

Planning Statement

30 Mulberry Green, Old Harlow, Essex, CM17 0ET

For the proposed conversion and change of use of a Grade II listed barn to provide self-contained, 2-bedroom family living accommodation; together with associated external and necessary repair and remediation works.

Being a proposed renewal in part, of lapsed planning permission and listed building consent granted by the LPA on 8th January 2013 under references HW/PL/12/00415 and HW/PL/12/00419, respectively.

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1. INTRODUCTION

1.1 This Planning Statement has been prepared by Derrick Wade Waters Limited in support of an application for planning permission and listed building consent submitted to Harlow Council on behalf of Mr John Fosh for the development of a Grade II listed barn and premises known as “**30 Mulberry Green, Old Harlow, Essex, CM17 0ET**” for a conversion and change of use.

1.2 The planning application seeks planning permission for:

“For the proposed conversion and change of use of a Grade II listed barn to provide self-contained, 2-bedroom family living accommodation; together with associated external and necessary repair and remediation works.”

1.3 This application seeks in effect, a renewal at least in part, of a now lapsed planning permission and listed building consent granted by the LPA on 8th January 2013 under references HW/PL/12/00415 and HW/PL/12/00419, respectively (together the ‘2013 consent’).

1.4 The 2013 application was made for a wider more far-reaching development proposal as follows:

“Conversion of Grade II listed barn/ stable to provide 2-bed living accommodation, widening of access through barn/stable to 3.70m internally. Demolition of single storey pool and garden room and construction of cart lodge. Erection of one 3-bed new dwellinghouse with garaging/ car port, parking and hard landscaping”.

1.5 The LPA **APPROVED** this application on 8th January 2013 subject to the imposition of 7 planning conditions (with reasons). Condition 1 required that the “development hereby permitted shall be begun before the expiration of three years from the date of this permission” in accordance with the provisions of the “Town & Country Planning Act, 1990”, as amended.

1.6 The 2013 consent was not implemented within the 3 years period ie expiring on 7th January 2016. The property changed hands in 2017 and the current owner and applicant, did not implement the 2013 consent. The applicant is now desirous of repairing and developing the Grade II listed barn building which formed a part only of the 2013 consent and accordingly seeks planning permission for a development confined to this area only of the larger property.

Accompanying Reports

1.7 This Statement should be read in conjunction with the accompanying drawings prepared by Derrick Wade Waters as well as the following documents:

- Application form (DWW)
- Design and Access Statement (DWW)
- Drawings pack (DWW)
- Arboricultural Impact Assessment and method statement (Elizabeth Greenwood)
- Flood Map (Department of Environment)

1.8 This statement should also be read in conjunction with the “Report of Delegated Decision on Application” prepared by the LPA’s planning officer and dated 7th January 2013 which report is attached hereto as

1.9 This statement is structured as follows:

Section 2 describes the site and its surroundings and the planning history.

Section 3 provides details of the proposed development.

Section 4 assesses the development against the relevant policies and guidance.

Section 5 presents conclusions in respect of the proposal.

2. SITE AND PLANNING CONTEXT

The site

- 2.1 The application site comprises the entirety of the Grade II listed barn building at “**30 Mulberry Green, Old Harlow, Essex, CM17 0ET**” and also known as “Granary Cottage” in reference, perhaps to the possible origins of the barn as a grain store prior to its potential reuse as a residential cottage.
- 2.2 The existing use of the building is however, as domestic garage and stores which use apparently predates the building’s Official List Entry made on 19th June 1981.



- 2.3 The application site forms a part of the applicant’s larger ownership in this location which principally comprises a 2-storey dwellinghouse and various ancillary buildings in associated domestic use. None of these other buildings is listed albeit they (may) lie within the curtilage of the Listed Grade II barn, ie the application building. In addition to the Grade II listed barn, there is however, a separately listed structure within the property being the brickwork boundary wall lying adjacent to eastern end of the building’s northern elevation and abutting the public footpath adjacent to Mulberry Green.
- 2.4 The Official List Entry for the building has reference no1111690. The implications of the listing for the design are discussed in the Design & Access Statement accompanying the planning application. The Official List Entry for the wall has reference no1169507 listed on 19th June 1981. Unfortunately, the list entry does not date the wall or describe its original enclosing function though this was presumably associated with the adjacent building. The wall is however, said to have a Group Value again, presumably in the context of the wider Conservation Area. The development proposal does not affect the wall or indeed the balance of the applicant’s property.
- 2.5 The immediate neighbourhood comprises the Mulberry Green historic hamlet now forming part of the larger Old Harlow district. Mulberry Green is now characterised by its predominant residential land uses although there are exceptions, notably the Green Man public house and the Fire and Ambulance stations nearby.
- 2.6 The proposed residential use of the building is not therefore incompatible in principle, with the immediate neighbourhood and of course, the existing use is currently ancillary to the residential use of the balance of the applicant’s property ie in domestic garage and storage use.

