

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 12 AUGUST 2002

APPL NO: **UTT/1000/01/OP**
PARISH: **STANSTED**
DEVELOPMENT: Extension to the passenger terminal; provision of additional aircraft stands and taxiways, aircraft maintenance facilities, offices, cargo handling facilities, aviation fuel storage, passenger and staff car parking and other operational and industrial support accommodation, alterations to airport roads, terminal forecourt and the Stansted rail, coach and bus station; together with associated landscaping and infrastructure
APPLICANT: BAA plc & Stansted Airport Ltd
LOCATION: Stansted Airport Stansted/Birchanger/Elsenham/Takeley
SPECIAL D.C. CTTE: 24 June 2002
REMARKS: Deferred for further negotiations and consideration
RECOMMENDATION: Deferral (to be considered again by Special D.C Committee on 12 September 2002)
Case Officer: Mr R Harborough 01799 510457
Expiry Date: 28 September 2001

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 for discussions
RECOMMENDATION: Deferral pending revised layout on fresh application
Case Officer: John Grayson (01799) 510455
Expiry Date: 31 January 2001

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

APPL NO: **UTT/1614/01/FUL**
PARISH: **THAXTED**
DEVELOPMENT: Installation of 25m high telecommunications tree mast, with 6 No. antennae, 2 No. dishes and 10 No. equipment cabins within a fenced compound.

APPLICANT: Orange Personal Communications
LOCATION: Park Farm, Park Street
D.C. CTTE: 10 June 2002
REMARKS: Deferred for consideration of consultant's report
RECOMMENDATION: To be reported
Case Officer: Hilary Lock 01799 510486
Expiry Date: 18 March

APPL NO: **UTT/0213/02/FUL**
PARISH: **GREAT CHESTERFORD**
DEVELOPMENT: Erection of new freestanding Church Hall.
APPLICANT: PCC of All Saints Church
LOCATION: All Saints Churchyard
D.C. CTTE: 20 May
REMARKS: Deferred for receipt of revised plans
RECOMMENDATION: To be reported
Case Officer: Charmain Harbour 01799 510458
Expiry Date: 8 April

APPL NO: **UTT/0241/02/FUL**
PARISH: **CLAVERING**
DEVELOPMENT: Change of use of land and conversion of existing offices to 7 no. Class B1 light industrial/office units. Extension to joinery building to rear. Detached building to create 2 no. Class B1 units. Construct parking spaces and boundary wall/gates. Alterations to access.

APPLICANT: C E Funston Tractor Sales Ltd.,
LOCATION: C E Funston Tractor Sales Ltd., Arkesden Road.
D.C. CTTE: 1 July 2002
REMARKS: Deferred for negotiations re units 9 and 10
RECOMMENDATION: To be reported
Case Officer: Hilary Lock 01799 510486
Expiry Date: 12 April

APPL NO: **UTT/0360/02/OP**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: Outline application for erection of 6 dwellings and means of access and retention of two existing bungalows.

APPLICANT: Hutton Homes Ltd.
LOCATION: 22 - 24 Ongar Road
D.C. CTTE: 22 July 2002
REMARKS: Deferred for Members' site visit
RECOMMENDATION: Approval with conditions
Case Officer: Richard Aston 01799 510464
Expiry Date: 26 April

APPL NO: **UTT/0397/02/FUL**
PARISH: **FELSTED**
DEVELOPMENT: Change of use of agricultural building to B1/B2/B8 Use.
APPLICANT: Messrs R A & N Smith
LOCATION: Chaffix Farm, Braintree Road, Felsted
D.C. CTTE: 1 July 2002
REMARKS: Deferred at applicants' request re revised proposal
RECOMMENDATION: **To be reported**
Case Officer: *Richard Aston 01799 510464*
Expiry Date: 6 June

APPL NO: **UTT/0536/02/FUL**
PARISH: **THAXTED**
DEVELOPMENT: Erection of chalet bungalow and detached garage
APPLICANT: Mr N Temple
LOCATION: Land adjacent to Harrow Croft, Watling Lane
D.C. CTTE: 10 June 2002
REMARKS: Deferred for receipt of revised plans
RECOMMENDATION: **To be reported**
Case Officer: *Charmain Harbour 01799 510458*
Expiry Date: 20 June

UTT/0788/02/DFO - TAKELEY

Layered (decked) car parking to provide an additional 1314 short-term spaces.
Stansted Airport. GR/TL 557-233. Stansted Airport Ltd.
Case Officer: *Jeremy Pine 01799 510460*
Expiry Date: 02/08/2002

NOTATION: Within Terminal Support Area (Policies AIR1 of both the ADP and DLP relate).

DESCRIPTION OF SITE: The site consists of the south-western section of the existing short-term car park, to the south of the terminal entrance and the bus/coach station.

