
Parish: EAST BERGHOLT**Location:** Wren Cottage, Gaston Street, East Bergholt, Colchester, CO7 6SE**Proposal:** Conversion of stable and cartlodge building to residential annex**Applicant:** Mr Simon Commercial**Case Officer:** Graham Chamberlain**Date for Determination:** 17/12/08

These applications are reported to Development Committee at the request of Cllr's Miller and Hinton on the following grounds:

- **The annex is in fact a self-contained dwelling with its own cooking, dining and sitting room facilities**
- **It is a considerable distance from the main house**
- **It is back land development in a Conservation Area**
- **It would have a negative impact on the Conservation Area**
- **The access is very narrow; there would be an adverse impact on residential amenity**
- **The conversion would eliminate parking/garaging for the main house**

THE SITE

1. The application site is located within the historic core of the village East Bergholt. The house fronts Gaston Street. It is a period cottage finished in render with a peg tiled roof. The building is Grade II listed. There is a formal vehicular access (with dropped curb) to the side of the house facilitating parking to the front and side. The property has a second vehicular access located between Pound House and Ivy Cottage. This access is also located off Gaston Road 40m to the south east of the house. It is a narrow lane which follows the curtilage of Pound House leading to the garden of Wren Cottage and the stable building/cart lodge ('the outbuilding').
2. The garden is partially outside of the BUAB of the village (the eastern section). The outbuilding is however located in the BUAB as is the western section of the garden. To the east of the site are meadows and fields; to the west is the village centre. The site is also located within the East Bergholt Conservation Area and the Dedham Vale AONB. As the building is within the curtilage of a listed building it is also curtilage listed (hence the LBC application).
3. The outbuilding is a timber framed former stable building currently used as a cart lodge and store ancillary to Wren Cottage. It measures 77sqm in floor area, 3.8m in height, 16m in width and 5.2m in depth. The structure has a slate roof with weather boarded elevations with stable doors. Internally of the stable stalls are still visible as is part of the floor which is a brick finish. Sections of the building are clad internally with other elements left with exposed timbers. The building has a hipped roof and low profile.

THE PROPOSAL

4. The proposal is for the conversion of the outbuilding to a residential annex. Section 55(2)(d) of the Town and Country Planning Act 1990 states that 'the use of a building within the curtilage of a dwellinghouse is not development if used for any purpose incidental to the enjoyment of that dwelling house.'
5. Planning permission is required in this instance as the structure includes primary accommodation (such as a kitchen, bedroom and bathroom); consequently the conversion can not be considered incidental to the enjoyment of the main house and is therefore development.
6. The conversion works are as follows,

Amount – the works would deliver an ensuite bedroom, study, kitchen diner, cloakroom and WC and sitting/games room.

Roof – the existing slates will be removed, the rafters sheathed, insulation boards added and then the roof battened and re slate. A new loucam would be installed (to replace the one removed in the 1980s). New cast iron rain water goods added. A flue would be added for a wood burner.

External walls – remove weatherboard, repair the plank frame, install insulating sheathing layer. Finish externally with weatherboard to match the existing. Install a new low plinth wall with foundations

Doors and windows – repair horizontal sliding sash window and stable door. Install window in games room and study. Remove all window and door frames and re-fix flush with external cladding boards. Insert aluminium glazing frame within central stable door and car bay openings.

Floors – take up floor bricks and salvage for re use in the external paved area. Excavate the floor. Form new solid floor comprising structural slab, insulation and finish layer.

External works – erected an open sided equipment store. Lay a paved area to the front of the building. Repair abutting wall.

The existing plan of the building would be used. No internal walls are being demolished. A new partition wall would be added to create the bedroom and ensuite.