Planning history

- 2.7 The 2013 consent was previously given, with conditions, for the proposed development by the LPA, albeit within the context of a wider proposal for the development of the applicant’s property. The planning permission and listed building consent were not implemented within the statutory development period of 3 years from the date of the planning permission and have now accordingly lapsed.

- 2.8 The 2013 consent incorporated 7 planning conditions:
1. Development to be begun before the expiration of 3 years from [8th January 2013].
 2. The garage and cart lodge permitted shall be used only for the benefit of the attached residential occupiers as garages and for no other purpose.
 3. No development shall occur until the applicant has secured the implementation of a programme of archaeological work and recording in accordance with a written scheme of investigation.
 4. Details of the new house, garage and cart lodge shall be submitted and approved by the LPA prior to commencement of the development.
 5. Full details of the works to the external elevations of the barn shall be submitted and approved prior to commencement of the development.
 6. The entrance to the barn shall not be enlarged and shall remain in tact.
 7. The cast iron gates shall not be removed from their current location on the listed building.
- 2.9 The proposed development therefore seeks a renewal in part at least, of the now lapsed planning permission and listed building consent. The application is accordingly made with reference to the “Town & Country Planning (Development Management Procedure) Order, 2015” which postdates the planning permission and listed building consent. Again, the planning application now made has regard to the “Harlow Local Development Plan, adopted 2020” and also the “Old Harlow Conservation Area Character Appraisal, adopted December 2013”.
- 2.10 The applicant is willing to accept the same conditions in any planning permission as those incorporated into the 2013 consent insofar as they concern the building.

Recent planning application history

- 2.11 The 2013 consent was submitted as a renewal of an earlier planning permission and listed building consent, extant at the time of the 2013 consent application, approved by the LPA under LPA reference HW/PL/09/00299 dated 22nd January 2010 (the ‘2010 consent’ also for:
- “Conversion of Grade II listed barn/ stable to provide 2-bed living accommodation, widening of access through barn/stable to 3.70m internally. Demolition of single storey pool and garden room and construction of cart lodge. Erection of one 3-bed new dwellinghouse with garaging/ car port, parking and hard landscaping”.***
- 2.12 The 2010 consent incorporated 6 planning conditions being identical or comparable in effect to the first 6 conditions attached to the 2013 consent and only omitting condition 7 (Victorian Gates).
- 2.13 Prior to the LPA’s approval of the 2013 consent but after the grant of the 2010 consent, the LPA had also granted an approval for an alternative development within part-only of the applicant’s property under LPA reference HW/PL/11/00251 on 11th November 2011 (the ‘2011 consent’). The 2011 consent was given for:
- “Demolition of single storey pool house and construction of a detached 2-storey 4bed dwelling”***
- 2.14 The 2011 consent also incorporated a condition requiring development within 3 years of the date of approval and again, this planning permission lapsed for want of implementation.
- 2.15 At the date of the current planning application there are therefore no extant planning permissions. There is however, at least 10 years’ history of LPA approval for a conversion and change of use of the building to residential use.
- 2.16 The now lapsed planning permissions were however determined under the previous adopted local plan regime. Accordingly, we may reiterate that the current application is made having due regard to the adopted planning policy framework contained in the “Harlow Local Development Plan, Adopted 2020” and also the “Old Harlow Conservation Area Character Appraisal, adopted December 2013”.

3. THE PROPOSED DEVELOPMENT

3.1 The development proposals for which planning permission and listed building consent is sought are:

1. *Change of use from and conversion of the existing domestic garage and storage use of the application building to a proposed residential use to provide self-contained, 2-bedroom living accommodation.*

2. *Associated repair works.*

3.2 The detail of these proposals is shown on the plans and reports accompanying the current planning application including the Design & Access Statement.