DESCRIPTION OF PROPOSAL: This revised reserved matters application relates to the construction of two layered car parks ("A" and "B"), which would replace Zones "A", "B" and "C" of the existing single level short-term car park. The current configuration of the short-term car park provides a total of 1108 spaces, which would increase to 2422 as a result of this development (i.e. 1314 extra spaces). It is the applicant's case that these extra spaces are required now as part of development to 15mppa.

Car park "A" would have four decks (including a basement) and car park "B" three decks. In both cases, the top deck would be at 108.000 AOD, level with the terminal forecourt, with only lift, stair and service towers extending above, by between 2.6 – 4.4m. Overall in comparison to the previously disapproved scheme, the height of the new car parks would be reduced by 3m by the omission of the canopy (excluding the lift/stair/service towers). Both car parks would have entrances and exits onto the circulatory road, with external spiral ramps giving access between the decks. The existing 18m high tower mast lighting columns originating from the current ground level of the short-term car park would be removed and replaced by 6m high low mast lighting on the top deck, which would not be enclosed. Overall, this would equate to an effective reduction in the height of the lighting masts of about 7.5m. Additional landscaping would be undertaken around the car parks, including within the central reservation of the Coopers End roundabout and the mound to the south of proposed car park "A", would be increased in height to 105m AOD, 0.5m taller than previously proposed. The car parks would be constructed from concrete modular panels, the lift/stair/service towers consisting of clear glazed curtain walling and aluminium panels.

The proposals to which this application relates are part of longer term, wider proposals for the redevelopment of the existing bus/coach station and the rest of the short-stay car park, which form part of the current outline application for airport expansion from about 15 – 25mppa. Those proposals, which would be the subject of a further reserved matters submission should outline planning permission be granted, include a plaza area in front of the terminal entrance and further layered car parks to the north-east.

APPLICANT'S CASE: See two-page note prepared by Stansted Airport Limited and attached at end of report.

RELEVANT HISTORY: Disapproval of reserved matters for car park decking within the short term car park in 2001 for reason of the detrimental effect of the upper deck and canopy upon the countryside setting of the airport, especially the terminal building, in close views from the road system.

CONSULTATIONS: ECC Transportation: No objections.

CAA: Holding response issued.

Essex Police: No objections in principle, but raises issues with regard to the security of vehicles and counter terrorism measures. (These comments have been passed to the applicant).

Environment Agency: Advisory comments.

PARISH COUNCIL COMMENTS: Stansted: No objections, but highest quality materials should be used.

Takeley: Object, height issues have not been significantly addressed. Road access to the car park and entrance barrier capacity is insufficient re distance from Coopers End roundabout.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 5 July.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) **these revised proposals would be appropriate development within the terminal support area (ADP Policies S1, DC1 and AIR1, DLP Policies GEN2 and AIR1), and**
- 2) **the previous reasons for refusal have been overcome.**

1) The principle of the provision of additional car parking in the terminal support area accords with Policy AIR1 in both the ADP and DLP. When outline planning permission was granted for airport expansion in 1985, the Secretaries of State imposed a condition limiting the height of car parks to ground level without the written agreement of the Council. One reason for the condition was to protect the setting of the terminal building in near and distant views as part of an *“airport in the countryside”*.

Since the disapproval of the previous reserved matters, Stansted Airport Limited has rethought the design of the short-term car parking, resulting in the current strategy of part provision now, to integrate with future development required for 25mppa (including the plaza proposal) should outline planning permission be granted for 25mppa.

The top deck would be at terminal forecourt level, with the retained hedge at the top of the grassed embankment screening the cars from view from the forecourt area. This should assist in maintaining the views of the countryside from the terminal forecourt, preserving the countryside setting of the terminal. Whilst the lift/stair/service towers would be visible above the hedge, their lightweight materials should not have an adverse effect upon the countryside setting. Consideration has also been given to the views of the car parks from the approach towards and from the Coopers End roundabout, resulting in enhanced landscaping proposals on that approach. In addition, the provision of 2 separate car parks rather than 1 continuous structure (as previously proposed) allows for more planting within the site.

2) It is considered by officers that these revised reserved matters have taken into account the previous reason for refusal, and result in a development that would respect the countryside setting of the terminal in both the short and longer terms.

COMMENTS ON REPRESENTATIONS: The comments of Takeley Parish Council have been considered. Officers are of the view that the height of the car park would now be appropriate and ECC Transportation do not envisage any problems with capacity or queuing at the ticket barriers.

