

**PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 8 APRIL 2002**

APPL NO: **UTT/1654/00/FUL**  
PARISH: **GREAT DUNMOW**  
DEVELOPMENT: Residential development (56 units), new road access to public car park, extension to public car park, 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 & 18 March 2002  
REMARKS: Deferred by the Committee for negotiations re access.  
**RECOMMENDATION: Approval with conditions**  
*Case Officer: John Grayson (01799) 510455*  
Expiry Date: 31 January 2001

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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: Refusal**  
*Case Officer: John Grayson (01799) 510455*  
Expiry Date: 20 August 2001

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APPL NO: **UTT/1244/01/FUL**  
PARISH: **HATFIELD BROAD OAK**  
DEVELOPMENT: Erection of 18m monopole telecommunications tower with 2m 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 for Members' site visit  
**RECOMMENDATION: Refusal**  
*Case Officer: David Jeater 01799 510464*  
Expiry Date: 13 November 2001

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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 by the Committee to negotiate revised siting  
**RECOMMENDATION: To be reported**  
*Case Officer: David Jeater 01799 510464*  
Expiry Date: 26 December 2001

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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 for Members' site visit  
**RECOMMENDATION:** **Approval with conditions**  
*Case Officer:* Michael Ovenden 01799 510476  
Expiry Date: 5 February

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APPL NO: **UTT/0110/02/OP**  
PARISH: **WIMBISH**  
DEVELOPMENT: Proposed residential development of the site by four detached dwellings with associated parking  
APPLICANT: Green Taylor Brothers  
LOCATION: Taylor Brothers Site, Howlett End  
D.C. CTTE: 18 March  
REMARKS: Deferred by the Committee to negotiate revised indicative layout  
**RECOMMENDATION:** **To be reported**  
*Case Officer:* Charmain Harbour  
Expiry Date: 20 March

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APPL NO: **UTT/0111/02/OP**  
PARISH: **NEWPORT**  
DEVELOPMENT: Erection of detached dwelling and garage, rear of White Lodge  
APPLICANT: Mr and Mrs Carringtons  
LOCATION: White Lodge, London Road  
D.C. CTTE: 18 March  
REMARKS: Deferred for Members' site visit  
**RECOMMENDATION:** **Approval with conditions**  
*Case Officer:* Charmain Harbour 01799 510458  
Expiry Date: 20 March

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**UTT/0141/02/CC - GREAT DUNMOW**

**Consultation from Essex County Council**

**District Council Interest**

Consultation regarding proposed Civic Amenity & Recycling Centre with accommodation building and store and areas for storage containers and recycling facilities for Essex County Council and proposed Vehicular Maintenance Workshop and store with mess room and sanitary facilities, and outdoor storage area for vehicles for Uttlesford District Council. Land to the rear of the Ambulance Station off Chelmsford Road. GR/TL 636-206. Essex County Council.

*Case Officer: Keith Davis 01799 510456*

Expiry Date: 26 February

**NOTATION:** Outside Development Limits/Within Area of Special Landscape Value/Adjacent to the line of the new A120 bypass in Adopted District Plan. Outside Settlement Boundary/Adjacent to the line of the new A120 bypass in Deposit Local Plan.

**DESCRIPTION OF SITE:** The site is located on the southern edge of Great Dunmow, to the rear of the Ambulance Station and dwellings on the road frontage. It adjoins and is to the south of the Hoblongs Industrial Estate. The alignment of the new A120, now under construction, passes alongside its southern boundary.

**DESCRIPTION OF PROPOSAL:** The application proposes:

a) A civic amenity and recycling centre with accommodation building and store area for storage containers/recycling facilities for ECC. This will include a compactor unit and reinforced concrete areas to provide for container storage for household waste and recyclate. The site topography means that a two level site would be appropriate with vehicular traffic circulating at a higher level (approx 1.5m) than the level of the concrete areas provided for storage. A store for use by the site operator to store equipment, and soil improver for sale to members of the public, would also be provided. All waste containers and buildings on the site would be painted dark green. A peak flow of 1000 vehicles on the busiest day of the year, with a maximum short-term flow of 100 vehicles in half an hour is forecast. A maximum of 16 loads of household waste would be removed per day at times of peak demand, with an average of 4 loads per day throughout the year. 25 to 30 stationary vehicles would be able to be accommodated within the site at any one time. The site would be open to the public from 8.00am to 5.00pm seven days a week from 1 February to 31 October and 8.00am to 4.00pm from 1 November to 31 January with extended opening times from 5.00pm to 8.00pm on Tuesdays from 1 May to 31 August each year.

b) A vehicular maintenance workshop (approx 25m x 15m) and store with mess room and sanitary facilities (approx 15m x 5m) and outdoor storage for vehicles for UDC. The hours of operation of the depot would be from 7.00am to 5.00pm Monday to Friday. The depot would be closed on Saturdays and Sundays except when a day in the week is a Bank Holiday in which case the hours of operation on the Saturday of that week would be 7.00am to 5.00pm. 5 persons would normally be on site full time with approximately 30 other persons departing from the depot with the vehicles used mainly for refuse collection and recycling services. Vehicles normally depart between 7.00am and 8.00am and return between 2.00pm and 5.00pm. Fuel would be stored in an underground tank.

The development would utilise the existing access on to Chelmsford Road, which currently serves the ambulance station and an agricultural field beyond, currently used temporarily for

the purposes of servicing the new road construction. The proposal envisages the extension of this service road built to adoption standards to provide access to both areas of development. The Chelmsford Road has served as a slip road access to Great Dunmow from the A130 but has now been severed some 70 metres south of the access junction in preparation for the road works. Areas are provided for landscaping to the west and north of the site with provision for limited landscaping between the two site developments. Provision has been made within the scheme for landscaping the southern boundary of the site with the new road. The existing landscaping alongside Hoblong's Brook which divides this proposed development from the Hoblong's Industrial Estate would be retained.

The total site area is 11.713ha (28.84 acres). This outline application seeks determination now of the siting of the roadways and structures required for the civic amenity and recycling centre and the vehicular maintenance workshop. A screening opinion has been carried out by Essex County Council that concludes that no Environmental Statement is required.

**APPLICANT'S CASE:** A four-page Planning Statement (see attached at end of report) and six-page Noise Assessment have been provided. The Noise Assessment can be inspected at the Great Dunmow Council offices.

**RELEVANT HISTORY:** Outline application for Civic Amenity and Recycling Centre, with ancillary building/storage containers, proposed vehicular maintenance workshop/store with mess room and outdoor storage for vehicles withdrawn November 2001 and January 2002. Members carried out site inspections of several similar facilities in the Chelmsford area during the Spring 2001.

**CONSULTATIONS:** Done by ECC.

Anglian Water: No objections.

Environmental Services: Agree with the applicant's Noise Assessment conclusions.

**TOWN COUNCIL COMMENTS:** Support. Cottages must be adequately screened from the proposed development. The long term objectives of the site should be reviewed to enable the use of the site to be maximised and the best use made of the area to the west of the site to the boundary of the new A120 road. Is it intended that the site become a multi-function site, i.e. to re-locate the police station to this site?

**REPRESENTATIONS:** This application has been advertised and 1 representation on this planning application has been received, dated 21 February 2002 attached at end of report. Period expires 28 January.

3 representations were received on the recently withdrawn but identical planning application.

1. The proposals are wholly contrary to and a departure from the local plan. I am very concerned that the failure to identify the land to the rear of Brook Cottage as employment land in the draft deposit plan has more to do with commercial acquisition prices that would be involved if the owners were likely to have the benefit of a wider development market for employment land than just a special user and developer such as the Council who could then offer less. Again there is no full environmental impact assessment accompanying the application which I believe is essential to support such an intrusive and potentially environmentally damaging proposal. The safety of residents and others in the area could be at risk as a result of blockages to the ambulance station when minutes can be vital.

2. Extra traffic will be brought through the very dangerous A130 junction nearby. Improvements to this junction are needed.

3. The proposed use will be unattractive and untidy at one of the principal entrances to the town. The impact on residential properties needs to be a matter for consideration, particularly the large vehicles that will use the entrance in the morning. The best possible

environment should be established and maintained in proximity to the proposed business park. This impact of the proposals would be detrimental to this. It does not appear that a full and thorough investigation of alternative sites has been made.

## **PLANNING CONSIDERATIONS:**

The main issues are

- 1) whether there is sufficient justification for developing this site in terms of the advantages arising from the scheme (ERSP Policy C5, ADP Policy S2 and DLP Policy S7).**
- 2) whether the impact of the scheme would accord with the designation of the site within an Area of Special Landscape Value (ERSP Policy NR01, ADP Policy C2 and DLP Policy GEN8).**
- 3) whether the impact of traffic from the development would be appropriate regarding the surrounding road system, the residential amenities of neighbouring occupiers and the operation of the ambulance station (ERSP Policies T03 and BE1, ADP Policies T2 and DC14 and DLP Policies GEN 1 and GEN4).**
- 4) whether the activities on the site would be a good neighbour (ERSP Policy BE1, ADP Policy DC 14 and DLP Policy GEN4).**

1) There is a need for a modern Civic Amenity and Recycling Centre to serve Great Dunmow and its catchment area. Great Dunmow is 8 miles from the nearest facility and 11 miles from others. Optimally, such a facility should be at the most 6 miles from all its catchment population and located in a position where its impact is minimised. The County Council has investigated a number of sites that have all been rejected on planning grounds leaving only the application site to be pursued. This Council's vehicular maintenance workshop and store and storage area for its vehicles at present is located in a cramped town centre location and has access through an intensely developed residential area. Its removal would be a significant advantage to the area. In view of the above it is considered appropriate to consider the principle of the use of this site for the development as an exception to rural restraint policies.

2) The site is located between the Hoblongs Industrial estate and the line of the new A120, which will be elevated in this location. The southern, eastern and northern limit to development around Great Dunmow is designated as an Area of Special Landscape Value, and this includes the application site. The designation is broad brush and some areas within that designation will not be as high quality as others. On the one hand the effect of development on a site such as the application site would not be as great as the effect on a higher quality site, on the other, it can be argued that it is particularly important to protect those areas from further development, lowering further the landscape quality of the area. There would inevitably be views of the buildings and structures and the parking of vehicles proposed from the new road. However the development would be read against the backdrop of the Hoblongs estate. It is considered that, given the need for this development, which is most appropriate away from the built up area of the town, the choice of this site in landscape terms can be accepted. Appropriate landscaping should be undertaken, however, this may not be fully effective in terms of screening the site from the new road because of its higher elevation. There is no land set aside for this purpose in the submitted plans.

3) Peak demand for the Civic Amenity site would be outside the weekday peak period and therefore there should be no conflict with traffic movement in the town. Given the number of spaces available to cater for stationary vehicles (25 to 30) and peak usage of the site (100 vehicles in a half hour each being on site for half an hour), it is anticipated by the

applicant that queues waiting to enter the site should not occur. However, if this were to occur it is proposed to provide yellow box markings outside the ambulance station to ensure that emergency vehicles are not blocked. It is also recommended that there should be signs warning drivers not to park across the ambulance station entrance. Movements from the Council depot would normally be outside the peak times of use of the Civic Amenity site. Officers have some concerns about potential conflict of traffic using this site and the ambulance station and have asked the applicant for clarification. The reply is awaited and will be reported to the meeting. In terms of the effect of traffic using the Civic Amenity site and the Council depot on the nearby dwellings, the slip road in front of the dwellings on the road frontage has been severed and traffic should not pass in front of them; approaching the site from the A130 or the southern part of the town centre. There would inevitably be an increase in traffic using the area and it is considered that there may be some impact on the residential amenity of the occupant of the dwelling adjacent to the access. The Noise Report submitted with the application was based on noise readings of the existing depot in New Street and a Civic Amenity site elsewhere in Essex. The conclusions of the Noise Survey taking into consideration the ambient noise levels created by traffic on the A130 and the proposed A120 bypass, are that there is some concern about the affect of the movement of vehicles from the Council depot between the hours 07.00 and 08.00 and the impact they would have on the amenities of the nearest residential neighbour. At present the vehicles create an impact on a considerable number of dwellings in the town and the number would be reduced, but nevertheless transferred to this sole residence. Officers consider that the applicant should ensure that the impact on the occupiers of this dwelling must be addressed and resolved satisfactorily prior to the grant of planning permission.

4) Solely considering the use of the proposed facilities and the impact on the residential amenities of the neighbours, the element of the proposals most likely to cause disturbance would be the Council Depot because it would be closest to them. The conclusions of the Noise Survey do not raise any concern about the impact of the operations on the site itself on the amenities of the nearest residential neighbours.

**COMMENTS ON REPRESENTATIONS:** It is acknowledged that the proposals are a departure from the District Plan but the benefits are considered to outweigh the policy conflict. It is not accepted that an Environmental Impact Assessment is required as the screening opinion undertaken by the County Council demonstrates. Whilst it is acknowledged that the development would not be attractive when viewed from the new A120, it is almost inevitable that proposals of this ilk will have an impact wherever they are sited. District Council planners considered suggestions for other sites and rejected them before the submission of the withdrawn 2000 planning application. There would be adverse impact caused by the use of the access in the morning by vehicles from the depot and the applicant should address this. Landscaping is essential adjacent to neighbouring properties. There are no known other uses of the site proposed.

**CONCLUSIONS:** The principle of these proposals is considered to be acceptable. However, there are concerns about the impact of the proposals in terms of the conflict created at peak times by the different users of the access and particularly the potential for disturbance caused by traffic in the morning on the nearest neighbour and the effect of noise and disturbance from any queuing traffic using the Civic Amenity Site at weekends. Furthermore, landscaping adjacent to the residential neighbours is essential. This is also required adjacent to the A120 although land is not available for this in the submitted plans.

**RECOMMENDATION:**

Inform Essex County Council that there is no objection to the principle of these proposals but prior to granting a planning permission the County Council should be sure that sufficient measures are put into place to ensure the amenity that local residents could reasonably

expect to enjoy is satisfactorily retained. In particular, it is considered that the County Council should have particular regard to the effect of traffic at weekends and Bank/Public Holidays. More information is required regarding the conflict that may occur between the different users of the access road and the impact traffic and the manoeuvring of vehicles may have on the residential amenity of neighbours. Landscaping is essential adjacent to the neighbours. Further screening is requested adjacent to the A120 bypass. Land will need to be made available for this.

