

DEVELOPMENT MANAGEMENT COMMITTEE – 23 MAY 2018

Application Number	3/18/0263/FUL
Proposal	Proposals for the demolition of old 'Combine' Shed and for the erection of two new dwellings, new 3 bay Cart Lodge for Yew Tree House and car parking spaces for curtilage houses.
Location	Yew Tree House, Kettle Green Lane, Much Hadham, Hertfordshire, SG10 6AJ
Applicant	Ms Wrong
Parish	Much Hadham Parish
Ward	Much Hadham

Date of Registration of Application	5 February 2018
Target Determination Date	2 April 2018
Reason for Committee Report	Referral Request
Case Officer	Rachael Collard

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The application proposes the demolition of a 'Combine Shed' and the construction of a semi-detached pair of dwellings and a Cart Lodge used for the parking of vehicles associated with Yew Tree House.
- 1.2 The site lies within the designated settlement boundary of Much Hadham a Category 1 village. The site would also be located within the Conservation Area and an area of Archaeological significance.

- 1.3 The main planning issues relate to the impact of the proposed semi-detached pair of dwellings and the cart lodge within the context of the site and its impact on the neighbouring residential dwellings and the impact on the setting of the Grade II* and Grade II listed buildings.

2.0 Site Description

- 2.1 The application site itself lies to the east of Walnut Close. The site currently forms part of the residential garden of Yew Tree House, a Grade II* listed building, located within Much Hadham. The site consists of the residential dwelling, large garden and combine shed with mature vegetation seen within the garden and along the boundaries of the site.
- 2.2 It should be noted that during the course of the planning application amended plans were submitted reducing the width of the dwellings, the removal of the single storey store and a boundary wall replacing a close boarded fence. It should be noted that neighbours and contributors have been re-consulted on the amended plans.

3.0 Planning History

The following local planning history is of relevance to this proposal:-

Application Number	Proposal	Decision	Date
3/93/0277/FP	Internal Alterations and refurbishment of studio and annex	Granted	27 th April 1993
3/93/0278/LB	Minor demolition work internal alterations and refurbishment of studio and annex	Granted	27 th April 1993

4.0 **Main Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016 (DP) and the adopted East Herts Local Plan 2007 (LP).

Main Issue	NPPF	LP policy	DP policy
The principle of the development	Paras 6-16	SD1 SD2 HSG1 HSG7 OSV1	DPS6 VILL1 HOU1 HOU2
Character and appearance	Sections 6 and 7	ENV1 ENV2 ENV25	DES2 DES3
Impact on Heritage Asset	Section 12	BH1 BH2 BH6	HA1 HA2 HA3 HA4 HA7
Landscape impact	Section 11	GBC14 ENV16	DES1 DES2
Highways and parking	Section 4	TR2 TR7	TRA1 TRA2 TRA3

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 **Summary of Consultee Responses**

5.1 HCC Highway Authority – No objection subject to conditions

5.2 EHDC Conservation and Urban Design Advisor – No objections subject to conditions

5.3 HCC Historic Environment Unit – No objections subject to conditions

5.4 EHDC Landscape Advisor – No objection on landscape or arboricultural grounds, recommend a landscape condition if approved.

5.5 Herts Ecology – No objections

5.6 EHDC Environmental Health Advisor – no objection subject to conditions

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town/Parish Council Representations

6.1 Much Hadham Parish Council objects to the proposal as there is a risk to pedestrians on Walnut Close given the narrowness of the un-adopted road, lack of passing places and lack of footway, the issue of sight lines and its negative impact on a Grade II* Listed Building as the development is within its curtilage.

7.0 Summary of Other Representations

7.1 25 neighbour responses have been received objecting to the proposals on the following grounds:

- Overdevelopment of Walnut Close
- Highway Impact
- Highway Safety concerns
- Damage to road
- Lack of parking
- Lack of passing places
- Loss of existing soft landscaping
- Loss of conifer hedgerow
- Dwellings will be higher than existing building on site.
- Loss of privacy
- Increase in hard surfacing
- Impact on setting of listed building

- Risk to health and safety
- Affordable homes should be provided for key workers or to rent.
- Objects to vehicular access onto Walnut Close

8.0 Consideration of Issues

Principle of development

- 8.1 The site lies in the built-up part of Much Hadham, a Category 1 Village, where there is no objection in principle to limited small scale and infill housing developments subject to the criteria set out in policy OSV1. Limited small scale housing is defined as up to 15 houses and therefore this proposal for 2 dwellings is policy compliant. Much Hadham has a range of services and facilities and given the location of the site in relation to the village I consider it to represent a sustainable form of development. Furthermore it is noted that the site is adjacent to a recently completed residential development at the end of Walnut Close granted under application 3/15/1011/FUL.
- 8.2 Policy OSV1 requires housing development to ensure that proposals would not be significantly detrimental to amenity, that the site does not represent a significant open space or gap important to the form or setting of the village that the proposed does not block important views or detract from the appearance of the village, and that the proposal is sensitively designed and satisfactorily integrated into the village.