CONCLUSIONS: These proposals would be in accordance with the ADP and DLP policies mentioned earlier in this report.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.1. To be implemented in accordance with approved plans
2. The works of landscaping and mounding indicated on drawings 205/2/8D, 9A and 10 shall be fully implemented by the end of the first planting season following the first use by the public of the car parks hereby approved. If during the subsequent period of 5 years any trees, shrubs or hedges comprising the landscaping works die, are removed or become seriously damaged or diseased, they shall be replaced during the next planting season with others of similar species.
Reason: In the interests of the visual amenity of the terminal.
3. The floor level of the top layer of the car parks hereby approved shall not be above 108m AOD.
Reason: In the interests of the visual amenity of the terminal.
4. The car parks hereby approved shall not be brought into public use until the scheme of lighting indicated on the approved drawings has been implemented and all existing 18m columns removed.
Reason: In reduce the impact of the required lighting on the areas around the airport.

Background papers: see application file.

UTT/0500/02/FUL – GREAT DUNMOW

Demolition of former petrol filling station and erection of 9 x two-bedroom apartments, cycle store, car parking and alterations of existing access.

77-79 High Street. GR/TL 629-217. Higgins Homes Ltd.

Case Officer: John Grayson 01799 510455.

Expiry Date: 21/05/2002

NOTATION: ADP: Within Development Limits (Policy S1), Town Centre (Policies R1 & GD2) and Development Opportunity Site (Policy GD5) / Outside Principal Shopping Frontage (ADP only) / Adjoining Conservation Area (Policy DC2) and Listed Buildings (Policy DC5a). DLP: Within Settlement Boundaries (Policy S1) & Town Shopping Centre (Policies RS1 & GD1) / Adjoining Conservation Area (Policy ENV1), Listed Buildings (Policy ENV2) and Land to the rear of 37-75 High Street (Policy GD2).

DESCRIPTION OF SITE: The site is located on the south-eastern edge of the town centre, on the north-eastern side of the High Street, midway between The Dunmow Inn and the junction with Braintree Road. It has a frontage of 32m and an average depth of 33m. On site is a disused petrol filling station/shop and canopy set back behind a low wall. To the rear are car repair workshops not part of this application, to the southeast is Twyford Court a modern 2.5-storey office block and beyond a shop and a restaurant, to the northwest are 2-storey cottages in retail and commercial use and opposite are the last retail shop on the south-western side of the High Street and the first dwelling.

DESCRIPTION OF PROPOSAL: Original Plans - It is proposed to redevelop the site with a 3-storey block of 9 residential flat units. The building would be set forward on the site with a small amenity area and 9 parking spaces to the rear. The design would replicate the Georgian style building which was on site many years ago and would be constructed of yellow gault brick with a reconstituted slate roof. The building would be 24.3m long, 11m to the ridge and 7.85m to the eaves. This would be 1m lower at ridge level than Twyford Court (1m gap) but higher at the eaves. It would also be 2.5m higher to the ridge than the listed buildings to the northwest (7m gap). Access to the workshops at the rear would be retained along the north-western edge of the site, which would also serve the flats.

Revised Plans – there are two main changes. Firstly, two live/work units have been introduced at ground-floor level, but no retail shops as requested by Officers and Members. Secondly, the proposed building has been lowered to 10.6m to the ridge and 7.5m at the eaves. This would still be higher at eaves level than the adjacent listed buildings and Twyford Court. The design has also be revised to show the top floor in white render to reduce its apparent height and give it a more horizontal emphasis.

APPLICANT'S CASE: See letter dated 25 June attached at end of report.

RELEVANT HISTORY: Internally illuminated advertisement against boundary wall of listed building to northwest refused and dismissed on appeal in 2000 for reasons of harm to the setting of adjacent listed buildings and character of Conservation Area, when the Inspector stated that *“the character of the street effectively changes at the appeal site. The boundary wall provides an unobtrusive foil to the adjacent 15th century listed building. It is also seen in association with many other period buildings in the town centre. Many are similarly of small domestic, even intimate scale, including other buildings also statutorily listed for their special architectural or historic interest. The boundary wall at the appeal site also marks the entrance to the Great Dunmow Conservation Area, whose character and appearance the Council have a special duty to preserve and, where possible, enhance.”*

CONSULTATIONS: Design Advice re Original Plans: The Conservation Area adjoins the site on two sides (front and NW side) and is next to and opposite a selection of listed buildings. Any development in such a prominent location should positively contribute to the character of the Conservation Area and should not damage the setting of the listed buildings.

The architectural nature of the core of Great Dunmow is defined by mostly 2 storeys, timber framed and rendered buildings, predominantly listed. The proposed 3 storey brick structure of such an extensive frontage would have an overpowering effect on the setting of the nearby listed buildings and be oppressive and out of context with the historical character of the Conservation Area.