Conditions will be required to ensure the following:

1. The County phrase a condition to ensure that the noise parameters set out in the Noise Assessment are adhered to.
2. Hours of operation of the a) Civic Amenity Site would be 8am to 5pm seven days a week from 1 February to 31 October each year and 8am to 4pm seven days a week from 1 November to 31 January each year with extended opening times of 5pm to 8pm on Tuesdays from 1 May to 31 August each year. b) Council Depot would be 7am to 5pm Monday to Friday. The Depot would be closed on Saturdays and Sundays except when a day of the week is a Bank/Public Holiday in which case the hours of operation on the Saturday of that week would be 7am to 5pm.
3. Details of the external appearance of buildings and other structures and their design, the means of access and landscaping to be submitted.
4. The uses on the site remain as applied for.
5. Details of lighting and control of litter and dust suppression.

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**UTT/0326/01/FUL – HATFIELD BROAD OAK**  
***(Revised Report)***

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

**NOTATION:** Outside Development Limits in Adopted District Plan and outside Settlement Boundary in Deposit Local Plan.

**DESCRIPTION OF SITE:** This site is located in open countryside at the end of Anthony's Lane, a narrow public highway about 1.2km south-east of Hatfield Broad Oak. The northern part of the site comprises an area of about 1,500 sq m in extent, occupied by a two-storey nineteenth century 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: it was flooded again during the winter. It has been established that improvements to this culvert would reduce the flooding frequency to once in ten years, but not eliminate the problem. The southern part of the site is an area of about 1,600 sq m, currently mainly horse paddock, on land up to 2m higher than the lower parts of the existing garden area.

**DESCRIPTION OF PROPOSAL:** Proposal involves the demolition of the existing house, extended in the 1960s, which has about 180sq m of floorspace, and its replacement by a larger two-storey house of 255 sq m, on the slightly higher land to the south. The proposal would involve extending the garden of the original house so that its curtilage would cover some 3,100 sq m in total.

**APPLICANT'S CASE:** The proposal as now revised conforms with advice given by Officers in December 2001.

**RELEVANT HISTORY:** An outline application for a replacement dwelling at this property was refused in 2000 because insufficient information had been provided to enable the Council to assess it. This current application was reported 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 on 26 November 2001, when Members decided to defer their decision to allow further negotiations to take place in respect of a revised replacement dwelling. At the meeting of the Committee in February, officers reported that the size and bulk of the new house failed to meet with the advice which had been given. The committee deferred its consideration of the proposal so that the points of difference could be clarified. This has now been done, and dimensioned plans have been provided and minor amendments made to the proposal.

**CONSULTATIONS:** Environment Agency: Original Plans: Advisory comments.  
Revised Plans: Agency says it is unable to comment on the revised proposal because of workload constraints.

**PARISH COUNCIL COMMENTS:** Original Plans: Refuse as contrary to Policy H7 because the dwelling is too large. Revised Plans: To be reported (due 14 February).

**REPRESENTATIONS:** Two comments received.



1. CPREssex: Original Plans: Significantly larger than the original dwelling. The design is inappropriate.  
Revised Plans: Design of the proposal is important in this position. The treatment of the elevations has been improved but this is still fussy. Smooth rendered finish over a brick plinth would conform with Essex Design Guide.

2. CPREngland: Object to revised siting. The applicant must have been aware of flooding problem when purchasing.

**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 issue now remaining is whether the revised replacement dwelling proposal now brought forward meets the test in policy H8, that the new dwelling should not through its size or appearance impair the rural characteristics of the countryside. 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 meet advice given by Officers to reduce the prominence of the proposal.

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 footprint of just under 130sqm, 255sqm of floor space and a ridge height at 7.8m. The 'mock-Tudor' aspect, which was a concern with the earlier scheme, is to be replaced by a simpler scheme more in conformity with the Essex Design Guide. The garden area, including the existing garden would cover some 3,100 sq m compared with 3,000 sq m suggested by officers, but reflects the 'natural' boundaries already on site.

**CONCLUSIONS:** It has been recognised that there is a strong case for replacing the existing house on this site, because of the flooding problem. The revised scheme, as now shown in the supporting information, would be on higher ground than the existing house, but would broadly meet the requirements of a design intended to fit into open countryside.

### **RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time Limit for commencement of development/
2. C.3.2. To be implemented in accordance with revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. All hard and soft landscape works shall be carried out in accordance with the approved details in the first planting and *seeding* season following the occupation of the development hereby approved. Any tree or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.  
Reason 3 and 4: The landscaping of this site is required in order to reduce the visual impact of the development hereby permitted.
5. The building hereby permitted shall be built in accordance with the following design requirements:  
[a] the roof of the building shall be clad with clay plain tiles  
[b] the walls to the building shall have a smooth rendered surface, above a brick plinth  
[c] all external joinery shall be of painted timber.  
Reason: In order to protect the visual quality and character of the area.
6. C.6.3. Excluding permitted development extensions and freestanding buildings

Reason: In order to protect the visual quality and character of the area, and to avoid over development of the site.

7. C.23. Demolition of existing dwelling.

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## UTT/1707/01/OP - GREAT DUNMOW

Outline application for residential development.

Former Highway Depot Haslers Lane. GR/TL 628-215. Essex County Council.

Case Officer: David Jeater 01799 510464

Expiry Date: 12 February

**NOTATION:** Within Development Limits/Town Centre Opportunity Site/adjoins Conservation Area. Site allocated for residential development in deposit Local Plan.

**DESCRIPTION OF SITE:** This long narrow site of about 0.34ha lies just off High Street. It was formerly used as the County Council's highways depot, but is now unused. The site contains a variety of utilitarian buildings in various materials erected in connection with the depot functions. The northern boundary of the site is formed by a public footpath, which runs from Hasler's Lane to New Street. Along the southern boundary of the site, the land drops down by some 2m to Hasler's Lane. The locality is now residential except for offices and the County Council's Old Manse building north of the footpath.

**DESCRIPTION OF PROPOSAL:** The application is in outline with all details reserved for later determination. There is currently one vehicular access into the site, from Hasler's Lane in the north-east corner of the site, shown on the application plans.

**APPLICANT'S CASE:** None stated in support of the application at outset. The County Council has indicated it is prepared to offer a unilateral obligation to provide a cycleway through the site on a route to be agreed. In response to points raised on the authority's behalf, the County Council's agents said that the height of the proposed development will be 'to that of the existing buildings', that the access into the site 'is' as shown on the submitted plans, and that the positioning of the cycleway could be agreed at a later stage.

**CONSULTATIONS:** Policy: There are no policy objections to this proposal. Adopted policy GD5 encourages a mixture of uses on this and adjoining sites, including appropriate residential development. The deposit plan identifies the site for residential purposes. One objection to the deposit plan allocation was received, concerned that the proposal was lacking detail and it was not therefore clear whether it would spoil the adjoining Conservation Area.

Environment Agency: Main point made is that the site is very likely to be contaminated and should be subject to a detailed scheme of investigation and recording. The contamination identified should be remedied before the site is developed.

ECC Transportation: No objection in principle. It is clear however that a better access than the existing could be provided by way of a completely new access into Haslers Lane.

ECC [Archaeology]: Site lies within the Roman and medieval town of Dunmow; several sites nearby have shown valuable archaeological deposits. The applicant should be required to conduct a field evaluation of the site before a planning decision is made, in accordance with Planning Policy Guidance 16, to indicate whether proposals could lead to mitigation of disturbance and the need for further investigation.

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

**REPRESENTATIONS:** This application has been advertised and five representations have been received from people living nearby. Period expired 30 January 2002. The main points made by these respondents are

1. Concern that there should be sufficient on-site parking and that this should not overspill into New Street.
2. Concern that development would overlook houses in New Street, and because of the elevation of the site, housing along Hasler's Lane

3. Vehicle access to the site should be from Hasler's Lane only and not from New Street which is generally narrow and well used by pedestrians. The temporary arrangement blocking the junction of New Street and Hasler's Lane should not be re-opened and should be replaced by something more appropriate.
4. Concern that Hasler's Lane will not be able to cope with additional traffic generated by the development.
5. There are several trees along the boundaries which should be protected from damage.
6. The design of the development on the site should have regard to the adjoining Conservation Area, and respect the setting of the Listed Building: render/slate suggested.
7. Housing built on the site should be for adults only.

## **PLANNING CONSIDERATIONS:**

### **The main issues are**

- 1) **whether this site is suitable in principle for residential development (ERSP Policies BE1 and W2; ADP Policy GD5; DLP Policy GD4)**
- 2) **what steps could properly be taken at this outline stage to ameliorate adverse effects which the development might have (ADP Policies T1, DC1 and DC14; DLP Policies GEN1, GEN2 and GEN4).**

1) The application site is largely surrounded by housing and residential development, as proposed, would be the most appropriate built use. The re-use of this land for residential purposes is consistent with the adopted District Plan in that the site falls within an area where *inter alia*, appropriate residential development including flats supported by adequate off-street parking will be permitted. The structure plan indicates that vacant and under-used urban land should be recycled for other uses, particularly for housing. The deposit District Plan allocates the site for housing as part of the Dunmow contribution to the District requirement in the Structure Plan: the objection which has been made relates not to the principle but to the detailed design.

2) The site would need to be cleared of buildings and would probably have to be de-contaminated before any development starts. Construction itself would also generate significant traffic. The site itself could accommodate some 10 to 12 dwellings if developed at the density called for in national Planning Guidance, and this would contribute only in a modest way to local traffic. Hasler's Lane leads into New Street which, as Members may recall, is narrow and potentially difficult from the pedestrian standpoint. There is therefore a good case to be made for securing a permanent and well-designed closure at the junction of these two roads before any works start on site, to ensure that adverse effects on New Street are avoided in accordance with Policy T1 in the adopted plan.

**COMMENTS ON REPRESENTATIONS:** The points raised by local residents are matters which can be dealt with at the detailed stage. The issues of siting, design, landscaping, external appearance and means of access are all reserved for subsequent approval.

**CONCLUSIONS:** This application for residential use accords with the provisions of the Development Plan, and subject to the condition mitigating traffic effects, would have limited effect on local amenity.

## **RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.1.1. Submission of reserved matters: 1.
2. C.1.2. Submission of reserved matters: 2.
3. C.1.3. Time limit for reserved matters.

4. C.1.4. Time Limit for commencement of development.
5. C.16.2.Full archaeological excavation and evaluation.
6. No development, or works decontaminating the site or clearing the buildings on the site shall start until details of a scheme permanently closing the junction of Hasler's Lane and New Street have been submitted and approved in writing by the local planning authority, and implemented in accordance with the approved details.  
Reason: In order to protect the quality and character of the adjoining Conservation Area, and in the interests of vehicle and pedestrian safety.
7. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the local planning authority. The survey shall be taken at such points and to such depth as the local planning authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the local planning authority in writing and the scheme as approved shall be fully implemented and completed before any residential unit hereby permitted is first occupied.  
Reason: To ensure that the land is returned to a condition suitable for sole residential occupation.
8. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved.  
Reason: To reduce the visual impact of the development hereby permitted.
9. No development shall be carried out until details of a cycleway through the site have been submitted to and approved by the local planning authority. The cycleway shall be provided in accordance with these details before the housing is occupied.  
Reason: To ensure local provision is made for cycle facilities.

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## UTT/0101/02/FUL - GREAT HALLINGBURY

Erection of 25m high (replacement) mast, 3 antenna, 3 dishes and equipment cabinets.  
Start Hill. GR/TL 520-212. Hutchinson 3G UK Ltd.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 26 March

**NOTATION:** ADP: Outside Development Limit/Within Countryside Protection Zone.

DLP: Outside Settlement Boundary.

**DESCRIPTION OF SITE:** The site is located to the east of the junction of the Bedlars Green Road and the existing A120, immediately to the south of the Flitch Way (former railway line). Tilekiln Green is a small cluster of twenty or so dwellings. There are four dwellings within 90 metres of the site of the proposed replacement mast.

**DESCRIPTION OF PROPOSAL:** The proposal is to remove the existing 22.5 metre high mast and erect a 25 metre high mast, transfer the existing telecommunications equipment on to it and add further code operator's equipment on to it, enlarge the fenced compound and add an additional equipment cabin. The new mast would be 0.4m wider at its apex and sited just over 7 metres west of the existing one.

**APPLICANT'S CASE:** The applicant has submitted a package of information to support the proposal. This includes general information on telecommunications and information specific to the application proposal. This can be inspected at the Great Dunmow Offices.

**RELEVANT HISTORY:** Permission for 24.3 metre tall mast 1990; 28.5 metre tall mast 1993

**CONSULTATIONS:** National Air Traffic Services: No objections.

National Radiological Protection Board: To be reported (due 5 April).

**PARISH COUNCIL COMMENTS:** An unusually high incidence of cancer in the Tilekiln Green area is very worrying to local residents. Since this application proposes a completely new installation, surely it would be the ideal time to relocate the whole works to the adjacent industrial site, or to a more open area to the west, near to, or even on, the motorway roundabout.

**REPRESENTATIONS:** Seven. Notification period expired 27 February.

1. Object. Aesthetics clearly are a major issue and what is there is dreadful, but my health concerns are possibly of greater significance. I lost my husband to cancer last year and a neighbour has just been diagnosed with cancer. These microwave producing towers I believe to be a major health hazard. I think that this mast should be removed altogether.

2. The thought of having an even larger one with all the attachments that will be fixed to it, towering over my bungalow, is something we dread.

3. There has been a dramatic increase in non-Hodgkin's lymphoma in the last two years. This stands out when compared to the incidence of other cancers and it coincides with the increased use of mobile phones and their transmitters. In November my wife was found to have a high grade non-Hodgkins lymphoma and we unfortunately live very close to such a mast which is now being considered for enlargement very close to a village community. The site drawings show that the tower is even closer, markedly wider as well as higher than the existing mast. Dominates views from Listed Building and would tower over Tilekiln Green area.

4-7. Similar comments to above including reference to impact on the rural area asking why this site has been chosen which is particularly sensitive.

