do-not-
reply@ambervalley.gov.uk

From:do-not-reply@ambervalley.gov.uk
Sent:Wed, 10 Mar 2021 10:46:14 +0000
To:Development
Subject:Online submission - comment on a planning application

Submitted via www.ambervalley.gov.uk/planning/development-management/view-a-planning-application/comment-form

Application details:AVA/2021/0097

Annexe to rear elevation of main property.**Title** [redacted] **you want the comment you are about to submit to be shown on our website?**

[redacted]

address:kirklangleyparishcouncil@gmail.com**Name of organisation (if applicable):**Kirk Langley Parish Council**Do you wish to object?**Yes**Grounds for objection:**The Parish Council considers that the relevant policies contained within the Kirk Langley Neighbourhood Plan (KLNP) apply to the proposed dwelling in the same way as they apply to any other dwelling, regardless of the intended purpose of the development and its description as an "annexe". Significant weight is to be afforded to the KLNP policies pending its referendum on 6 May 2021.

The application for an annexe at 2 The Green is opposed for the following reasons: -

• The proposal is not sympathetic to the setting of the Conservation area in terms of its:-
o departure from existing patterns of development
o external appearance

• The proposed building is located outside the "built framework" of Kirk Langley Village and is therefore in "open countryside" for the purposes of the Neighbourhood Plan and Local Plan.

• The development is likely to increase the risk of flooding and/or drainage problems

• It does not comply with design standards.

• The development will have an impact on road traffic safety

1. Conservation area and HER2.
Although the row of cottages at The Green fall just outside the boundary of the Conservation Area, they are not only within its setting but also have intrinsic heritage value. The Conservation Area Character Description (Annex 3 Kirk Langley

Neighbourhood Plan) (CA Report) was prepared by an expert from Creative Heritage Consultants Limited, Kate Dickson, who assessed the cottages at The Green and made the following observations about the cottages and their context:-

"West end of the village
5.7 Further west along Church Lane there is a return to smaller dwellings with a workers' cottages feel. The terrace at numbers 7-11 Church Lane historically included a public house, whilst behind it was a small Methodist Chapel. The hamlet retains the sense of a 'community within a community' here. The cottages on the north side of Church Lane are detached or semi-detached with attractive front gardens. Built of the same materials as their older neighbours, some incorporate Victorian detailing such as front porches and ornamental barge boards to their gables and dormer windows. This suggests that they may have been built for estate worker tenants11. The single storey outbuilding at the junction of the bridleway known as Burrows Fields Road (from the historic open 'Burras Field') was at one time a wheelwright's, and the 1881 Ordnance Survey indicates a 'smithy' on the opposite side of the lane here. The final cluster of workers' cottages along Church Lane, at the Green, lies outside the Conservation Area. At the time of designation, they were considered to "lack architectural and historic interest" such that their "inclusion would undermine the historic importance of the Conservation Area as a whole12". Today we might recognise the contribution these dwellings make to the 'story' of mediaeval Kirk Langley, being constructed on the edge of the village green. They are clearly marked on the 1837 Enclosure map, along with Morley's Footway, along which they were built".

This means that the row of cottages are important for the preservation of the heritage of Kirk Langley because they add to the understanding of the Conservation Area.

The pattern of development along Church Lane is linear, with the row of cottages at The Green marking the limit of roadside development as the road sweeps into the countryside. They are worker's cottages, with relatively long gardens to the rear, in common with the cottages at 9-11 Church Lane. The creation of this garden development departs from this historic linear pattern and would be out of step.

The addition of a timber-built home is out of character with the Green, the Conservation area and indeed to the Village as a whole:

CA report: 9.1 "There is a limited palette of building materials in Kirk Langley, which contributes greatly to the unified character of the village. Walls are generally of red brick; roofs are tiled in Staffordshire blue tiles; windows and doors are traditionally timber, with windows frames painted white".

It is accepted that the proposed building, being single storey, may not be visually intrusive. However, this cannot be fully assessed in the absence of a detailed impact assessment.
The cottages at the Green are brick-built but half of them are rendered and painted off-

white. There are no timber-built or timber-clad buildings in the vicinity (other than permitted development such as garden sheds and garages) and all properties (other than brick-built barn conversions at The Homestead and one on the Southern edge of Church Lane) are two-storey.

The applicable KLNP policy is as follows:

HER2 Protecting the Conservation Area, listed buildings and other heritage assets
POLICY:
a) To be supported development proposals must demonstrate regard for the significance of the Conservation Area, and any heritage asset identified in Appendix 4 and Appendix 6 (as updated throughout the plan period) where they, or their setting may be affected by the proposal. Development will be required to be designed appropriately, taking account of local styles, materials and detail. Account must be taken of the distinctive character areas, as described in Appendix 7.

Local Plan policy EN7 also applies:

"In considering development proposals, the Borough Council will require that the design of development is appropriate to the landscape character type within which it is proposed, having regard to:-
d) the pattern and distribution of settlements and roads
f) the scale, layout, design and detailing of local buildings and other traditional man-made features

2. The proposed dwelling is outside the built framework of the village and therefore engages policy HOUS 2 KLNP. This proposed annexe is not to be regarded as an extension of an existing building and is a separate dwelling. The "built framework" is defined in the KLNP as "the limits of continuous or contiguous development forming the existing built up area of a settlement". The scattered effect of the limited development along Church Lane and at the Green is such as to place this development firmly outside this boundary, which is centered at the heart of the village, near Ashbourne Road.