Design Advice re Revised Plans: The revised scheme does not incorporate any design improvements whatsoever and my comments are unchanged. The architectural nature of the core of Great Dunmow is defined by mostly two storeys; timber framed and rendered buildings, predominantly listed. The proposal would be a monolithic pile set on the edge of the conservation area. In my view it would fail to reflect the general proportions and the principles of mixed-width frontages of a historical street. The details of design are unimaginative and the feeble brackets do not succeed in alleviating this monotony. The proposed three storey brick structure of such an extensive frontage is likely to have an overpowering effect on the setting of the nearby listed buildings and be oppressive and out of context with the historic character of the town. In conclusion I consider that this proposal would not enhance the character of the conservation area, be damaging to the setting of the listed buildings and therefore contrary to the aims of the local and national policies. I recommend refusal.

ECC Transportation: No objections.

ECC Archaeology: No objections subject to programme of work and recording.

Environment Agency: No objections subject to conditions.

TOWN COUNCIL COMMENTS: Object. Unsuitable for this site. Prefer retailing or other commercial uses on ground floor in a smaller better designed building.

REPRESENTATIONS: This application has been advertised and 14 representations in total have been received. Period expired 2 May.

Original Plans : 9 representations have been received. Period expired 2 May.

1. Object. The site has always been used as a commercial site and should stay as this. This is a perfect opportunity to extend the High Street with more shops that are needed in Dunmow. Building an apartment block here would separate the last shop in the High Street, leaving it out on a limb. The people in Dunmow want more shops. What is wrong with building shops with flats above with parking behind? This would be much more acceptable. We have already had one major site (The Eastern Sector) allocated to housing only. Don't let this site get lost in housing as well.

2. No objections in principle, subject to the sidewall of the Twyford Court Complex representing the boundary, the siting of the new building does allow for reasonable access for repair and maintenance, as in the current situation.

2(a) Our client's property contains a number of cellular dental surgeries. In particular two of these, numbers 2 and 5 at ground and first floor level, rely entirely on windows in the side wall of No.1 Twyford Court for their natural light and ventilation. This flank wall immediately abuts the development site and the windows are situated less than one metre from the flank wall comprising the eastern elevation of the proposed building. We appreciate from the application drawings that the building has been positioned in this location to maximise the use of the site, bearing in mind existence of the right of way on the western edge. However, the need to adopt the approach does not justify creating an unneighbourly situation such as this which would so severely damage the ability of our clients business to be able to function properly.

3. Proposed building should not butt up to the back edge of footway as the approach to the High Street would become almost like a 'tunnel' because of the adjacent development being so tall and abutting the footway. Any development should enhance the approach to this town if it is not to lose its character. Sure a better design can be achieved. Consideration should be given to the privacy of dwellings opposite. Choice of building material should be sympathetic to the area. The eastern sector proposals, are not finalised – would an overall plan achieve a better development than a piecemeal approach? Should

the development just be flats? We sorely need more places providing employment in Dunmow.

4. Chamber of Trade: Object. This area is designated commercial, and has been used as such for some fifty years. Allowing this type of development would split the High Street and cause problems for the businesses at the far end, making them even more isolated. We consider, in the best interest of the town that this area must remain primarily commercial.

5. Object. It is contrary to adopted plan Policy GD2, deposit plan policies RS1, GEN2 and GD1. Policy GD2 is the presumption in favour of shops, financial and professional services and other uses appropriate to a town centre. Policy RS1, with the object of sustaining and enhancing the town centre's vitality and viability, permits retail, commercial and community use development with a residential element provided it meets five criteria. I submit this application does not meet a) or c). Paragraph 13.2 admits the strength of the town centre's retailing is fragile and seeks to protect retail use, and it is most regrettable the last petrol retailer is probably lost in spite of this, further restricting residents' choice and obliging them to spend money out of town. Policy GD1 is to refuse change of use permission unless two criteria are met, and I submit they have not been. Whilst it may be argued the policy does not list petrol stations, the intention is clear, and this one was also a shop, as most are. Whilst the overall height and appearance of the three-storey proposal may be said to be in keeping with number 81 on its southeast side, I submit it will be out of proportion to and well out of character with the old buildings on the northwest side, and thus not conforming to policy GEN2(a). What the town needs here is a petrol station, failing that shops with flats above, of two-storeys maximum to give a pleasing lowering roofline from right to left.

6. If the development is permitted we would be reduced to the single width entrance which we would have to share with the flat dwellers and their visitors. It would also mean that the space for heavy vehicles to turn in off the street would be severely restricted. This would lead to problems with lorries exiting and entering. They would certainly cause more congestion in the High Street than at present. Notice that there are to be only 9 parking spaces for 9 flats. This seems inadequate. It is more than likely that some of the flats will have two cars attached and certainly they will, from time to time, have visitors who will arrive in cars.

7. The Dunmow Society object. Does not replace or make provision for retail units on the High Street. The High Street should be retained, as it has always been, a continuous range of retail outlets and business premises serving the local community and encouraging visitors to come to our town. The development will also isolate the remaining shop on that side of the street whereas more shop units will open up that end of town and increase competition.

8. Style of building and construction materials totally out of keeping with other buildings in the area. Scale of building too large.