Character and Appearance

- 8.3 The proposal seeks the demolition of the existing combine shed and the construction of a semi-detached pair of dwellings fronting onto Walnut Close and a cart lodge providing parking for Yew Tree House. The proposed dwellings would be located within an area currently forming the residential garden of Yew Tree House. The properties would be two storeys in height, featuring a modern single storey element to the rear with sedum roof. The properties would be set back from the road of Walnut Close, by approximately

9 metres.

- 8.4 It should be noted that the amended plans have been submitted during the course of the application and include a reduction in the width of the semi-detached pair, the removal of the single storey store and a brick boundary wall replaces a previously proposed close boarded fence located on the boundary.
- 8.5 It should be noted that the existing combine shed that would be demolished is not small in size; however it is acknowledged that the dwellings would be higher and overall larger than the existing shed. The proposed dwellings would have dimensions of approximately 9.9m in width (total width of both properties equates to 19.8m), 7.2m in depth increasing to 12.2m in depth (inclusive of the single storey element) and 8.4m in height. The dwellings are considered to be a contemporary take on traditional cottages and feature chimneys and a porch, although it is acknowledged that the single storey element would feature a sedum roof considered to be a modern feature.
- 8.6 The site is located within a conservation area and adjacent to a Grade II* and Grade II listed buildings. It is noted that Walnut Close itself consists of a number of properties that vary in terms of style and design, however generally a more traditional character prevails. Whilst the proposed development proposes a sedum roof to a single storey element, as these are single storey in scale and are to the rear of the dwellings, they are not considered to be a prominent feature within the street scene, Therefore overall the proposed dwellings are not considered to be unacceptable in terms of design and appearance within their location.
- 8.7 With regards to the new cart lodge, this would be located south of Cottage 2 and would be sited on the boundary with Holy Oak Cottages, providing three parking spaces for Yew Tree House. The building would be approximately 9.4m in width, 6m in depth featuring a hipped roof reaching an overall height of approximately 5.4m. The building would be constructed from traditional materials. Whilst the building would be sited forward of the front elevation of

Cottage 2, it would be sited approximately 9.4m from the road of Walnut Close (at its closest point).

- 8.8 The details submitted state that the dwellings would consist of bricks and slate roof tiles. It would be necessary and reasonable to apply a condition requiring samples of materials to be submitted, enabling the Council to retain control over the appearance of the dwellings to ensure that the materials are appropriate for the Conservation Area.

Impact on Heritage Assets

- 8.9 The specific historic environment policies within the NPPF are contained within paragraphs 126-141. Paragraph 131 of the NPPF states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 132 of the Framework outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation.
- 8.10 Paragraph 133 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 134 states that this should be weighed against the public benefits of the proposal. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances. Furthermore, though not fully consistent with the NPPF in the above regard, Policy ENV1 requires proposals to feature high quality design.
- 8.11 The application site is within the setting to Yew Tree House a Grade II* listed building, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

- 8.12 The heritage statement submitted alongside the application, considers the existing combine shed to be poorly sited, detracting from the setting of Yew Tree House. It states that the removal of the shed would be a '*significant visual improvement*' and the construction of two dwellings, due to scale and siting are considered to have a beneficial impact on the listed building and Conservation Area.
- 8.13 Yew Tree House itself is visible within, the street scene of Kettle Green Road and Tower Hill, however due to its siting is not a prominent feature within Walnut Close. The demolition of the existing combine shed is not considered to be objectionable and whilst the two dwellings would change this part of the Conservation Area, it is not considered to have a negative impact over the existing situation on the heritage asset. As such it is considered that the development would be neutral in terms of harm.
- 8.14 The Council's Conservation and Urban Design Advisor has been consulted on the application and does not object to the development and does not consider that the proposal will harm the setting of the listed building or the Conservation Area.
- 8.15 Due to the site being located within an area of archaeological significance, a consultation response from HCC Historic Environment Unit, has been received and they do not wish to object to the application but have requested a condition be imposed on any grant of permission requiring a scheme of archaeological work to be undertaken. It is considered to be reasonable and necessary in accordance with policies BH1, BH2 and BH3 of the East Herts Local Plan Second Review 2007.