**PLANNING CONSIDERATIONS:**

The main issues are

- 1) impact on the character of the area (ERSP Policy BE8, ADP Policy DC13, DLP Policy T4)
- 2) whether the applicant has demonstrated a need for the mast (ADP Policy DC13, DLP Policy T4)
- 3) health issues.

1) It is considered that in landscape terms, the location of a replacement mast 2.5 metres taller in a position 7 metres away from the existing mast would affect the character of the area only marginally.

2) The applicant has identified that the proposed taller mast would be essential to cover a gap in the service network along the A120 and M11. It is considered that the need for the replacement mast outweighs any harm it would have on the rural character of the area.

3) As the applicant points out in its supporting statement, health issues are in principle capable of being a material consideration although this will be up to the courts to decide in a particular case. If it is a material consideration it is up to the LPA to decide on the weight to attach to such considerations in a particular case. Recently published Government Policy in PPG8 (August 2001) states: *“However it is the Government’s firm view that the planning system is not the place for determining health safeguards. It remains central Government’s responsibility to decide what measures are necessary to protect public health. In the Government’s view, if a proposed mobile phone base station meets ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them”*. The applicant has provided a certificate of compliance with ICNIRP guidelines. However a number of representations have stated that there is a cluster of cancer cases in the local area that residents fear are related to the existing mast. Notwithstanding Government policy on the matter, this issue has been raised and comments sought with the applicant and the National Radiological Board. Their comments will be reported.

**COMMENTS ON REPRESENTATIONS:** The comments relate to two main issues, appearance and health issues both of which are addressed above. An additional issue, that of preparatory works having commenced before determination of the application has been brought to the applicant’s attention who has been told that this is not satisfactory and is at its own risk. The applicant has stated that the works are not related to the application.

**CONCLUSIONS:** In the absence of sound planning reasons for refusal it is recommended that the application be approved.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

- 1. C.2.1. Standard time limit.
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. In accordance with approved plans.
- 4. The existing mast shall be dismantled and all components removed from the site within 28 days of the first use of the replacement mast hereby permitted.  
Reason: To avoid the proliferation of masts in the site.
- 5. C.21.1 Excluding extensions to telecommunication masts without further permission.

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## UTT/0196/02/FUL - CHRISHALL

Change of use from poultry farm to timber storage & treatment, including landscaping of site and master plan for replacement buildings to be erected on site.

Hillside Farm. GR/TL 442-401. H & K Smart.

*Case Officer: Charmain Harbour 01799 510458*

Expiry Date: 4 April

**NOTATION:** ADP: Outside Development Limits, within Area of Special Landscape Value.  
DLP: Outside Settlement Boundaries.

**DESCRIPTION OF SITE:** This 2.42ha site is located on the southern side of Mill Causeway close to the junction with Abram's Lane and has authorised use as a poultry farm. It contains 11 large industrial style buildings and a series of silos and feed runs. The series of six buildings located to the rear of the site are up to 7.5m in height. The silos are 9m tall. The site has been relevelled so that a large earth bund with tree screening encloses the southern boundary. There are two vehicular access points to Mill causeway and one to Abrahams Lane. The poultry business has ceased on the site. To the north west corner the site abuts the curtilages of four residential units. To the north east corner is a bungalow formerly occupied in connection with the farm. To the north and east is open countryside.

**DESCRIPTION OF PROPOSAL:** Permission is sought for the change of use of the land (excluding the residential unit) to timber storage and treatment. This site would supplement the existing business at Flint Cross near Royston, which specialises in hardwoods, and in particular English Oak. The Flint Cross site would remain as the sales centre and offices of the business, this site would be mainly used for the storage of oak which would left to season for up to five years within sheds on the site. It is proposed that the existing buildings would be demolished as they have suffered from environmental health problem caused by the chicken waste. There is a mix of timber and metal clad buildings on the site and only one building would be reused, the existing shed to the western part of the site would be relocated to the south and adapted to form workers mess facilities. The proposal would seek to position up to four buildings to the rear of the site. The exact form of the buildings have yet to be finalised but the applicant is willing to agree to the height being restricted to up to 7.5m, or no higher than the current buildings and the design and materials to be agreed. The application is submitted as a 'master plan' for the site, which would be developed over the next 10 to 15 years. The buildings would have an enlarged space between them to allow for forklift truck access.

The proposal would close one of the access points to Mill Causeway. The poultry use generated 24 HGV vehicle movements a year. As this is a larger site it is estimated 114 movements a year would be generated which equates to 2 lorry movements a week. It is considered that this would be less than generated by the previous use.

Phase one of the scheme is to form an earth bund around the whole site and to carry out extensive screen planting on this. In particular this would seek to minimise the impact on the adjacent residential units.

The applicant is agreeable to the working hours being limited to 6am- 6pm Mondays to Fridays and 7am to 2pm Saturdays and no times on Sundays /Public Holidays

**APPLICANT'S CASE:** See letter from FPDSavills dated 5 February 2002 attached at the end of this report.

**RELEVANT HISTORY:** The development of the site as a poultry farm dates from 1977 with a series of consents for the various sheds. The consents include permission for ancillary



sales and offices on the site and some caravans for living quarters for workers. Concurrent application for replacement of adjacent dwelling (see next report).

**CONSULTATIONS:** Environmental Services: The proposed use may require Authorisation under the Environmental Protection Act for timber treatment. There is the possibility of noise nuisance from the cutting of timber and possibly odours from the treatment process. There is also the possibility of nuisance from lorry movements so it is suggested that the hours of business be restricted to a 7.30am start.

**PARISH COUNCIL COMMENTS:** To be reported (expiry period 18 March 2002).

**REPRESENTATIONS:** This application has been advertised and no representations have been received. Period expired 7 March 2002

### **PLANNING CONSIDERATIONS:**

The main issues are

- 1) **Although the application is for change of use of the land it represents a new enterprise in the countryside. The Policy guidance only allows for new buildings in exceptional circumstances. The policy presumption has to be balanced against any benefits gained from the replacement of the existing use/buildings.  
(ERSP Policies: C5, CS2. ADP Policy: C4. DLP Policy: E3)**
- 2) **The potential impact of the new use on the adjacent residential properties  
(ERSP Policy CS2, ADP Policy DC14, DLP Policy GEN4)**

1) The former agricultural function of the site was a very industrialised form of use having a series of substantial buildings on the site. In considering the current proposals specific regard has been given to the benefits arising from the specific business proposed, but it would also be important to ensure that if permission is granted other general storage and distribution uses are prevented from using the site. The specific use by Whippetree Hardwoods would generate low levels of movement to and from the site, which would be less than when it was used for intensive egg production. The removal of the contaminated buildings from the site would result in considerable environmental improvements for the locality. The proposed earthworks and planting would reinforce the works already carried out to the site and would greatly enhance and screen any new buildings. The proposed location of new buildings to the rear of the site is considered acceptable. It is proposed, however, to restrict any new buildings in the area behind the existing dwellings close to the road frontage in the northern area of the site to protect their amenities and the appearance of the area. It would be expedient to restrict working hours, preclude external storage on the site and to agree the location of any kiln drying or chemical treatment works on the site. With these restrictions in place, on balance, the new use would be acceptable in this location which would bring positive benefits to the locality in the form of improving the appearance of the site, the reduction in intensity of use and the landscape improvements proposed. The guidance in PPG7 is that such new businesses can be allowed if they have sustainable objectives and are appropriate for their surroundings. This use is considered to meet these tests.

2) The use of the site for this specific business can be controlled by conditions to enable the amenities of the adjacent residential units to be protected. The nature of this operation is such that it would represent a much lower key business from the poultry operation. The imposition of stricter hours of working by condition is considered essential to protect amenity.

**CONCLUSIONS:** The creation of this new business in the countryside with new buildings would be contrary to policy, although the policies do allow for exceptional circumstances. The net benefits in removing the existing buildings from the site, gaining considerable landscape enhancement of it and an economic enterprise which has links to forestry and is of a less intense nature than the previous farming process are considered to outweigh the policy presumption.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. Notwithstanding the master plan for new buildings on the site as part of the use of the land hereby granted consent, no buildings shall be erected in the hatched blue area on the approved plans located between the houses fronting Abrahams Lane and the bungalow to the north east corner of the site.  
Reason: To protect the residential amenities of the adjacent dwellings, and enhance the appearance of the site given it is within an Area of Special Landscape Value.
3. No works shall commence on the erection of any buildings on the site until full details of the phasing of the removal of existing buildings on the site and the exact position of their replacement, the external appearance and external materials to be used have been submitted to and agreed in writing with the local planning authority. The works shall be implemented solely with these agreed details.  
Reason: To secure an acceptable form of development.
4. None of the buildings to be erected on the site as part of this permission shall exceed 7.5m in height.  
Reason: To ensure that the new buildings are no higher than the existing structures on the site, to protect the visual amenities of the area.
5. Unless the local planning authority agree otherwise in writing this permission shall operate for the benefit of Whippetree Hardwoods only while they are in occupation of the site and shall not operate for any other business or organisation other than this named beneficiary.  
Reason: This permission has been granted solely because of the nature of the applicants specific business and the net benefits this would bring to the locality.
6. The site shall be used solely for the storage and treatment of timber and for no other purpose whatsoever including any other purpose in the schedule to the Town and Country Planning (Use Classes) Amendment Order 1991 (or in any equivalent provision in any statutory instrument revoking or re-enacting that Order) Class B8 Storage and Distribution.  
Reason: To enable the local planning authority to retain control over the development in the interests of the rural amenities of the area.
7. No part of the application site, other than within an approved building, including access ways, loading and turning areas shall be used for the storage or treatment of timber, plant, vehicles or any other raw materials or packaging or pallets, waste products or refuse or any other goods, materials or vehicles without the prior written consent of the local planning authority.  
Reason: In order to safeguard the visual amenities of the site and the surrounding area.
8. Unless the local planning authority agree otherwise in writing the site to which this permission relates shall not be open for business outside the following hours:  
8am – 6pm Mondays to Fridays  
9.am - 2pm Saturdays  
and at no time on Sundays and on recognised Bank or Public Holidays.  
Reason: To protect the amenities of the occupiers of the adjacent residential properties.
9. Prior to the use hereby permitted commencing on the site, details of the areas of the site to be used for kiln drying or chemically treating the timbers shall be submitted to

and agreed in writing with the local planning authority. Such processed shall only take place in these agreed areas.

Reason: To protect the amenities of the occupiers of the adjacent residential properties.

10. C.4.1. Scheme of landscaping to be submitted and agreed.
11. C.4.2. Implementation of landscaping.
12. C.4.3. Details of earthworks to be submitted.
13. No external sound amplification equipment for music or telephone bells which are audible outside any of the buildings shall be installed without the prior written consent of the local planning authority.

Reason: In the interests of the residential amenities of the nearby properties.

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## UTT/0291/02/OP - CHRISHALL

Erection of a replacement dwelling.  
Hillside Farm. GR/TL 443-401. Mr H Smart.  
*Case Officer: Charmain Harbour 01799 510458*  
Expiry Date: 17 April

**NOTATION:** ADP: Outside Development Limits, within Area of Special Landscape Value.  
DLP: Outside Settlement Boundary.

**DESCRIPTION OF SITE:** The application site is located to the north west of Chrishall, between the village and Heydon, on the southern side of Mill Causeway. It lies in the north east corner of what is known as Hillside Poultry Farm, a now disused agricultural complex. The site is occupied by a detached bungalow, which, although it has been occupied in conjunction with the farm, is not agriculturally tied to the site. To the north and east the site abuts open countryside. To the south and west the plot abuts the large sheds of the chicken farm. To the road frontage are a series of single-storey outbuildings associated with the dwelling, which provide car garaging. Vehicular access is central to the northern boundary and is separate to the access to the farm buildings.

**DESCRIPTION OF PROPOSAL:** The application seeks outline permission for one replacement dwelling on the site. The applicant is seeking permission for a dwelling of up to 255sqm floor area. The existing bungalow has a floor area of approximately 115sq m. The footprint on the illustrative plan shows a similar sized foot print, with the extra floor area accommodated in a first floor. Permission is sought for means of access only. The illustrative scheme indicates that new planting could be accommodated within the site to reinforce the existing boundary hedging to the site.

**APPLICANT'S CASE:** See letter from FPDSavills dated 14 February 2002 attached at end of report.

**RELEVANT HISTORY:** Concurrent application for change of use of adjacent poultry farm to timber storage (see previous report).

**PARISH COUNCIL COMMENTS:** None received (expiry date 23 March 2002).

**REPRESENTATIONS:** None. Notification period expired 14 March 2002.

### **PLANNING CONSIDERATIONS:**

The main issues are

- 1) **Whether a replacement dwelling in this location accords with the Development Plan Policies and will not have a detrimental impact on the rural character of the locality (ERSP Policies C5 and CS2, ADP Policies H8 and H7 and C2, DLP Policies H6 and S7)**
- 2) **Whether the proposal to have a two-storey dwelling will adversely affect any of the amenities of the nearby properties (ERSP Policy CS2, ADP Policy DC1, DLP Policy GEN4)**

1) The site is located outside development limits where there is a presumption against new development. Development Plan policies permit replacement dwellings in such locations where the size and appearance of the replacement unit is not considered to impair the rural characteristics of the area. In this location there are some dwellings to the east and west of the site all of which are two-storeys. It is considered that the size and position of the

proposed dwelling is acceptable and would be appropriate to the character of the area. The illustrative scheme shows that the replacement unit could be set back within the site and the existing planting reinforced to screen the unit.

2) The nearest dwellings are over 180m away. It is considered that the proposed replacement dwelling would have no adverse effect on the residential amenities of the dwellings to the east and west of the site. The proposal demonstrates that adequate on site parking and amenity space can be achieved.

**CONCLUSIONS:** The proposed replacement dwelling is considered to accord with the development plan policies and is considered to be compatible with the character of the existing settlement pattern and the surrounding rural landscape character.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.1.1. Submission of reserved matters: 1.
2. C.1.2. Submission of reserved matters: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. C.4.6. Retention and protection of trees and shrubs for the duration of development.
8. C.5.1. Samples of materials to be submitted and agreed.
9. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission.
10. C.23. Demolition of dwelling to be replaced.
11. Dwelling to be no greater in floor area than 255sq.m.  
Reason: To preserve the rural character of the area.

