

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 25 FEBRUARY 2002

APPL NO: **UTT/0443/98/OP**
PARISH: **BIRCHANGER AND STANSTED MOUNTFITCHET**
DEVELOPMENT: Outline application for the erection of 400 dwellings, construction of an access to highway and provision of public open space, play area and site for school, health centre and shop
APPLICANT: Pelham Homes Ltd
LOCATION: Rochford Nurseries, Forest Hall Road
D.C. CTTE: 26 November 2001
REMARKS: Deferred for Traffic Impact Study on whole site
RECOMMENDATION: Deferral pending receipt and assessment of TIS. Joint report on both current applications to come to next meeting on 18 March.
Case Officer: Roger Harborough (01799) 510457
Expiry Date: 17 September 2001

APPL NO: **UTT/1654/00/FUL**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: Residential development (58 units), new road access to public car park, extension to public car park by means of decking, pedestrianisation of existing access from High Street and erection of new public library
APPLICANT: Wilcon Homes Anglia Ltd
LOCATION: Land at Eastern Sector to rear of 37-61 High Street
D.C. CTTE: 26 November 2001
REMARKS: Deferred for negotiations re car parking, access, etc. and to publicise additional plans
RECOMMENDATION: Deferral pending receipt and consideration of further revised plans. Revised report to come to next meeting on 18 March.
Case Officer: John Grayson (01799) 510455
Expiry Date: 31 January 2001

APPL NO: **UTT/0822/01/FUL**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: Erection of four dwellings with associated garaging
APPLICANT: Mr D Lowe, Mrs McKinley and Mr C Blower
LOCATION: Land to the rear of 73-75 High Street
D.C. CTTE: 5 November 2001
REMARKS: Deferred for consideration jointly with 1654/00
RECOMMENDATION: Deferral
Case Officer: John Grayson (01799) 510455
Expiry Date: 20 August 2001

APPL NO: **UTT/0178/01/CL**
PARISH: **HATFIELD HEATH**
DEVELOPMENT: Certificate of Lawfulness for B2 and B8 use (slaughter house and meat storage)
APPLICANT: Reynolds 1994 Ltd
LOCATION: Unit 13 Heath View
D.C. CTTE: 19 March 2001
REMARKS: Deferred at applicants' request
RECOMMENDATION: Refusal
Case Officer: Jacqui Harrison 01799 510420 & Michael Ovenden 01799 510476
Expiry Date: 3 April 2001

APPL NO: **UTT/1244/01/FUL**
PARISH: **HATFIELD BROAD OAK**
DEVELOPMENT: Erection of lattice telecommunications tower with antennae attached. Installation of equipment cabinets and construction of internal access road
APPLICANT: Hutchinson 3G Ltd
LOCATION: Takeley Sewage Treatment Works
D.C. CTTE: 17 December 2001
REMARKS: Deferred at applicant's request
RECOMMENDATION: Deferral pending revised report to come to next meeting on 18 March
Case Officer: David Jeater 01799 510464
Expiry Date: 13 November 2001

APPL NO: **UTT/1461/01/FUL**
PARISH: **GREAT SAMPFORD**
DEVELOPMENT: Conversion of pair of barns into two dwellings
APPLICANT: J Harrison
LOCATION: Barns at Free Roberts Farm, Howe Lane
D.C. CTTE: 14 January
REMARKS: Deferred to revise design and draft conditions
RECOMMENDATION: Refusal
Case Officer: Richard Smith 01799 510465
Expiry Date: 3 January

APPL NO: **UTT/1475/01/OP**
PARISH: **LITTLE CANFIELD**
DEVELOPMENT: Outline application for one agricultural dwelling
APPLICANT: Mr E Cannon
LOCATION: Langthorns Plantery, High Cross Lane
D.C. CTTE: 14 January 2002
REMARKS: Deferred to negotiate revised siting
RECOMMENDATION: To be reported
Case Officer: David Jeater 01799 510464
Expiry Date: 26 December 2001

APPL NO: **UTT/1578/01/OP**
PARISH: **NEWPORT**
DEVELOPMENT: Erection of agriculturally tied dwelling
APPLICANT: A A Hudson
LOCATION: Whiteditch Farm
D.C. CTTE: 4 February 2002
REMARKS: Deferred for Members' site visit and comments from
Wendens Ambo Parish Council
RECOMMENDATION: Conditional Approval
Case Officer: Charmain Harbour 01799 510458
Expiry Date: 7 February

APPL NO: **UTT/1671/01/FUL**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: Proposed extension to provide 22 new bedrooms, dining
room and ancillary services
APPLICANT: Runwood Homes PLC
LOCATION: Redbond Lodge Elderly Persons Home, Chequers Lane
D.C. CTTE: 4 February 2002
REMARKS: Deferred to negotiate revised siting
RECOMMENDATION: To be reported
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 5 February

APPL NO: **UTT/1434/01/FUL**
PARISH: **GREAT CANFIELD**
DEVELOPMENT: Retention of boundary wall and lamp standard
APPLICANT: Mr and Mrs Kent
LOCATION: Woodnutt, Bacon End
D.C. CTTE: 4 February 2002
REMARKS: Deferred for Members' site visit
RECOMMENDATION: Refusal and enforcement action
Case Officer: David Jeater 01799 510464
Expiry Date: 20 December 2001

UTT/0326/01/FUL – HATFIELD BROAD OAK

(Second Revised Report)

Erection of replacement dwelling involving extension to residential curtilage
Anthonys, Anthony's Lane. GR/TL: 560-159. Mr J Schonberg.
Case Officer: David Jeater 01799 510464
Expiry Date: 25 May 2001

NOTATION: ADP: Outside Development Limits, DLP: Outside Settlement Boundaries.

DESCRIPTION OF SITE: This site is located in open countryside at the end of Anthony's Lane, a narrow public highway about 1.2km (0.7 miles) south-east of Hatfield Broad Oak. The northern part of the site comprises an area some 1,500 sq m, occupied by a two-storeyed Victorian house, its garden, and outbuildings. Although it did not apparently flood regularly in the past, much of the garden area is now liable to flooding from a watercourse which passes under the site in culvert, and it has been flooded again in recent weeks. (It has been established that improvements to this culvert would reduce the flooding frequency to once in ten years). The southern part of the site is an area of about 3,200 sq m, (0.75 acres) currently mainly horse paddock, on land up to 2m higher than the existing garden area.

DESCRIPTION OF PROPOSAL: This proposal involves the demolition of the existing house which has 180sq m of floorspace, and its replacement by a larger two-storey house of 260 sq m, on slightly higher land to the south-east. The proposal would involve extending the garden so that the enlarged curtilage of the house would cover some 4,800 sq m (1.2 acres) in total. The originally proposed location to the south has been altered and the design has been improved by omitting the original (fake timber boarding), but the size, scale and bulk remain the same.

RELEVANT HISTORY: An outline application for a replacement dwelling was refused in 2000 because insufficient information had been provided to enable the Council to assess it. This revised application was reported to the Committee in June last year and Members deferred a decision to enable a site visit. At the July meeting Members again deferred a decision and asked for an independent report on the flooding issues, and to allow for consideration of a smaller house on the higher land. These matters were reported to the meeting of this Committee on 26 November, when Members agreed in principle with the re-siting if culverting was not practical, but decided to defer their decision to allow further negotiations to take place in respect of the size and design.

CONSULTATIONS: Environment Agency: Culverting requires consent. Any received on revised scheme to be reported (due 15 February).

PARISH COUNCIL COMMENTS: Original scheme: Object on size and location.
Revised scheme: to be reported (due 15 February).

REPRESENTATIONS: One received on revised scheme.
CPREssex: Object on poor design.

PLANNING CONSIDERATIONS:

At its meeting on 26 November 2001, the Committee accepted the case made by the applicant for replacing the house on higher ground, and that in principle, it conformed with policy. The main remaining issues are therefore

- 1) whether the revised replacement dwelling proposal now meets the test in ADP Policy H8 and DLP Policy H6, that the new dwelling should be in proximity to the original structure, in scale with adjoining properties, and should not through its size or appearance impair the rural characteristics of the countryside and
- 2) whether the design of the house would be acceptable under ADP Policy DC1 and DLP Policy GEN2.

1) The revised proposal positions the house some 25m to the east of the earlier proposal, so that it would be less prominent and would be seen against the background of the coppice to the east. It proposes hedges and semi-mature trees along field and highway boundaries, and reduces the area set aside for parking and turning within the site by about one-fifth. These all comply with advice given by Officers to reduce the prominence of the new house and are considered acceptable, although a larger curtilage is now proposed.

2) On the other hand, the applicants have made little by way of revisions to the size of the house itself. Officers indicated that its footprint should be reduced to 125 sq m, its overall floorspace to 250 sq m, and its ridge height to 7.8m. The scheme as now submitted would have a 140sqm footprint, 265 sq m of floorspace and a ridge height of 8.5m. The 'mock-Tudor' aspect, which was a concern with the earlier scheme, would be reduced by the applicant's agreement to delete the rustic timber facing. The garden area, including the existing garden, would now cover some 4,800 sq m (over an acre) compared with 3,000 sqm suggested by Officers, and 3,500 sq m in the original scheme.

CONCLUSION: It has been recognised that there may be a strong case for relocating the existing house on this site onto higher land to the rear because of the flooding problem. The alternative was to culvert the ditch flow, which may still be possible. The revised scheme, would meet some of the Officers' requirements for a design intended to fit into open countryside. However, by reason of the bulk of the new house and the extent of its curtilage, the revised proposal would impair the open characteristics of this rural setting. The design of the building would be improved further, but the revised appearance does not justify refusal on this ground (see CPREssex letter attached).

RECOMMENDATION: REFUSAL REASON

In the absence of definitive proof that the flooding problem cannot be satisfactorily addressed other than by relocation, the proposed development would be unacceptable because the bulk and height of the proposed house on higher land, and the larger extent of its curtilage, would impair the rural characteristics of the countryside, contrary to Policy H8 in the adopted Uttlesford District Plan and Policy H6 in the Deposit Local Plan.

UTT/1719/01/FUL – HIGH EASTER

1 new dwelling and triple garage
Parsonage Brook Farm. GR/TL: 622-151. Alan Mills.
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 4 March

NOTATION: ADP and DLP: Outside Development Limits and Settlement Boundaries/
Adjacent to Listed Buildings and Conservation Area

DESCRIPTION OF SITE: The site is located to the north of High Easter village to the west of the road to Barnston. The site comprises about 0.8ha (2 acres) and lies in gently rolling countryside in a small valley. It was formerly used as a pig farm and had many low piggery buildings on it, some of which have now been removed. To the north of the site is arable land, to the south some residentially converted barns and a Poplar plantation. To the west is agricultural land and five former slurry lagoons. The site is largely flat with minimal vegetation along the north and south boundaries, especially between autumn and spring, with tall conifers along the roadside.

DESCRIPTION OF PROPOSAL: The proposal is to erect a “classical-style” seven-bedroom house about a third of the way into the site, with a triple garage and store located at the front of the site behind existing vegetation. All existing buildings are shown to be demolished and the existing access into the site is to be retained.

APPLICANT’S CASE: A report has been submitted in support of the application. The conclusions are:

- The design of the proposed new house would be of sufficient quality to make a contribution to the character of the area, whilst having proper regard for the setting of both the adjacent listed barn and Conservation Area.
- The landscaping proposals would consolidate and enhance the existing tree planting and, with the removal of the remainder of the derelict sheds, will improve the appearance of the site from the surrounding countryside.

Request deferment, if minded to refuse, to enable more negotiations to take place.

RELEVANT HISTORY: Various applications and appeals relating to the demolition of existing buildings and erection of 5,4,3 and 2 dwellings all refused and some dismissed on appeal on rural area policy grounds. One dwelling granted in outline in 1999 subject to conditions including 7m-height restriction and maximum 6m width. Appeal against that condition allowed (i.e. condition removed) in 1999 and the Inspector stated that the two dimensions quoted (7m high and 6 m width) were arbitrary. It was flawed in that it didn’t actually restrict the size of the dwelling and because the planning authority in any event has “...powers to control the design of the building at the detailed design stage”.

CONSULTATIONS: Design Advice: Large building would be unacceptably prominent on the entrance to the Conservation Area. See full comments attached.

PARISH COUNCIL COMMENTS: To be reported (due 11 February)

REPRESENTATIONS: This application has been advertised as likely to affect the setting of listed buildings and 1 representation has been received. Period expires 22 February.
CPREssex: Object. The Inspector specifically conceded that the Council could restrict the size and design of any dwelling at the full application stage in the interest of preserving the rural nature of the site, its surroundings and the setting of the adjacent listed building. We consider that this proposal would be entirely unsuitable for this specific site. Its scale would constitute such over-development as to undermine the aim of removing any eyesore and

nuisance from the redundant pig farm buildings which was regarded as the only basis for a departure from District Plan Policy S2. Unacceptable urbanising effect, despite the merits of removal of these redundant structures, which were, in contrast, found by the Inspector to be largely screened and unobtrusive.

PLANNING CONSIDERATIONS:

The main issues are whether the size and design of the dwelling would protect the character of

- 1) the immediately adjacent Conservation Area (ERSP Policy HC2) and**
- 2) the countryside beyond (ERSP C5 and ADP Policy DC1).**

1&2) The dwelling would be 10.2m high (11.6m including chimneys), 28.5 m wide (17m at two storey level) and project 22.5m rearwards. This would be a large property and it would be prominent on the approach to the village and from the public footpaths that run along the north and west boundaries. The tall, long north elevation would be highly visible from the footpath and from the road into the village across the hillside. The previous Inspector appreciated the Council's concern about a substantial dwelling which would undermine the character of the rural area and this concern remains with the current application. It is considered that it would harm the pleasant low-key rural character of the area.

CONCLUSION: The proposed large dwelling would dominate the approach into the village Conservation Area from the north.

