



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
4 APRIL 2016**

Application Number	FUL/MAL/15/01283
Location	Willowbrook Farm, The Street, Little Totham
Proposal	Retain barn, garage and associated hardstanding and track
Applicant	Mr. Neil Shakespeare
Agent	Mr. Stewart Rowe - The Planning & Design Bureau Ltd
Target Decision Date	08 April 2016
Case Officer	Hilary Baldwin
Parish	Little Totham
Reason for Referral to the Committee / Council	Major Application

1. RECOMMENDATION

APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. SITE MAP

Please see overleaf.

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site forms part of the residential curtilage of the dwelling known as Willowbrook Farm, The Street Little Totham. Located outside of the settlement of Little Totham, the site comprises a Grade II listed barn with the dwelling located to the west of the barn and further outbuildings located to the north. The main vehicle access is from The Street, with the listed barn in close proximity to the highway. There is a large area of private amenity space to the north of the dwelling with a further outbuilding adjacent to the highway.
- 3.1.2 Planning Permission is sought for a new three bay garage to the east of the site and a storage barn adjacent to the western boundary. A new vehicle access track would lead between the existing and proposed buildings. The garage would be located adjacent to an existing outbuilding and measure 13.5m by 8.2m with a ridge height of 3.9m. This garage would be clad in powder coated profile sheet metal and coloured black to match the adjacent outbuilding. The barn to the east would measure 14m deep, 9.5m wide with a ridge height of 5.7m. The barn would also be constructed of powder coated profile sheet metal and a mid-green colour. An access track is proposed between the existing and proposed garage and would lead to the barn, terminating at its eastern front elevation with a concrete slab apron.
- 3.1.3 It is noted that the works subject to the proposal have been constructed and therefore the submission is retrospective in nature. Furthermore, it should be noted that the original submission included a new vehicle access from the highway between the proposed garage and the existing outbuilding together with gates and brick pillars. This element has now been omitted from the scheme.

3.2 Conclusion

- 3.2.1 Whilst it is noted that the site benefits from a range of existing outbuildings, it is not considered that the two additional buildings result in detrimental visual impact upon the character and appearance of the site or the adjacent rural area and subject to conditions to exclude business or commercial activity are considered acceptable in this instance.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- 14 and 49

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- S2 - Development outside Development Boundaries
- CC6 - Landscape Protection
- BE1 - Design of New Development and Landscaping

- BE16 Extension, alterations to and Additional Buildings in the Curtilage of Listed Buildings
- T1 - Sustainable Transport and Location of New Development
- T2 - Transport Infrastructure in New Developments
- T8 - Vehicle Parking Standards

4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- S1 – Sustainable Development
- S2 – Strategic Growth
- D1 – Design Quality and Built Environment
- D3 - Conservation Areas and Heritage Assets
- H4 – Effective Use of Land
- T1 – Sustainable Transport
- T2 – Accessibility

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Guidance (NPPG)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The proposal is for a three bay garage and storage barn within the curtilage of the dwelling known as Willowbrook Farm and land within the ownership of the applicant. The principle of providing a garage for the dwelling in association with the residential accommodation is considered acceptable and the provision of providing a storage barn in association with the land in the ownership of the applicant is also considered acceptable and subject to other material planning considerations discussed within subsequent section of this report would accord with policies as defined by the adopted Local Plan and the Pre-submission Draft Local Plan..

5.2 Relevant Planning History

- 5.2.1 The site has benefitted from a previous application for an outbuilding located to the south of the three bay garage subject of this report and which was granted planning permission subject to a condition that the outbuilding was restricted to the incidental and private display and maintenance of vehicles of the applicant and as a single planning unit.

5.3 Design and Impact on the Character of the Area

- 5.3.1 The NPPF is unequivocal in stating the importance of high quality and inclusive design both for individual buildings and within public spaces. Design should establish a strong sense of place to create attractive places to live.

- 5.3.2 Policy BE1 also states that development will only be permitted if it compatible with its surroundings and/or improves the surrounding location in terms of (a)(ii) Site Coverage, (iv) Scale Bulk and Height, (vi) Visual Impact, and (c) that outside defined development boundaries they make a positive contribution to the landscape and open countryside.
- 5.3.3 Due to the location of the site in a rural area, Policy CC6 is also relevant. This states that the aim of the Council is to protect, conserve and enhance the natural beauty, tranquillity, amenity and traditional quality of the District's landscape and identifies that the local authority could permit development providing the following criteria are met:
- a) No harm is caused to the landscape character in the locality, and
 - b) The location, siting, design and materials are appropriate for the landscape in which the development is proposed, and
 - c) The development is landscaped to protect and enhance the local distinctiveness and diversity of the landscape character of the area in which it is proposed
- 5.3.4 The garage element of the proposal is set directly to the north of the existing outbuilding and presents as a subservient outbuilding. The design of the building is considered to be in keeping with the keeping of three motor vehicles with sheet metal profile elevations and roof and three roller shutter doors within its southern elevation facing to existing outbuilding. The scale of the building is considered commensurate with that of vehicle garaging and with the exception of one personnel door there are no other window openings proposed.
- 5.3.5 The proposal has been amended to exclude the vehicle access from the highway in this location and with the re-instatement of the highway hedgerow boundary has limited views from the public realm or the wider rural area as it is seen against the backdrop of the existing outbuilding.
- 5.3.6 Subject to a condition to restrict the garage to that of the storing and keeping of motor vehicle in association with the residential use of the site and to restrict commercial or business activity the garage element of the scheme is considered acceptable.
- 5.3.7 The barn subject of this application is located adjacent to the western boundary and to the north of the existing outbuilding and proposed garage. Due to the topography of the site it sits significantly lower than the adjacent structures. It too has been designed with sheet metal profile elevations and roofing in mid green and is seen against the backdrop of the rural countryside. The submitted Design and Access Statement claims that the barn is for the storage of agricultural machinery and hay in association with land in the ownership of the applicant. Subject to appropriate conditions to restrict the use of the barn and to prevent commercial or business activity, it is considered commensurate with its setting and would not result in significant detrimental impact on the character and appearance of the site or the wider rural area.
- 5.3.8 The scheme is therefore accord to LP policies BE1 and CC6 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the submitted Local Development Plan.

