaeological works.
- 3.4 Hertfordshire Biological Records Centre conclude that there are no known ecological constraints regarding the proposed development and the application can be determined accordingly.
- 3.5 Hertfordshire County Highways have commented that they do not wish to restrict the grant of permission. The Highways Officer comments that the scheme proposes to use the existing vehicle access at a point where appropriate visibility splays can be provided and there have been no accidents recorded in the last five years. A suitable level of parking and turning space within the site is provided.
- 3.6 The Council's Environmental Health team does not wish to restrict the grant of permission subject to a condition relating to construction hours of working.

4.0 **Parish Council Representations:**

- 4.1 Braughing Parish Council objects to the proposal and raises concerns that the proposal would appear obtrusive and overbearing in its surroundings, with the loss of open land having an impact upon the

character and appearance of the street scene and that the height of the dwelling would be overbearing. Further concerns are raised with the impact of the proposal on the Braughing Conservation Area and the setting and views of the adjacent Grade I Listed church.

**5.0 Other Representations:**

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

5.2 Eleven letters of objection have been received raising the following concerns:

- Would be infilling within the heart of the village and would set a precedent for further development;
- Would create more parking problems;
- Would appear unduly prominent and detrimental to the character and appearance of the area and the Conservation Area;
- Would be overdevelopment of the site;
- The proposed building is too tall and will have an adverse visual impact;
- Would fail to respect the amenity of neighbouring properties;
- Is not sited well in relation to surrounding buildings;
- Inappropriate access for building works;
- The village does not need a large detached house;
- Detrimental to the setting of the adjacent Grade I Listed Church.

5.3 Braughing Society objects to the proposal and comment that the proposal by reason of its siting and extent would appear unduly prominent and detrimental to the character and appearance of the Braughing Conservation Area. It also considers that the proposal would represent overdevelopment of the site; would have an adverse visual impact due to its height; would be obtrusive; would not be of a design that would compliment the surroundings; would fail to respect neighbour amenity; access for construction traffic would be difficult and harmful.

**6.0 Policy:**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

- |      |                                  |
|------|----------------------------------|
| HSG7 | Infill Housing Development       |
| ENV1 | Design and Environmental Quality |

ENV2	Landscaping
ENV14	Local Sites
ENV16	Protected Species
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
BH6	New Developments in Conservation Areas
TR7	Car Parking – Standards
OSV1	Category 1 Village

6.2 In addition, national planning policy as set out in the National Planning Policy Framework is relevant. Locally, a Braughing Conservation Area Character Statement was produced by the Council in 1995 and has been taken into account. The content of the Braughing Parish Design Statement has also been taken into account.

## **7.0 Considerations:**

7.1 The site is located within the built up area of the Category 1 Village of Braughing wherein policy OSV1 states that limited infill housing development may be permitted provided that the proposal would not be significantly detrimental to neighbour amenity, that the location does not represent a significant open space or gap important to the form and setting of the village, that the proposal would not block important views and vistas and that the housing is appropriately designed and well integrated within the surrounding area. Similar criteria are established in policy HSG7 and ENV1. Given the location of the site within the village the provision of one dwelling is considered to be acceptable in principle. However, it is necessary to test the impact of the proposals against the requirements of the policies as set out in the Local Plan, including those relating to the Conservation Area location, and to take into account any other material issues.

### **Character and Appearance**

7.2 It is proposed to divide the existing plot from east to west (with provision for access) and to site the dwelling to the south of the existing dwellinghouse. The front elevation of the proposed dwelling would not extend any further forward than the west facing elevation of Camelot. The proposed dwelling would have an area of patio to the frontage and would have a generous rear garden area, measuring over 600m<sup>2</sup>.

7.3 The existing dwelling on the plot, Camelot, would still retain a larger rear garden space of over 1000m<sup>2</sup>. The applicant explains that a location to the east of the existing dwelling was considered, but

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discounted as the selected layout enables any future occupier of the proposed dwelling to enjoy views outward toward the church tower.