RECOMMENDATION: REFUSAL REASON

The proposal would result in the erection of a large, dominant dwelling on a highly visible and prominent location open to public view from the highway and the public footpath on this approach to the Conservation Area, detrimental to the setting of the adjacent listed buildings and Conservation Area and harmful to the low-key rural character of the countryside, contrary to ERSP Policies HC2 and C5 and ADP Policy DC1.

UTT/1734/01/FUL – GREAT SAMPFORD

Construction of replacement 3-bed 2-storey dwelling
Rose Villa, Moor End. GR/TL: 638-356. Mr and Mr Dorrington.
Case Officer: Michelle Guppy 01799 510477
Expiry Date: 22 February

NOTATION: ADP: Outside Development Limits/Within Area of Special Landscape Value/
Adjacent to Listed Buildings. DLP: Outside Settlement Boundaries/Adjacent Listed
Buildings.

DESCRIPTION OF SITE: The site is located in the northern cluster of buildings that form
the Moor End part of Great Sampford. The site is to the southwest of the road that runs to
Radwinter. To the south and Northeast are listed buildings, to the north is a standard 1970's
property and to the rear is open fields/farmland.

DESCRIPTION OF PROPOSAL: The proposal is to replace the existing dwelling with one
of similar footprint moved approx. 2m to the north. The scale, bulk and design would be
similar to the existing.

APPLICANT'S CASE: Rose Villa was apparently constructed during the mid 1920's. We
were instructed during 1996, by the owners Insurers, to investigate the widespread damage
that became evident in the property. Our investigation revealed also a severe tilt in the
property towards the rear. The tilt measured approx. 200mm. over 6.0m depth of the house.
Trial pits revealed a seam of peat beneath the foundations which was of greater thickness at
the rear compared with the front. The damage evident throughout the property, also the
severe tilt, provides no viable alternative but to demolish the property and to reconstruct it on
piled foundations. The replacement property, the subject of this application, would provide a
similar floor area to that which it replaces and many of the original features would be
incorporated into the new house.

CONSULTATIONS: Water Authority: No objections in principle.

Environment Agency: Advice regarding foul and surface water disposal.

Design Advice: Overall form of this replacement dwelling would be similar to the existing
and not unpleasant. The elevational treatment could be improved. Suggest following
conditions:

- All windows to be cottage style, painted timber with the night vents omitted.
- Bow windows to be substituted by bay windows
- The width of the windows to be reduced to improve the proportions of void to solid.

PARISH COUNCIL COMMENTS: None (due 4 February)

REPRESENTATIONS: 1 representation has been received. Period expires 20 February.
In principle no objections. Demolition piling and additional foundations are required to Rose
Villa. What precautions will be taken to protect against any potential damage to Rose
Cottage? Please clarify measurements of the boundary between Rose Cottage and Rose
Villa where the proposed close-boarded fence is to be erected.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal

- 1) would be an appropriate replacement dwelling (ADP Policy H8 and DLP Policy H6) and
- 2) would have a detrimental effect on residential amenity (ADP Policy DC14 and DLP Policy GEN4).

1) The existing dwelling is structurally unsound and the permanent loss of a property in this location would break up the street scene detrimental to the character and appearance of the area. The siting of the replacement dwelling would be in proximity to the existing structure, would be approximately the same size as the existing building and would be of a scale that is appropriate to the location. The design would be similar to the existing property and should have no greater impact.

2) The replacement dwelling should not be additionally detrimental to residential amenity, subject to conditions.

COMMENTS ON REPRESENTATIONS:

Copy of letter has been passed to applicants' agent. Structural matters during construction are private legal matters for the parties, and not a valid planning consideration. Regarding the close-boarded fence, the location is not shown on the plans and this could be dealt with by way of a condition.

CONCLUSION: The proposed replacement would be acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS

- 1. C.2.1. Time limit for commencement of development
- 2. C.3.3. To be implemented in accordance with original and revised plans, except for the requirements of condition C.17.1
accordance with original and revised plans
- 3. C.4.1. Scheme of landscaping to be submitted and agreed
- 4. C.4.2. Implementation of landscaping
- 5. C.5.1. Samples of materials to be submitted and agreed
- 6. C.23. Demolition of existing dwelling
- 7. C.12.1. Boundary screening requirements
- 8. C.7.1. Slab levels
- 9. C.17.1. Revised plan required
- 10. C.5.7. Window details

UTT/1740/01/OP – WIMBISH

Erection of dwelling to replace chalet bungalow
The Brambles, Wimbish Green. GR/TL: 599-350. Mr F Clark
Case Officer: Richard Smith 01799 510465
Expiry Date: 8 March

NOTATION: ADP: Outside Development Limits/Within Area of Special Landscape Value
DLP: Outside Settlement Boundaries.

DESCRIPTION OF SITE: This 0.1ha site is located in open countryside to the east of Tye Green. It contains a timber building, now occupied lawfully as a separate dwelling, a mobile home that has been extended and various other outbuildings.

DESCRIPTION OF PROPOSAL: Outline planning permission is sought for the erection of a dwelling to replace the timber dwelling described by the applicants as a “chalet bungalow”. The principle of a replacement dwelling is the only issue to be considered at this stage, with all details being reserved.

RELEVANT HISTORY: Appeal against enforcement notice requiring removal of mobile home allowed 1979. Permanent retention of mobile home granted in 1986. Dwelling refused in 1988 and 1992 on rural area policy grounds. Certificate of Lawfulness for use of “chalet bungalow” as dwelling house refused and appeal allowed in 2001.

PARISH COUNCIL COMMENTS: To be reported (due 18 February).

REPRESENTATIONS: Any received will be reported. Notification period expires 12 February.

PLANNING CONSIDERATIONS:

The main issue is whether the proposal is acceptable in relation to the relevant policies regarding replacement dwellings (ADP Policy H8 and DLP Policy H6).

Both the adopted and deposit versions of the policy relating to replacement dwellings allow for such proposals providing they are in scale with neighbouring properties, are sited in proximity to the original structure and do not impair the rural characteristic of the area. In this case the applicant has chosen not to submit any details for consideration at this stage and is only seeking the Council’s views on the principle of a replacement dwelling. The recent history of the site, namely the granting on appeal of a Certificate of Lawfulness for a separate dwelling, effectively establishes the principle of a dwelling on the site. In light of this, it is considered that permission should be granted, subject to acceptable details being submitted at the reserved matters stage.

CONCLUSION: The proposal accords with the relevant policies of the Development Plan.

RECOMMENDATION: APPROVAL WITH CONDITIONS

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| 1&2. | C.1.1.& 2. | Submission of reserved matters. |
| 3&4. | C.1.3 & 4. | Time limit for submission of reserved matters. |
| 5. | C.1.4. | Scheme of landscaping to be submitted and agreed. |
| 6. | C.4.2. | Implementation of Landscaping. |
| 7. | C.23. | Demolition of dwelling to be replaced. |

1) UTT/1401/01/FUL & 2) UTT/ 1402/01/LB - DEBDEN

1. Alterations to barns to convert to dwelling and garage
 2. Conversion of two barns into a dwelling and associated garage
- Brick House Farm, Newport Road. GR/TL: 543-340. Mr and Mrs J Arkwright.
Case Officer: Charmain Harbour 01799 510458
Expiry Date: 27 December 2001

NOTATION: ADP and DLP: Outside Development Limits and Settlement Boundaries/Main farmhouse is Grade II* Listed Building, Cart shed and Granary are Grade II Listed, Barn is within curtilage of Listed Buildings.

DESCRIPTION OF SITE: The farm complex is located in open countryside on the northern side of the road between Debden and Newport. It is situated at the end of a private road some 500m west of the Debden Crossroads. The farmhouse occupies the most northerly position in a complex of historic farm buildings, which form a courtyard around a central grassed area. The old barns have been superseded by modern farm buildings located on the northern and southern perimeter of the complex. Barn 01 forms the western wing to the courtyard and is 18th century aisled with two porches to the courtyard elevation. It has a white rendered eastern elevation and weatherboarding to the eastern side, with a corrugated metal roof. The northern porch retains the barn doors but the southern one has been infilled with blockwork. To the courtyard elevation is a single-storey lean to which has wooden feeding troughs *in situ*. To the southern end is a single-storey structure currently used as a chicken coop. The main barn is unused. The cart shed dates from the early 18th century. It has an open timber frame with four bay areas. The roof is clad in corrugated metal. There is a first floor accessed via a metal ladder to the northern elevation.

DESCRIPTION OF PROPOSAL: This application seeks Planning and Listed Building Consent to convert a barn (unlisted in its own right) into a single dwelling and the Listed Cart lodge is proposed to be converted into garaging associated with this unit. The proposal is to convert the main barn into a six-bedroom dwelling. The majority of the living space would be at ground-floor level, with the master bedroom and sitting room proposed at an inserted first-floor. Part of the single-storey lean to front extension would be demolished. New floor to eaves level glazing would be added to the two porches and to the middle section of the main barn. The roofs would be reclad in clay tiles or slate. A central chimney flue is proposed to the eastern elevation

See separate applications for other buildings on this complex at next item on page 14.

APPLICANT'S CASE: The group of buildings are considered to be environmentally important. The choice of conversion to a dwelling provides an easily maintainable structure ensuring the future retention of the building.

CONSULTATIONS: Building Surveying: Access road would need to be widened and a suitable turning head provided to allow satisfactory access for the fire brigade. They are also seeking that the sitting room and all the bedroom windows are amended to means of escape windows.

English Heritage: Object. Proposed conversion of the barns would have a dramatic and damaging effect on the setting of the Grade II listed farmhouse. Little effort has been made by the applicants to adapt the proposed conversion to the character of the barns and their setting. Barn would be radically changed with large glass screens in the position of the historic cart entries to the eastern elevation. It is also considered the open character of the barn should be preserved and the glazing reconsidered and reduced. It is requested that radical amendments to the proposals are made otherwise it is considered the scheme should be refused.

Design Advice: The scheme in its current format is considered to be unacceptable. Whilst the principle of converting the buildings to residential use is supported, the details of how this is to be carried out would not protect or enhance the character of the building. It is considered to be inappropriate to insert a first floor given the impact would have on the inner space of the barn. Given the size of footprint of the building it is considered to be of a sufficient size that the principal living spaces could be positioned to make use of the full height and ancillary rooms created in the other areas of the barn. The treatment of the front elevation is considered to need revising to reduce the amount of glazing. Some internal features of historic interest which could be incorporated into a domestic layout are shown as being removed. The works to Barn 03 are considered to be acceptable. In the current form it is recommended the proposal be refused.

PARISH COUNCIL COMMENTS: None (due 9 December 2001).

REPRESENTATIONS: These applications have been advertised as affecting Listed Buildings and no representations have been received. Period expired 6 December 2001.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the proposals would be acceptable residential barn conversions (ERSP Policy RE2, ADP Policy C6 and DLP Policy H5) and
- 2) the conversion would protect the character of the Listed Buildings and their setting (ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV2).

1) Structure Plan Policy RE2 states that *'The residential conversion of listed farm buildings and the reuse of other rural buildings for residential use on isolated sites within the countryside located well away from existing settlement, will not normally be permitted.* It is not considered that these buildings are remote as there are three existing dwellings on the site and the units would be in reasonable driving distance of Debden or Saffron Walden. Given recent decisions in respect of this issue, it is not considered that the site is remote enough to justify a refusal. The buildings are in a sound structural condition and are considered to form an important setting to the main farmhouse. As such the principle of a residential conversion would meet the provisions of Policy C6 of the ADP and Policy H5 of DLP.

2) The actual conversion works are not considered to respect and conserve the character of the building. The installation of a first floor in the main barn void and the alterations to the eastern elevation would be unacceptable and would drastically alter the building. It is sought to retain the inner courtyard elevations in as unaltered form as possible to preserve the setting to the main farmhouse. The applicant has been requested to amend the details in line with comments made by English Heritage and Officers of the Council. To date no amendments have been received and given the length of time which has elapsed the applications are being considered as submitted.

CONCLUSION: The principle of residential conversions of the buildings is considered to be acceptable, however the detailed design of the scheme is considered to harm the character and visual appearance of barn 01 and the works to this structure are also considered to be unsympathetic to the historic character of the group of buildings in particular the setting of the Grade II* farmhouse.

RECOMMENDATIONS: 1) UTT/1401/01/FUL: REFUSAL REASON

The proposed conversion of Barn 01 is considered to be unacceptable due to the unsympathetic external alterations proposed which are considered to have a dramatic and damaging effect on the visual appearance of the structure. The conversion works would be highly obtrusive and would greatly alter the external appearance and internal space of this barn. This would greatly alter the present historic character of this group of buildings and in particular be harmful to the setting of the Grade II* farmhouse. The scheme is therefore considered to be contrary to the provisions of Policy HC4 of the ERSP, Policy DC6 of the ADP and Policy ENV2 of the DLP.

2) UTT/1402/01/LB: REFUSE LISTED BUILDING CONSENT REASON

The proposed conversion of the barn 01 which is a curtilage Listed Building would, by virtue of the unsympathetic and intrusive internal and external alterations, have a detrimental impact on the character and appearance of the structure. The alterations are also considered to be intrusive in terms of their impact on the historic setting of the building. The works would neither respect nor conserve the character of this building and would also be harmful to the setting of the Grade II* medieval farmhouse. The proposals are therefore considered to be contrary to ERSP Policy HC4, ADP (1995) Policy DC6 and DLP (2001) Policy ENV2.

1) UTT/1398/01/FUL & 2) UTT/1399/01/LB - DEBDEN

1. Conversion of barn to residential unit.

2. Works to building to form residential unit

Brick House Farm, Newport Road. GR/TL: 544-340. Mr and Mrs J Arkwright

Case Officer: Charmain Harbour 01799 510458

Expiry Date; 23 January

NOTATION: ADP and DLP: Outside Development Limits and Settlement Boundaries/Main farm is Grade II* Listed Building and a cart shed and a granary are Grade II Listed Buildings.