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## UTT/0239/02/OP - STANSTED

Redevelopment of site with the erection of five dwellings. (Specified means of access only).  
Land at Takeley Street. GR/TL 537-213. Mr E Leyns.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 12 April

**NOTATION:** ERSP: identifies the A120 as having priority for improvement works.

ADP: Mostly Within Development Limits, rear part outside Development Limits adjacent to Countryside Protection Zone (rear part within) subject to Policy AIR10 regarding traffic on the A120.

DLP: Within Settlement Boundary, adjacent to Countryside Protection Zone, within 57 Leq Noise Contour Area for airport.

**DESCRIPTION OF SITE:** The site is located on the northern side of the A120 on the edge of the settlement of Takeley Street. To the west the site abuts open countryside. To the east it adjoins two Listed gate lodges. The site is currently occupied by a large corrugated metal clad barn, which has a concrete hardstanding surrounding it. Vehicular access exists to the south east corner of the site. The road frontage is currently screened by a conifer hedge.

**DESCRIPTION OF PROPOSAL:** The application is in outline for the redevelopment of the 0.2 hectare site with five detached dwellings. Approval is sought only for means of access. An indicative site layout has been submitted showing the five units arranged in a semi circular format around the site. One vehicular access would serve all the units, located in the position of the existing access.

**APPLICANT'S CASE:** Letter from FPDSavills dated 13 February 2002 attached at end of report.

**RELEVANT HISTORY:** An application for the redevelopment of the site with two dwellings was refused on highway grounds in 1998. Outline permission was given for the erection of two dwellings in 1999 when commitment was given to funding the new A120. This permission was received in March 2002. These permissions include a conditional requirement that only one dwelling shall be constructed and occupied before the new A120 is completed and opened to the public.

**CONSULTATIONS:** National Air Traffic Services: Requested more information in respect of the height of the development. (Officer comment – as this is only an outline application this information is not available at this stage.)

Environmental Services: Takeley Street is a busy road and to reverse the refuse lorry in and out of this site would disrupt the flow of traffic. The illustrative layout does not appear to give sufficient space on site to turn a lorry on site, therefore refuse would have to be collected from the site entrance.

**PARISH COUNCIL COMMENTS:** To be reported (expiry date 25 March 2002).

**REPRESENTATIONS:** This application has been advertised and no representation have been received. Period expired 14 March 2002/

### **PLANNING CONSIDERATIONS:**

The main issues are

- 1) **whether the redevelopment of the site with five units would accord with the Development Plan (ERSP Policy CS2, ADP Policies S1 and S2, DLP Policy S3)**

- 2) **whether the proposals are likely to materially affect the setting of the adjacent Listed Building (ERSP Policy HC3, ADP Policy DC5, DLP Policy ENV2)**
- 3) **whether the redevelopment of the site for this number of units would result in unacceptable backland development (ERSP Policy CS2, ADP Policy H10 DLP Policy H3)**
- 4) **whether the number of units proposed is acceptable in highway safety terms (ERSP Policy T11, ADP Policies T1 and AIR10, DLP Policy GEN1)**

1) The site is identified in the Adopted Local Plan as being mainly within the Settlement Boundary, although a small part of the rear of the plot is outside. The site is located within the Settlement Boundary in the Deposit Plan. The principle of residential development of the site for two units has been agreed. The characteristics of the settlement pattern in this location is for development to be set back from the road in a linear format. The approved scheme follows this format with the two units following the building line on this side of the street which enables parking and on site turning to be accommodated at the front of the site. Development which would create a layout where some of the units are in a backland position would be alien to the “Street” character of the settlement pattern in the locality and would have an adverse relationship with the open nature of the adjacent land. The proposed number of units is considered to represent over development of the site. This is emphasised by the fact that service vehicles could not be turned on site. Any development forward of the building line of the two adjacent gate lodges would be visually dominant in the street scene.

2) The redevelopment of the site for five units would to have an adverse effect on the setting of the Listed Buildings to the east, as the amount of development proposed would locate the built form forward of the listed buildings and back within the site. Whilst acknowledging the removal of the existing barn would bring about visual benefits, this does not justify allowing a development which would reinforce built development along the northern and eastern boundaries which have a direct impact on the adjacent buildings.

3) The development of this site with five units would be likely to result in some of the units occupying a backland position to the rear of the site. This is considered to have an adverse impact as the development would directly overlook the adjacent residential unit to the east. It would also have a significant visual impact on the character of the area. The illustrative plan shows that in order to accommodate this level of development the units are close to all the site boundaries, in particular the northern one where it abuts the open countryside.

4) Concerns over the likely impact on the units on the free flow of traffic on the current road, mean that a condition would be sought to ensure only one of the units is constructed and occupied until the new A120 is constructed and open to traffic.

**CONCLUSIONS:** The proposed development is considered to represent an unacceptable increase in the level of development on this site over and above that already granted approval. This would result in over development of the site with the development being pushed to the perimeters of the site which would have a significant and detrimental impact on the rural character of the locality and the setting of the adjacent Listed Buildings. The proposals are considered to be contrary to the provisions of the Development Plan Policies.

**RECOMMENDATION: REFUSAL REASON**

1. The site is located partly outside the Development Limit of Takeley Street and partly within the area designated as 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 the area, contrary to Policy S4 of the Adopted District Plan.

2. The layout of the development proposed, which has dwellings in a position, both in front of the adjacent Listed Buildings, and to their rear, would be detrimental to their setting contrary to Adopted District Plan Policy DC5 and Deposit Draft Local Plan Policy ENV2.
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. This development in tandem form would be likely to result in some of the units directly overlooking of, and loss of privacy to, property to the east detrimental to the residential amenities the occupants could reasonably expect to enjoy.
5. Until such time as the A120 is bypassed, occupation of the dwellings applied for would result in turning movement to and from this extremely busy, and at times congested, highway detrimental to highway safety contrary to Policy AIR10 of the Adopted District Plan.

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## UTT/0212/02/FUL - NEWPORT

Conversion of existing offices into four residential flats.  
Berwyn & Buriton House, Station Road. GR/TL 521-336. Sarbir Developments Ltd.  
*Case Officer: Charmain Harbour 01799 510458*  
Expiry Date: 8 April

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

**DESCRIPTION OF SITE:** The site is located on the northern side of Station Road close to the station building and is occupied by a pair of semi-detached red brick Victorian villas, which are currently in commercial use. To the north and east the site are the commercial units of the Maltings and the Maltings car parking area is to its rear. The right-hand unit of the pair has an open forecourt whereas the left-hand unit has retained its front railings and garden. There is a walled garden to the eastern side of the block. Vehicular access to the Maltings runs around the site. To the west the plot is adjacent to the River Cam.

**DESCRIPTION OF PROPOSAL:** Permission is sought to convert the building into four flats. Station Road comprises a mix of uses. To the western end the street is predominantly residential in nature but this changes to the east to having a more commercial character. The proposal would retain three parking bays to the front forecourt area and three additional bays would be reserved in the parking area to the rear. The walled garden would be retained as a communal amenity area with a new rear wall to be built to fully enclose it. There would be two flats created per floor but the two ground floor units would also include within a basement area further bedroom and ensuite facilities. The two ground floor/basement flats would be two-bedroom units with the first-floor flats would be one-bed. The windows would be to the side and front elevations with only windows to the bathrooms to the rear elevation. All the units would be accessed from one front door via a communal hall and stairway. Secondary means of access and light wells from the basement area would be formed to the side elevations.

**APPLICANT'S CASE:** See letter from BRD Tech Ltd dated 1 February 2002 attached at end of report.

**RELEVANT HISTORY:** Change of use from domestic dwellings to retail sales and office accommodation was granted permission in 1982. An application was submitted last year for the conversion of the properties into four flats. This was withdrawn at the applicant's request following an objection being raised by the Environment Agency. The current application is a resubmission having given consideration to addressing the issue of flooding of the site.

**CONSULTATIONS:** Environment Agency: Continue to object to the proposal. The site is within an area subject to river flooding and the proposed development is unacceptable as the existing flood defence does not provide the standard of protection appropriate to safeguard the development proposed. The applicant has stated that the ground floor of the building is 60.01m AODN. The highest recorded flood level was 58.70m AODN recorded in 1968. The Agency object as the scheme includes basement accommodation which is not considered to be acceptable. Tanking this area would not fully protect the area from flooding as the water could enter via the external stairs and windows

Environmental Health: No objections.

Design Advice: The works to bring these units back into residential use are considered appropriate to the character or appearance of the Conservation Area. The front boundary wall and railings could be refurbished as part of these works and the enclosure of the side garden would help retain this garden area which includes some trees. These external works

should visually enhance the street scene. The choice of bricks needs to be conditioned to match the brickworks to the existing property.

**PARISH COUNCIL COMMENTS:** To be reported (expiry date 18 March 2002).

**REPRESENTATIONS:** This application has been advertised and no representations have been received. Period expired 14 March 2002

**PLANNING CONSIDERATIONS:**

The main issues are

- 1) whether the subdivision of the property meets the Development Plan standards and an acceptable residential environment can be created. (ERSP Policy H3; ADP Policy H9; DLP Policy H4).
- 2) whether the proposal is unacceptable due to the risk of flooding to the site (ADP Policy W3; DLP Policy GEN3 and PPG25 Development and Flood Risk).

1) The conversion of the units into residential use would not be out of character with the area and would not harm the character and appearance of the Conservation Area. The units were originally built as houses and have retained the garden area to one side. The scheme would provide adequate on-site parking and amenity space to serve the units. The flats would be in close proximity to the commercial units of The Maltings. These units are in a mix of light industrial and office uses. The orientation of the windows to the flats would minimise any conflict between the land uses, with only bathroom windows overlooking the rear car park area. The site is of a sufficient size that communal bicycle and refuse storage could be provided and is also well placed for use of the rail service as an alternative to using the private car.

2) The Environment Agency object to the proposals as the basement accommodation is liable to flood. Given that this includes bedrooms, the scheme is not considered to be acceptable. The scheme submitted does not overcome the concerns raised in respect of flood protection for the site.

**CONCLUSIONS:** The principle of residential use of the property is considered to be acceptable, however the issue of flooding of the site has not been adequately addressed to overcome the objections of the Environment Agency.

**RECOMMENDATION: REFUSAL REASON**

The site is within an area subject to river flooding. The proposed development is unacceptable in that the existing flood defence does not provide the standard of protection appropriate to safeguard the development proposed. The scheme includes bedrooms at basement level, which is below the historical flood level, which is not considered to be acceptable. Notwithstanding the protection measures proposed as part of the conversion works it is considered that the water could still enter this area of the building. The scheme is therefore considered to be contrary to the provisions of Policy W3 of the Adopted Local Plan 1995 and Policy GEN3 of the Deposit Local Plan 2001 and PPG25.

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## UTT/0193/02/OP - TAKELEY

Outline application for the erection of 2 dwellings.  
Land adjacent to Thorncroft, The Street. GR/TL 541-212. J & N Freeman.  
*Case Officer: Katherine Benjafield 01799 510494*  
Expiry Date: 4 April

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

**DESCRIPTION OF SITE:** The site covers an area of approximately 1225m<sup>2</sup> and is located on the southern side of the A120 between Takeley and the M11. The site has a frontage and depth both of approximately 36m, is currently overgrown and has three small polytunnels located in the centre. The Flitch Way runs to the south of the site and beyond that is Hatfield Forest.

**DESCRIPTION OF PROPOSAL:** The proposal is an outline application with all matters reserved for 2 detached dwellings. An indicative plan submitted with the application is inaccurate and this has been brought to the attention of the applicant whose reply will be reported to the meeting.

**APPLICANT'S CASE:** See supporting statement dated January 2002 attached at end of report.

**RELEVANT HISTORY:** None. Outline application for the erection of 2 dwellings allowed at appeal on a similar site on the eastern boundary of Thorncroft in 1999.

**CONSULTATIONS:** ECC Transportation: To be reported (due 27 February).

**PARISH COUNCIL COMMENTS:** No objections.

**REPRESENTATIONS:** One letter of support. Notification period expired 21 March.

Main point being that the site is an eyesore which would be removed and would prevent passing motorists using it as a rubbish dump.

### **PLANNING CONSIDERATIONS:**

**The main issues are whether the proposal is contrary to Policies concerning**

- 1) development within Development Limits (ADP – S1; DDP – S1)**
- 2) open spaces and trees (ADP – DC8; DDP – ENV03; ESP – BE3)**
- 3) development at Takeley Street (ADP – AIR10)**

1) The site is within development limits and the proposal would not be detrimental to any important environmental or visual characteristic of the locality.

2) The proposal would result in a loss of this open space, and also some trees, however, it is not considered that this would be detrimental to the area. There are no tree preservation orders on the site and the applicant has indicated that boundary vegetation including hedges and trees would be retained maintaining some of the character of the site.

3) Policy AIR 10 states that development involving the creation of new vehicular accesses to the A120 will be resisted until after the new A120 opens. This proposal would involve creating an access onto the A120. At the time of writing the report there has been no

reply from ECC Transportation, however the previous appeal decision on land on the eastern boundary with Thorncroft acknowledges that a shared access to the two dwellings would be satisfactory.

**CONCLUSIONS:** The proposal would comply with the Development Plan. With regard to Policy AIR10, it is considered that a new shared access for the 2 dwellings would be appropriate.

**RECOMMENDATION : APPROVAL WITH CONDITIONS**

1. C.1.1. Submission of reserved matters:1.
2. C.1.2. Submission of reserved matters:2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. The dwellings hereby permitted shall not be occupied until the vehicular access has been constructed in accordance with the approved plans. These shall provide for a single shared access to the A120.  
Reason: To ensure that the development does not prejudice highway safety.
8. No dwelling hereby permitted shall be occupied until provision has been made within the site for a vehicle to enter and leave the curtilage of that dwelling in forward gear. Thereafter the turning space shall be available for use at all times.  
Reason: To ensure that the development does not prejudice highway safety.

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**1) UTT/0022/02/FUL & 2) UTT/0023/02/LB - QUENDON & RICKLING**

1) & 2) Conversion of agricultural barn into 2 dwellings, and associated alterations and demolition works.

