



**REPORT of
CHIEF EXECUTIVE**

to
NORTH WESTERN AREA PLANNING COMMITTEE
30 October 2017

Application Number	HOUSE/MAL/17/00878
Location	1 Sugar Mill Cottages, Ulting Lane, Ulting
Proposal	Demolish 4No. timber sheds and replace with single cart lodge style garage and store. Improve existing access by laying sealed shingle surface.
Applicant	Mr & Mrs Stuart & Cheryl Taylor
Agent	Mark Crocker
Target Decision Date	1 st November 2017 (extension of time)
Case Officer	Emma Worby, TEL: 01621 875860
Parish	ULTING
Reason for Referral to the Committee / Council	Parish Trigger

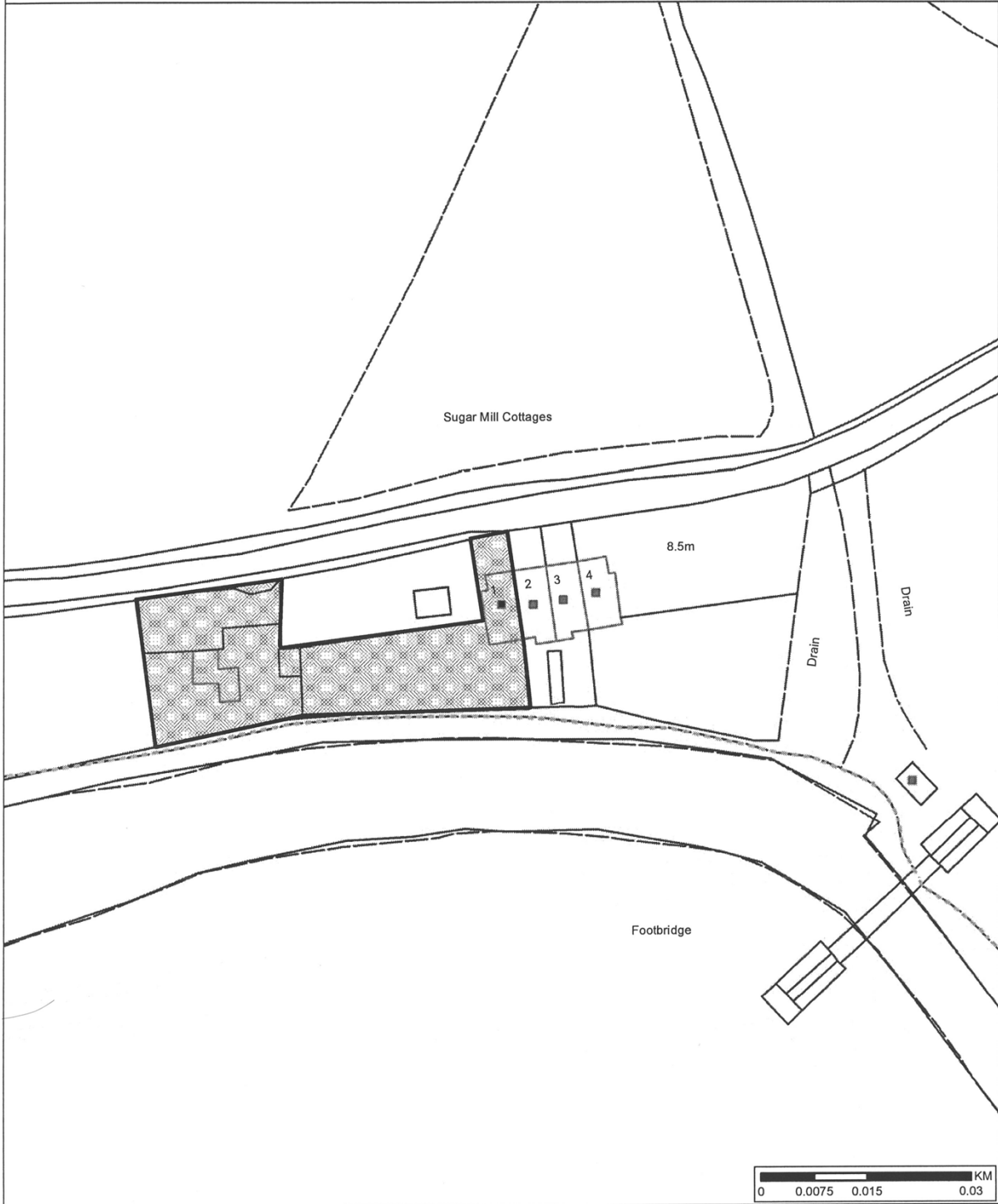
1. **RECOMMENDATION**


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

2. **SITE MAP**

Please see overleaf.