DESCRIPTION OF SITE: The farm complex is located in open countryside on the northern side of the road between Debden and Newport. It is situated at the end of a private road some 500m west of the Debden Cross-roads. The farmhouse occupies the northern most position within the group of buildings on rising land. The historic barns form a courtyard to the south of this around a central grassed area. South and north of the complex modern farm buildings have been erected. The barn dates from the 18th century and is a black weather boarded single-storey structure with a red brick plinth. The roof is clad in metal corrugated sheeting. The barn is currently used as office space and storage of paperwork and domestic items relating to the main farmhouse.

DESCRIPTION OF PROPOSAL: This application seeks Planning and Listed Building Consent to convert Barn 02, which is on the eastern side of the courtyard. This is not Listed in its own right, but as a curtilage building. A series of new windows would be added to the eastern and western elevations. The roof would be reclad in clay tiles. To the northern end an existing door would be converted into a window and a new doorway with stepped access would be formed on the inner courtyard elevation. The principal entrance would be to the eastern side where as door is currently located. Roof lights would be included in the roof to light two bedrooms to be formed in the roof space. The dwelling would have a further two bedrooms on the ground floor level. Parking for the unit would be provided via an existing garage on the south western side of the barn, which is an open fronted structure with a shallow monopitched roof.

APPLICANT'S CASE: The group of buildings are considered to be environmentally important. The conversion of the whole barn into a dwelling provides an easily maintainable structure ensuring the future retention of the structure.

CONSULTATIONS: Building Surveying: Access road would need to be widened and a suitable turning head created to allow fire brigade access. They are also seeking the windows to the all the bedrooms are amended to give a means of escape.

English Heritage: Object. Consider that the conversion of the barn would have a dramatic and damaging effect on the setting of the farmhouse. Little effort seems to have been made by the applicants to adapt the proposed conversion to the character of the barns and their setting. In particular the windows and door to the western elevation would be obtrusive and at odds with the historic character of the barns

The effect of this scheme and the parallel one for Barns 01 and 03 on the character of the farm and the setting of the house would be appalling and radically unsympathetic to the historic character of the place.

Design Advice: The scheme in its current format is considered to be unacceptable. Whilst the principle of a residential conversion is supported for the building in principle, the details are not considered to protect or enhance the character of the building. Amendments to the fenestration, location of doors and amount of openings to the western elevation are recommended. Any windows to the eastern elevation need to be small. Some unity to the form of windows to be employed is required. In the current form it is recommended the scheme be refused.

PARISH COUNCIL COMMENTS: None (due 7 January).

REPRESENTATIONS: These applications have been advertised as affecting Listed Buildings and no representations have been received. Period expired 27 December 2001

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the proposals would be acceptable residential barn conversions (ERSP Policy RE2, ADP Policy C6 and DLP Policy H5) and
- 2) the conversion would protect the character of the Listed Buildings and their setting (ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV2).

1) It is not considered that these buildings are remote as there are three existing dwellings on the site and the units would be in reasonable driving distance of Debden or Saffron Walden. Given recent decisions in respect of this issue it is not considered that the site is remote enough to justify a refusal. The buildings are in a sound structural condition and are considered to form an important setting to the main farmhouse. As such the principle of a residential conversion would meet the provisions of Policy C6 of the ADP and Policy H5 of DLP.

2) The actual conversion works are not considered to respect and conserve the character of the building. The alterations to the western elevation in particular would significantly alter the appearance of the structure and the glazed door and steps down to the courtyard are considered to be unacceptable and too domestic in appearance. The amount of new windows needs to be greatly reduced and a uniform style for the windows selected. It is sought to retain the inner courtyard elevations in as unaltered form as possible to preserve the setting to the main medieval farmhouse. The applicant has been requested to amend the details in line with comments made by English Heritage and Officers of the Council. To date no amendments have been received and given the length of time now passed the applications are being presented as submitted.

CONCLUSION: The principle of a residential conversion is considered to be acceptable, but the detailed design of the scheme would harm the character of the building and be unsympathetic to the historic setting of the place and in particular the setting of the Grade II* farmhouse.

RECOMMENDATIONS: 1) UTT/1398/01/FUL - REFUSAL REASON

The proposed conversion of this barn is considered to be unacceptable due to the unsympathetic external alterations proposed which are considered to have a dramatic and damaging effect on the visual appearance of the building. The conversion works would be highly obtrusive and as such greatly alter the present historic character of this group of buildings and in particular be harmful to the setting of the Grade II* farmhouse. The scheme is therefore considered to be contrary to the provisions of Policy HC4 of the ERSP, Policy DC6 of the ADP (1995) and Policy ENV2 of the DLP (2001).

2) UTT/1399/01/LB: REFUSE LISTED BUILDING CONSENT REASON

The proposed conversion of this curtilage Listed Building would, by virtue of the unsympathetic and intrusive external alterations, have a detrimental impact on the character and appearance of the existing building, and be intrusive in terms of their impact on the historic setting. The alterations to the building would neither respect nor conserve the character of the building and would be harmful to the setting of the Grade II* medieval farmhouse. The proposal is therefore considered to be contrary to ERSP Policy HC4, ADP (1995) Policy DC6 and DLP (2001) Policy ENV2.

1) UTT/1676/01/FUL & 2) UTT/1699/01/LB – WHITE RODING

1&2) Residential conversion of barn with small link passageway
Waterloo Farm. GR/TL: 557-128. J Collins and W W J Collins.
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 12 February

NOTATION: ADP & DLP: Adjacent to Grade II Listed Building / Metropolitan Green Belt.

DESCRIPTION OF SITE: The site is located 2km (1 mile) by road south-west of the main crossroads in the centre of the village. There is a cottage, a listed dwellinghouse and a range of redundant farm barns forming a group, amid open countryside.

DESCRIPTION OF PROPOSAL: It is this group of barns that it is proposed to convert to a single dwellinghouse. They comprise one main weather-boarded structure, currently roofed in corrugated sheeting, which it is proposed to re-clad with tiles, a stable and an open fronted cart shed clad in clay pantiles. A portion of the garden to the adjacent dwelling would be allocated to the converted barns. Approximately half of the main barn would be open from floor to roof and parking would be provided within the existing cart shed.

APPLICANT'S CASE: The barn situated at Waterloo Farm completes an attractive courtyard arrangement of traditional farmhouse and farm building. Following discussions with the Conservation Office, it is considered that the barn is capable of conversion to residential use with minimum alteration to the structure. The overall scheme is designed so as to enhance and preserve the existing historic character of the site and their role as a landscape feature. It is considered that the proposed conversion, in line with National Planning Policy and Policy C6 of the District Plan, will enhance the character and setting of the Listed farmhouse and the property as a whole.

CONSULTATIONS: Design Advice: The group is of tidy and attractive appearance despite the less traditional alterations to the barn. These buildings are quite prominent in the countryside. They are of environmental value through their traditional and vernacular form, enhancing the character and appearance of the immediate rural area. The barn encloses the yard from northwest and its survival is important in terms of retention of the archaeology of past farming methods. The proposed scheme utilises most of the existing openings and its impact on the existing character of the buildings would not be excessive. Recommend approval subject to conditions.

PARISH COUNCIL COMMENTS: To be reported (due 4 February).

REPRESENTATIONS: These applications have been advertised as likely to affect the setting of a Listed Building and any representations will be reported. Period expires 14 February.

PLANNING CONSIDERATIONS:

The main issue is whether the proposed residential conversion of these buildings complies with relevant policies regarding barn conversions (ERSP Policy RE2, ADP Policy C6 and DLP Policy H5).

All policies indicate various tests, requiring schemes to relate to substantial buildings capable of conversion; to protect the countryside; not to prejudice town vitality and state a preference for business after use of buildings. The applicants have indicated that they have investigated business re-use and concluded that it would not be appropriate in this case.

Officers agree with this assessment since the access lane is narrow and passes by another dwelling.

RE2 also states that *“the residential conversion of listed farm buildings and the re-use of other rural buildings on isolated sites within the countryside located well away from existing settlements, will not be permitted”*. These buildings are part of a group and, therefore, are not considered to be on an isolated site. It is a question of judgement whether this site is ‘well away from’ White Roding but, given recent decisions, it is considered that it is so isolated as to justify a refusal on this ground.

This leaves the remaining issue to be the quality of the buildings and that of the proposed conversions. The buildings form part of the setting to the listed dwelling and, therefore, have considerable environmental group value. They appear to be capable of conversion without rebuilding and the scheme represents an acceptable design of conversion subject to conditions.

CONCLUSION: The proposal broadly complies with relevant policies.

RECOMMENDATIONS:

1) UTT/1676/01/FUL - APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit.
2. C.3.3. To be implemented in accordance with original & revised plans.
3. C.6.2. Withdraw permitted development rights with definition of curtilage as edged red
4. The courtyard shall be surfaced with gravel or similar material prior to the first occupation of the dwelling hereby permitted.

Reason: To protect the setting of the listed building and the character of this group of rural buildings.

2) UTT/1699/01/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Standard time limit (listed buildings).
2. C.3.3. To be implemented in accordance with original & revised plans.
3. The roof to the main barn shall be clad with clay plain tiles samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development.
4. All weather boarding shall be feather-edged timber painted black, before first occupation
5. All external joinery shall be painted black to match the weatherboarding, before first occupation
6. The existing brick plinth shall be repaired as necessary using matching bricks, pointing and bonding, before first occupation

Reason 3-6: To protect the setting of the listed building.

1) UTT/0025/02/FUL & 2) UTT/0026/02/LB – LITTLE BARDFIELD

1. Conversion of barn to separate dwelling and conversion of outbuilding to associated garage
2. Conversion of barn to dwelling including demolition of modern extensions and internal and external alterations.

Barn Cottage, Coft Hall. GR/TL: 664-284. Mrs C Phillips.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 11 March

NOTATION: ADP and DLP: Outside Development Limits/Main dwelling is Listed Grade II

DESCRIPTION OF SITE: The site is located at Oxen End, to the south of The Bardfields, on a loop road east of the B1057. Sporadic housing is along the loop road and the area is rural in appearance. The site comprises a Grade II listed house, a non-listed barn and further outbuilding. A modern lean-to attached to the barn has been converted with planning permission to an annex. There is a large garden and roadside screen planting.

DESCRIPTION OF PROPOSAL: This is a revised scheme following refusals to convert the barn to a separate dwelling in 2000 and 2001. This current proposal is to convert the barn and annex into a two-storey four-bedroom dwelling. The alterations to the building would include the demolition of a modern conservatory and flat-roofed rear extension. The corrugated sheet roof would be replaced with pantiles. The agent advises that the roof timbers and studwork are in good condition, and boarding would require minor repair and treating. A first-floor would be inserted with the central bay remaining open. New fenestration would be inserted in existing openings where possible. An outbuilding would be converted to garaging and space for turning would be between the house and barn. The existing vehicular access would serve both dwellings.

APPLICANT'S CASE: See agent's supporting statement attached.

RELEVANT HISTORY: Conversion of part of barn to dwelling granted 1970, subject to temporary and personal occupancy conditions (for then applicant's parents); renewed on permanent but personal basis 1975. In 1988, ownership of site changed and permission granted for use as annex by dependent relatives of Coft Hall only. Conversion of barn and annex to separate dwelling refused 2000 (following Members' site visit) and March 2001, both on policy and design grounds.

CONSULTATIONS: Design Advice: The structure falls short of all the pre-requisites of Policy C6. The barn is of 19th/20th century origins with a modern shallow pitch roof and much spindly modern framing. A modern lean-to has been converted to an annex to the principal listed farmhouse. Aesthetically the building is unattractive, one of many of its kind, which does not enhance the character and appearance of the countryside. Although the building is structurally adequate for storage, it would require substantial rebuilding to satisfy residential requirements. It is estimated that over 75% of existing fabric would have to be renewed. In contrast to other farm buildings in the District of 16th to 18th century period, the frame is undoubtedly spindly. The aim of Policy C6 is to give a new lease of life to environmentally important historic buildings. The District contains a great number of lesser farm buildings, which if all were converted, would have a cumulatively damaging effect on the character of the rural countryside. Only actual building works would reveal the level of upgrading of existing fabric which would be required, but it is likely to be extensive.

PARISH COUNCIL COMMENTS: to be reported – due 18 February

REPRESENTATIONS: These applications have been advertised as affecting the setting of a listed building and no representation has been received. Period expires 14 February.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) the building is suitable for conversion (ERSP Policy RE2, ADP Policy C6, DLP Policy H5),
- 2) the proposal would be acceptable in relation to (a) the setting of the main listed building (ERSP Policy HC3, ADP Policy DC5a, and DLP Policy ENV2); and (b) residential amenity (ADP Policy DC14 and DLP Policy GEN4) and
- 3) there are any other material considerations in this revised proposal to overcome the previous reasons for refusal.

1& 2a) In its present form the building has no architectural or aesthetic merit and does not contribute to the setting of the listed building or the surrounding countryside. It has a shallow pitch roof, high level of modern framing, and a modern lean-to (the annex). It is adequate for storage purposes, but in the opinion of Officers (and contrary to the submitted survey) it would require substantial strengthening/rebuilding in order to meet the requirements for permanent separate residential occupancy. Notwithstanding the survey, Officers estimate that over 75% of the fabric of the barn would need to be renewed or added to for the conversion to take place, contrary to structure and local plan policies. The existing building does not therefore fulfil the criteria for conversion.

In addition, Policy RE2 of the Structure Plan (adopted since the last refusal) prohibits residential conversion of rural buildings on isolated sites located well away from existing settlements. Oxen End comprises a small and scattered group of houses in a relatively isolated location, but only 1.5km from the settlement of Great Bardfield. On balance, it is not considered that this distance would be sufficient to justify a refusal on this point.

2b) Coft Hall and the barn are sufficiently distant and screened from any other property to avoid any loss of residential amenity. Within the site itself, there would be enough separation between the two buildings to avoid material loss of privacy to residents of the main house or barn and their garden areas.

3) The revised proposal would overcome some of the previous objections, in that there would now be no extensions proposed to the building, and an existing outbuilding would be utilised for garaging. Modern extensions to the barn would be removed and the corrugated roof would be replaced with tiles. However, these do not overcome the fundamental issue that the barn is not considered to be of sufficient quality to warrant conversion within policy terms.