9. The building proposed is close to the back edge of pavement, its height to eaves higher than the adjacent building and with its length added to the existing will overshadow the approach to the High Street. The existing three-storey building is conspicuously out of place in this area of the town. From information on drawings suggesting the brick and brick colour and concrete roof tiles are all totally incompatible with the High Street. The symmetrical appearance of the building is totally alien to the area and lacks imagination and design consideration. Three-storey buildings as proposed are not symmetrical to the High Street but if three-storeys were accepted it would be better located to the rear of the site with car parking to the front. The fall of the ground would reduce the building's apparent height as well as reduce overlooking of the High Street and adjacent buildings.

Revised Plans: 5 representations have been received.

1. Object contrary to adopted plan policy GD2, and to deposit plan policies RS1, GEN2 and GD1. I submit the building height reductions are too small to bring the proposal into proportion with the buildings on the northwest side. The town's population expansion requires a larger shopping area, with the extra shops needed to prevent residents' travel to

spend elsewhere. I now believe it should be used for a two storey building of shops with offices above.

2. Dunmow Society object to the revised application because it does not address fully the need for proper retail outlets on the High Street the reference to other empty retail outlets is spurious since any High Street could be in similar position at anytime. It is essential to retain and create an expanding retail facility in line with an increasing local population and before all the other retail outlets close in favour of housing accommodation.

3. Twyford Court Management the applicants have not increased the distance between the proposed building and the boundary, which stands at 1 metre, narrowing slightly due to the design. This minimal separation between buildings will create overshadowing of the windows on the Twyford Court boundary. It is also unworkable from a practical point of view for the occupants of the new flats, who would require a much wider pathway for pedestrian access not in conflict with opening windows.

4. Agent for J.Grech Dental Practice revised plans have not addressed the issues raised (in Representation no.2 of report 1 July 2002) the soft landscaping i.e. grass, as an adjacent strip to my building would be inappropriate.

5. see letters dated 16 July attached at the end of report

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would be appropriate in terms of:

- 1) land use (ADP Policies S1, R1, GD2 & GD5 and DLP Policies S1, RS1 & GD1),**
- 2) design (ADP Policies DC1, 2 & 5a and DLP Policies ENV1 & ENV2) and**
- 3) access, parking and amenity areas (ADP Policies T1, T2a & DC1 and DLP Policies GEN1, GEN9 & GEN2).**

1) The relevant policies require that retail uses are retained and enhanced wherever possible within town centres. In view of the approved expansion of Dunmow, particularly at Woodlands Park where up to 800 dwellings have still to be built, it is considered that all commercial sites within or close to the town centre, particularly those fronting the High Street, should be kept in uses which would enhance the vitality and viability of the town centre. This site is located within the town centre and has commercial uses to both sides and opposite. Consequently, it is considered that the ground floor of the new building should be used for such commercial or retail purposes. There is no objection to residential use of upper floors and indeed this is encouraged to bring life to the town centre after working hours. The proposed two live/work units would not be an adequate substitute for three shops.

2) The Inspector who dealt with the previous appeal on this site considered that the High Street was of a small domestic intimate scale. The proposed building would be out of keeping with this scale by virtue of its size, bulk and height. At eaves level it would be 1.2m higher than Twyford Court and 3m higher than the listed cottage to the northwest. It would overpower the adjacent buildings and be oppressive at this point in the High Street. The use of brick would also be out of keeping with the predominant character of the Conservation Area. The low-key setting of the nearby listed buildings would be harmed. The revised design would make little difference to this harm.

3) There are no objections to the access, parking or amenity space provision.

CONCLUSION: The proposal would be harmful to the town centre by virtue of its use, size and design.

RECOMMENDATION: REFUSAL REASONS

1. The erection of a completely residential building at this point in the town centre would be detrimental to the viability and vitality of the town centre, by virtue of the lack of commercial or retail activity to meet the growing needs of the town. As such, the proposal would be contrary to Policies S1, R1, GD2, GD5, S1, RS1 & GD1.
2. The erection of a large brick structure as proposed would be harmful to the domestic scale of nearby buildings, detrimental to the setting of listed buildings in the vicinity and out of keeping with the character of the Conservation Area. The harm caused would be contrary to Policies DC1, 2 & 5a, ENV 1 &2.

Background papers: see application file.

UTT/0915/02/FUL - GREAT DUNMOW

Extension to provide 36 new bedrooms and ancillary services.
Redbond Lodge Elderly Persons Home, Chequers Lane. GR/TL 625-218. Runwood Home PLC.

Case Officer: *Michael Ovenden 01799 510476*

Expiry Date: 08/08/2002

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

DESCRIPTION OF SITE: Redbond Lodge is located off Chequers Lane in the western part of the town, abutting the playing field of the Junior School. It comprises an elderly persons' home with 38 bedrooms in both two-storey and single-storey elements.