1 Sugar Mill Cottages, Ulting Lane, Ulting
HOUSE/MAL/17/00878



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	North West Committee
	Date:	19/10/2017
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located within the parish boundary of Ulting and the Chelmer and Blackwater Navigation conservation area. The site is occupied by a terraced two storey dwelling which forms part of a row of four two storey terraced dwellings in this area. The rear garden extends beyond the rear of the property to the west and includes a piece of land to the west of the main dwellinghouse which is currently occupied by four timber sheds and is used for storage and parking. The site is bordered by woodland to the west, the river Chelmer to the south and agricultural land to the north and east.
- 3.1.2 Planning permission is sought for the construction of a cartlodge to provide covered car parking spaces for two vehicles and adjoining storage space on the ground floor and further storage space on the first floor. There are also proposals for a permeable shingle drive for access from the cartlodge to the highway. The development would be located to the west of the main dwellinghouse to replace the four current sheds on the land.
- 3.1.3 The cartlodge would be 11.24 metres in width, 5.95 metres in length, with 2.9 metres height to the eaves and 6.25 metres height to the ridge. The south elevation would have access to both the ground and first floors with two doors and timber access stairs. There would also be one window on the first floor of the north elevation.
- 3.1.4 The proposed materials for the roof include red/orange Norfolk pantiles and clay ridge tiles. The materials proposed for the walls are black timber cladding with a brick plinth.

3.2 Conclusion

- 3.2.1 It is considered that the proposed cartlodge, by reason of its scale, design and location would not harm the appearance or character of the locality and, due to its relationship with the adjoining properties, the proposed development is not considered to result in any undue harm by way of overlooking or loss of amenity. In addition the proposed development does not detrimentally impact on the provision of amenity space and car parking provision. It is, therefore, considered that the proposed development is in accordance with policies D1, D3 and H4 of the approved LDP.

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 Presumption in favour of sustainable development
- 17 Core planning principles
- 56-68 Requiring good design
- 126-134 Conserving and enhancing the historic environment

4.2 Maldon District Local Development Plan approved by the Secretary of State:

- D1 Design Quality and Built Environment

- D3 Conservation and Heritage Assets
- H4 Effective Use of Land
- S1 Sustainable Development
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Essex Design Guide
- Car Parking Standards

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 The principle of erecting buildings within the curtilage of a dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with D1 of the Local Development Plan (LDP). Other material planning considerations are discussed below.

5.2 Design and Impact on the Character of the Area

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, livable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design sought to create a high quality built environment for all types of development.

5.2.2 The application is located within the Chelmer and Blackwater Navigation Conservation Area. A Conservation Area is “an area of special architectural or historic interest” with a character which is “desirable to preserve or enhance” (Planning (Listed Buildings & Conservation Areas) Act, 1990). This special character will come from a range of factors including the design of the buildings as well as the materials used.

5.2.3 Planning permission is sought for the construction of a cartlodge to provide covered car parking spaces for two vehicles and adjoining storage space on the ground floor and further storage space on the first floor. There are also proposals for a permeable shingle drive for access from the cartlodge to the highway. This would be located on the section of land to the west of the property which currently contains four timber sheds.

5.2.4 The proposed development would be approximately 6 metres from the highway and, although the area of land is well shielded by a number of trees and hedges, the cartlodge would be visible from the road through the vehicle entrance. Due to the height of the cartlodge, which is 6.25 metres in height and has two storeys, the development would have a significant impact on the streetscene.

5.2.5 However, as the proposed development would be largely shielded from view by the surrounding trees it is not considered that it would cause demonstrable harm to the visual amenity of the streetscene. Furthermore, as stated within the conservation

officer's comments, the development would cause no harm to the special character or appearance of the Chelmer and Blackwater Navigation Conservation Area and the form and materials of the proposed building seem broadly consistent with the traditional character of this part of the conservation area.