CONCLUSION: The barn is of inadequate architectural and aesthetic quality to comply with the policy requirements for residential barn conversions. Its conversion would be damaging to the setting of the listed building and the surrounding rural area. There are no other material considerations of sufficient weight to warrant overriding established policy.

RECOMMENDATIONS: REFUSAL REASON

The proposed development would be unacceptable because the building is not considered to be of sufficient quality in terms of form, design, architectural or historic interest, or its setting within the landscape, to merit conversion. The conversion would not enhance the setting of the listed building, and would have an adverse impact on this attractive rural location. Although some more modern elements of the building would be removed as part of

the conversion scheme, these would create no material improvement to the setting of the listed building, and are of insufficient reason to grant permission. The proposal would create an additional dwelling in the countryside without justification, and contrary to established policy. Contrary to ERSP Policy RE2, ADP Policy C6, and DLP Policy H5.

UTT/1693/01/FUL – ELMDON

Change of use of barns to Class B1 light industrial/commercial use. Associated alterations including infilling of open sided barn and internal partitioning.

Coopers End Farm, Duddenhoe End. GR/TL: 464-359. Mr F Hicks.

Case Officer: Richard Smith 01799 510465

Expiry Date: 11 February

NOTATION: ADP: Outside Village Development Limit/Within Area of Special Landscape Value. DLP: Outside Settlement Boundaries.

DESCRIPTION OF SITE: This site is located in open countryside approximately 800m south of Duddenhoe End. Extending to 0.56ha, (1.3 acres) it comprises a number of buildings including a nissen style barn and linked single-storey building and a large open-sided barn. H Frank Hicks Plant Hire, the applicant, occupies the nissen barn, with part of the single-storey extension being sub-leased to a joiner. The open-sided barn has a floor area of 380 sqm and is currently redundant. Boundary treatment includes substantial hedge treatment around its perimeter. The site is bounded by two residential properties to the north-east.

DESCRIPTION OF PROPOSAL: Permission is sought for the subdivision of the nissen style barn into two units, one for continued use by the applicant, and the other for commercial/light industrial purposes. Permission is also sought for the use of the open-sided redundant barn for light industrial/commercial purposes and for the infilling of the open-sided sections of the barn. Details of intended occupiers have not been submitted.

APPLICANT'S CASE: See letter dated 4 December 2001 attached.

CONSULTATIONS: Environmental Services: No objections provided activities are restricted within building and do not occur in the open.

PARISH COUNCIL COMMENTS: To be reported (due 11 February).

REPRESENTATIONS: Two representations have been received.

1: Site is served solely by single-track roads, which are unable to cope with demand already placed on them. Refers to increase in lorry traffic associated with recently constructed free-range chicken farm. There has no improvement to our roads to cope with this increase and size of local business traffic and also the increase in traffic from the substantial inbuilding of dwellings in Duddenhoe End. This has caused great damage to the verges and the complete destruction of grassed triangles.

2: Do not see any objection to change of use but has concerns about level of business which may take place. Concerns about permitted hours, nature and volume of traffic. The approach roads are narrow and much more suited to light traffic. Any increase in number of heavy or long vehicles would have a deleterious effect on the roads themselves as well as the local environment.

PLANNING CONSIDERATIONS:

The main issues are whether the proposals would be appropriate re-use of rural buildings (ERSP Policy RE2, ADP Policy C5 and DLP Policy E4).

The above policies allow for the re-use and adaptation of appropriate rural buildings for non-residential purposes providing they 1) are of permanent and substantial construction and 2) do not damage the amenity of the countryside, or introduce additional activity likely to

materially and adversely change the character of the local area or place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety, and amenity). The accompanying text in the District Plan advises that open-sided buildings requiring enclosing with walls are not considered to be appropriate because of the level of construction work involved. It goes on to state that the principle behind allowing re-use of rural buildings is to make the most of an existing asset, not to permit new buildings in the countryside.

The nissen style building proposed to be subdivided is of sound construction requiring minimal physical alteration. The infilling of the large open-sided barn with block work, cladding and doors however would constitute substantial reconstruction, creating in effect a new building. Further, the commercial activity and traffic associated with a building of this size in this rural location would materially and adversely change the character of the local area, placing unacceptable pressures on the surrounding road network (in terms of traffic levels, road safety and amenity). As such this element of the proposals would be harmful to the amenity of the countryside.

COMMENTS ON REPRESENTATIONS: The representations received cite concerns about the potential impact of the proposals on the countryside and surrounding road network being inadequate to accommodate the additional commercial traffic. The above assessment is in tune with these concerns.

CONCLUSION: The proposals would be contrary to the provisions of the Development plan.

RECOMMENDATION: REFUSAL REASON

The proposed alterations involving the infilling of the large open-sided barn with block work, cladding and doors would constitute substantial reconstruction, creating in effect a new building. Further, the commercial activity and traffic associated with a building of this size, in this rural location would materially and adversely change the character of the local area, placing unacceptable pressures on the surrounding network of narrow country lanes (in terms of traffic levels, road safety and amenity), contrary to ADP Policy C5 and ERSP RE2.

UTT/1708/01/FUL – LITTLE HALLINGBURY

Change of use of barns to B1, B2 and B8.
Stone Hall Farm, Hall Green. GR/TL 511-159. DJL Robarts.
Case Officer: Katherine Benjafield (01799 510494)
Expiry Date: 12 February

NOTATION: ADP & DLP: Metropolitan Green Belt / Adjacent to Grade II Listed Building / Adjacent to Public Right of Way.

DESCRIPTION OF SITE: The site is located in open countryside to the south of Little Hallingbury on the south-western side of the road to Hatfield Heath (A.1060). The proposal relates to two agricultural barns situated within a farm complex.

DESCRIPTION OF PROPOSAL: The proposal is for the change of use of two agricultural barns to B1, B2 and B8 uses. The barns are located to the rear of the Grade II listed farmhouse and are currently accessed by the existing drive. It is proposed to improve an existing alternative access situated 75m northwest of the farmhouse access on the main road. A new access measuring approximately 35m would then be created to run between the two barns. Barn A, as marked on the plans, currently has a floorspace of approximately 325m², whilst barn B currently has an approximate floorspace of 445m². Parking for a minimum of 20 cars would be provided in the area behind the farmhouse.

APPLICANT'S CASE: The scheme complies with Policies C4 and C5 in the Adopted District Plan.

CONSULTATIONS: ECC Transportation: To be reported (due 7 February).
Policy and Conservation: No policy objection subject to scheme meeting the criteria set out in the relevant policies.

PARISH COUNCIL COMMENTS: None (due 21 January).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 24 January

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would

- 1) be an appropriate use in the Metropolitan Green Belt (ADP Policy S3 and DLP Policy S6),
- 2) be an acceptable re-use of rural buildings (ADP Policy C5 and DLP Policy E4),
- 3) harm general amenity (ADP Policy DC14 and DLP Policy GEN4) and
- 4) affect the setting of the listed buildings (ADP Policy DC5 and DLP Policy ENV2).

1) The criteria in Policy S3 of the ADP state that only in very special circumstances will permission be given for the change of use of existing buildings in the Green Belt for purposes other than agriculture or forestry and other suitable outdoor uses which are open in character. This proposal does not include a supporting statement which would explain any special circumstances for the proposal to comply with the above policy. However, the policy also states that the change of use of redundant buildings for other purposes will be considered under Policy C5.

2) The re-use of rural buildings will normally be permitted under Policy C5 if the use is appropriate and would respect the rural amenities of the area. It is necessary for sites to

have satisfactory accessibility and adequate space for associated activities and these must not impair important characteristics of the countryside. It is considered that the proposed change of use of the barns to B1, B2 and B8 would not respect the rural amenities of the area. It is proposed to provide a minimum of 20 car parking spaces which would involve a significant area of the site being used for parking. This would be an unacceptable impact on the open character of the Green Belt. In addition to the parking, provision would also need to be made for the manoeuvring of heavy goods vehicles. It is doubtful as to whether there is enough land allocated for this to take place as well as provide the required number of car parking spaces. The site has an open character therefore the associated vehicle movements and parking would create a negative impact on this rural area.

3) The proposal would also have adverse impacts on the amenities of occupants of the existing Grade II listed farmhouse and neighbouring properties situated on the main road. The change of use would create a significant negative impact in terms of vehicle movements and noise arising from the activities taking place on the site. These effects would directly reduce the residential amenity of occupants of the farmhouse. The impact of the proposal will also extend to areas which are not located on the site itself. The neighbouring property opposite the site would suffer from the vehicle movements, and noise associated with this, as vehicles enter and leave the site thereby also reducing their residential amenity. Therefore, the proposal fails to comply with Policy DC14.

4) The general activity caused by the commercial use of such a large area, together with the car parking in close proximity would result in a detrimental change to the historic character and setting of the listed farmhouse.

CONCLUSION: The proposal is contrary to Policies S3, C5 and DC14 in that it would be detrimental to the rural and open character of the Metropolitan Green Belt, would have a negative impact in terms of residential amenity on neighbouring properties and would be harmful to the setting of the listed farmhouse.

RECOMMENDATION: REFUSAL REASONS

1. The proposed development would be unacceptable because it would involve commercial activity other than those listed in the Policy, which would have a detrimental effect on the open characteristics of the Green Belt, contrary to Policy S3.
2. The proposed development would be unacceptable because it would adversely affect the enjoyment of the neighbouring residential properties as a result of excessive vehicle movements and noise, contrary to Policy DC14.
3. The proposed development would be unacceptable because it would be harmful to the historic character and setting of the listed farmhouse by virtue of the level of commercial activity generated by the large amount of floorspace, together with the outdoor car parking, contrary to Policy DC5(a).

UTT/1586/01/FUL – GREAT CANFIELD

- a) Retention of use of building for indoor horse riding school
 - b) Change of use of building to dwelling house
- Ashfields Polo and Equestrian Centre. GR/TL: 587-189. Mr and Mrs Mathies
Case Officer: David Jeater 01799 510464
Expiry Date: 15 February

NOTATION: ADP & DLP: Outside Development Limits and Settlement Boundaries.

DESCRIPTION OF SITE: The site is located in open countryside, 1km (0.6 mile) north-west of the village. It comprises a complex of barn buildings, forming part of a larger area of about 15ha (38 acres) mainly used as a polo and equestrian centre. This building has a floor area of about 1,300 sqm.

DESCRIPTION OF PROPOSAL: The proposal involves the conversion of two separate parts of the same large undistinguished barn building. a) Part of the barn, 830 sq m in area, has already been converted into an indoor riding school, and the application is for retrospective consent for those works. b) The other part of the building, 270 sq m in area, currently in use for storage of feed, materials and equipment in connection with the polo and equestrian centre, would be converted into a two-storey house. Part of the barn between the house and the riding school would be demolished to provide a courtyard for the house. The house would have eight bedrooms and would provide accommodation for the general manager/owner of the centre and for its polo manager and equestrian manager. This part of the building would be re-clad in weatherboarding or rendered, and roofed with proprietary coated steel panels.

APPLICANT'S CASE: See letter dated 31 January 2002 attached.

RELEVANT HISTORY: Changes of use of farm buildings to stabling, light industry equestrian centre, stabling for polo ponies, storage and distribution, vehicle maintenance permitted in 1990, 1991, 1993, 1998, and 2001. Use of farmland for polo purposes, and change of use of farm building to polo club permitted in 1993. Retrospective application for change of use of farm building to dwelling house granted temporary permission in 1998.

CONSULTATIONS: Environment Agency: Private sewage treatment plant required to serve house.

Building Surveying: Substantial rebuilding work would be required to convert the part of the barn to residential. Road access to site is unsatisfactory for emergency vehicle access.

PARISH COUNCIL COMMENTS: To be reported (due 4 February).

REPRESENTATIONS: This application has been advertised as likely to affect the setting of a listed building and one representation has been received. Period expired 24 January.
CPREssex: Object on grounds that the buildings are not of any merit and no need has been proven for agricultural justification for a dwelling.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the proposals are consistent with the policies on the re-use of rural buildings (ADP Policies C5, C6 and REC6),
- 2) the appearance of the barn would be acceptable (ADP Policy DC1) and
- 3) there are other special circumstances which might justify permission being given.

1) District Plan policy normally permits the re-use of soundly constructed rural buildings for non-residential purposes subject to local amenity considerations. Permission has been granted in the past for new uses for several of the buildings in this group, as can be seen above. The retrospective proposal now brought forward to convert part of the barn to an indoor riding school would not breach this policy, and it would not have an adverse effect on neighbours, subject to restrictions.

The adopted policy in relation to the conversion to housing requires [a] that the buildings concerned should through their special form enhance the character of the area, [b] that the works should conserve the special characteristics of the building, and [c] that they should not be substantially rebuilt to achieve the change of use. The conversion of part of the barn to a dwelling house would fail all three of these tests

2) The proposed elevations of the converted building would appear contrived, when viewed against the utilitarian aspect of the most of the remaining buildings on the site.

3) The applicant's case is that the conversion to an eight-bedroomed house is essential so that three different managers can live on site to achieve oversight of the daily operation of the centre. The Council granted retrospective permission in 1998 to the residential conversion of another building at this site [a consent which has now expired], on the basis that its occupants would supervise animals and equipment. Policies S2 and REC6 in the adopted District Plan allow development compatible with a rural area if it relates to an appropriate outdoor use. However, national guidance advises that proposals for additional dwellings should be considered very carefully, with particular consideration being given to the need to give care to animals at short notice, and to protect them from theft. It is not clear from the applicant's case that more than one modest house is required on site to meet these requirements. National guidance says that dwellings which are unusually large should not normally be permitted, and the local policy says that such dwellings should be of 'modest proportions'.