5.4 Impact on Residential Amenity

- 5.4.1 The proposal is not considered to result in significant detrimental impact on the residential amenity of the nearest adjacent neighbouring occupiers to the east of the site within The Street, Little Totham and it therefore considered acceptable for this element and to accord with adopted and emerging policies.

5.5 Access, Parking and Highway Safety

- 5.5.1 The proposal would utilize the existing access from the highway which is to the southern end of the eastern side of the site within The Street. The original submission proposed a new vehicle entrance between the existing outbuilding and the proposed garage. As the Highway Authority objected to this element due to the introduction of additional and unnecessary traffic conflict, the scheme was amended to remove this element and this does not therefore form part of the scheme. At the time of the Officer Site Visit, the hedgerow in this location had been removed. However, the hardstanding extending to the highway boundary had been broken up and the revised plans show the re-instatement of the highway boundary hedge and grassed area within the site. A subsequent consultation response from the Highway Authority states that due to the removal of the unnecessary point of conflict with the adjacent highway it does not wish to submit a formal recommendation.
- 5.5.2 The proposal would provide off-road parking provision for in excess of four vehicles within the site which is commensurate with the policy requirements of adopted policy T8 and the adopted Vehicle Parking Standards SPD which requires a maximum of three spaces for four bedroom properties.

5.6 Private Amenity Space and Landscaping

- 5.6.1 The proposed private amenity space for the proposed dwelling would accord with the general standards identified as necessary by the Essex Design Guide, which states that properties with three or more bedrooms should be provided with 100m² of private amenity space. The proposed private amenity space extends to approximately 850m². The proposed development is considered to result in limited impact upon the available amenity space within the site.
- 5.6.2 Whilst the submission shows an indicative soft landscaping scheme it is not considered to adequately address this element. Conditions for such elements could be appended to any grant of permission. The details of the hard landscaping in the form of the brick courtyard finish and permeable aggregate track are considered acceptable in this instance.

5.7 Impact upon the Setting of a Listed Building

- 5.7.1 The Conservation Officer has been consulted as the site contains a Grade II listed barn set to the south of the site and adjacent to the highway. That Officer considered that the garage and barn in their location do not cause harm to the significance or setting of the listed building and whilst the brick piers and paviers are not really sympathetic to the tradition agricultural character of the site their distance from the listed barn is such that they do not cause harm to the setting of the heritage asset.

5.8 Other Material Considerations

- 5.8.1 The Council's Environmental Health Service has been consulted on the scheme. The initial response considered that there may be potential for land contamination within the site. As such the applicant has been provided with a Land Contamination Risk Assessment Form which has been duly submitted. Further consultation has been undertaken on this and as such conditions are required for the details of surface water drainage details to be submitted and agreed. Such a condition can be appended to any grant of permission as can the required Informative to cover potential land contamination.

6. ANY RELEVANT SITE HISTORY

- **HOUSE/MAL/12/00193** – Construction of new outbuilding to house display and maintenance or private vehicle collection and associated facilities. Withdrawn 08 June 2012.
- **HOUSE/MAL/12/00736** – Construction of new outbuilding Approved 13 November 2016.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Little Totham	Support	The response has been noted

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highway Authority	No Objection:	This matter is considered to have been addressed within Section 5.5

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to a condition for surface water drainage.	Relevant conditions can be appended to any grant of approval
Conservation Officer	No Objection	This matter is considered to have been addressed within Section 5.7

7.4 **Representations received from Interested Parties**

7.4.1 No representations were received at the time of writing this report.

8. PROPOSED CONDITIONS

- 1 The garage hereby permitted shall only be used for the private parking of motor vehicles in connection with the residential use of the property known as Willowbrook House and not for any commercial or business purposes.
REASON: In the interests of local amenity in accordance with policies BE1 and CC6 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the submitted Local Development Plan.
- 2 The barn hereby permitted shall only be used for those purposes incidental to the residential use of the property known as Willowbrook House and not for any commercial or business purposes.
REASON: In the interests of local amenity in accordance with policies BE1 and CC6 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the submitted Local Development Plan.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.