"HOUS2 Location
POLICY:
a) Kirk Langley village - new housing will be supported on land within or adjacent to the "built framework" of the village;
b) Langley Common new housing will be supported provided the development is in the form of infilling of small gaps within existing groups of houses;
Outside of these two locations, the area is classed as "open countryside" and new build dwellings will not be supported unless one or more of the circumstances set out in paragraph 79 of the Framework apply. The conversion of farm buildings and extensions of existing buildings will be supported outside these areas.

It is also contrary to Saved policy H5 in the 2006 Local Plan: -

Saved Policy H5
Outside the built framework of settlements, planning permission will not be granted for housing development unless the proposals are in the form of one or more of the following
1. extensions to existing dwellings, provided this would not result in a significant change to the scale or character of the dwelling and its surroundings
2. replacement of existing dwellings, providing that the number of dwelling units is not increased
Neither of the exceptions described apply in this case.
It is also contrary to policy EN1 in the Local Plan 2006.

3. This area suffers from surface flooding from time to time. Any alteration to the ground level or surface water run-off in this area is capable of affecting not only neighbouring properties but also the wider environment. The area along Church Lane is sensitive to alterations in water run-off from higher elevations, such as The Green. This engages the following policy from the KLNP.

POLICY: ENV5
Development should not increase the risk of flooding and/or drainage problems. In addition to the flood risk assessed by the Environment Agency and identified on Figure 36, there are flood risks created by surface run-off which are referred to below and illustrated on Figure 37. Proposals for new development must demonstrate that the development will not increase the flood risk at the specific site or elsewhere. Information with the application should show how mitigation measures will be satisfactorily integrated into the design and layout of a development. Permeable surfaces will be required and Sustainable drainage system (SuDS) unless there is clear evidence that this would be inappropriate.
Any new development proposals which provide new sewers will need to ensure that they will safely accommodate floods, which would otherwise not be accommodated due to the design capacity of the existing sewerage network being exceeded.

4 This proposal appears to be for a dwelling intended for year-round habitation. There is no evidence that the design requirement of KLNP policy HOUS 4 have been or will be taken into account in relation to energy conservation as well as other design requirements. Although this will be fully considered at the reserved matters stage, the proposal for a design using alternative materials causes concern, particularly in view of the scant details provided.

POLICY HOUS 4:
To be supported development proposals must demonstrate how they meet the following criteria:
• New homes, extensions and other domestic buildings must be of a high-quality design appropriate to their local context. In particular, the use and/or retention of key local features such as red brick, Staffordshire blue roof tiles and native hedgerows will be supported. Developments will be required to submit a detailed design and access

statement which identifies how the proposal would make a positive contribution to the locality and reference the reports at Appendix 3 (Kirk Langley Conservation Area Description), Appendix 5 (Character Assessment - Langley Common) and Appendix 11 (Kirk Langley Village & Surrounding Areas) in demonstrating how the proposed design compliments its local context.
And how they utilise the following design principles:
Sustainability and environmental considerations are fundamental. This is achieved by the following requirements:
Other than starter homes for young families, that they meet the criteria for the Lifetime Homes
Standard, including:
• flexibility, with potential for future expansion or alteration for lifetime living
• they incorporate space and facilities conducive to working from home
and in addition: they are designed in a way which complements and respect existing dwelling types in the vicinity with reference to the character studies contained within this plan at Appendix 3, 5, 11 where these apply to the development, otherwise generally in relation to the context of the proposal;
• they use materials which complement the existing palette of materials used within the area generally and specifically in relation to the immediate context; referring to the character studies if applicable to the development;
• they have gardens which are appropriate to the type of dwelling proposed and the density of the local character area as described in Appendix 3, 5 and 11.
• they provide adequate parking for all cars, motor-cycles and mobility scooters of adult occupants and their visitors on-site so that people do not need to leave their vehicles on the public highway;
• they use permeable parking surfaces to be used to reduce the risk of flooding; such as permeable paving, as part of the development's wider use of Sustainable Drainage Systems (SuDS) to reduce the risk of flooding.
• they take advantage of energy efficient means such as solar-powered panels for energy production as long as they are of an appearance and style which will not adversely affect the character of the area;
• they incorporate EV charging points.
• the design is optimised for energy efficiency.
• they provide suitable connections to services to ensure that future occupiers have access to high speed broadband

5. The Green is particularly troubled by limited parking, which causes road safety concerns.
Vehicles associated with The Green park on the bend on the Western side of the road and this causes danger to oncoming vehicles and pedestrians. There is no footway or usable verge for pedestrians to avoid traffic on the bend. Oncoming vehicles are put at risk. An additional development in this area will create more potential problems without adequate car parking provision. The submitted plans make no reference to parking arrangements although this is a requirement of policy HOUS 4 above.**General comments:**

Confirm you are human:GDPRTick this box to confirm that you have read and understood the above: True