CONCLUSIONS: a) There may be no objection to the retention of the change of use of part of this barn to an indoor riding school and a revised application should be made within one month to avoid possible enforcement action being considered. Any permission would restrict horses to those associated with that use.

b) While it may be that there is a case for a single dwelling unit on this site for occupation by someone to give emergency care to horses and ponies, and for security reasons, no overriding case has been proven for the very large house proposed. The residential conversion sought would breach policy on the re-use of farm buildings, and the appearance of the converted buildings would be incongruous.

RECOMMENDATION: b) REFUSAL REASONS

1. No exceptional case has been made for such a large dwelling house on this site and the proposal is therefore contrary to Policies S2 and C8 of the adopted District Plan.
2. The building is not worthy of retention by virtue of its style, design, architectural or architectural or historic interest or its setting within the landscape or as part of a farmyard group, and would need to be substantially reconstructed to accommodate residential use. The proposal to convert part of the barn to residential use is therefore contrary to Policy C6 of the adopted District Plan.
3. The appearance of the proposed residential section of the barn would fail to respect the characteristics of its setting and is, therefore, contrary to Policy DC1 of the adopted District Plan.

Note: Advised to reapply for retention of riding school.

1) UTT/1361/01/FUL AND 2) UTT/1362/01/LB – UGLEY

1. Erection of single-storey extension to public house and detached bedroom block
 2. Erection of single-storey extension to public house and associated alterations
- 'The Chequers' Public House, Cambridge Road. GR/TL: 512-288. Mr D Smith.
Case Officer: Richard Smith 01799 510465
Expiry Date: 30 November 2001

NOTATION: ADP & DLP: Grade 2 Listed Building/Outside Development Limits and Settlement Boundaries.

DESCRIPTION OF SITE: This site is set in countryside at the junction of Cambridge Road and Patmore End. It is located to the eastern side of the B1383 between Rickling and Stansted. The public house is located on the site frontage, with car parking to the south and east. To the rear is paddock land, extending to 0.85 ha (2 acres) in all and housing in Patmore Fields.

DESCRIPTION OF PROPOSAL: These proposals are for the erection of a single-storey extension to the public house to provide toilets with an entrance hall, and a detached bedroom block containing 5 bedrooms. The extension, measuring 4.2m by 4m, would be weather-boarded under a slate roof and be attached to the modern extension at the rear of the public house. The bedroom block would be L-shaped, measuring 11m by 11m, and would also be weather-boarded under a slate roof, mirroring an existing adjacent bedroom block. It would be sited to the rear and side (south-east) and screened to a large extent by existing buildings and a bank of trees to south. Adequate parking exists within the site to serve the additional accommodation.

APPLICANT'S CASE: See agent's supporting letters dated 1 October 2001, 9 January and 1 February 2002 attached.

RELEVANT HISTORY: Two detached bedroom blocks providing 16 rooms for overnight accommodation, refused and appeal dismissed 1994 for reasons of detriment to rural character, leading to coalescence with dwellings to the east, domination of setting of listed building, etc. Conversion of existing outbuilding to 8 motel units approved 1999 (implemented 2001). Conversion of dining room to letting bedrooms, erection of extension providing toilets and 2 no. bedroom blocks refused 2000 for reasons of significant detrimental effect on rural character of countryside and setting of listed building.

CONSULTATIONS: ECC Transportation: No objections.

Design Advice: No objections. Detached bedroom block would be a low-key simple structure finished in black weatherboarding under slate roof and as such would not be damaging to the setting of the listed building.

Building Surveying: Confirmation required that existing foul drainage system is adequate to serve additional loads.

PARISH COUNCIL COMMENTS: No comments.

REPRESENTATIONS: This application has been advertised as affecting a Listed Building and no representations have been received.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would be acceptable in relation to

- 1) development in the countryside (ERSP Policy CS2 ADP Policy S2 and DLP Policy S7),
- 2) tourist accommodation (ERSP LRT10, ADP REC3 and DLP LC6 and
- 3) effect on Listed Buildings (ERSP HC3, ADP DC5 and DLP ENV2).

1) ERSF Policy CS2 seeks to maintain and protect the natural and built environmental by ensuring that proposals sustain and enhance the rural environment, conserve the countryside character and protect it for its own sake. ERSF Policy C5 states that *“this will be achieved by the restriction of new uses to those appropriate to a rural area”* and through the sympathetic design of development proposals. ADP Policy S2 states that permission will not normally be given for development unless it relates to agriculture, forestry or an appropriate outdoor recreational activity. Policy S7 of the new DLP states that permission will only be given for development that needs take place in the countryside, or is appropriate to a rural area. The proposal does not relate to any of the activities as referred to above and would not normally be appropriate to a rural area, unless exceptionally justified.

2) ERSF Policy LRT10 advises that tourist accommodation outside settlement boundaries will be considered in relation to its scale and appearance and general impact on the countryside. ADP Policy REC3 (and the equivalent DLP LC6) allows for changes of use and building extensions to provide tourist facilities outside Development Limits, providing the rural interests of the countryside are not affected. This does not, however, extend to new buildings. The current proposals are an attempt to address previous objections to the various previously refused applications for larger accommodation buildings. They are the result of lengthy negotiations between Officers and the applicant and represent a much-reduced scheme which would have minimal effect on the character of the countryside and would safeguard the setting of the listed building.

The fact that the proposed building would be a freestanding structure contrary to REC3 still remains. In response to this, the applicant has requested the sympathetic consideration of the *“proposal which would improve the long term viability of the Public House by creating economies to meet known demand for tourist accommodation”*. To support this assertion, the applicant’s agent has undertaken further research into this issue which confirms that there is a high demand for rooms that the applicant cannot currently meet. As a planning gain the applicant has also agreed to remove a number of outbuildings, plant machinery and loose material from within the curtilage thereby enhancing the visual appearance of the setting of the listed building. This would form the basis of a condition, if approved. Given these factors together with the limited impact the proposed building would have on the character of the area, it is considered that approval could be exceptionally justified in this case.

3) Development Plan Policies relating to historic buildings seek to safeguard their character and setting from inappropriate development. As reported above, the proposed building is considered, by virtue of its low-key nature, design, and rear location to be acceptable in terms of its effect on the setting of the listed building. The extension is also considered to be acceptable, utilising traditional materials and being modest in scale.

CONCLUSION: The proposals would have a minimal impact on the character of the surrounding rural area and the setting of the listed building. A supporting case has been put forward which on balance justifies a departure from policy.

RECOMMENDATIONS:

1) UTT/1361/01/FUL – APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping.
5. C.25.1. Airport related parking restrictions.
6. Construction of the accommodation block hereby permitted shall not commence until all of the sheds, containers, plant machinery and loose material within the defined areas marked A, B, C and D on attached drawing No.00.214/1 and fence between points X and Y marked on the same plan have been completely removed from the site.
Reason: In granting his permission the Council has had regard to the special circumstances of the case and considers that without these measures, planning permission would have been refused.
7. C.13.6. Short-stay holiday lets (maximum 4 weeks in any 6 month period)

2) UTT/1362/01/FUL –LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development – listed buildings.
2. C.3.1. To be implemented in accordance with approved plans
3. C.5.1. Samples of materials to be submitted and agreed
4. C.5.4. Natural slate
5. C.5.8. Joinery details
- 6&7. C.5.9. Stained wood 'painted black'.

UTT/1750/01/FUL – FELSTED

11+ Centre, roundabout and parking

Land adjoining Felsted Preparatory School, Braintree Road. GR/TL: 678-203. Felsted School Trustee Limited

Case Officer; *Michael Ovenden 01799 510476*

Expiry Date: 22 February

NOTATION: ADP and DLP: Partly within Development Limit, Settlement Boundary and Conservation Area/Opposite Listed Building.

DESCRIPTION OF SITE: The school lies close to the centre of the village on the southern side of the Braintree Road approximately 200m to the east of its junction with Chelmsford Road. The proposed site for the building is currently grass tennis courts, opposite 'The Chequers' PH. (which is listed). The site for the proposed car park forms part of the playing field land to the rear, adjacent to the site for the sports hall recently approved.

DESCRIPTION OF PROPOSAL: This proposal, which has been revised by the applicant since its submission (at their request), is for a two-storey structure providing 9 class/common rooms and 2 changing rooms. The building would be 19 m wide, 10.5m tall with an off-centre front gable end projecting from the main front elevation. The building would then project 34m rearward. A 45° pitched roof would top the building with all planes hipped except the front gable end. The exterior of the building would be faced with a mixture of brickwork, render, self-finished panels, and plain tiles with UPVC windows. The existing highway access would be modified and lead to 24 parking spaces with turning facilities on land adjacent.

APPLICANT'S CASE: See Bursar's letter dated 17 December 2001 attached.

RELEVANT HISTORY: Permission for sports hall to south-west granted November 2001.

CONSULTATIONS: Design Advice: Object: important space in the conservation area, large building, poor design detrimental to Conservation Area. See comments in full attached.
ECC Transportation: to be reported (due 22 February).

PARISH COUNCIL COMMENTS: Over-development within the curtilage of a Conservation Area considering the plans already passed for a new sports hall in the prep school grounds. There will be more vehicles attempting to turn into the prep school premises at a time when queues are forming in both directions and cars are street parked wherever possible. Another entrance close to the existing one would severely congest the well-used Braintree Road causing delays to other schools traffic. Limited parking in the school grounds would not eliminate these problems.

REPRESENTATIONS: This application has been advertised as likely to affect the character of a Conservation Area and one representation has been received. Period expires 23 February.

Cllr. D Gregory: no objection, but concerned about traffic problems caused by parents parking. See letter attached to Supplementary Representations.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the current open character of the site makes an important contribution of the village character and Conservation Area, (ERSP Policy HC2, ADP Policies S2 and DC8 and DLP Policies S3 and ENV3),
- 2) the design of the proposed building is appropriate for this location (ERSP Policy HC2, ADP Policy DC2 and DLP Policy ENV1),
- 3) there are any highway issues that cannot be addressed by design or condition (ERSP Policy T3, ADP Policy T1 and DLP Policy GEN1) and
- 4) the loss of playing fields (PPG17).

1) The site is part of an 85m gap between the Headmaster's house and Follyfield. This is the only major open gap on the southern side of Braintree Road and as well as there being an absence of buildings, it provides views towards the playing fields and from the public footpath running along the south of the playing fields, views from the countryside into this part of the village. The site has a low (1.5m) hedge and chain link/tennis court fencing, but this is not prominent and still allows views into and through the site. The erection of the proposed building would leave a gap of 50m to the east, but the gap on the western side would only be visible from directly in front/to the rear. The land to the east is less open than the application site due to trees and other vegetation and, therefore, whilst making its own contribution to the street scene does not provide views into and across the site to the same degree. Consequently the erection of the proposed building 10.5m high and 19m wide on this site would significantly reduce this important gap, to the detriment of the character of the village and Conservation Area.

2) The building would be 10.5m tall, 19m wide, and be 34m long. It would be a monolithic, dull structure, bearing no relation to any of the historic buildings in the locality. With its large span, a building of such extensive proportions would dominate the present open space. The proposed elevational treatment is unimaginative, responding to none of the fine detailing which can be found in the locality, nor is it an outstanding example of 21st century architecture. The proposal would urbanise the site, and its design and choice of materials would have an oppressive effect on the locality.

3) This stretch of Braintree Road is straight and the works relate to an alteration to an existing access. The views of ECC Transportation have been sought and will be reported.

4) PPG17 advises that playing fields should normally be protected. There has been no proof that the tennis courts are no longer required or where alternative provision is proposed.

CONCLUSION: The erection of the proposed building would be unacceptable on this important open site, involving the loss of existing outdoor recreational facilities.

RECOMMENDATION: REFUSAL REASONS

1. The site is an important open gap in the street scene and the erection of this large building would erode this gap to the detriment of the character of the Conservation Area and the character of this part of the village, contrary to Policies HC2, S2, DC8, S3 and ENV3.
2. The proposed building would be unacceptable as a large, dominant structure of unsympathetic design and materials which pays no regard to traditional designs, contrary to Policies HC2, DC2 and ENV1.
3. Highway objection (if ECC support).
4. The development would result in the loss of existing outdoor recreational facilities, contrary to Government advice in PPG 17.

UTT/1663/01/FUL – HIGH RODING

Erection of one dwelling and garage
The Old Bakery, The Street. GR/TL: 603-173. R & J Pyle.
Case Officer: David Jeater 01799 510464
Expiry Date: 4 February

NOTATION: ADP & DLP: Within Development Limits, Settlement Boundaries and Conservation Area/Adjacent to Listed Building.

DESCRIPTION OF SITE: This site forms part of the garden of The Old Bakery, a double-fronted, two-storeyed, rendered and slated Victorian house on the north-west side of the main street [B184]. The site is mainly under mown grass at present, though it contains a silver birch about 8m high, which would be lost if permission is given. The adjoining house on the south-western side is a one and a half storeyed rendered and thatched cottage from the seventeenth century, Grade II Listed (Cob Cottage). The houses to north-east and south-west both face directly onto the road.

DESCRIPTION OF PROPOSAL: A two-bedroomed cottage is sought, 7.7m high, with its gable end toward the street, rendered and weatherboarded, with a clay plain tiled roof. It would be set back by some 9.5m from the highway, with a courtyard in front. Attached to the northern side of the building would be a weatherboarded garage with a 'cat-slide' roof.

APPLICANT'S CASE: See letter dated 27 November 2001 attached.

RELEVANT HISTORY: Two-storey house refused in 1984 and dismissed on appeal in 1985 on grounds of need to keep important gap in road frontage and detrimental to highway safety.

CONSULTATIONS: ECC Transportation: To be reported (due 12 January).
Design Advice: Proposal is unacceptable in terms of its effect on the adjacent Listed Building and on the character of the Conservation Area. The dwelling would have an overpowering effect on the small Listed cottage, impinging on its fabric and diminishing the openness of its rear garden. This effect would be especially detrimental due to the blank south-western elevation of the proposed house. High Roding is a street village, with its Conservation area characterised by close-knit development contrasting with gaps in the frontages. Infilling the gap would damage the rhythm of the street scene, and would create a precedent for development set back from the highway edge.