Building Proposal

3.3 The development proposal is to convert and change the use of the existing domestic garage and storage use to a new residential use to provide 2-bedroom living accommodation. There is no net gain or loss in the building's floor area since the development proposal is accommodated fully within the existing structure.

3.4 Accordingly, the proposed Gross Internal Area of the building, ie when measured in accordance with **RICS' "Practice Statement Measurement Standard, 2018"** remains at 126 sq m that is, the same as the existing gross internal area.

3.5 The proposed conversion will therefore exceed the minimum space requirements for a 2-bedroom 4-person (2B4P) 2-storey dwellinghouse set by the Nationally Described Space Standard.

3.6 2 car spaces are allocated to the building as shown on the application drawings.

3.7 Similarly, commensurate external amenity space is allocated to the building as shown on the application drawings.

4. PLANNING POLICY

4.1 Although the principle of the development proposal has been established as acceptable to the LPA in the 2010 and 2013 consents, those approvals were considered against then current local and national planning policy.

National planning policy

4.2 Since the 2013 consent was given the national policy framework has altered as a result of the Government's statement of national policy as currently set out in the "National Planning Policy Framework, July 2021" (NPPF).

4.3 The NPPF adopts a presumption in favour of sustainable development, drawing upon three, interdependent objectives (refer to paragraph 8 of the Framework):

- **An economic objective:** To help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- **A social objective:** To support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with assessable services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **An environmental objective:** To contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.5 For decision-taking, the presumption in favour of sustainable development at the heart for the NPPF means that proposals which accord with an up-to-date Development Plan should be approved without delay. The development proposal does accord with the "Harlow Local Development Plan, adopted 2020".

4.6 To support the Government's objective of significantly boosting the supply of homes, the NPPF places an emphasis on the delivery of a sufficient amount and variety of land and for land with planning permission to be developed (paragraph 59). It continues that a variety of house types should be provided in order to meet the needs of different groups and on major developments at least 10% affordable housing should be provided. The development proposal does provide an alternative relatively uncommon house type at the local level.

4.7 The NPPF also places emphasis on high quality design at para 127, through ensuring that developments function well; are visually attractive; creating a strong sense of place; and are sympathetic to the surrounding area whilst optimising the development potential of the site. The Design & Access Statement demonstrates that high quality design incorporated into the development proposal.

Local planning policy

4.4 Since the 2013 consent was given the local policy framework has altered as a result of the formal adoption of the "Harlow Local Development Plan, adopted 2020" and also the "Old Harlow Conservation Area Character Appraisal, adopted December 2013".

4.5 The Design & Access Statement accompanying the planning application explains how the development proposal has had regard to the "Old Harlow Conservation Area Character Appraisal, adopted December 2013" and indeed the wider policy requirements associated with the building's situation within the statutory Conservation Area.

4.6 The 2013 consent was given under local planning policy contained in the then current "Harlow Adopted Replacement Local Plan, July 2006". The officer report for planning ie for the 2013 consent identified the following policies as being particularly applicable to a consideration of the planning application.

- 4.7 “Harlow Adopted Replacement Local Plan, July 2006”:
- Policy BE1- character and identity
 - Policy BE6 – harm to statutory listed building
 - BE9 Demolish/ rebuild in Conservation Area
 - BE10 New Development in Conservation Area
 - H10 Proposals for infill development
- 4.8 We reiterate that the 2013 consent also approved new build development. The applicable planning policies dealing with the application building are therefore mainly Policies BE1, BE6 and BE10.
- 4.9 The “Harlow Local Development Plan, adopted 2020” develops, refines and enhances these policies, primarily in adopted Placeshaping and Housing policies:
- PL1 – design principles for development
 - PL2 – amenity principles for development
 - PL12 – heritage assets and their settings
 - H2 – residential development
- 4.10 The proposed development complies with these policies and is therefore acceptable in terms of the local planning policy framework.

5. CONCLUSION

- 5.1 This Planning Statement has been prepared in support of the planning application submitted to the Local Planning Authority for the development of a Grade II Listed barn through conversion into 2-bedroom living accommodation; and associated external and repair work.
- 5.2 The proposals have previously been approved by the LPA in 2010 and 2013 consents in the context of the then current planning policy framework.
- 5.3 Since the grant of the 2013 consent, the national and local planning policy framework has changed. On review however, the development proposal is compliant with both the national and local planning policy frameworks.
- 5.4 The proposed development is therefore compliant with national and local planning policy and as a result, it is respectfully requested that the proposal is recommended for approval.