Church End Farm, Church Road. GR/TL 499-314. Pegasi Ltd.

Case Officer: *Jeremy Pine 01799 510460*

Expiry Date: 13 March

**NOTATION:** Curtilage Grade II Listed Building within Area of Special Landscape Value in the ADP.

**DESCRIPTION OF SITE:** This site is located midway between Wicken Bonhunt and Rickling Green, just to the east of Rickling Church and on the south eastern side of a minor road leading to a collection of other farm outbuildings shown to be within the same holding. The barns subject of these applications are of weatherboard/brick and slate construction and are currently vacant. They form an important part of the setting and curtilage of the listed farmhouse, which lies to the south-west. Also within the curtilage are a listed stable block along the road frontage (not part of the application site) and a listed dovecote to the south.

**DESCRIPTION OF PROPOSAL:** The barns would be converted to two dwellings, one of three bedrooms utilising an existing section of upper floor and the other of four bedrooms, providing two bedrooms at ground floor level and two on new sections of first floor accessed by separate staircases. Both dwellings would retain large areas of central void and there would be minimal external change to provide new windows, retaining existing shutters. A modern agricultural building to the east of the barns would be demolished. A cart lodge to the west of the barns would be used for parking, adjacent to two small garden areas. It is also intended that the listed dovecote to the south would be repaired.

**APPLICANT'S CASE:** See statement of support attached at end of report.

**RELEVANT HISTORY:** Refusal of listed building consent in 1994 for the demolition of the cart lodge for reason of the effect on the setting of the listed buildings.

**CONSULTATIONS:** Design Advice: The buildings are part of the historic farmstead and are in good repair. Their historic and architectural merit positively contributes to the character of the area. The scheme has been negotiated. Recommend approval subject to appropriate conditions.

ECC Archaeology: Recommends a condition requiring building recording and monitoring of groundworks.

**PARISH COUNCIL COMMENTS:** None received (due 25 February).

**REPRESENTATIONS:** These applications have been advertised and no representations have been received. Period expired 25 February.

**PLANNING CONSIDERATIONS:**

The main issues are whether the proposal would:

- 1) be an appropriate conversion of a rural building (ERSP Policy RE2, ADP Policies C4 & C6 and DLP Policy H5,
- 2) affect the setting of adjacent listed buildings (ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV2) and
- 3) compromise road safety (ERSP Policy T3, ADP Policy T1 and DLP Policy GEN1).

1) The proposed residential conversion to two dwellings would be appropriate as the barns are in sound structural condition and, although not listed in their own right, are an important and integral part of the farmyard setting. The character of the barns would be retained through the retention of as much internal void as possible and minimal external change. As the barns are located relatively close to other dwellings and the Church (as well as being only just over one mile from Rickling Green) it is not considered that they can reasonably be regarded as isolated in conflict with ERSP Policy RE2.

2) The importance of these buildings was highlighted in 1994 when listed building consent was refused for the demolition of the cart lodge, which would now be retained for covered parking. Furthermore, the listed dovecote would be repaired. The demolition of the modern agricultural building to the east of the barns would assist in returning the farmyard to more of what was its historic setting. It is considered that the proposals would have a positive effect on the setting of the listed buildings.

3) An existing vehicular access off a minor cul-de-sac road would be used, which is not heavily trafficked. Ample on-site parking and turning facilities would be available. There should not therefore be any detrimental effect on highway safety.

**CONCLUSIONS:** It is considered that the residential re-use of these barns would be an appropriate use in view of their importance and function as part of an historic farmyard.

#### **RECOMMENDATIONS:**

##### **1) UTT/0022/02/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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 shall take place without the prior written permission of the local planning authority.  
Reason: To protect the character of this historic farmyard group.
4. No residential occupation of the barns shall occur until the agricultural building marked "A" on drawing 3675:5 has been demolished, all the resultant loose material cleared from the site and the ground made good in accordance with details which shall previously have been agreed in writing with the local planning authority.  
Reason: To protect the character of this historic farmyard group and in the interests of residential amenity of the occupants of the barns.
5. No development shall commence until details of the repair and restoration of the dovecote marked "B" on drawing 3675:5 have been submitted to and agreed in writing with the local planning authority. The submitted details shall include a timetable for the carrying out of the repair and restoration work and shall be carried out in accordance with the approved scheme.  
Reason: To protect the character of this historic farmyard group.
6. No conversion or groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.  
Reason: To protect the archaeological interest of the site.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 1995 Schedule 2, Part 2, Class A, no new fences or walls shall be erected between the existing farmhouse and the residential units hereby approved unless approved in writing by the local planning authority.

Reason: To protect the historic setting of the listed building.

8. All new external boundary treatments facing east/south shall be of post and rail with native hedging.

Reason: To protect the historic setting of the listed building.

**2) UTT/0023/02/LB - LISTED BUILDING CONSENT**

1. C.2.2. Time limit for commencement of works – listed building.
2. C.3.1. To be implemented in accordance with approved plans.
3. No elements of the historic timber frame shall be cut or removed without the prior inspection by and agreement of the local planning authority.
4. All repairs shall be carried out in matching timber and cross sections.
5. All weatherboarding shall be feather-edged and painted black.
6. All external joinery shall be of timber and painted black.
7. All new internal partitions shall be timber framed.
8. All new roofing materials shall be of natural slate.

Reason for 3-8: To ensure that the works will respect the traditional character of these barns.

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## UTT/0237/02/FUL - CLAVERING

Erection of single dwelling with detached garage.

Plot Adjacent to Hedgerows, Clatterbury Lane. GR/TL 478-322. Mr C P Warren & Mrs I M Warren.

*Case Officer: Charmain Harbour 01799 510458*

Expiry Date: 18 April

**NOTATION:** ADP: Outside Development Limits, within Area of Special Landscape Value.  
DLP: Outside Settlement Boundaries.

**DESCRIPTION OF SITE:** This 0.1ha (0.28 acre) site is located on the north-western side of Clatterbury Lane between the two defined settlements of Clavering and Hill Green. The character in this location comprises ribbon development along the road, with the properties on the opposite side of the road being set well back from the road and on an embankment. The site currently forms part of the curtilage of Hedgerows, a two storey Victorian red brick cottage. To the east and 35m from Hedgerows is a modern chalet bungalow with rooms in the roof (Ingleside now called Kingfishers). The site slopes down in a series of terraces from the road; to the northern side it slopes steeply into a river valley which is wooded. The road frontage is enclosed by a hedgerow. There are some ornamental conifers and more hedging to the front area of the site.

**DESCRIPTION OF PROPOSAL:** The proposal seeks an infill dwelling to be located between the existing dwellings of Hedgerows and Kingfishers sharing the existing vehicular access to Hedgerows and located approximately in line with these two adjacent dwellings. The character of the dwelling proposed would be a modern barn structure which would appear as one-and-a-half storeys to the front elevation and would be two full storeys to the rear because of the change of levels. Most of the glazing would be to the rear elevation. A three – four bed dwelling is proposed with a detached double garage to the rear.

The positioning of the dwelling on the site would allow the front hedge and some of the old orchard trees to be retained including two trees adjacent to Kingfishers. Secondary windows are proposed to the side elevations which could be conditioned to be obscure glazed to protect the amenities of the future occupiers of the adjacent properties. The building would be black weather boarded with a slate roof.

**RELEVANT HISTORY:** A parcel of land to the south-west was granted change of use last year for use as public open space. Planning permission has been granted for extension to Hedgerows including the formation of a detached garage. This is shown on the layout for this proposal.

**PARISH COUNCIL COMMENTS:** They recommend refusal for the application for the following reasons:

- the site is outside of the settlement boundaries
- it will set a precedent

If it is approved they request that the hedgerow is retained and the unit is put onto mains sewerage.

**REPRESENTATIONS:** None. Notification period expired 2 April 2002.

### **PLANNING CONSIDERATIONS:**

**The main issue is whether the development meets the Policy requirements for infill development (ERSP Policy C5; ADP Policy H6 and DLP Policy S7).**



The site is located outside of the defined settlement boundaries for Clavering and as such the presumption is against any new building. Policy H6 of the ADP allows for infilling in small gaps outside of Development Limits. There is no similar policy in the DLP and Policy S7 places strict control on development in the countryside. This site would appear to meet the criteria of Policy H6 in that it forms a small break in the ribbon development on this side of the road. The application has therefore to be considered in terms of the current policy and whether the plot can be developed such as to conform with the character and appearance of the countryside. Its acceptability in highway safety terms is also an issue.

The design of the new unit would take the form of an agricultural building, which in the rural context is appropriate. The structure would appear as an ancillary element Hedgerows. In using the site levels the height of the structure would be similar to the existing units on either side. The use of traditional materials would be acceptable.

The sight lines would be improved to the existing access which would serve the two dwellings. This is considered to be satisfactory in highway safety terms. Both units would have parking for more than two cars and the ability for on site turning.

The development would enable most trees and hedges on the site to be retained. The hedge adjacent to the access would be replanted to meet the sight line requirements.

**COMMENTS ON REPRESENTATIONS:** Whilst the site is outside Development Limits policy allows for redevelopment of infill sites. This site is considered to meet the definition of an infill site and the plot can be developed appropriately. The proposed development would respect the rural character of the locality and would be in scale with the existing units. The scheme is considered to be acceptable on highway safety grounds. The hedges and trees will be protected by condition. The sewage would be treated via a private treatment plant which would have to meet the Environment Agency and Building Control requirements.

**CONCLUSIONS:** The proposal is considered to meet the Development Plan Policies and would not be detrimental to the visual amenities of the area.

**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.4.6. Retention and protection of trees and shrubs for the duration of development.
7. C.5.1. Samples of materials to be submitted and agreed.
8. C.5.4. Natural Slate.
9. C.5.9. Stained wood.
10. C.5.14. Black rainwater goods.
11. C.5.15. Side hung timber garage doors.
12. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission.
13. C.11.3. Standard Parking Facilities.
14. C.10.25. Standard Highway Requirements.
15. C.19.1. Avoidance of overlooking. Obscure glazing of the windows in the side elevations of the first floor.

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## UTT/0282/02/FUL - SAFFRON WALDEN

Change of use to residential unit with attached drawing office.  
The Old Control Tower, Little Walden Airfield. GR/TL 558-433. Mr M D Hole.  
*Case Officer: Charmain Harbour 01799 510458*  
Expiry Date: 17 April

**NOTATION:** ADP: Outside Development Limits, within an Area of Special Landscape Value.

DLP: Outside Settlement Boundaries.

**DESCRIPTION OF SITE:** The application site is located on the eastern side of the B1052 between Hadstock and Little Walden on the open plateau area north of Little Walden, which served as Station 165 for the US 9<sup>th</sup> Air Force comprising the 409<sup>th</sup> Bomb Group in World War II. The airfield was closed in 1946 and the main road follows the line of the former runway. The site includes the former airfield air control tower. This structure is a two-storey flat roofed building with an external viewing platform set in a fenced compound, which has vehicular access from the main road via a driveway. There is parking within the compound. An additional single-storey wooden barn structure, which is not included in the application site lies to the south. The site is screened on three sides by a belt of conifers. It is in an isolated location, with mainly commercial/agricultural uses closely. The closest residential units are located to the south east of the site at Monks Hall.

**DESCRIPTION OF PROPOSAL:** Permission is sought for change of use of the control tower building to part residential use and part drawing office. The building was last occupied as an architectural design studio. There is no residential use on the site at present. The proposal would create a three-bedroom unit with the main living space on the first floor level to take advantage of the views at this level. The conversion would result in some minor alterations to the elevations which would consist of the reinstatement of some windows in a metal casement form to match those existing.

The metal fence would be relocated to enable two parking spaces to be provided outside the compound, thus creating a secure amenity area for the dwelling. The conifer hedging is proposed to be replaced in the long term with a beech hedge. A carport is to be formed within the compound area on the site of the former aviation fuel store to serve the dwelling.

**APPLICANT'S CASE:** See letter dated 18 February 2002 attached at end of report.

**RELEVANT HISTORY:** Planning permission was granted from use as control tower to design studio and offices in 1983. In December 2001 removal of a condition which tied the use to a specific company was approved. The building has been put forward to the Department of Culture, Media and Sport for Listing as being of Special Architectural or Historic Interest. The Secretary of State declined to spot list the building as the Department is currently undertaking a thematic survey of airfields and it will be considered as part of this work.

**CONSULTATIONS:** English Nature: Consulted as the site is located close to Nunn Wood County wildlife site. They raise no objections, but on their advice the Essex Wildlife Trust have been consulted. Any response will be reported (due 3 April).

**PARISH COUNCIL COMMENTS:** To be reported (period expires 22 March 2002).

**REPRESENTATIONS:** None. Notification period expired 13 March 2002.

## **PLANNING CONSIDERATIONS:**

### **The main issues are**

- 1) **whether the conversion of this property into a mixed use accords with the Development Plan Policies given it is in an isolated location (ERSP Policies H3, C5. ADP Policies S2 and C6 and DLP Policy H5)**
- 2) **whether the character and appearance of the structure which is of local historic interest would be harmed by the proposals (ADP Policy DC1; DLP Policy GEN2)**
- 3) **whether the proposals would have a detrimental effect on the locality (ADP Policy C2; DLP Policy GEN8)**

1) The property is currently being marketed as a commercial unit offering around 1,870 sq ft of floor area of design studio/office floor space. The proposed change to a mixed use does not involve any increase in the floor area of the building. The site is located within a rural area and the tests of ADP Policy C6 and DLP Policy H5 can be applied. The building is in sound structural condition and is considered to be of historic value, even if at this point in time it has not been listed. There are a number of commemorative plaques which need to be retained at the site. The drawing office allows a semi public area where these could be located. The site has been subject to an arson attack in the past, so a mix of residential and a commercial use would allow a presence on the site almost continuously to improve security. The private garden area can be accommodated in the exiting compound area which is well screened and this screening would be reinforced.

2) The proposed conversion works would respect the external appearance of the building and the internal layout would similarly respect the original layout of the structure. It is proposed that permitted development rights be removed to conserve the external built form of the structure. The proposal would retain the building in economic use thereby ensuring its preservation.