PARISH COUNCIL COMMENTS: None (due 14 January).

REPRESENTATIONS: This application has been advertised and two representations have been received. Period expired 11 January.

Main points made include [a] dominant effect on the garden and house at Cob Cottage, arising from long blank elevation on the south side of the proposed house; [b] road access onto busy road; [c] proposal involves felling silver birch tree; [d] setback of house from highway would set a precedent for packing houses into other gaps; [e] loss of privacy to Cob Cottage.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the proposal would adversely affect the Conservation Area and the setting of the Listed Building Cob Cottage, (ADP Policies DC2 and DC5 and DLP Policy ENV1),
- 2) the proposal would affect the amenity of adjoining houses (ADP Policies DC1 & 14 and DLP Policy GEN4) and
- 3) the new access onto the highway would affect the safe movement of traffic on the main road (ADP Policy T1 and DLP Policy GEN1).

1) The proposed house would be set back from the main road, and its effect of infilling one of the gaps in the main road facade would both have an unsatisfactory consolidation of the general form of development in this Conservation Area. The blank, south elevation of the proposed house running for some 10m more or less along the boundary with Cob Cottage would hem in the garden of the latter and adversely affect the setting of the listed building itself.

2) The front of the house would be set back from the highway edge by 9.5m, and would therefore be positioned some 4.5m behind the back wall of Cob Cottage and about 1.5m behind the back wall of The Old Bakery. There exists, therefore, the probability that windows in the upper floor of the front of the proposed house looking into the rear windows of the both adjoining properties, albeit that this would be at an angle, and to some extent limited by the high roof of the garage at Cob Cottage. As indicated above, the blank southern wall of the proposed house, with its eaves at 4.4m would have an overbearing effect on the garden to the south. The proposed house would project some 14m behind the back wall of The Old Bakery and would have a dominating effect on the back garden of that house.

3) The previous appeal was dismissed partly on highway dangers due to restricted visibility. This has not changed. The comments of ECC Transportation are awaited.

CONCLUSION: The proposed building would infill one of the gaps in the façade of buildings along this side of the street, one of the particular characteristics of this Conservation Area. Its position and form would adversely affect the setting of the Listed Building Cob Cottage. In addition, the proposal would result in some loss of privacy to adjoining houses, and would have an overbearing effect on the garden of Cob Cottage. The proposal is, therefore, contrary to policies on Conservation Areas, Listed Buildings and on general design. There have been no material changes in relevant planning considerations to justify a different decision from the appeal dismissed in 1985.

RECOMMENDATION: REFUSAL REASONS

- 1. The proposal would consolidate an important gap in the frontage development and adversely affect the setting of the adjoining Listed Building detrimental to the character of the Conservation Area by reason of its positioning and form, contrary to Policies DC2 & DC5[a] of the Uttlesford District Plan and Policy ENV1 of the Deposit Local Plan.
- 2. The proposal would result in overlooking and loss of privacy, of the immediately adjoining houses and would have an overbearing effect on the amenities of their occupants, contrary to Policies DC1 and DC14 of the Uttlesford District Plan and Policy GEN4 of the Deposit Local Plan.
- 3. Highways reason (if supported by ECC).

1) UTT/1705/01/FUL & 2) UTT//1706/01/LB - TAKELEY

1) Change of use of public house to private dwelling, rear extension and erection of five dwellings, two garage blocks, boundary walls and change of use of part of playing field to residential.

2) Demolition of rear single-storey additions and erection of replacement rear extension. Land adj. The Old Mill Public House, Takeley Street. GR/TL: 539-213. Six Continents Retail Limited.

Case Officers: David Jeater 01799 510464 and Keith Davis 01799 510 456

Expiry Date: 12 February

NOTATION: ADP & DLP; Mainly within Development Limits and Settlement Boundaries/rear part Outside Development Limits & Settlement Boundaries and within Countryside Protection Zone/Mainly within Local Policy AIR10 area (development involving significant increase in traffic onto A120 to be resisted)/Grade II Listed Building and adjacent to a site comprising a Listed Building.

DESCRIPTION OF SITE: The site is located on the northern side of the A120 at Takeley Street between Takeley and Start Hill. It currently comprises a vacant listed public house and its curtilage.

DESCRIPTION OF PROPOSAL: Proposed is the conversion of the two-storey ex-public house to a three-bedroom dwelling, which would include the demolition of flat roof extensions to both sides of the building and a rear extension. A smaller single-storey rear extension to the building would replace the currently existing larger rear extension. Proposed on both sides of the building is a pair of semi-detached two-storey dwellings of modest height (3, 2- bedroom and 1, 3-bedroom). A further 3-bedroom two-storey dwelling, similarly of modest height, is proposed to the rear of the site. For plots 1 to 5, two garage blocks are proposed to accommodate 4 and 2 vehicles respectively. Each would have its own parking space to the front. A further garage and parking space is proposed for the rear dwelling. Access to a football field to the rear would be maintained by using the access and the manoeuvring area proposed for the garage blocks and backland dwelling.

APPLICANT'S CASE: See letter dated 3 December 2001 attached

CONSULTATIONS: ECC Transportation: to be reported (due 23 January).

Design Advice: Object to new development detrimentally affecting setting of listed building. No objections to listed building application.

PARISH COUNCIL COMMENTS: Actively support plans to retain this listed building.

REPRESENTATIONS: These applications have been advertised as affecting a Listed Building and no representations have been received. Period expired 25 January.

PLANNING CONSIDERATIONS:

The main issues are

- 1) whether the development being proposed outside the development limit or settlement boundary and within the Countryside Protection Zone would be acceptable (ADP Policy S4 and DLP Policy S8),
- 2) the principle as to whether the loss of the public house as a community facility is desirable (Government advice contained in PPGS 1, 7 and 13, ERSF Policy CS4 and DLP Policy RS2),

- 3) **the requirement to ensure that there is a viable use of this Listed Building (Government advice contained in PPG15 and ADP Policy DC6),**
- 4) **whether the proposal would be in keeping with the scale, character and surroundings of the Listed Building and neighbouring Listed Building (ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV25),**
- 5) **whether the proposal would respect the character of the locality (ADP Policy DC1 and DLP Policy GEN2),**
- 6) **whether the proposal would improve, or at least have a neutral impact on highway safety (ADP Policy AIR10) and**
- 7) **whether the impact on residential amenity of the use of the access by users of the football pitch to the rear of the site and of potential overlooking from plot 1 of plot 2 would be acceptable (ADP Policy DC14 and DLP Policy GEN4).**

1) Part of the site, on which the rear dwelling and part of the 4-bay garage would be located, is outside the development limit. This part of the application is, therefore, contrary to the development plan in that it includes this land, which is within the Countryside Protection Zone. Encroachment into the Zone would have a detrimental impact on its openness and promote coalescence with the airport.

2) Whilst the loss of any public house, and, therefore, a community facility, is to be regretted, it is an economic fact that many struggle because of their locational circumstances. Planning should become involved when there is a potential loss of the last public house that meets the needs of a catchment area that could ensure its economic success in the interests of the community and sustainability. In this instance there is not a large catchment area that has ready access to it and it is envisaged that the public house would have had to rely largely on passing trade. In this instance there is no objection to its loss, particularly as there is another one 1km (0.7 mile) to the east.

3) It is always best to reuse a listed building for the purpose it was designed for. Given that the use of the building as a public house cannot be sustained, there is a need to find an alternative use, and because the former use of the building before extension was as a dwelling then an inn, the proposal to revert back to a dwelling is considered to be acceptable. Some enabling development would also be acceptable to secure a viable use of the site, however, the extent of the proposal is considered to be unacceptable for the following reasons.

4) The statutory listing cites the building as being a mid 17-century house. The proposal would result in unsightly extensions to the public house being removed and the form of the building returning to its historic character. The unsightly sprawl of car parking area around it would be removed, which would be of benefit. However, it is considered that it would be dominated by the surrounding development proposed, detrimental to its character and setting. There would be little impact on the listed building located within the adjacent site.

5) Development in the locality comprises mainly development on the frontage, and this proposal, which includes backland development, would be unrelated to it, detrimentally affecting the "street" character of the area.

6) The applicants make the case that the proposed use would generate less traffic than the previous use. This public house has not been successful and would have attracted some pedestrian trade and therefore the amount of traffic that has used it is open to debate. It is considered that the amount of traffic generated may well not have been as much as movement from 5 dwellings (certainly the character of the movement would have been different to the comings and goings of residents mainly in the mornings and evenings) and officers have a concern that until the A120 is by-passed the additional volume of traffic from

the proposal would not be desirable in the interests of traffic safety. The applicants acknowledge that the A120 bypass is a material consideration and therefore any approval could condition occupancy of the dwellings until after opening of the new road.

7) The use of the access to the rear for users of the football ground would have a detrimental impact on the amenities of the future occupants of the proposed dwellings because of their proximity to it. The applicants have not shown that anybody else has an interest in the land and therefore have a right of access over it. However, the access has been shown on the plans to be retained and this has provided the point of vehicular access for footballers and spectators. Overlooking would result from the front dormer windows of plot 2 of the rear garden to plot 1. In the light of these objections, the application would also be unacceptable.

CONCLUSIONS: The proposal is considered to have some merit in that there would be a viable use made of, and an improvement to the character of, a listed building. However, the extent of development proposed, which includes land outside development limits, would affect detrimentally the rural character of the Countryside Protection Zone, the setting of the listed building and the character of the street scene. Until such time as the A120 is bypassed, highway safety would be compromised. The use of the access by footballers would detrimentally affect the amenities of future occupants of the dwellings and overlooking would occur between two of the dwellings proposed. A revised scheme for fewer dwellings on the frontage may be more acceptable. There are no objections to the listed building application.

RECOMMENDATIONS:

1) UTT/1705/01/FUL - REFUSAL REASONS

1. The site is located partly outside the development limit of Takeley Street and partly within the area designated as a Countryside Protection Zone. The proposal is unacceptable because the encroachment into the Zone would have a detrimental impact on its openness and promote coalescence between Stansted Airport and development in this area, contrary to Policy S4 of the Adopted District Plan and Policy S8 of the Deposit Draft Local Plan.
2. The building, the subject of this application, is a Grade II Listed Building. Whilst improvements would result to the character of this Listed Building arising from some of the elements of the application, the amount of development proposed would be excessive. In particular the two dwellings and garage block proposed rearward of the line of the Listed Building would result in it being surrounded by development and dominated by it. The scale and spacious character of the surroundings of the building would then be compromised contrary to Policy DC5 of the Adopted District Plan and Policy ENV2 of the Deposit Draft Local Plan.
3. The character of the area is typified by frontage "Street" development. The proposal to create a built form that would result in development in tandem would be uncharacteristic in this area detrimental to the appearance of the street scene, contrary to Policy DC1 of the Adopted District Plan and Policy GEN2 of the Deposit Draft Local Plan.
4. Until such time as the A120 is bypassed, occupation of the dwellings applied for would result in turning movements from and to this extremely busy and at times congested highway detrimental to highway safety contrary to Policy AIR10 of the Adopted Deposit Draft Local Plan.
5. The proposals include provision for an access to the football ground to the rear of the site. Use of the access and of the manoeuvring areas by footballers and spectators would result in a level of noise and disturbance that would be detrimental to the residential amenities of the residents contrary to Policy DC14 of the Adopted District

Plan and Policy GEN2 of the Draft Deposit Local Plan. Furthermore, overlooking would be created between plot 2 and plot 1 that would give rise to loss of privacy detrimental to residential amenity contrary to Policy DC14 and Policy GEN2.

2) UTT/1706/01/LB - LISTED BUILDING CONSENT WITH CONDITIONS

1. C2.2 Time limit for commencement of development – listed building
2. C3.1 To be implemented in accordance with approved plans
3. The roof of the lean-to hereby permitted shall be clad in natural slate and a sample shall be submitted to the local planning authority for approval in writing before the works are carried out.
4. The roof to the dwelling hereby permitted shall be clad re-using existing hand made plain clay tiles where at all possible.
5. Any new windows proposed to be inserted into any of the elevations of the dwelling hereby permitted shall match the existing historic windows. No works shall take place until detailed plans illustrating their detailing and sections through to show the mouldings have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details. Subsequently the mouldings shall not be changed without the prior written consent of the local planning authority.
6. C5.16 No historic timbers to be cut.
7. The historic rear and side elevations of the building shall be made good after the removal of the extensions hereby permitted and before its residential occupation.
Reason 3-7: To preserve the character of this Listed Building.

UTT/1752/01/OP – LITTLE HALLINGBURY

Outline application for two detached dwellings and garages
Land r/o Ivy House, Back Lane, Gaston Green. GR/TL: 498-170. Mr C Dovaston
Case Officer: David Jeater 01799 510464
Expiry Date: 7 March

NOTATION: ADP: Within Metropolitan Green Belt and Area of Special Landscape Value.
DLP: Within Metropolitan Green Belt and on edge of area likely to be affected by aircraft noise.

DESCRIPTION OF SITE: Gaston Green is a hamlet about 1km (0.5 mile) south-west of the village. The site is located on the corner of Old Mill Lane, which leads down to the River Stort, and Back Lane, a narrow cul-de-sac. It forms part of the curtilage of Ivy House, which is on the other (eastern) side of Back Lane, but, is physically separated from it by a high brick wall. The land includes a block of three garages and a tennis court. Beyond to the west is a paddock and field shelter, screened by trees to the north, west and south. There is a short row of four dwellings on the opposite (southern) side of Old Mill Lane. The plot of land has a frontage of 44m to Back Lane and a depth of 30m to Old Mill Lane.

DESCRIPTION OF PROPOSAL: This outline application proposes to erect two detached dwellings. The indicative layout plan shows 1.5-storey dwellings facing Back Lane (east). The applicant has offered to donate land in front of Ivy House to allow the Highways Authority to widen Old Mill Lane at its junction with the road between Little Hallingbury and Sawbridgeworth to allow two cars to pass.