- 5.2.6 Although the comments from the Parish Council are noted, the cartlodge for 3 Sugar Mill Cottages, which was granted under planning application reference 07/00343/FUL, has a total height to the ridge of 5 metres and therefore would only be approximately 1.25 meter smaller than the proposed development in this application. The additional height is not considered to be harmful or result in the building being unduly prominent or dominant of the streetscene or the character of the area.
- 5.2.7 Furthermore, the design of the cartlodge is considered to represent an improvement in comparison to the four timber sheds which are currently occupying this site. Therefore, the proposal is not considered to be a visually unacceptable addition to the dwelling.
- 5.2.8 Therefore, it is considered that the proposal, by means of its design, including its materials, is considered acceptable in its setting and would not detract from the appearance of the conservation area or be materially harmful to the existing building or the surrounding area.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.
- 5.3.2 The application site is incorporated in a row of four terraced cottages and is the end dwellinghouse with no other properties in the surrounding area. The section of the site to be used for the development is adjoining the parking and garden area for the property No.2 Sugar Mills Cottages to the East. The proposed cartlodge would be approximately 10 metres from this land belonging to No.2 Sugar Mills Cottages.
- 5.3.3 The site is not directly adjoining any dwellinghouses, is some distance from the parking and garden area for No.2 Sugar Mills Cottages and would not have any windows overlooking the private amenity space from the second storey. Therefore, it is not considered that the development would affect the residential amenity of the neighbouring site by way of loss of privacy or overlooking.
- 5.3.4 The development would be 3.9 metres from the north boundary and 6 metres from the highway, 4 metres from the south boundary which is facing the Chelmer River and 4.5 metres from the west boundary which is currently a woodland area. Therefore, the proposals would not impact on any other neighbours due to its relatively remote location.
- 5.3.5 Therefore, overall it is not considered that the development would form an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas, including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.4.2 The application site currently provides informal parking for several vehicles on the site to the west of the main dwellinghouse. However, there are no formal parking spaces or a garage currently in place. A dwelling of this size would be expected to achieve parking for a maximum of two spaces. The proposed development would provide two car parking spaces within the cartlodge and would, therefore, meet the requirements in the Vehicle Parking Standards document.
- 5.4.3 The Highway Authority has requested the inclusion of two conditions in relation to the proposal. These have been included in section 8 of this report.
- 5.4.4 Therefore it is not considered that the proposed development would have an undue impact upon highway safety or free flow of traffic and no objection is raised to the proposal, in conjunction with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policy T2 of the LDP.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Essex Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100sq.m of private amenity space for dwellings with three or more bedrooms.
- 5.5.2 The property currently has 850sq.m of private amenity space including the area where the four sheds currently occupy. The proposed cartlodge would occupy a space of approximately 65sq.m. However, this would still leave ample private amenity space remaining which would be in excess of the amount required in the SPD.
- 5.5.3 The proposed development would result in the loss of a minimal amount of garden space on the application site which would not justify the refusal of this application and therefore there is no objection to the proposal in terms of private amenity space.

6. ANY RELEVANT SITE HISTORY

- **11/00810/HOUSE** – Single storey front porch including store cupboard – approved.
- **12/01087/HOUSE** – Two storey side/rear extension, including replacement of lean-to conservatory – refused.
- **13/00405/HOUSE** - Two storey side/rear extension, including replacement of lean-to conservatory – approved.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Langford and Ulting Parish Council	The proposed garage is 6.25 metres in height and would have an overbearing effect to the detriment of the wider character and appearance of the area. The Parish Council would support a single storey cart lodge style garage to match the garage associated with 3, Sugar Mill Cottages.	See section 5.2.6 of the report.

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
County Highways	From a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority.	See section 5.4.3 of the report.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	I raise no objection to the proposed garage and store building. It will, in my judgement, cause no harm to the special character or appearance of the Chelmer and Blackwater Navigation Conservation Area. The form and materials of the proposed building seem broadly consistent with the traditional character of this part of the conservation area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the	See section 5.2.5 of the report.

Name of Internal Consultee	Comment	Officer Response
	<p>Council to pay special attention to desirability of preserving or enhancing the character or appearance of the conservation area.</p> <p>For the reasons outlined above, I advise that this proposal is consistent with this objective. Using the terminology of the NPPF, the proposed building will cause no harm to the significance of the conservation area.</p> <p>I therefore raise no objection to the unconditional grant of consent.</p>	

8. PROPOSED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the approved drawing TAYLOR 01/4, TAYLOR 01/3 and TAYLOR01/2.
REASON: To protect the character and amenity of surrounding areas in line with policy D1 of the Local Development Plan approved by the Secretary of State and guidance contained within the National Planning Policy Framework.
3. The external surfaces of the building(s) shall be constructed of the materials specified on plan TAYLOR 01/4.
REASON: To protect the amenity and character of the area in accordance with policy D1 of the Local Development Plan.
4. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
REASON: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy T2 of the Approved Local Development Plan.
5. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety in accordance with Policy T2 of the Approved Local Development Plan.

6. The building hereby permitted shall only be used for those purposes incidental to the use of the dwelling house to which it relates.

REASON: To protect the amenities of the occupants of neighbouring dwellings in accordance with policy D1 and H4 of the Local Development Plan.

INFORMATIVES

1. Arrangement should be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
2. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO2 - Essex Highways,
Springfield Highways Depot,
Colchester Road,
Chelmsford,
CM2 5PU.