- 7.4 Concerns have been raised by local residents that such a layout, together with the scale of the proposed dwelling would not be appropriate for the character and appearance of the locality and would constitute overdevelopment of the site. The proposed dwelling, discounting the existing outbuilding to Camelot which is to be included into the new plot, would have a footprint of 125m<sup>2</sup>. The size of the proposed dwelling in relation to the plot size could not be considered unduly at odds with the varied arrangement of house types and plot sizes in the vicinity. What is less usual is the location of the proposed dwelling 'behind' the existing house. However, this layout assists with ensuring that the visual impact of the proposed unit is minimised. With the existing frontage house and planting, it is likely that views of the new dwelling from Church End will be limited to the area in the vicinity of the access and from the raised churchyard area beyond.
- 7.5 The main ridge of the proposed house is approx 7.3m in height. From the frontage those views which are available will be of a chalet style house, with a two storey projecting front gable. The proposed house would be some 1.8 metres lower in height than the existing dwelling on the plot.
- 7.6 The design of the proposed dwelling is traditional, with a hipped roof and 2 storey front and rear gable elements that would be set down from the main roof ridge line of the proposed dwelling by 0.6 metres. A total of three dormer windows which are of a modest size and scale are also proposed within the roof slope of the dwelling (one to each of east, west and south elevations). Detailing such as ground floor bay windows and a chimney are also proposed which add architectural interest to the proposed dwelling.
- 7.7 Whilst the proposals introduce a further dwelling into this area of the village, it is considered that the resulting plot sizes remain acceptable in relation to the dwellings and enable both to be assimilated into the character of the area. There will be views toward views toward the new dwelling from Church End but these will be limited. The location is not identified as a significant gap or vista in the Conservation Area Character Statement or the Parish Design Statement. It is considered that the more important views to be had are those from public locations toward the church and its associated setting. It is not considered that the location or scale of the proposals are such that they are harmful therefore and can be judged positively against the criteria set out in the Local Plan policies. The retention of the green frontage area to the

existing dwelling, with no greater access requirements, also assist in minimising its impact.

- 7.8 Policy BH6 requires development in Conservation Areas to be sympathetic in terms of scale, height, proportion, form, materials and siting in relation to the general character of the area. The concerns raised by local residents and Braughing Parish Council in respect of the proposal having a harmful impact on the character and appearance of the Braughing Conservation Area have been noted. In her assessment the Council's Conservation Officer has been mindful of the features that are important to the character of the area; most importantly here the church and other listed buildings.
- 7.9 Officers have considered carefully the Conservation Area Character Assessment and the Parish Design Statement. The former notes that the special character of The Hoppits, as this part of the road is known, is defined by the raised level of the churchyard. The proposals will not compete with this defining character. Indeed it is unlikely that there are public locations where both the new dwelling and the churchyard will be seen in the same views. In the Parish Design Statement it is set out that "The character and appearance we wish to preserve and enhance is perhaps best demonstrated by The Square and Church End, close packed houses of many different periods, with no uniform width of frontage and no common roofline, constructed in different styles of varied materials using a range of techniques". It is considered that the proposed dwelling contributes to this lack of uniformity.
- 7.10 As indicated, the Church, sited on levels that are slightly elevated above the street scene and the application site, remains the dominant building in the area, establishing the historic character. Whilst views from the church to the proposed dwelling will be possible, it will be located at over 30 metres distant at its closest. Views in this direction are not considered to be a defining feature of the Conservation Area. The property will be seen adjacent to existing landscaping and the roofscape of other dwellings. It is considered to be subservient to the existing dwelling. Whilst views toward it will be possible it is not considered necessary or appropriate to hide all development in the Conservation Area.
- 7.11 In summary, Officers consider that the proposal would not detract from the immediate or wider character and appearance of the Conservation Area or the setting of the nearby Listed Buildings, including St Mary's Church, in accordance with Policy BH6 of the Local Plan and Section 12 of the National Planning Policy Framework. It is considered then that the character of the Conservation Area is maintained.