APPLICANT'S CASE: See supporting information attached.

RELEVANT HISTORY: Conversion of garage block to one dwelling refused 1999 as detrimental to the open character of the Green Belt, unsuitable conversion as building was of no special merit and precedent for similar proposals.

CONSULTATIONS: Environment Agency: no objections subject to conditions.

PARISH COUNCIL COMMENTS: To be reported (due 18 February).

REPRESENTATIONS: 1 representation received. Period expires 14 February.
CPRE Essex: Introduce new urbanising residential development and the associated trappings and activity of such occupation and which would therefore detract from its open character. Increase the volume of traffic and vehicle manoeuvres to the detriment of the environment and other road users. We do not consider that the proposed alterations to the road junction are sufficient to overcome this objection.

PLANNING CONSIDERATIONS:

The main issues are whether the proposed development would be harmful to

- 1) the open character of the Green Belt (ERSP Policy C2, ADP Policy S3 & DLP Policy S6) or**
- 2) the occupants of the dwellings in terms of aircraft noise (DLP Policy ENV9).**

1) The proposed erection of two new dwellings within this large domestic curtilage would have a detrimental effect on the open nature of the Green Belt. The existing rural character would be suburbanised and consolidated. Back Lane contains a public footpath from the hamlet to the northern end of Little Hallingbury and the development would be most

prominent along this lane. The proposed donation of land for road widening would harm the pleasant greensward around the pond in the centre of this hamlet, particularly since the tall hawthorn hedge would have to be removed.

2) The site lies on the outside edge of the zone likely to be affected by aircraft noise, where a soundproofing condition would be necessary if permission were granted.

CONCLUSION: There would be material harm to the open character of the Green Belt and the visual amenities of this rural location.

RECOMMENDATION: REFUSAL REASON

The proposed erection of two new dwellings would be inappropriate because they would represent a suburban intrusion into this pleasant rural hamlet, detrimental to the open character of the green belt and contrary to ERSP Policy C2, ADP Policy S3 and DLP Policy S6.

UTT/1652/01/OP - ASHDON

Proposed additional dwelling on land adjacent to Clay Acre with vehicular access from existing driveway

Clay Acre, Walden Road. GR/TL: 585-419. Mr and Mrs F Bowles

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 15 February

NOTATION: ADP: On edge of Development Limits with the main application site falling outside but the access to it and the existing dwelling of Clay Acre being within/Adjacent to a Conservation Area/Within an Area of Special Landscape Value.

DLP: Outside Settlement Boundary.

DESCRIPTION OF SITE: The site is located at the south-western edge of the village opposite the village hall. It lies on the north-western side of the road into Ashdon from Saffron Walden. The existing plot is occupied by a two-storey detached dwelling "Clay Acre" built in the 1980's as a replacement for a previous bungalow. The house is set in a substantial garden which has been landscaped. To the western and southern boundaries the site is enclosed by hedging where it abuts open fields. Vehicular access is to the north-eastern corner and it is proposed this access would also serve the proposed additional dwelling. The land lies within the Bourn valley with views over Ashdon along Radwinter Road to the east. To the road frontage the pavement is at a raised level with the site boundary enclosed by a substantial hedge.

DESCRIPTION OF PROPOSAL: The application seeks outline permission for the erection of one additional unit in the garden. The new dwelling would be positioned to the south-east corner of the site close to the road. It would be likely to result in the loss of some existing conifers on the site, but a group of silver birch trees could be retained. All matters are to be reserved as part of this proposal, except means of access.

APPLICANT'S CASE: In a supporting letter dated 5 December 2001, the agent states: *'The new house would remain 'at the bottom of the hill' and we do not believe that it would encroach on farmland, or the sense of open fields as one rises up the hill towards the top of the village. From the photographs and with reference to the Development Plan the proposed dwelling would remain within the existing 'built up area'. There are existing mature trees which would screen the house from the road, and the proposed use of the existing entrance would minimise any impact. We are of the belief that an additional dwelling in the heart of Ashdon would be of benefit to the community.'*

RELEVANT HISTORY: Approval granted in 1988 for a replacement dwelling on the site, "Clay Acre". Two dwellings refused in 1980 and dismissed on appeal as extending ribbon development which would be harmful and tend to assist in coalescing the two parts of the village.

CONSULTATIONS: Environment Agency: no objections but make advisory comments in respect of the drainage for the site.

ECC Transportation: Any comments received will be reported verbally (due 20 January).

PARISH COUNCIL COMMENTS: To be reported (due 4 February).

REPRESENTATIONS: This application has been advertised as likely to affect the character or appearance of a Conservation Area and 2 representations have been received. Period expired 31 January 2002

1. CPREsex: Object: Although Clay Acre is within the Development Limits in the Adopted District Plan the application site is not and in the Deposit Plan the boundary has been

redrawn so neither site is within the Settlement Limits. Residential development is not normally permitted on such a site and it is not considered to be a gap site. It is considered the proposal should be refused as it would lead to unacceptable ribbon style development. The Officers recommendation shares these views.

2. Loss of environmental quality and highway safety. Adverse effect on houses opposite.

PLANNING CONSIDERATIONS:

The main issue is whether the proposal would adversely affect the character of this rural location (ERSP Policies CS2 & C5, ADP Policy S2 and DLP Policy S7),

The adopted Structure Plan Policies seek to maintain and protect the natural environment by ensuring that proposals sustain and enhance rural areas, conserve the countryside character and protect it for its own sake. The site lies outside the Development Limits for Ashdon and would not accord to either Policy S2 of the ADP or Policy S7 of the DLP. These policies seek to allow development only in such locations appropriate to a rural area. The erection of an additional dwelling on this site would extend the ribbon development into the open countryside. The prevailing character of the location is rural where the construction of a new dwelling, notwithstanding the existence of trees and hedges the majority of which could be retained as part of a development, would have a harmful impact on the open and undeveloped nature of the locality. The site is very visible from Ashdon village, particularly across the valley and it is considered the building would intrude in these views across open countryside enjoyed on this side of the village.

The policies seek to contain development within the defined settlement limits, rather than leading to sporadic developments such as this on the edge of the settlement, which would lead to an undesirable precedent encouraging coalescence with the other part of the village. The proposal would extend the built form outwards from the village, which would have a harmful effect on the locality by consolidating the number of houses. The existing properties outside the village limits are of a low density and the current curtilage of Clay Acres with its landscaped garden forms a complementary setting to the adjacent open farmland, which an additional dwelling would erode.

CONCLUSION: The proposal would have an adverse effect on the rural character of the area and the undeveloped setting to the edge of the village. It would result in the extension of sporadic ribbon development out from the village thereby creating an unacceptable precedent for coalescence with Church End.

RECOMMENDATION: REFUSAL REASON

The site is located within countryside beyond Development limits as defined in the Adopted District Plan. These policies seek to conserve the countryside by restricting developments to those appropriate to a rural area. The case for the proposal is not considered to meet the requirements of these Policies nor outweigh them. The proposal is considered to be unacceptable in that it would lead to the spread of the built form along the main road in a sporadic ribbon manner to the detriment of the open rural character of the locality. This would create an unacceptable precedent for coalescence with Church End, contrary to the provisions of Policies CS2 and C5 of the Essex Replacement Structure Plan, Policy S2 of the Adopted Development Plan and Policy S7 of the Deposit Local Plan.

UTT/1412/01/FUL - STANSTED

Erection of detached house and double garage.
West Road. GR/TL 5121-246. K Atchinson.
Case Officer: Miss M Guppy 01799 510477
Expiry Date: 13 December 2001

NOTATION: ADP & DLP: Within Development Limits & Settlement Boundary.

DESCRIPTION OF SITE: The site is in a former pit at the northern end of West Road within the built-up part of the village. Two new dwellings have already been erected, one on the plot at the northern end of the pit furthest from the access and one on the middle plot. The London to Cambridge railway line is on the north-western side and to the south-east the properties in Park Road stand at the top of the bank about 10m higher. The plot has a frontage of 10m and a depth of 30m.

DESCRIPTION OF PROPOSAL: The proposal is for the erection of 4-bedroom, 2-storey house. The building would measure 10.5m by 6.5m, with an eaves height of 3.6m and a ridge of 7.3m (measured from the highest ground level). The plans show a side and rear garden area, and retaining wall to the south-east. Vehicular access to the site would be by means of a right of way to West Road.

APPLICANT'S CASE: Planning permission has been granted for two dwellings within the old gravel pit, which have now been constructed. This quite clearly demonstrates that there is left available a further area where an additional dwelling could be provided. That area at the front of the gravel pit is the subject of this application. The proposals have been drawn up in manner which would not impinge upon the amenity enjoyed by residents of either of the two houses, each of which would be left with sufficient amenity and parking space. The proposals would make a small contribution towards meeting the Government's aspirations of 60% of new dwellings being constructed on brownfield sites or through conversions and within urban areas. This approach is particularly important in a district such as yours where many settlements are tightly constrained by Green Belt. The proposal would not add significantly to the volume of traffic using West Road.

RELEVANT HISTORY: Outline application for residential development in the pit approved subject to conditions in 1994, one of which was that the reserved matters to be submitted pursuant to the application shall relate to a maximum of two dwellings. This permission was renewed in April 1997 subject to the same conditions. 12 dwellings refused in 1995 and 1998 on over-development grounds. Two-storey dwelling 1999 (part of site on which chalet dwelling was approved in November 1999, but not implemented). Detached dwelling approved subject to conditions in 1999. Both of these have been implemented, the former with a wall to stabilize the embankment and the latter is subject to investigation and possible service of a Breach of Condition Notice regarding a similar wall.

CONSULTATIONS: Environment Agency: Advice regarding culverting works and foul and surface water disposal.

Building Surveying: Further stabilizing measures required to secure embankment

Railtrack: None received (due 3 January).

PARISH COUNCIL COMMENTS: Object on grounds of over-development of the site and inadequate access roads.

REPRESENTATIONS: Three. Notification period expired 15 November 2001.

1. Object strongly unless a substantial retaining wall is first constructed (boundary to southeast). Concerned that the house roof would be level with the bottom of my house, so when the occupants have a fire I would be likely to be affected by smoke from the chimney.
2. We have been living in West Road for 2 years now in a new house built by Monks developments. We have been trying to gain some indication from the Developer responsible for the construction of the roadway as to when this may occur. Mr Morris of Ace Allied has made several promises over the last 2 years regarding the roadway, but unfortunately we have not progressed any further. Our road is in dire need of drainage as it floods outside my house as well as others. If consent is granted for another house it could be another 2 years before we see any sort of roadway, which is not acceptable to me. I believe that one project should be completed correctly before any others are started, we will end up with several half-baked building plots and no road. Would ask you to place restrictions or retention onto any such consent which would require the road to be constructed to the original specification within a stipulated time period before any construction work is started on the new house. Mr Morris has every intention of delaying this construction as he has delayed every aspect of his building projects in the past. He has also made plain his intention to not construct any drainage as he feels it now unnecessary.
3. Object to the planning proposal for the dwelling on the grounds that the approach road, which also serves eight existing homes, has not been completed. Concerned that, should this application be accepted, the road would remain unfinished for a further 12-18 months. This is in addition to the four years since building of the existing properties commenced. Would welcome the opportunity of a meeting or a site visit so that we and other residents may be able to highlight our areas of concern.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) **this is an appropriate location for development (ADP Policy S1 and DLP Policy S3),**
- 2) **the proposal would have an adverse effect on access/traffic or residential amenity (ADP Policies T1 & DC14 and DLP Policies GEN1 & 4),**
- 3) **the design would be acceptable and whether it meets parking and amenity space requirements (ADP Policies DC1 & T2 and DLP Policy GEN2) and**
- 4) **the development would cause or be subject to land stability problems (DLP Policy GEN6 and PPG 14).**

1) The site is within development limits and in a residential area. In previous determinations by the Council a condition has been attached to outline planning permissions (see history) stating that the pit is only suitable for two dwellings. However, two dwellings have already been built in the pit and adequate space is left to provide a plot for a further dwelling of similar scale to those already. This is a brownfield site where the Government is encouraging higher densities under PPG 3. This is a full application that has to be considered on its merits.

2) The traffic created by one dwelling should not result in an unreasonable rise in traffic for this location, and could be satisfactorily accommodated on the surrounding road network. The dwelling would not result in overshadowing or overlooking of neighbouring properties and should not have an overbearing impact on the new property on plot 2.

3) The design of the dwelling would be acceptable in this location and the scale and bulk would be in keeping with other 2 properties. The proposal meets amenity space and parking requirements.

4) PPG14 advises that where there are grounds for believing that there is active or potential land slippage which may affect a proposed development or the development itself could lead to slope instability, a developer should be required to satisfy the local planning authority that these reservations can be overcome in an environmentally acceptable manner. DLP Policy GEN6 requires the effects of proposals on local infrastructure to be taken into account. In this case there are two requirements: a retaining wall at the foot of the slope to prevent material from falling onto the dwelling and a stabilizing wall higher up the slope to ensure that the bank is safe for those with properties at the top. The first requirement has been carried out in respect of plot 2 and both for plot 1. However, the second requirement on plot 2 is still outstanding and this is being investigated. If permission is granted on plot 3, both requirements should be implemented before any other work commences.

COMMENTS ON REPRESENTATIONS: The neighbours' concerns regarding the wall can be addressed by condition. The issue about chimney smoke is a matter for Building Control and will be an informative note on the decision notice.