DESCRIPTION OF PROPOSAL: This revised proposal involves the refurbishment of the existing complex with a loss of 8 of the existing 38 bedrooms. The layout of the extension has been amended following Members' refusal of the previous scheme for a single-storey building on the eastern side near to dwellings in Standrums. It is now proposed to erect an extension to the western and southern sides (as Members requested) for an extra 36 bedrooms, producing a net total of 66. (The originally revised scheme was for 40 extra bedrooms).

Following representations from neighbours in Highfields, the design has been further amended following negotiations with Officers. The first-floor of the proposed extension to the southern elevation, which backs onto a public footpath and rear gardens in Highfields, has now been omitted and the new-build has been extended northwards. Four bedrooms have been omitted as a result, reducing the extra proposed from 40 to 36. The new building would be cut into the ground due to the rise in levels towards the western side of the site.

APPLICANT'S CASE: There is a dire need for additional bedspaces for the elderly of a high standard.

RELEVANT HISTORY: Single-storey extension for an extra 22 bedrooms to eastern side of Redbond Lodge refused earlier this year following Members' site visit for reason of loss of amenity to residents in Standrums by loss of sunlight and daylight.

CONSULTATIONS: ECC Archaeology: No objections subject to programme of work being submitted and agreed.

TOWN COUNCIL COMMENTS: Original Plans: None (due 17 July).

Revised Plans: Any received will be reported (due 12 August).

REPRESENTATIONS: Original Plans: None. Notification period expired 10 July.

Revised Plans: 2 letters received

We do not object and we are pleased that common sense has prevailed.

PLANNING CONSIDERATIONS:

The main issues are whether the revised proposal would:

- 1) be appropriate in scale and design in this area and provide adequate amenity space (ADP Policy DC1 and DLP Policy GEN2),
- 2) have a materially detrimental impact on the amenity of neighbours (ADP Policy DC14 and DLP Policy GEN4) and
- 3) provide adequate parking spaces (ADP Policy T2 and DLP Policy GEN9).

1) The policies require that the design of development should respect the scale, proportions, appearance and materials of buildings in the locality and the environmental characteristics of the setting. The design and materials would match those of the existing building and the scale and proportions would be similar. The site is large enough to satisfactorily accommodate such an extension, but there would be no scope for any further extensions in the future. The environmental characteristics of the setting would be largely unaffected. Sufficient private amenity space would be provided to meet the needs of the residents. It is considered that the proposal complies with these policies.

2) The policies require that development should not adversely affect the reasonable occupation and enjoyment of residential or other sensitive property. The extension would be to the rear of dwellings in Highfields, but would be separated from them by a public footpath. The distance between the southern-most part of the proposed extension and the nearest dwelling would be over 36m. Now that the first-floor of the extension to the south of the complex has been omitted, it is considered that its impact should be minimal, especially as a new 1.8m high fence would be erected along the site's boundary with the footpath with additional planting between. There should be no adverse effect on the school grounds.

3) The adopted and revised car parking standards for a unit of this proposed size require that 25 spaces be provided and 28 would be available.

CONCLUSION: It is considered that the revised scheme as further amended would overcome the previous reason for refusal.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit for commencement.
2. C.3.2. Implementation in accordance with revised plans
3. All the parking spaces shown on the revised plan hereby approved shall be hardened and made available for staff, residents and visitors prior to the first use of the extension hereby approved and retained for this purpose in perpetuity.
Reason: In the interests of highway safety.
4. No construction work on site shall take place except between the following hours: Monday -Friday: 9am - 5pm. There shall be no work on Saturdays, Sundays or Bank and Public Holidays
Reason: In order to protect the reasonable amenities if nearby residents.
5. C.16.2. Archaeological programme of work to be submitted and agreed.
6. C.4.1. Scheme of landscaping to be submitted and agreed
7. C.4.2. Implementation of landscaping
8. The new bedrooms hereby approved should only be used in association with the existing elderly persons home, and for no other purpose.
Reason: To avoid over development of the site

Background papers: see application file.

UTT/0875/02/FUL - SAFFRON WALDEN

Erection of commercial buildings for B1, B2 and B8 use, (Business; General Industrial; Storage or Distribution;) provision of car parking and change of use of bungalow to B1 (Business) or D1 (Non residential institution) Use. Construction of new vehicular access. Former Garden Centre, Thaxted Road. GR/TL 551-372 Granite Estates Ltd.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 02/08/2002

NOTATION: ADP: Within Development Limits and Area of Special Landscape Value, identified as an Industrial relocation site covered by Policy SW7.
DLP: Within Settlement Boundary, Thaxted Road Employment Site covered by Policy SW4.