Neighbour Amenity

- 8.16 The properties located on Walnut Close and Holy Oak Cottages, Kettle Green Road would be most affected by the proposed development. The two dwellings would face onto Walnut Close, and would face those properties opposite. However given that a distance of approximately 9m would be retained to the boundary

with Walnut Close, approximately 20 metres would be seen to the front elevations of the properties opposite and views would be into the street scene, which is already within the public realm it is not considered that the proposal would result in a detrimental impact in terms of overlooking or loss of privacy. With regards to those recently constructed properties to the north of the application site, as no windows are proposed in the side elevations, no objections are raised. Whilst views from the rear upper floor windows would enable views across the rear garden areas of properties to the north and the garden of Yew Tree House itself, having regard to the angle of views and the distances achieved, this is not considered to result in a detrimental impact to justify a reason for refusal.

- 8.17 Objections have been raised by neighbours due to the loss of the Leylandii hedge and thus resulting in loss of privacy. Whilst it is acknowledged that the outlook of those properties on Walnut Close would alter, due to the distances achieved the proposed development is not considered to have a detrimental impact to neighbouring occupiers to justify a refusal.
- 8.18 With regards to the cart lodge this is located immediately to the rear of the boundary with Holy Oak Cottages and to the rear of the detached garage building accessed from Walnut Close. Whilst the building would be 5.4m in overall height, due to the hipped roof form and the separation distance seen the cart lodge is not considered to be objectionable nor would it cause loss of light to justify a reason for refusal.

Highways and parking

- 8.19 The proposed two dwellings would have individual accesses off Walnut Close, which is a gravelled narrow private un-adopted road. Under the permission for the 7 dwellings recently permitted, the road is to be widened to 4.1m along the length of the road apart from a pinch point and will be re-surfaced. It was noted that at the time of a site visit the works to the road of Walnut Close were underway.

- 8.20 Objections have been raised by neighbours regarding the proposed dwellings taking access from Walnut Close and the increase in vehicular movements on an already narrow and increasingly utilised road. Further concerns are also raised on the basis that the access onto Kettle Green Road is dangerous with limited visibility down the road and the lack of off street parking in particular for guests visiting properties. Whilst a further 2 dwellings would be take access off Walnut Close, Hertfordshire County Council Highways have been notified of the application and do not wish to raise an objection to the proposed development, commenting that the proposed development uses an existing vehicular access at a point where appropriate visibility splays can be provided and that traffic generation will not be significant.
- 8.21 Whilst only 3 bedrooms are identified on the plans, it is noted that a ground floor room has the potential to be used as a bedroom and therefore on that basis, the dwellings will be treated as 4 bedroom properties. As such in accordance with the Council's Parking Standards Document a dwelling of this size would require 3 parking spaces each. It is noted that each of the dwellings would benefit from a driveway to the front of the properties, the drawings show each property would have two spaces, however additional space can be seen in front of those marked out spaces, whereby a further parking space for a vehicle could be provided. As such this would be in accordance with the Council's Parking Standards. Furthermore comments received from the Highway Authority have stated that a suitable level of parking is included within the proposal.
- 8.22 Following the demolition of the existing 'combine shed' a new cart lodge would be constructed providing 3 parking spaces for Yew Tree House, these spaces would be accessed via the existing driveway taken from Kettle Green Road and would not generate additional traffic flow onto Walnut Close. No objections are raised regarding this arrangement and there is suitable off street parking for Yew Tree Cottage.

- 8.23 It is acknowledged that a recent development along Walnut Close has resulted in disruption during the construction phase and due to the nature of the road it is considered reasonable to impose a condition requiring a construction management plan to be submitted.

Landscape and Ecology

- 8.24 The submitted plans show areas of soft landscaping along the boundaries of the site with areas of soft landscaping within the site itself. This includes grassed areas to the front of the dwellings with the existing Cherry trees shown along the front boundary of the site to be retained. It is acknowledged that the site currently benefits from a Leylandii hedge, approximately a 23m portion of the frontage with Walnut Close. Objections have been raised by neighbours regarding the removal of this hedge as it is considered to provide privacy and to create a rural and pleasant character within the street scene of Walnut Close.
- 8.25 Whilst it is acknowledged that the hedge provides screening and the removal of the hedge would alter the outlook for residents opposite, the removal is not considered to be objectionable. Furthermore the Council's Landscape Advisor has not raised an objection to the removal of this hedgerow as it is considered that attempts to retain the hedge is likely to result in excessive pressure on the hedge during construction and on completion. It is however considered that a more suitable species of hedgerow could be implemented along this boundary in order to maintain the character of the street scene and this could be dealt with by a planning condition. It is also noted that areas of grass would be retained to the frontages of the dwellings and the existing cherry trees currently sited within the grassed verge would be retained. Therefore it is considered that the development would be softened and is not considered to be out of character in terms of the street scene of Walnut Close.