RELEVANT HISTORY

7. The only relevant application is that in 1969 (W/8312) the erection of a dwelling was refused.

NATIONAL GUIDANCE

8. **PPS1:** (Delivering Sustainable Development)
9. **PPG15:** (Planning and the Historic Environment)

PLANNING POLICIES

11. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan - 2008

- **ENV6:** (The Historic Environment)

Babergh Local Plan (Alteration No.2) 2006

- **HS03:** (Sustainable/Un Sustainable Settlements)
- **HS35:** (Self Contained Annexes)
- **CN06:** (Listed Buildings)
- **CN01:** (Maintaining Local Distinctiveness)
- **CN08:** (Conservation Area)
- **CR02:** (AONB)
- **HS32:** (Open Space)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

OBSERVATIONS

12. East Bergholt PC – Recommends refusal for the following reasons:
- Backland development
 - The annex is a long way from the house
 - The ‘annex’ is in fact a separate self contained dwelling
 - Adverse impact on highway safety
 - Adverse impact on the Conservation Area
13. Local Highway Authority – Awaiting comments at the time of writing this report
14. Natural England – No objection

REPRESENTATIONS

15. None received

PLANNING CONSIDERATIONS

Location and Principle

16. The outbuilding is located within the Built up Area Boundary (BUAB) of East Bergholt as shown on the Local Plan Proposal Map. East Bergholt is defined as a ‘Sustainable Village’. The principle of converting the outbuilding to an ‘annex’ is acceptable in principle. The use of the annex in this location would be sustainable. For these reasons the principle of a new dwelling here would also be acceptable subject to it adhering to other development plan policies an no detrimental impact being caused.

Justification for a Remote Annex

17. Policy HS35 requires that annexes should be justified. The justification in this case is as follows:
- The host building is a listed building, an extension would be difficult to implement due to the listed status and shape and size of the garden. An extension would appear contrived to fit the space and would likely harm the plan and form of the listed building i.e. the side return may need to be filled in to achieve an annex.
 - The outbuilding is a curtilage listed structure which adds to the historic storey/interpretation of the listed building. The retention of curtilage listed buildings is encouraged in PPG15. The conversion would give the building a use safeguarding it for the future.
 - The applicant has stated that the annex would be used as guest accommodation/a games room/study or home office/summer house.
 - The annex is making use of an existing building; it is not a new build nor would it go against the established grain of development.
 - The primary accommodation can be justified as the building is situated 35m away from the house.

Impact on the Character of the Area and Conservation Area

18. The building currently has the appearance and character of a subservient residential outbuilding. The building is located to the rear of Wren Cottage; it is therefore not harmful to the street scene or the Conservation Area particularly as it not readily visible. The conversion would not alter this
19. It must be noted that a structure does not need to be visible in a Conservation Area to be harmful; the integrity of a Conservation Area and pattern of development should also be safeguarded. As the conversion is making use of an existing historic structure, and the conversion is being undertaken sympathetically, the integrity and quality of the Conservation Area will be safeguarded.
20. The conversion is not back land development in the traditional sense as the building and accesses already exist. A new build annex may not be supported as it would disrupt the historic pattern of development in the Conservation Area. As the building was in situ at the time the Conservation Area was designated it is part of the historic pattern of development. Its reuse is supported as the building has historic merit.
21. There are many examples of outbuildings in Conservation Areas being converted to annexes. One such example is adjacent to the application site. The adjacent property Commandree has a converted former coach house in its rear garden. The precedent of converting historic buildings to annexes has altered the immediate character of the area. There is no precedent of new building annexes in the immediate vicinity of the site.
22. The actual use of the building would not be harmful to the Conservation Area. The building is already used as a domestic outbuilding, its use as an annex would be similar in character. It may be that the building when converted would be used more frequently, due to the primary accommodation, but the residential character of the use is appropriate in this part of the Conservation Area. The building would be used in conjunction with the residential garden space surrounding the building; the use of the annex would not be alien or out of character.