3) The proposal would reuse an existing building rather than introduce any new building. The mixed use is not considered to represent an over intensive use of the site. It is considered necessary to condition the use of the work area only to be used in connection with the residential use so that the amenities of the future occupiers of the dwelling unit are maintained. It is proposed to condition any external lighting.

**CONCLUSIONS:** The proposal is considered to accord with the Development Plan policies and is not considered to adversely affect the appearance of the building or the surrounding area.

### **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.4.2. Implementation of landscaping.
4. C.5.3. Matching materials.
5. C.5.17. Window & door details and sections to be submitted and agreed
6. C.5.18. Details of garages.
7. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
8. Prior to the works hereby granted permission commencing, details shall be submitted to and approved in writing with the local planning authority of the positioning of the commemorative plaques relating to the war time use of the site. These plaques shall be safely stored during the execution of the works and shall be positioned in the

agreed locations prior to the building being first brought into use. The plaques shall subsequently be retained within the building and shall only be repositioned or removed if prior written consent is first obtained from the local planning authority.

Reason: To ensure features of historic interest are retained within the building.

9. The drawing office use hereby permitted shall remain as an ancillary use controlled by the occupiers of the dwelling unit on the site and at no time shall this form a separate or independent use from the dwelling unit unless otherwise first agreed in writing with the local planning authority.

Reason: To ensure the residential amenities of the future occupiers of the residential unit are fully safeguarded.

10. Details of any external lighting to the building or the adjacent compound shall be submitted to and agreed in writing with the local planning authority prior to any such works taking place. The lighting shall be implemented solely in accordance with any approved scheme.

Reason: To protect the amenities of the locality.

11. The use of the building hereby permitted shall be as a dwelling together with a drawing office (Class B1(a)). There shall be no change to any other use within Class B1 without the prior written consent of the local planning authority.

Reason: To retain the residential amenities of the occupants and the integrity and character of this important building.

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**UTT/0097/02/OP – FELSTED**

***(Revised report following the receipt of revised plans and deferral)***

Outline application for one dwelling (with all matters reserved except means of access).  
Moana, Braintree Road. GR/TL 688-210. Mrs D Crow.

Case Officer: *Michael Ovenden 01799 510476*

Expiry Date: 29 March 2002

**NOTATION:** Within Development Limit in Adopted District Plan and Settlement Boundaries in Deposit Local Plan.

**DESCRIPTION OF SITE:** The site is located towards the western edge of Watch House Green, a small cluster of development to the east of the centre of Felsted. It is part of the large side garden to a dwelling just to the west of the primary school. It is flat, laid to lawn and has a 1m hedge along the road frontage rising to a few metres at its eastern edge. The site has an average depth of 39m and a width of 32m at the frontage narrowing significantly to 16m at the rear. The existing dwelling is a small two-storey house, measuring 3.9m to the eaves and 5.6m to the ridge.

**DESCRIPTION OF PROPOSAL:** The revised application is made in outline with all matters except means of access reserved for future consideration. It proposes the erection of a detached dwelling with access being achieved from the existing track to Sunnybrook Farm (which passes down the north eastern edge of the site). This currently serves the existing dwelling and would continue to do so, albeit in a slightly different location.

**APPLICANT'S CASE:** See letter dated 20 January 2002 attached at end of report.

**RELEVANT HISTORY:** Outline application for two dwellings recommended for refusal but withdrawn before determination January 2002.

**PARISH COUNCIL COMMENTS:** Original Plan: No comment other than to reiterate the strong objection to any proposal to make another entrance onto the main road.  
Revised Plan: To be reported (due 2 April).

**REPRESENTATIONS:** None. Notification period expired 26 February 2002.

**PLANNING CONSIDERATIONS:**

**The main issues are whether:**

- 1) **the erection of a dwelling on the site within the development limit would protect the character of the area (ADP Policy S1 & DLP Policies H2 & S3).**
- 2) **the proposed means of access for additional dwellings would be acceptable (ERSP Policy T3, ADP Policy T1 & DLP Policy GEN1).**

1) The application is made in outline with all matters reserved apart from the means of access. The width of the site is capable of accommodating a modest dwelling whilst retaining space around it. Originally the applicant wished to retain a parcel of land 11-14 metres deep to the rear of the site which would have made it necessary to locate the new dwelling much further forward on the site than the existing one. This would have made it prominent in the street scene, to the detriment of the character of the area. The revised plans overcome this problem by retaining a much smaller piece of land at the rear. This gives more scope for the siting of a dwelling on the site, which should be restricted in height to accord with its neighbour and the character of the area. This can be covered by condition.

2) The access running the length of the north-eastern boundary already serves two dwellings and would be capable of serving the proposed development. This would have the benefit of avoiding the need for the creation of additional accesses which would have the potential for conflict with motorists, particularly as this section of road is frequently used for parent parking for the school. The provision of the access as shown would also make it more likely that garaging could be sited towards the rear of the site where it would be less prominent. The means of access is therefore considered to be acceptable.

**CONCLUSION:** The depth of the site is now sufficient to allow the erection of an additional dwelling without adversely affect the street scene.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

- 1-4. C.1.1-4. Standard conditions for outline permission (except reference to means of access).
5. C.3.2. To be implemented in accordance with revised plan.
6. The dwelling hereby permitted shall be a bungalow not exceeding 5.6 metres in height.  
Reason: To protect the character of the area.

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## **UTT/0078/02/FUL - STANSTED**

Erection of detached house and four bay garage block.  
Land r/o 12-16 Millfields. GR/TL 510-246. The Croft Group Ltd.  
*Case Officer: Michelle Guppy 01799 510477*  
Expiry Date: 22 March

**NOTATION:** ADP: Within Development Limits. Within Woodfields Area.  
DLP: Within Settlement Boundaries.

**DESCRIPTION OF SITE:** This site is located in the southern part of the village, east of Silver Street and south of Chapel Hill. It is approx 16m wide and approx 50m deep and comprises rear garden land and garages which currently belong to 3 properties in Millfields. It is elevated in comparison to its neighbour to the south-east on land sloping down towards Brook Road. Vehicular access is gained via Mill Hill which is narrow and unmade.

**DESCRIPTION OF PROPOSAL:** The application involves the erection of a detached four-bedroom house and a four-bay garage to supersede the previous proposal resolved for approval for two dwellings.

**RELEVANT HISTORY:** Erection of a pair of semi-detached dwellings with integral garages, rear and frontage parking areas and a vehicular access refused in 1999 for reasons of loss of existing parking and disturbance from use of access contrary to Policies SM8 & DC14. UTT/0314/00/FUL – erection of two semi-detached dwellings and two garages, relocation of two garages and formation of vehicular access and parking area – Members resolved to approve subject to a Section 106 Agreement. The Section 106 Agreement has not been finalised therefore the planning permission has not yet been issued.

**CONSULTATIONS:** Environment Agency: advisory comments regarding culverting works and foul and surface water disposal.

**PARISH COUNCIL COMMENTS:** Improvement on previous proposal and no objection in principal, however we assume that the requirement to resurface the road will still be in place.

**REPRESENTATIONS:** Three. Notification period expired 8 March.

1. Object. The new, larger house will stand immediately behind our rear garden hedge on land that is presently garden, affording views into our property, increasing the noise and pollution and robbing us of our presently enjoyable peace. In addition, it will totally obscure our view of the Windmill, which is one of the reasons we purchased our house nine years ago. Danger of severely limited access from Silver Street making difficulties for accident, emergency and civic amenity vehicles. Additional traffic poses potentially increased problems for children and adults visiting the Windmill museum and adjoining picnic area. Drainage continues to be a problem, exacerbated by the many new developments that are taking and have taken place. I will be copying Cllr Dean and Sir Alan Haselhurst MP with my letter in the hope that, as before, they will use their best efforts to stop this continued lunacy. As always, I strenuously object to further development of the entire area on the grounds of safety through restricted access of emergency and civic amenity vehicles and in light of recent water and drainage problems would urge you to deny planning consent.

2. Object. Yet another application has saddened me. It appears to be for another out of scale detached house and four garages. All the more objectionable for being backland development, which I have always understood to be contrary to the dictates of good planning. To be considered is the need not to attract yet more traffic onto this area, where the unmade roads, or farm tracks, are quite unsuitable, and where access, particularly from the main road, is now extremely hazardous. I am also concerned that emergency vehicles,

especially fire and ambulance, may well have difficulty, and there is a safety consideration. My objection to this application on the above grounds, and on those previously noted to you, particularly on the matters of inadequate infrastructure, and piecemeal speculative development. There seems to be yet further development immediately round the Mill, which will ruin access, while as for the only available access for emergency vehicles, namely Millside, that is in appalling condition, and certainly constitutes a safety hazard for the whole area. I urge the Committee and Officers to visit the site before any further decision is taken. The site is on a hill, and will be overlooked by the houses to the North, also to the East, but it will overlook and infringe on the privacy of the gardens and houses to the South, and of course there are the drainage and parking problems.

3. No.12 Millfields has space for 2 cars at the bottom of their current garden. No.14 Millfields has space for 4 cars. No.16 Millfields has space for 4 cars. Total 10 cars. These plans allow for 6 car spaces for 12/14/16 Millfields – where will the other 4 cars go? Plus any cars from visitors to 12, 14 and 16 Millfields? If there are any cars parked on Mill Hill it ALWAYS causes obstruction to through traffic. The Dustmen cannot get down our road and nor could ambulances or fire engines. Access to Mill Hill is extremely restricted. Don't do this, please think before it is too late. The access to Mill Hill/Brook Road/Millfields is an extremely rough track, to allow more people to use these roads, i.e. could only lead to quicker road deterioration plus more cars parked.

## **PLANNING CONSIDERATIONS:**

### **The main issues are**

- 1) appropriateness of location and effect on amenity for the proposed development (ADP Policies S1 & DC14, DLP Policies S3 & GEN4)**
- 2) effect of the proposal on the road network and parking availability in the surrounding area (ADP Policy SM8)**

1) The dwelling would be approximately 16.2m back from Mill Hill and would have an appropriate design. The side (south-east) elevation would be approximately 1.4m and the side (north-west) elevation would be approximately 3.7m from the common boundaries. The east elevation would be 10.8m from the dwellings to the rear. The proposal should have no greater impact on residential amenity than the pair of semi-detached dwellings which the Committee has resolved to approve.

2) This proposal involves the formation of parking facilities to the front of the site, including 6 relocated spaces for the existing occupants of 12–16 Millfields, and 3 spaces for the new dwelling (inclusive of the garage spaces). The site lies within the Woodfields area, where Policy SM8 states that there is a presumption against additional residential development which would attract extra vehicles into the area or which would lead to the loss of any existing or off street parking facilities. The policy goes on to state that, exceptionally, development may be permitted which would *“increase the total number of parking spaces generally available, in addition to those required to serve the development, or would provide for generally improved access to the area or circulation within.”*

Although the Woodfields Policy SM8 is not carried forward into the deposit draft new local plan, there is still a need to ensure that the road network in the vicinity of the site is improved. A legal agreement to comply with Policy SM8 and to resolve such issues was authorised by Members in conjunction with the resolution to approve the previous application and it is therefore appropriate to seek such an agreement again enabling road and parking improvements.

Insufficient land on this road frontage has been provided for car parking and the ability to open garage doors and a revised plan would be required that would ensure that the dwelling



and garage block and associated car parking are relocated one metre further back into the site.

**COMMENTS ON REPRESENTATIONS:** These proposals are similar to the previous application resolved for approval. The right to a view is not a material planning consideration.

**CONCLUSIONS:** Subject to the S106 Agreement it is considered the proposal would comply with Policy.

**RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO SECTION 106 AGREEMENT TO SECURE INFRASTRUCTURE IMPROVEMENTS.**

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.7.1. Details of external ground and internal floor levels to be submitted and agreed
6. C.12.1. Boundary screening requirements.
7. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
8. C.19.1. Avoidance of overlooking.
9. C.11.7. Standard Parking Facilities.
10. C.17.1. Revised plan required (move development 1m back into site).
11. C.15.1. Supersedes previous permission.

**SECTION 106 REQUIREMENTS**

Re-surfacing of Mill Hill and Brook Road, widening of junction with Silver Street, provision of lay-bys for car parking.

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## UTT/0269/02/FUL - CLAVERING

Erection of two-storey dwelling to replace existing bungalow.  
Jacksons, Valance Road. GR/TL 458-333. Mr C Kersey.  
*Case Officer: Charmain Harbour 01799 510458*  
Expiry Date: 15 April

**NOTATION:** ADP: Outside Development Limits, within Area of Special Landscape Value.  
DLP: Outside Settlement Boundaries.

**DESCRIPTION OF SITE:** The application site is located on the southern side of Valance Road and is currently occupied by a detached modern bungalow. The dwelling is located to the north eastern part of the site, with a small orchard to the western side. There is a paddock area to the south. The western and eastern boundaries are enclosed by mature trees which screen the site from the surrounding open countryside. There is an existing central access to the site, the driveway leads to a double garage.

**DESCRIPTION OF PROPOSAL:** The application seeks a replacement dwelling which would be located in the centre of the site to the west of the existing property. The scheme would be a self-build project, so that the existing dwelling would be lived in until the new dwelling is completed.

The replacement dwelling would be two-storey in a classical style, with a central porched entrance. It would be constructed in red bricks/render and red clay tiles. The property would have five bedrooms compared with three in the existing bungalow. The foot print of the new house would be a similar size to that of the current bungalow which has a floor area of approximately 200 sq m, but clearly the creation of the first floor would double the floor area, so that it would be in the order of 400sqm.

**APPLICANT'S CASE:** The applicant has chosen a Queen Anne style property, the materials and scale of which is considered to be in keeping with the other properties in the area.

**RELEVANT HISTORY:** Planning permission was granted for the current property on the site in 1987 as a replacement bungalow to the bungalow which previously existed on the site.

**PARISH COUNCIL COMMENTS:** Recommend refusal of the proposal on the following grounds:

- The proposal would be out of keeping with the area, more in keeping with a suburban setting.
- It would be outside the settlement boundary
- It would be prominent in the landscape
- The existing bungalow sits comfortably in its surroundings
- The enlargement would be of a disproportionate size contrary to Policy H7.