DESCRIPTION OF SITE: The site is located on the north-eastern side of Thaxted Road and is currently partly occupied by a garden centre. To the north-west lies an existing industrial building occupied by Hydro Air which is at a lower level to the site. The previously approved access road to the site from the slip road has been partly implemented, but has not been fully extended into the northern part of the site and one industrial unit constructed to the south eastern side of the area. There is one dwelling on the site to the north eastern corner. To the northern and eastern boundaries the site abuts open countryside.

DESCRIPTION OF PROPOSAL: The application seeks to develop the site as a business park. The existing recently completed industrial unit would be retained to the corner, and would have two blocks of units erected behind it and a series of units are proposed to the western side of the site. The existing dwelling is illustrated as being for a health or veterinary use, but a B1 use of this building is included in the application (a medical or educational use which is non residential would fall into class D1). The applicant is to advise further on the intended use of this building

A total floor area of approximately 3,750m² is proposed which is broken down as follows:

Units A-C	345 m ²
Units 1-5	2230 m ²
Units 6-9	465 m ²
Units 10-14	710 m ²

It is proposed the units be used for office, industrial and warehouse uses.

A total of 136 parking spaces would be provided adjacent to the new units with landscaping. No details of car parking is provided for the conversion of the dwelling but there would be adequate space within its curtilage for parking. A traffic impact assessment has been submitted as part of the proposals together with details of a new junction onto the Thaxted Road. At present the access feeds onto the service road close to the junction to the main road and the exit to the municipal tip.

The traffic study concludes that the new junction would have ample capacity with no significant queues for the main or side road traffic at peak hours.

The design of units A-C would be two storey office buildings which would be brick clad with a pitched roof.

Units 6-13 would equate to two storeys in form, but would comprise warehouse style buildings with roller shutter doors and a curved profile roof with corner supports. The walls would have a brick plinth with profile cladding above this.

RELEVANT HISTORY: Outline planning permission was granted in 2000 for the erection of industrial units with associated infrastructure and alterations of the existing access to the slip

road. This consent specifically precluded the use of the site for B8 (warehousing and storage) as it was not considered to be appropriate. This outline permission covered part of the current site consisting of the garden centre and the dwelling, outline permission having been granted on the remainder of the site in 1999 for four industrial units. Details were subsequently approved in August 1999 for plot 1 for the erection of a factory building with offices and car parking. This remains the sole unit constructed to date.

An application for a new direct access onto the B184 has been approved, subject to the completion of an agreement between the applicant and ECC transportation re the required off-site highway works.

CONSULTATIONS: Anglian Water: No objections in principle, although they observe there are no public foul or surface water sewerage facilities in the locality.

Serco Gulf Engineering: Pipelines unaffected.

Building Control: No adverse comments

Civil Aviation Authority: The proposal does not conflict with the safeguarding criteria for the aerodrome safety and they raise no objection.

Environment Agency: The site lies over a major aquifer used for a public drinking supply. The proposals are for a large scale development which has potential to harm this water supply. They are therefore requesting of conditions to secure the water supply from pollution and agree the drainage for the site.

Environmental Health: No comments

ECC Transportation: To be reported.

TOWN COUNCIL COMMENTS: No objections

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 11 July 2002

One letter has been received on behalf of Audley End Estate who support the principle of the redevelopment of this site as a positive proposal. They have concerns on the environmental impact this would have on Brick Kiln Farm located opposite the site to the east from the increased activity on the site. They request hours of working are placed on the site.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) **the proposal accords with the development plan policy for the site in the provision of employment uses and there would be appropriate measures for landscaping and amenity protection. (ERSP Policy BIW 4 & BIW 5 , ADP Policy SW7 and DLP Policy SW4)**
- 2) **satisfactory access to the site would be available and the scheme would be satisfactory in highway safety terms (ERSP T10 & T12, ADP Policies T1 & T2 and DLP Policies GEN1 and GEN9)**
- 3) **satisfactory measures can be conditioned to ensure the protection of the groundwater and drainage for the site (ERSP Policy BE7, ADP Policies W1, W2 & W4 and DLP Policy ENV11)**
- 4) **the overall form and layout of the proposal would be acceptable. (ERSP Policy CS2, ADP: DC1 and DC14 DLP: GEN2, GEN4, GEN5)**

1) The principle of redevelopment of the site as a whole has been established under the two previous outline planning permissions which this application supersedes. The land is considered to be well suited to serve the range of uses proposed given that it is located away from the main residential area. The closest residential unit of Brick Kiln Farm is over 150m from the site on the opposite side of the road. The layout of the proposal is such that the office units would be closest to the road and the industrial units would be located behind

these and the existing unit so that the amenities of the area should be preserved. The units would be two storeys and although on rising land this height of unit is again considered to be in scale with the locality. The scheme as submitted shows the provision of landscaping to the perimeter of the site and around all the units and parking areas. The exact detailed specification of this needs to be agreed. The parking and servicing of the proposed B1 use of the dwelling unit also needs to be conditioned to be provided. The original outline scheme was conditioned to preclude B8 use as the Adopted Local plan identified the site for relocating existing local businesses. The emerging plan is less restrictive and purely identifies the site for employment purposes therefore in the light of the emerging policy there seems no reason to thus restrict the site. Furthermore, the provision of a new direct access onto the B184 would be more suited to the traffic associated with B8 use. This would accord with National Guidance contained in PPG 4 and 7 which seek to locate businesses in accessible sites close to existing towns rather than in the countryside or other areas which are less accessible.