- 8.26 Furthermore in order to accommodate the proposed cart lodge the tree that sits to the rear of the neighbouring properties' garage and is adjacent to the retained Ash Tree would need to be removed, however no objection is raised in this regard and this is supported by the Council's Landscape Advisor.
- 8.27 Therefore it is considered reasonable and necessary to impose a planning condition requiring landscaping plans to be submitted and this should include additional soft landscaping within the frontages of the proposed dwellings. Furthermore the Ash Tree located within the grassed verge would be retained, in order to prevent damage to the tree, a condition requiring tree protection measures to be implemented during the construction phase shall be imposed on any grant of permission.
- 8.28 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119); furthermore, Policy ENV16 requires developments to contribute positively to biodiversity. In accordance with the NPPF proposals should conserve and enhance biodiversity. In order to facilitate the development, the removal of existing trees and shrubs across the site would be necessary it is therefore considered that there would be some harm to biodiversity.
- 8.29 A bat survey has been submitted as part of the application and no bats or evidence of bats was found at the site. Hertfordshire Ecology were consulted on the application and comment that as the barn was considered to be unsuitable to support roosting bats and no further surveys were considered necessary.

9.0 Conclusion

- 9.1 Having regard to the representations made by consultees and residents, officers consider that the details submitted for the demolition of the barn and the construction of a semi-detached pair of dwellings and a cart lodge is acceptable subject to conditions and would be in accordance with the relevant policies of the East Herts Local Plan 2007.

9.2 For the above reasons the proposal would be in accordance with policies contained within the East Herts Local Plan Second Review April 2007 and the Emerging East Herts District Plan and the NPPF. It is therefore recommended that planning permission is granted.

RECOMMENDATION

That outline planning permission be **GRANTED**, subject to the conditions set out below:

1. Three Year Time Limit (01T12)
2. Approved Plans (02E10)
3. Samples of Materials (02E12)
4. Notwithstanding the approved plans, prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate:
 - (a) Proposed finished levels or contours
 - (b) Means of enclosure
 - (c) Hard surfacing materials
 - (d) Planting plans
 - (e) Written specifications (including cultivation and other operations associated with plant and grass establishment)
 - (f) Details of the Sedum Roof
 - (g) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
 - (h) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

5. Landscape works Implementation (4P131)
6. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
 - a. Construction vehicle numbers, type, routing;
 - b. Traffic management requirements;
 - c. Construction and storage compounds (including areas designated for car parking);
 - d. Cleaning of site entrances, site tracks and the adjacent public highway;
 - e. Timing of construction activities to avoid school pick up/drop off times;
 - f. Provision of sufficient on-site parking prior to commencement of construction activities;
 - g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: To ensure that the development takes place in a comprehensive manner having due regard for highway safety and capacity and to ensure that the impact of construction traffic on the local road network is minimised.

7. No development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policies BH2 and BH3 of the East Herts Local Plan Second Review April 2007.

8. Prior to the first occupation of the development hereby permitted, the hardstanding areas used for the parking of vehicles shall be implemented in accordance with the approved plans and retained in that form thereafter and available for that specific use.

Reason: In the interests of satisfactory development providing suitable off street parking and in the interests of highway safety.

9. Prior to commencement of the development hereby permitted, a scheme to deal with contamination of land and/or groundwater must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:
 1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desktop study is commenced and it shall conform to any such requirements. Copies of the desk-top study shall be submitted to the Local Planning Authority without delay upon completion.
 2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until
 - (i) A desk-top study has been completed satisfying the requirements of paragraph (1) above;
 - (ii) The requirements of the Local Planning Authority for site investigations have been fully established; and
 - (iii) The extent and methodology have been agreed in writing with the Local Planning Authority.

Copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay on completion.

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person.

Once agreed the works shall be carried out in accordance with the approved details and retained in that form thereafter.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with policy ENV20 of the East Herts Local Plan Second Review 2007 and the national planning policy guidance set out in section 11 of the National Planning Policy Framework.

10. Boundary Walls and Fences (2E071)
11. No further windows (2E172)
12. Construction hours of working (6N071)

Informatives:

1. Other Legislation (01OL1)
2. Ownership (02OW1)
3. Archaeological Interest (04AI1)
4. Street Naming and Numbering (19SN5)

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; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

KEY DATA**Residential Development**

Residential density	26.6 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished		0
Number of new flat units		0
Number of new house units	1	
	2	
	3	
	4+	2
Total		2

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	
2	1.50	
3	2.25	
4+	3.00	6
Total required	3.00	6
Proposed provision	4.00 plus space for an additional vehicle to be parked within each frontage	

Emerging Parking Standards (endorsed at District Plan Panel 19 March 2015)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	
2	2.00	
3	2.50	
4+	3.00	6
Total required	3.00	6
Accessibility reduction		
Resulting requirement		
Proposed provision	4.00 plus space for an additional vehicle to be parked within each frontage	