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- 7.12 Set against the views of the Conservation Officer, the concerns of the Council's Landscape Officer have been noted. In reaching his views, he set out that the concern he has in relation to the impact of the proposals was symptomatic of a poor decision in relation to the sub division of the site. That is, a preferable sub division would be north-south with new development placed on the east side of the plot. Whilst it is acknowledged this would provide a more conventional relationship with the road frontage, this would require the creation of a further access and greater loss of frontage planting. It is more likely also that this would lead to development with a greater degree of uniformity, something which the Parish Design Statement identifies as not appropriate. The judgement to be made here however is not whether there is a more preferable scheme, but whether the proposals being put forward are acceptable.
- 7.13 In this case, the lack of a tree impact assessment report, as referred to by the Landscape Officer is not considered to be harmful. The site of the proposed new dwelling contains shrub rather than significant tree planting. The other matter raised by consultees, namely the requirement for a programme of archaeological works, can be implemented through an appropriate condition.

#### Impact upon neighbour amenity

- 7.14 Immediately to the south of the site are existing dwellings known as Ashridge and Magdalens which are 1 ½ storeys in height. In respect of Ashridge, the south facing flank elevation of the proposed dwelling would be sited at approx 25m to the rear of the rear elevation of that property. The flank wall is approx 12.5m in extent. Presently there is a walled boundary to part of this side of the plot and hedging within the Ashridge curtilage. Whilst the proposed dwelling will undoubtedly have an impact in relation to the views to be had from Ashridge, the intervening distance, existing boundary treatment and angled relationship between the properties are such that it is not considered to result in significant harm. Privacy is satisfactorily maintained by the installation of only one window at first floor level which would be fitted with obscure glazing.
- 7.15 Turning then to the relationship between the proposed dwelling and Magdalens. In this case, there would remain an intervening distance of over 20 metres between the rear elevation of the proposed dwelling and that of the main rear elevation of Magdalens. The boundary treatment is more open here, a post and rail fence at present, however Magdalens is orientated more to views of the rear garden of the proposed house and its rear elevation, rather than the flank wall.

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- 7.16 The closest window at first floor is to a bathroom and can be obscure glazed. There is a further window to a landing/ corridor area and an outside balcony area. This outdoor area is modest, less than a metre in depth and under 3m in width. It is unlikely to be a location which is used significantly for sitting out and therefore unlikely to harmfully impact on privacy.
- 7.17 The rear elevation of the proposed dwelling would also retain a distance of some 30 metres to the nearest dwelling to the rear (east) of the site, no 6 Orchard House. Taking this into account and the mature landscaping that is sited along the rear site boundary and between the proposed dwelling and No6, the proposed development would not result in any significant harm to the amenities of the residents of no 6.
- 7.18 Lastly, it is considered that sufficient spacing would be available between the proposed dwelling and the existing building such that the proposed dwelling would not have an unacceptable overbearing impact on the occupiers of Camelot. There is likely to be a degree of overlooking between the plots, but this is not considered to be greater than the common inter-relationship between adjoining plots.

#### Access and Parking

- 7.19 In respect of access, the existing vehicle entrance that is used to access Camelot, off Church End would be utilised. The Highways Authority does not raise any objections to the proposal, it is considered to be acceptable in a highways context, with sufficient provision of parking and space for vehicle turning included within the site. The proposal would not therefore be detrimental to highway safety or capacity.
- 7.20 In relation to parking provision, the existing detached garage and the area of hard-standing to the west of the current dwelling would be available for the proposed dwelling. An area of hard-standing to the north of the existing dwelling, with space to park four vehicles. would be retained for the existing dwelling. This gives 7 spaces overall for the two dwellings. The Vehicle Parking Standards, as set out in the East Herts Local Plan, require a maximum of 2.25 spaces per 3 bedroom dwelling and a maximum of 3 spaces for a dwelling with four or more bedrooms. So 5.25 spaces would be required. Officers therefore consider the parking provision proposed to be acceptable in this case.

### **8.0 Conclusion:**

- 8.1 The proposals have been considered carefully in relation to their impact

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on the character and appearance of the area and in relation to the integrity of the Conservation Area. The chosen location, whilst not conventional in relationship to the street frontage, acts to significantly reduce the impact that the insertion of new development may otherwise have.

- 8.2 It is acknowledged that the new property will be visible in the Conservation Area. However, this by itself is not a reason to justify withholding permission. It is considered that its visual and character impact will be acceptable and that it will not compete with the attributes which most strongly define the Conservation Area.
- 8.3 There are no other issues identified which are considered to have an unacceptably harmful impact and therefore, for the reasons set out above Officers recommend that planning permission is granted, subject to the conditions set out at the head of this report.