**REPRESENTATIONS:** Three. Notification period expired 12 March 2002

1. CPREEssex: Object as being contrary to ADP Policies S2, C2, H8 and DC1 and DLP Policies GEN2 and H6.
  - The character of the area is one of traditional farmhouses or small low-key bungalows and cottages.
  - The scale of the dwelling and Queen Anne style would be out of keeping with the rural location and nearby properties

- The proposal would not protect or enhance the particular character of the countryside, a requirement of the Deposit Local Plan.

2-3. The other objections from residents of Clavering raise the following additional concerns:

- the current property was only built in the 1980's and could easily be extended rather than demolished
- it will lead to an unacceptable precedent
- two-fold increase which would be detrimental to the setting of the nearby listed buildings.

**PLANNING CONSIDERATIONS:**

The main issues are

- 1) **whether the proposal meets the policy requirements as a replacement dwelling (ERSP Policies CS2 and C5, ADP Policy H8, DLP Policy H6)**
- 2) **The potential impact of the proposed new unit on the surrounding area. (ERSP Policy CS2, ADP Policy C2 and DLP Policy S7)**

1) The site has already been subject of one replacement building in the last twenty years which increased the size of built development there. The proposal would double the floor area of the dwelling and form a substantial dwelling. In this location the settlement consists of isolated dwellings in the form of bungalows or historic cottages. A substantial brick built two storey dwelling would be an alien form of development out of character with the surrounding rural area. The design and scale of the dwelling would be of an urban form which has no parallel in the surrounding area.

2) Although the site is well screened from the road by existing trees and shrubs and the dwelling would be set back from the road frontage, the size and scale of the building would form a visually dominant form of development discordant with the attractive undeveloped nature of the locality.

**COMMENTS ON REPRESENTATIONS.** The concerns made in respect of the potential impact of the development are noted and are echoed in the reasons for refusal.

**CONCLUSIONS:** The proposal would not meet the criteria for replacement dwellings in the countryside. The scale and design of the building would be unrelated to the locality and harmful to the character of the rural landscape.

**RECOMMENDATION: REFUSAL REASON**

The proposed replacement dwelling by virtue of its increased height compared to that of the bungalow it would replace, together with its suburban design, would not be well related in scale or form to the existing settlement pattern in the locality. The design of the new dwelling would not be sympathetic to the rural landscape character of the locality. The proposal would be contrary to the provisions of Policy C5 and CS2 of the Adopted Essex Replacement Structure Plan 2001, Policies H8 and C2 of the Adopted Local Plan 1995 and Policies H6 and S7 of the Deposit Local Plan 2001.

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## **1) UTT/0183/02/FUL & 2) UTT/0184/02/LB - LITTLE BARDFIELD**

- 1) Conversion of barn into single dwelling.
- 2) Internal and external alterations as part of conversion to dwelling.

Glebe Barn. GR/TL 664-312. Mr G Poulson & Mrs J Poulson

*Case Officer: Charmain Harbour 01799 510458*

Expiry Date: 3 April

**NOTATION:** ADP Outside Development Limits, within Area of Special Landscape Value, Protected lane, Grade II Listed Building.

DLP: Outside Settlement Boundaries, Protected Lane, and Grade II Listed Building.

**DESCRIPTION OF SITE:** The site is located on the south-western side of St Katherine's Rectory, close to the junction with the main Great Bardfield Road and lies within a small hamlet of buildings which are located outside the main settlement of Little Bardfield and which focus on the road junction here.

The site has a line of buildings to its eastern and western sides. The main barn is a listed thatched structure equivalent to two storeys in height (7.8m high). There are a series of adjoining outbuildings to its southern side, which drop in height from one and a half to single storeys. The barn has a front projecting porch wing. This faces onto a graveled courtyard, which has vehicular access via a gate to the road. There are outbuildings to the eastern side including an open cart lodge garage.

There is one central tree in the courtyard. To the western side the building abuts open fields with a line of TPO trees running north along this boundary. A barn in separate ownership abuts the northern boundary.

**DESCRIPTION OF PROPOSAL:** Permission is sought to convert the main barn into a dwelling. The existing range of barns to the western side of the site would be utilised for the habitable accommodation. The design of the conversion would result in minimal fenestration change to the front eastern elevation of the main building, which has a rendered finish. The main entrance would be glazed, but it is feasible to retain the upper portion of the doors fixed in place. New windows would be installed to the two outbuildings to the south on the east and west elevations.

A four-bedroomed unit would be created with first-floor elements being formed either side of the main full height reception area in the existing void of the entrance porch. Two staircases would be installed. The kitchen and service areas would be contained in the linked outbuildings. Parking would be provided in the refurbished cart lodge building to the eastern side of the courtyard.

The courtyard forms a hard surfaced amenity area to the front of the barn and there is some land to the rear of the structure, which buffers the structure from the adjacent field.

**APPLICANT'S CASE:** The building has not been used as a farm barn for many years. It was last used as a tack room and store in connection with the stabling at the adjoining property known as Chequers, which is now in separate ownership. A number of windows and external doors were inserted before the barn was listed which have made it possible to keep the alterations under the present proposal to a minimum.

**CONSULTATIONS:** Design Advice: The proposed conversion is considered to respect the character and appearance of this listed building. By limiting the alterations to the front elevation the aesthetic appearance of this elevation is retained. The internal works are considered to retain the internal character of the structure. It is recommended conditions be

applied to secure certain architectural features, the materials and ensure no timbers are cut. The details of the lining of the walls, window patterns and form of the new staircases and doors should be secured by condition. A recording of the barn should be made prior to any works commencing following the guidance in Planning Policy Guidance Notes 15 and 16.

**PARISH COUNCIL COMMENTS:** To be reported (expiry date 18 March 2002).

**REPRESENTATIONS:** These applications have been advertised and 1 representation has been received. Period expired 7 March 2002.

The concerns raised are as follows:

1. The property is on the boundary of The Old Rectory and the north elevation of the barn directly overlooks this property. They request that no windows are allowed to be installed in this elevation.
2. The site is covered by a tree preservation order, many of the trees being located on the Old Rectory site. It is considered that this would impede the outlook from the barn and restrict their light.

#### **PLANNING CONSIDERATIONS:**

The main issues are

- 1) **whether the building is suitable for residential conversion and the character of the structure would not be materially harmed by the works (ERSP Policies RE2, HC3; ADP Policies C6 and DC6; DLP Policies H5 and ENV2).**
- 2) **whether the proposed works would have any adverse affect on the TPO trees (ERSP Policy NR1; ADP Policy DC8; DLP Policy ENV3).**
- 3) **whether a satisfactory residential environment can be created which does not adversely affect any of the existing adjacent land uses. (ERSP Policy WM3; ADP Policy DC14; DLP Policy GEN4)**

1) The buildings on the site are in a sound structural condition. The main building dates from the 17<sup>th</sup> Century and is Listed in its own right rather than as being a curtilage building. The front (eastern) elevation is of most aesthetic merit and by seeking to ensure the external alterations are kept to a minimum on this part of the building its appearance would be retained. The fenestration would be located on the elevations where alterations and openings have already been formed. The internal layout would retain a degree of the impression of the barn as an agricultural building by omitting the first floor to the central portion of the main barn giving view of the full floor to roof height. The works would conserve the characteristics of the building. The garden area would be principally to the courtyard area within the existing walled space, which is screened from the road by trees. The area to the west is considered to provide a buffer to the farmland but is of limited size to be useable and best enclosed by hedging. The garden areas would not be obtrusive on the locality.

2) The majority of the protected trees are on the adjacent land. To the eastern boundary trees abut the outbuildings here. There is one tree within the main courtyard and a group of trees screening the site from the road which would be retained. To the eastern boundary there are a number of self-seeded trees which are growing immediately adjacent to the building and would be removed. The main trees of importance to this boundary are to the north of the site, with one tree close to the north western corner. This would have some impact on the light to the bedrooms proposed on the ground and first floor levels at this end of the building, but not sufficient to warrant the removal of the tree. There are no new building works which would prejudice the future of any of the trees here. It is recommended that tree protection measures are secured by condition.

3) The positioning of the windows and aspect of the new dwelling would not adversely affect the privacy or amenities of any of the adjacent properties. The use of the premises as a single dwelling would not give rise to undue noise or vehicular traffic and would be in keeping with the locality.

**COMMENTS ON REPRESENTATIONS:** The concerns in respect of the installation of future windows are accepted and it is proposed to restrict these by condition although such works would be subject to Listed Building Consent. It is proposed to remove the limited permitted development rights for a listed dwelling in respect of any extensions within the site to protect the amenities of the adjacent property and character and appearance of the barn itself.

**CONCLUSIONS:** The proposal is considered to accord with Development Plan policies and the works would not adversely affect the character or appearance of the building.

### **RECOMMENDATIONS:**

#### **1) UTT/0183/02/FUL - APPROVAL WITH CONDITIONS:**

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with approved and revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. C.5.1. Samples of materials to be submitted and agreed.
7. C.6.3. Excluding Permitted Development extensions and erection of freestanding buildings without further permission.
8. Other than the windows shown on the approved drawings to which this planning consent relates no additional windows shall be inserted to any of the elevations of the barn conversion hereby permitted including roof lights unless specifically agreed in writing by the local planning authority.  
Reason: To protect the amenities of the nearby residential properties and the visual appearance of the Listed Building itself.
9. No development shall take place until detailed plans have been submitted to and approved in writing by the local planning authority showing the following information
  - the patterns of the two new staircases including details of the steps, the hand rails and balustrades
  - details of how the walls and roof would be lined including details of what timbers would be left exposed
  - details of the ground floor surfacing to the dwelling.
  - details of any external service pipes, vents or ducts to be installed to the premises.
  - details of treatment of the front entrance to the barn to retain upper level doors. The full height glazing shown as approved shall not form part of this permission.The scheme shall be implemented in accordance with the agreed details.  
Reason: To secure an acceptable form of development.

#### **2) UTT/0184/02/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 and revised plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.5.9. Stained wood.
5. C.5.14. Black rainwater goods.
6. C.5.16. No historic timbers to be cut.

7. The elevational finish to the main barn building to the eastern elevation shall be retained as a smooth rendered finish, using a lime based render mix the exact mix of which shall be in accordance with a scheme which will be submitted to and approved in writing by the local planning authority prior to these works commencing. The works shall be carried out in accordance with any agreed scheme.  
Reason : To protect the character and appearance of a building of architectural or historic interest.
8. C.5.17. Window & door details and sections to be submitted and agreed
9. No works shall take place until detailed plans have been submitted to and approved in writing by the local planning authority showing the following information
  - the patterns of the two new staircases including details of the steps, the hand rails and balustrades
  - details of how the walls and roof would be lined including details of what timbers would be left exposed
  - details of the ground floor surfacing to the dwelling.
  - details of any external service pipes, vents or ducts to be installed to the premises.
  - details of treatment of the front entrance to the barn to retain upper level doors. The full height glazing shown as approved shall not form part of this consent. The scheme shall be implemented in accordance with the agreed details.Reason: To secure an acceptable form of development.
10. Prior to any rethatching of the barn taking place details of the thatching material to be used shall be submitted to and agreed in writing with the local planning authority.  
Reason: To secure an acceptable form of development.

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**UTT/0328/02/FUL - SAFFRON WALDEN**

Change of use from B1 to B8.

Mitchell Hanger, Audley End Airfield. GR/TL 526-369. Audley End Development Ltd.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 24 April

**NOTATION:** ADP: Outside Development Limits/Area of Special Landscape Value/Existing Airstrip (Policy T6).

DLP: Outside Settlement Boundary.

**DESCRIPTION OF SITE:** This application relates to a building at the Audley End airstrip, located in open countryside southwest of the town. Conduit Plantation, designated as Important Woodland in the ADP, is to the west, alongside the track. The building has been in use for the restoration and repair of aircraft. It has floorspace of 853m<sup>2</sup>, and is accessed via a hardened track off Wenden Road. There are parking and turning areas surrounding the building.

**DESCRIPTION OF PROPOSAL:** The proposal is to change the use of the building from the approved Use Class B1C (Business) to Class B8 (Storage and Distribution). The proposed user, Dawson & Son (Retail) Ltd, stores and sells wooden toys by mail order, and currently operates from Shire Hill Industrial Estate. Five staff would be employed Monday to Friday between 8.30am and 5.30pm. The applicant advises that although deliveries are not frequent (service vehicles would generally visit once per day) there would be occasions when heavy vehicles would be used. There would be no manufacture of goods on the site.

**APPLICANT'S CASE:** Previous planning permission restricts delivery vehicle weights to 3.5 tonnes. Although proposal would not involve frequent deliveries, heavy vehicles would be used occasionally, and the tenant would have no control over the vehicles used. There is no weight restriction on deliveries to other buildings on the airfield. Request relaxing this condition.

**RELEVANT HISTORY:** Permission granted for the hangar in 1990 subject to a condition restricting use. Extension approved in 1994. Permission granted for alternative use (Class B1(c)) in 2001.

**CONSULTATIONS:** Environmental Services: To be reported (due 21 March).

**TOWN COUNCIL COMMENTS:** To be reported (due 29 March).

**REPRESENTATIONS:** One. Notification period expired 28 March.

CPREssex: Objection. Inappropriate for B8 use due to exposed location in attractive open countryside and ASLV, with poor accessibility (contrary to Policy C5). Substandard junction of access track with unclassified road, which is heavily used by cars and cyclists as it provides access from Saffron Walden to Audley End station. Unsuitable for HGV movements and would lead to conflict and hazards for other road users. Surrounding highway network unsuitable for extra lorries. Due to weight restrictions on bridges over River Cam at Audley End House and Wenden Road, HGVs would have to follow circuitous route on Newport Road and past school. Unsustainable location for warehousing [Contrary to PPG1, PPG13 and ERSP Policy BIW5(2)]. Proposed user may not generate large numbers of commercial vehicle movements, but as permission goes with land, future B8 use would potentially lead to increase in activity, in contrast to approved B1 use.