CONCLUSION: Proposal complies with other policies in the Development Plan and Government advice. It would be unreasonable to resist a third dwelling in this plot, provided that the slope stability issue can be successfully resolved.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with the approved plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.5.2. Details of materials to be submitted and agreed
6. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
7. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
8. No development shall take place until full details of the means of disposal of foul and surface water have been submitted to and approved in writing by the local planning authority. Thereafter the approved means of disposal shall be implemented in full and shall not be altered or removed without the prior written consent of the local planning authority.
Reason: to ensure that there is no flooding or pollution of the water environment.
9. No development shall take place until the following have been submitted to and approved in writing by the local planning authority:
 - a) 2 east-west sections through the site showing proposed land levels at a scale of not less than 1:250,
 - b) a plan at a scale of not less than 1:250 showing the position of approved buildings and a scheme of land shaping (incorporating retaining walls and other structures and
 - c) details of and structural calculations for all such walls or other structures.The retaining walls or other structures as approved shall be constructed and the land shaping shall be carried out in full in accordance with the approved plans, scheme and details before any other work is commenced on site, or in accordance with such programme as may be agreed in writing by the local planning authority. Thereafter the retaining walls or other structures shall be maintained in a condition which retains their structural integrity and shall not be altered or removed without the prior written consent of the local planning authority. The land levels and slopes shall not thereafter be altered without the prior written consent of the local planning authority.
Reason: To ensure stability of the site in the interests of public safety.

10. The dwelling hereby approved shall not be occupied until the access from West Road to the site has been completed and top-surfaced to the satisfaction of the planning authority.

Reason: To ensure the site has adequate access and in the interests of highway safety and residential amenity.

Note: The consent of the Building Regulations Section of the Council shall be obtained for smoke discharge through any chimney if required, before first occupation.

UTT/1376/01/FUL – LITTLE EASTON

Use of caretaker's accommodation as separate dwelling house
Easton Farm, Duck Street. GR/TL: 603-247. Mr D Trembath.
Case Officer: David Jeater 01799 510464
Expiry Date: 7 March

NOTATION: ADP: Outside Development Limits/Area of Special Landscape Value/Special Verge. DLP: Outside Settlement Boundaries/Special Verge.

DESCRIPTION OF SITE: The site is located immediately next to Duck Street, about 400m north-west of Little Easton village. The site is occupied by a small traditional weatherboarded/tiled barn converted to residential use, and a small garden of open grass. The building is attached to a group of several barns next to Easton Farm, itself a listed building.

DESCRIPTION OF PROPOSAL: The application is for the use of the barn as a separate dwelling house, free of a condition requiring that it should be occupied by the caretaker of the approved adjoining 'recreational facility'.

APPLICANT'S CASE: The converted barn was part of a scheme permitted in 1989 for an adult and young person's recreation facility to the north of the current application site, including the immediately adjoining steel-framework barn. The recreation facility, although private was intended, in part, for use by community groups. The converted barn was for the occupation by the caretaker of the recreation facility. However, although the land was extensively landscaped, the full recreation facility was never completed, and will not now be brought into use. However, work on the converted barn was completed and it has been occupied by tenants from time to time.

RELEVANT HISTORY: Planning permission given in 1989 for adult and young people's recreation facility included conversion of barn to residential use of the barn in this application. Conditions imposed included one that the converted barn should be occupied by the full-time caretaker of the facility and not as a separate private dwelling.

CONSULTATIONS: Design Advice: No adverse comments from Listed Building standpoint.

PARISH COUNCIL COMMENTS: To be reported (due 15 February).

REPRESENTATIONS: This application has been advertised as likely to affect the setting of a listed building and no representations have been received. Period expired 11 February.

PLANNING CONSIDERATIONS:

The main issues are whether the removal of the requirement that the building should be occupied by the caretaker would breach

- 1) **ADP Policy S2 re development in the countryside and**
- 2) **DLP Policy C3 and ENV7 re special verges.**

1) Outside Development Limits, as in this case, current policy allows development only where proposals relate to agriculture, forestry or outdoor recreational uses. This proposal when permitted in 1989 related to recreational uses and the condition relating to occupation by the caretaker was consistent with that approach. Policy C6 allows rural buildings in sound condition to be converted for residential purposes provided that the building is of suitable quality. In this case the building, though traditional in form, seems not to have been

of great quality, but the conversion has been well done, and its external appearance properly reflects its setting.

It is not likely that the recreational use of the land will materialise as originally envisaged, (although it is clear that the original proposal was made in good faith) and there is accordingly no need for the caretaker's accommodation. Easton Farm is no longer a working farm and the applicant has no other need for housing accommodation, for instance for agricultural workers. On the other hand, the Development Plan would allow the conversion of the building to non-residential use, but this would potentially cause some disturbance to occupiers of other houses attached to the main barn.

2) There would be no additional traffic and therefore no adverse effect on any special verges.

CONCLUSION: The use of this particular building as a separate dwelling, as an exception to Policy, would normally be resisted. There is no longer a requirement for a caretaker to oversee the recreational use as originally envisaged, or a need for a house for another immediate purpose connected with this particular landholding. However, PD rights of extension should be withdrawn in order to prevent a larger dwelling resulting and in order to avoid over-development of the plot.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.6.4. Excluding extensions without further permission
2. The building shall not be re-occupied until provision has been made for the parking of vehicles visiting it in accordance with a scheme to be submitted and approved by the local planning authority in writing. This parking area shall not thereafter be used for any purpose other than for the parking of vehicles by occupiers and visitors to the dwelling.
Reason: To enable vehicles calling at the site to park clear of the highway in the interests of road safety.

UTT/1463/01/FUL – QUENDON
(Referred due to enforcement recommendation)

Retention of rear first-floor extension
Pantiles, Green Road. GR/TL: 512-301. T Proctor.
Case Officer: Hilary Lock 01799 510486
Expiry Date: 21 December

NOTATION: ADP: Within Development Limits, Conservation Area & Area of Special Landscape Value. DLP: Within Settlement Boundary & Conservation Area

DESCRIPTION OF SITE: The site comprises a semi-detached bungalow situated in a small backland group off the south-eastern side of Rickling Road, towards the north of the settlement. It backs onto a commercial garage and the village hall car park which fronts Cambridge Road (B.1383). The site is just within the Conservation Area, but the land to the rear is outside.

DESCRIPTION OF PROPOSAL: The proposal is to retain a flat-roofed first-floor rear extension, which spans the rear of the property and is built up from the existing ground floor rear and side walls. The flat roof is approximately 800mm below the main roof ridge. It is proposed to render the currently unfinished blockwork rear wall. The original property had two bedrooms, one has been converted to a dining room and a further two bedrooms and bathroom have been created at first floor. The property would retain parking to meet Council standards, and the existing garden area would be unaffected.

APPLICANT'S CASE: Complaint against Council for way in which this matter was handled. Personal matters pleaded in support.

RELEVANT HISTORY: Building Regulations application for first-floor dormer extension granted August 1999, and construction commenced in April 2001. No planning permission applied for or granted.

CONSULTATIONS: Design Advice: untraditional form and design and should not be recommended for approval, as damaging to the Conservation Area.

PARISH COUNCIL COMMENTS: Objection. Recent application refused at Lacey Cottages on basis that dormer window would destroy roofline. Proposal is similar and would be inconsistent to approve. Extension is not attractive and has alienated close neighbours, particularly as built without permission in Conservation Area.

REPRESENTATIONS: This application has been advertised and 2 representations have been received. Period expired 6 November.

1. Would have objected if notified before work carried out, as extension overlooks hitherto private garden, restricts light, and has spoiled pair of secluded pretty pitched roof bungalows. Surprised when building work took place as adjacent industrial units application was only granted when number of units reduced and all with pitched roofs in keeping with area. Concerned that 2-bed bungalow with restricted shared access has become 4 bed house and future traffic and parking will be more than plot can cope with. Already problems of access.
2. Extension does not overlook, but concerned that brickwork does not match existing.

PLANNING CONSIDERATIONS:

The main issues are whether the development is acceptable in relation to:

- 1) its impact on the Conservation Area, and whether it preserves or enhances its setting (ERSP Policy HC2; ADP Policy DC2; DLP Policy ENV1),**
- 2) any other material circumstance of sufficient weight to override established planning policy and**
- 3) residential amenity (ADP Policy DC14; DLP Policy GEN4)**

1) The applicant has advised that the extension was built on the misunderstanding that planning permission was not required. His agent maintains that in 1998, verbal advice was given by the planning department that the extension would be Permitted Development, but no record of such conversation can be found. When the works became apparent during construction the applicant was advised that permission would be required, but unlikely to be forthcoming.

Structure and District Plan Policies seek to protect Conservation Areas, and any development which is permitted should preserve and/or enhance the character and appearance of the Conservation Area as a whole. ADP Policy DC2 adds that in Conservation Areas, development should have a good standard of design and materials, with pitched roofs, and should respect the scale and characteristics of the buildings in the vicinity. The application scheme fails this policy, in that its flat-roofed design and untraditional scale and form are considered out of keeping with the area, and do not enhance or preserve the Conservation Area.

2) However, it should be noted that this is a relatively modern bungalow backing onto a car park and garage site, and does not contribute to the most attractive and traditional parts of the Conservation Area. Although it is appreciated that this development has arisen out of a misunderstanding, the design and form are totally inappropriate and would not be recommended favourably had the extension not been built. The fact that it has been constructed should not affect the decision-making process, and the grant of planning permission for such a proposal would be wholly inconsistent and set an untenable precedent.

3) In terms of amenity, although this is a relatively bulky addition to the property, it is not considered that it has any material impact on the attached property, and overshadowing is not so significant to warrant refusal. The same applies to the dwellings fronting Cambridge Road, and as the only windows are rear facing (towards the village hall car park and garage site) there is not any material overlooking. The parking requirement for the resulting 3-bedroom dwelling would be unchanged, and although neighbouring residents may already have difficulties with shared access, this would be unaffected by the development. There is adequate space to accommodate two vehicles on site.

COMMENTS ON REPRESENTATIONS: The appeal at 3 Lacey Cottages (dismissed in August 2000) is not wholly comparable to this scheme. It related to a pitched roof rear dormer window to a traditional terraced house in the heart of the Conservation Area. Public views of the extension from within the Conservation Area would have been greater due to the presence of a public footpath at the rear of the site. The remaining points raised are addressed above.

CONCLUSION: The untraditional form and design of the extension are considered to be damaging to the character and appearance of the Conservation Area. Although the dwelling

is located on the periphery of the Area, and not in the most sensitive parts of the historic centre, it nevertheless adversely affects the setting. If the Council were to approve the extension, it would be in conflict with Local and Structure Plan policies, and National Guidance contained in Planning Policy Guidance Note 15. Failure to take action to seek the removal of the extension would make it difficult for the local planning authority to resist similarly unsympathetic extensions within Conservation Areas, and would undermine the quality of such areas. There are not considered to be any other factors of sufficient weight to warrant the grant of planning permission. It is therefore considered expedient to take enforcement action to seek the removal of or significant modification to the extension. The applicant's personal circumstances have been considered, but are not sufficient to justify retention.

RECOMMENDATIONS: REFUSAL REASON AND ENFORCEMENT ACTION

The policy includes detailed criteria and the proposed development is unacceptable because its untraditional form, scale and flat-roofed design, out of keeping and damaging to the character and appearance of the Conservation Area as a whole, and neither enhances nor preserves its setting, contrary to PPG15, ERSP Policy HC2, ADP Policy DC2 and DLP Policy ENV1.

UTT/1685/01/DFO- LANGLEY

Erection of bungalow

1 Highfields, Langley Upper Green. GR/TL: 448-344. Mr R Monks

Case Officer: *Richard Smith 01799 510465*

Expiry Date: 15 February

NOTATION: ADP: Outside Development Limits/Within Area of Special Landscape Value
DLP: Beyond Settlement Boundaries.

DESCRIPTION OF SITE: This site is located on the eastern side of the road, which runs through the village. The plot extends to 735sqm and is the former side (northern) garden of the adjacent dwelling, 1 Highfields, a semi-detached property. Boundary treatment comprises mainly existing mature hedgerows. The plot is roughly triangular in shape, has a maximum width of 29m and depth of 41m.

DESCRIPTION OF PROPOSAL: This application seeks full planning permission for a bungalow also, but with a slightly larger footprint than previously approved. It would have three bedrooms with an integral garage and measure 12.8m x 11m. External elevations would be finished in render under a concrete tiled roof. As proposed before the bungalow would be served by the existing access to 1 Highfields and would have a hardstanding at the front to provide off-street parking and turning facilities. The bungalow would be set in line with the existing semi-detached dwellings to the south and behind the side garden of Lyndhurst, the neighbouring bungalow to the north.

RELEVANT HISTORY: Outline planning permission (with siting and access) approved July 2001.

PARISH COUNCIL COMMENTS: No objections

REPRESENTATIONS: None. Notification period expired 24 January.

PLANNING CONSIDERATIONS:

The main issues are whether the proposed development would be acceptable in relation to

- 1) **infilling: ADP Policy H6,**
- 2) **design: ADP Policy DC1 and DLP Policy GEN2 and**
- 3) **amenity: ADP Policy DC14 and DLP GEN4.**

1) ADP Policy H6 permits the erection of dwellings outside development limits providing the plot in question is small enough to accommodate only the one dwelling and that when developed, the character and appearance of the surrounding countryside or settlement is not adversely affected. The Deposit Local Plan contains no specific policy on infilling outside development limits as it is considered that there are few opportunities left for infilling. This site is considered such an opportunity, however, and already benefits from outline permission for a house. The proposed bungalow positioned within this row of properties screened in part by the existing mature hedge along the front/northern site boundary is considered acceptable in visual amenity terms and would not harm the character of the surrounding area.

2) ADP Policy DC1 and DLP Policy GEN2 seek to ensure that development proposals are of an acceptable design which respects their surroundings. The proposed bungalow

finished in render under a concrete tiled roof, would be relatively low with a ridge height of 5.2m. Such a building would be compatible with its surroundings, which comprise a mixture of houses in terms of size and finish.

3) Adequate separation distances would be provided between the proposed bungalow and existing adjoining properties in order to safeguard the amenity of its neighbours. As the site is bounded by neighbour garden land to the front and sides, a condition will be necessary preventing first floor windows in any of these elevations or roof slopes.

CONCLUSION: The proposals accord with Development Plan policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.4.5. Retention of hedges
6. C.6.4. Excluding extensions without further permission
7. C.11.7. Standard vehicle parking facilities
8. C.19.1. Avoidance of overlooking