Impact on Listed Building

23. As the building is curtilage listed, the works need to be justified in terms in terms of the impact on the listed building. The applicant's case is as follows:
- The conversion would be sympathetic, maintaining the character of the building.
 - The existing building is in a poor state and needs some attention.
 - The works would enhance the setting of the listed building by preserving a curtilage structure by giving it a long term use.
24. The outbuilding is not worthy of listing in its own right, however it is part of the historic story of Wren Cottage and should therefore be maintained and preserved. The buildings historic value comes from its association with Wren Cottage as a stable building/coach house. The building should therefore maintain this character so that people in the future can appreciate the historic relationship of the buildings.
25. The conversion would include significant works but as the building is in the BUAB the applicant does not need to demonstrate that the building is capable of conversion without significant rebuilding. In this instance the applicant needs to demonstrate that the building would maintain its character as a stable/coach house/cart lodge subservient to Wren Cottage. In this aspect the conversion would be acceptable. The building would retain its appearance, form and plan. The stable doors, loucom, weatherboard and hipped roof preserve the historic character of the building.
26. The outbuilding is not in close proximity to the listed house, therefore the conversion would not harm the setting of the listed building. The building did perform the function of a store and garage/cart lodge, this service to Wren Cottage would be removed were this application approved and implemented. However, due to the large size of the plot any new store building which may be required could be acceptable in principle if sensitively located and designed, this would not harm the Listed Building. The drawings show that a small lean-to store would be added to the cart lodge to mitigate the loss via the conversion, of the storage areas.
27. The justification supplied by the applicant is therefore supported by Officers.

Impact on Highway Safety

28. The conversion of the outbuilding to an annex may result in the additional use of the site and the remote access in between Pound House and Ivy Cottage. The access is already there and can be used by the occupants of Wren Cottage. They choose not to at the moment and park at the front of their house.
29. A view has been sought from the Local Highway Authority regarding the access. Members will be updated accordingly.

Protected Species

30. The building is old and may be suitable for bats and owls. Natural England however has no objection to the conversion of this building.

Impact on Residential Amenity

31. The garden area is enclosed by trees shrubs and hedges. The outbuilding is less than 4m in height. Therefore there would be no unreasonable over looking from this building. As the massing would be unaltered the structure would not be unreasonable over bearing or result in a loss of light. The activity at the building would be that associated with the reasonable use of a residential annex, were the use to become unreasonable in terms of noise and disturbance then action can be taken under the Environmental Protection Act 1990.

Imposition of a Condition to Retain the Annex as Ancillary

32. As explained above the applicant has applied for the conversion of the building to an annex; this has been the primary consideration of this report. However when considering such an application the imposition of a condition linking the annex to the main dwelling needs to be assessed. A condition such as this would be applied if the use of the annex as a separate dwelling would be harmful in some way. For example it may be detrimental to highway safety to allow the additional use of an access or the location could be unsustainable. If the annex was new build then it could be out of character to use the building as a separate unit due to the plot size or location of the building. In any of these instances the use of an annex as a separate dwelling would not be supported necessitating the consideration of a linking condition.
33. The analysis in this report shows that there would be no harm to normal settlement policies (as the building is within a BUAB), the conservation area, the listed building (Wren Cottage), the AONB or neighbour amenity. In essence the physical conversion of the building to a separate dwelling would not be materially harmful. The main reasons why it would not be harmful is that the building is already there and contributes to the historic character of the conservation area and listed building, the conversion would be sympathetic and it would be located out of public views.
34. However, at the time of writing this report the highway impact has not been considered by the Local Highway Authority. If the access is found to be substandard then a separate unit of residential accommodation would not be supported, therefore a condition linking the annex and Wren Cottage would be necessary to ensure it could not be used independently as the additional activity caused by this could prejudice highway safety.
35. Furthermore Policy HS32 would become relevant in this scenario as if the 'annex' were to be used as a separate dwelling, a Planning Obligation would be required towards open space provision. As a Section 106 agreement has not been submitted the building can not be used as a separate residence. Therefore a linking condition is needed as a use as a separate residential unit would put cumulative pressure on open space without the contribution. In essence an annex with primary accommodation is acceptable as long as it is used in conjunction with Wren Cottage, a separate residence would only be acceptable if a contribution was made to open space (and there are no highway issues).

REASONS FOR APPROVAL

36. The conversion of the existing outbuilding to an annex would have no harm to the conservation area, listed building or neighbour amenity. The annex can be justified. The proposal therefore adheres to Policies HS35, CN06, CN08, CR02 and CN01 of the Babergh District Local Plan

RECOMMENDATION

That planning permission and listed building consent be granted subject to the following conditions,

- Standard linking condition for self contained annexes (planning application only)
- Details of materials to be used
- Any recommended by the Local Highway Authority (planning application only)