## **PLANNING CONSIDERATIONS:**

The main issues are whether

- 1) the proposed use would have an acceptable impact on the countryside setting (ERSP Policies CS2 – Protecting the Natural and Built Environment, C5 – Rural Areas, RE2 – Re-use of Rural Buildings, & NR1 – Landscape Conservation; ADP Policies S2 - Countryside, C5 – Re-use of Rural Buildings, & C2 – Areas of Special Landscape Value; and DLP Policies S7 – The Countryside, E4 – Re-use of Rural Buildings & GEN8 – Reinforcing Countryside Character) and residential amenity (ADP Policy DC14 and DLP Policy GEN4)
- 2) there would be any adverse impact on highway safety (ERSP Policies T3 – Promoting Accessibility & T12 – Vehicle Parking; ADP Policies T1 – General Highway Considerations & T2 – Car Parking; and DLP Policies GEN1 – Access & GEN9 – Parking Standards)
- 3) it would intensify activity at the airstrip (ERSP Policy BIW9 – Airport Development & ADP Policy T6 – Intensification of Use at Existing Airstrips)

1) These policies allow for appropriate changes of use of rural buildings, and it is considered that the low key type of activity proposed would be an appropriate re-use of a hangar of this size. However, general warehousing or distribution on a larger or more intensive scale would not be acceptable, given the rural location and access constraints, and the use should therefore be restricted to the intended use.

The site is in an isolated location and there are no residential properties in close proximity. The closest are over 600m from the hangar, and it is not considered that the relatively low level of activity should adversely affect amenity.

2) Vehicular access is via an unclassified but well used road between Saffron Walden High School and Cambridge Road, near its junction towards Audley End Station. Visibility is restricted due to mature planting (Conduit Plantation is to the west of the access), but the information outlined in the application suggests a relatively low level of traffic, not materially greater than the number and size of vehicles generated by the previous user. Historic Flying employed 17 staff on site, and the proposed user would have only 5. There are 18 parking spaces on site.

A condition was imposed on the previous consent restricting delivery vehicles to no more than 3.5 tonnes. The proposed tenant would find this too restrictive, as the size of service vehicles visiting the site would be beyond their control. However, based on the information provided, it is considered that deliveries to and from the site would not be frequent, and occasional use by larger vehicles would not materially harm highway safety, or the amenities of the area.

3) Policy T6 opposes any expansion of activities and facilities at the airfield, on the basis that more intensive use would conflict with the aim of protecting the character of the countryside around Saffron Walden. However, as this proposal involves the replacement of an authorised commercial business with another, it is not considered that any material increase in activity should arise which would harm the character of the area. The proposal would not conflict with Policy BIW9, which relates to air related development.

**CONCLUSIONS:** The re-use of this site for the proposed use is considered acceptable and in accordance with Council policies.

**COMMENTS ON REPRESENTATIONS:** A general Class B8 Use is not appropriate for this location, but the proposed use would be acceptable given its relatively low-key nature.

Conditions are recommended to prevent Permitted Development change to general B8 use. Planning permission would therefore be required for other uses not able to comply with the conditions. ERSP Policy BIW5(2) – Business Location – relates to proposals for new businesses, and states that “*distribution, warehousing and manufacturing activities which generate large volumes of freight movement should be located on sites which are readily accessible to the trunk road system*”. It is not considered that the proposal would generate “large volumes” of traffic. It also has reasonable access to the trunk road system. ERSP Policy RE2 (Re-use of rural buildings) is considered more applicable, and encourages business re-use to promote rural enterprise and economic activity.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), the building shown edged red on the 1:500 scale block plan date stamped 27 February 2002, accompanying this application, shall be used for the storage, re –packaging and re-distribution of wooden toys only and shall not be used for any other purpose within Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, without the prior written permission of the local planning authority.  
Reason: The site is located in open countryside and outside any area designated for employment uses in the adopted District Plan. The permission is granted exceptionally on the merits of the case, but the site is considered inappropriate for general warehousing or distribution uses, which would adversely affect the rural setting and highway safety.
3. C.8.3. No outdoor working.
- 4, C.8.15. Restriction of Hours of Operation – between 0800 hours and 1800 hours Monday to Friday, and at no time on Saturdays, Sundays, Bank and Public Holidays.
5. C.9.1. No Outdoor Storage.
6. The area hatched green on the 1:500 scale block plan date stamped 27 February 2002, accompanying the application, shall be retained solely for the parking of vehicles in connection with the use of the building edged red on the 1:500 scale block plan date stamped 27 February 2002, which accompanies the application. No vehicles shall be parked on the site except in that area.  
Reason: to ensure that adequate car parking remains available to serve the premises in accordance with the Council’s standards, whilst also avoiding the proliferation of vehicles around the site in the interest of protecting the visual amenities of the rural area of Special Landscape Value.
7. C.15.1. Superseding previous permission.

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**UTT/0100/02/FUL - GREAT DUNMOW**

Change of use from office to residential.  
21 Stortford Road. GR/TL 626-219. Mr and Mrs G Fairley.  
*Case Officer: David Jeater 01799 510464*  
Expiry Date: 19 March

**NOTATION:** Within Development Limits/Conservation Area/Listed Building/Town Centre/Great Dunmow Business Area in ADP. Included as Town Centre but not Business Area in DLP.

**DESCRIPTION OF SITE:** The site comprises a small seventeenth century listed cottage, with a small rear yard, located at the end of a terrace of houses, almost all in residential use. It lies within a narrow section of Stortford Road, close to the Chequers public house.

**DESCRIPTION OF PROPOSAL:** Permission is sought for the change the use of the property back to residential.

**APPLICANT'S CASE:** The building was originally designed for residential use, and was so used until 1989. It is sited outside the area where District Plan Policy GD2 applies and within the area where Policy GD1 operates, and where residential use can be allowed.

**RELEVANT HISTORY:** The change of use to offices and optician's consulting room was permitted in 1989.

**CONSULTATIONS:** Design Advice: No objections.

**TOWN COUNCIL COMMENTS:** No comments.

**REPRESENTATION:** This application has been advertised and no representations have been received. Period expired 21 February.

**PLANNING CONSIDERATIONS:**

The main issues are

- 1) **whether the proposal would be an appropriate use in this part of the Dunmow Town Centre (ADP Policies GD2 and GD4; DLP Policy GD1)**
- 2) **whether the proposal is a reasonable use for this Listed building (ADP Policy DC5; DLP Policy ENV2)**

1) The site falls within an area where Policy GD2 and Policy GD4 both apply. Policy GD2 says that there will be a general presumption in favour of business uses, but also says that the full residential occupation of dwellings will be encouraged. Policy GD4 says that within the Great Dunmow Business area, offices and other commercial uses will be encouraged. The proposal conforms with policy GD2. DLP Policy GD1 does not apply because the current use is an office.

2) The use proposed is the best use of this listed building, originally designed as a dwelling.

**CONCLUSIONS:** The building is appropriate for 'full residential use'.

**RECOMMENDATION: APPROVAL WITH CONDITION**

C.2.1 Time Limit for commencement of development.

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**UTT/0325/02/FUL - CLAVERING**  
***(Local Members' Interest)***

Change of use of agricultural land to garden land.  
Sheepcote Green Farm, Sheepcote Green. GR/TL 458-327. Mr T S Boardley.  
*Case Officer: Michelle Guppy 01799 510472*  
Expiry Date: 23 April

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

**DESCRIPTION OF SITE:** The site is located on the western side of Sheepcote Green, to the south of the main built development forming Roast Green. Roast Green is on the road from Clavering to Langley Lower Green.

The site is currently an agricultural field that is separated from Spa Cottage by a public footpath and a ditch and also for part of its length by the access road to properties to the north of the field.

**DESCRIPTION OF PROPOSAL:** It is proposed to change the use of the land from agricultural to garden land.

**CONSULTATIONS:** Ramblers Association: To be reported (due 14 March).

**PARISH COUNCIL COMMENTS:** Recommends refusal. The land does not directly adjoin Spa cottage; there is a track/roadway between which divides the two and which we understand can be used by any member of the public. There are concerns that as the land adjoins a public roadway, it may be difficult to prevent future housing on the new garden land.

**REPRESENTATIONS:** This application has been advertised and 1 representation has been received. Period expired 20 March.

No objection provided there would not be any building allowed without planning permission and the access to the said piece of land would be over the ditch opposite Spa Cottage.

**PLANNING CONSIDERATIONS:**

**The main issue is the impact on the character and appearance of the countryside (ADP Policies S2 & C2, DLP Policy ENV5).**

Provided the site is sensitively landscaped with native species and is kept free from ancillary domestic buildings and other domestic paraphernalia, then although the open aspect of this corner of the field may be reduced, it would not be to a great enough extent to warrant refusal in this case.

**COMMENTS ON REPRESENTATIONS:** The track roadway would not be obstructed by the proposal and any application for a dwelling would be treated on its merits.

**CONCLUSIONS:** The proposal broadly complies with policy.

**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.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
6. C.6.5. Excluding fences and walls without further permission.
7. C.6.13. Excluding extensions and erection of freestanding buildings and siting of chattels
8. The use of the land hereby permitted shall be solely for the domestic use of the occupants of Spa Cottage as identified in blue on the approved 1/2500 scale location plan.  
Reason: To protect the residential amenity of the occupants of Spa Cottage.
9. The use of the land hereby permitted shall not commence until details of the means of access to it have been submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details. Subsequently, there shall be no alterations to the means of access without the prior written approval of the local planning authority.  
Reason: In the interests of visual amenity.

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## UTT/0059/02/CL - TAKELEY

Application for Certificate of Lawfulness for existing development for use for storage or as a distribution centre (Class B8).

Land east of Sycamore Close and South of Takeley Business Centre, Dunmow Road.

GR/TL 564-211. Mrs D Burton.

*Case Officer: Keith Davis 01799 510456*

Expiry Date: 11 March

**NOTATION:** Within Development Limits/Within Local Policy TAK3 area in District Plan, excluded in Deposit Local Plan.

**DESCRIPTION OF SITE:** The site is located on the south side of the A120 about 300m to the east of the Four Ashes cross-roads. It lies mainly to the rear of the Takeley Business Centre but has part of its frontage onto the A120. A scrap yard is located on its west side, to the east is an open field and to the rear the former railway line, now the Flich Way. Container units are placed on its boundary intended to keep trespassers out that also screen the site to some extent. There are a number of old buildings on the land that are in a very poor condition. A few articles (a crane and small vehicle parts, drums, etc) remain on the site, a vestige of its former use.

**DESCRIPTION OF PROPOSAL:** The application is to establish the use within Class B8 of the Use Class Order (storage or as a distribution centre).

**APPLICANT'S CASE:** Supporting letter dated 10 January 2002 attached at end of report. A signed letter and three statutory declarations, by former employees and the wife and daughter of the deceased former operator at this site, support the application. Non-domestic rating information has been provided. The proof of evidence of the former manager of a business operating from the site from 1962 which supported a planning application for an extension of the business onto land to the east (dismissed on appeal) has been supplied.

**RELEVANT HISTORY:** The former use did not have planning permission having evolved over time. Duplicate applications for the use of the site for long stay car parking for Stansted Airport were refused and deemed refused by the Council last year, and the deemed refused application was recently dismissed on appeal.

**PARISH COUNCIL COMMENTS:** None received. Consultation period expires 18 February 2002.

**REPRESENTATIONS:** None. Notification period expires 11 February 2002.

**CONSIDERATION OF EVIDENCE:** The main issue is whether the applicant has satisfied the local planning authority, on the balance of probability, that at the time of submission of the application the use applied for was lawful.

In order to be satisfied that the use is lawful it must be demonstrated that it has become immune from enforcement because it has been unauthorised for ten years or more.

The evidence provided by the applicant clearly indicates that the site changed hands in 1962. It was then used for receiving vehicle parts, storing, sorting and then repackaging them mainly for export. Almost all articles were brought onto the site in a dismantled state and very little dismantling of them occurred. The site was used for this purpose until 1995 when the owner died. The use then ceased. When active, the use generated 2 lorries in per day and four lorries out a week and employed between four and nine staff. The use occurred at all times of the day and weekend.

There is no doubt from the evidence provided with the planning application that the use applied for occurred from 1962 and this continued until the mid 1990's. The low-key storage on the site now means that the use was occurring at the time the application was submitted and there is no question that abandonment has occurred.

**CONCLUSION:** It is the view of officers that an adequate case has been made out in the absence of any evidence to contradict that put forward. Although the business use has ceased the land is still being used for storage, which is in the same use class as applied for. Storage is sporadic on the site but occurs over all parts of it.

**RECOMMENDATION: THAT THE CERTIFICATE BE GRANTED**

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**UTT/0250/02/FUL - SAFFRON WALDEN**  
***(Officer's Application)***

Roof extension in connection with loft conversion.  
20 Pleasant Valley. GR/TL 538-372. Ms J C Savill.  
*Case Officer: Hilary Lock 01799 510486*  
Expiry Date: 18 April

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

**DESCRIPTION OF SITE:** The site is on the western side of Pleasant Valley, in a residential area to the south west of the town centre. It is on a stretch of the road between Birdbush Avenue to the north and Rowntree Way to the south, and backs onto allotments. A 3-bedroom bungalow occupies it, and the front garden is surfaced for parking.

**DESCRIPTION OF PROPOSAL:** A hipped extension to the roof of the bungalow is proposed at the rear, and the ridge height of the dwelling would not increase. A pitched roofed front dormer is also proposed. The proposal would create two bedrooms and bathroom in the roofspace, with a third bedroom and study at ground floor.

**TOWN COUNCIL COMMENTS:** No objections

**REPRESENTATIONS:** None. Notification period expired 27 March.

**PLANNING CONSIDERATIONS:**

The main issues are whether

- 1) the design is acceptable (ADP Policy DC1 & DLP Policy GEN2)
- 2) it would have an acceptable impact on the amenity of neighbouring residents (ADP & DLP Policies H7)

1) The street has a mix of house types and sizes. From the road, the front dormer would have minimal impact on the appearance of the property. The rear extension would be in keeping with the design and materials of the existing property. Ample garden area would be retained, and space is available for parking to serve a four bedroom dwelling.

2) The bungalow is in a staggered position in the street, but the alterations would not significantly affect the amenities of the house and bungalow to the side. There are other chalets in the vicinity and no greater overlooking would arise from this development.

**CONCLUSIONS:** The proposal would be acceptable in terms of design and impact on adjacent residents and the street scene.

**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.5.3. Matching materials.

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