2) The provision of a new direct access has already been agreed subject to a legal agreement to secure the works to widen the service road and the access onto the main road at no cost to the Authority. This agreement is awaiting completion. The level of on site parking provision is considered to be satisfactory for the proposed new units. It is proposed to condition any consent to preclude the installation of mezzanine floors as permitted development which would allow the formation of extra floor space without additional on site parking provision. It is proposed to secure by condition on site provision for each unit of secure and covered cycle facilities to offer an alternative to the use of the private car. It is also sought that disabled parking provision be secured.

3) It is proposed to secure this by condition as requested by the Environment Agency.

4) The layout and design of the units is considered to be acceptable. The parking is laid out so that it relates to the different units and is softened by planting beds. The choice of materials is considered for the function of the buildings.

COMMENTS ON REPRESENTATIONS: It is considered that the amenities of the occupiers of the nearby farm have been taken into account. It is not proposed to limit the trading hours on the site as it is considered that the relationship between the site and the nearest residential unit is sufficient so as not to adversely affect the amenities of the occupiers, however it is proposed to prevent external working on the site.

CONCLUSIONS: The proposal is considered to follow the principles of development established in previous applications. The proposal is in accord with the development plan policies. It is recommended that approval be granted subject to the signing of a legal agreement to secure the required highway improvements.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS AND S106/S278 AGREEMENT

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.5.1. Samples of materials to be submitted and agreed
6. Prior to the commencement of any development a scheme for the provision and implementation of foul water drainage, surface water drainage and pollution control shall be submitted and agreed in writing with the local planning authority. The development shall be constructed and completed in accordance with the approved plans prior to any of the units being first occupied.
Reason: To ensure a satisfactory method of foul and surface water drainage and pollution control and to prevent the increased risk of pollution to the water environment.
7. C.7.1. Details of external ground and internal floor levels to be submitted and agreed

8. C.6.8. Excluding Permitted Development extension or alterations to industrial warehouse premises
9. C.8.3. No outdoor working
10. C.9.1. No outdoor storage
11. No development shall take place until the new access to the site and attendant radius curves is provided and the existing access onto the B184 has been widened in accordance with details approved in writing with the local planning authority. These works shall be retained in perpetuity and maintained to the satisfaction of the local planning authority.
Reason: In the interests of highway safety.
12. Prior to the development commencing, details of secure and covered bicycle storage for each of the units hereby granted consent shall be submitted to and approved in writing with the local planning authority. The facilities shall be provided in accordance with the approved details prior to any of the units first being first occupied and shall be subsequently retained in perpetuity.
Reason: In the interests of highway safety.
13. Notwithstanding the provisions of the Town and Country Planning General permitted Development Order 1988 (as amended) or any other Order revoking or re-enacting that Order, no access other than that shown on the approved plans shall be formed to the site.
Reason: In the interests of highway safety.
14. None of the units hereby granted consent shall be first brought into use until the car parking and servicing areas shown on the approved plans to serve the units has been provided. The areas shall be surfaced and subsequently retained in perpetuity solely for this purpose.
Reason: In the interests of highway safety to ensure there is adequate on site parking provision.
15. Prior to development commencing, details of the measures to be taken to provide access and facilities for people with disabilities, including parking for each of the units shall be submitted to and agreed in writing with the local planning authority. The agreed measures shall be fully implemented prior to the units first being brought into use.
Reason: To secure adequate access and facilities for the disabled.
16. Prior to any of the units being first occupied, details of the on site lighting including security lighting shall be submitted to and agreed in writing with the local planning authority. The lighting shall be implemented solely in accordance with the agreed details.
Reason: To safeguard the visual amenities of the area.
17. Prior to any development commencing to convert the existing dwelling unit on the site into B1 use as approved as part of this consent, a detailed car parking layout shall be submitted to and approved in writing with the local planning authority. The scheme shall be laid out in accordance with the approved layout prior to the unit first being brought into use and shall subsequently retained in perpetuity for use in connection with this unit.
Reason: To secure adequate on site parking provision to serve this unit.
18. The residential use of the existing bungalow on the site shall cease prior to any of the units hereby granted consent first being occupied for a B2 use.
Reason: To protect the residential amenities of the occupied of this unit given the relationship of the unit to the site.

Background papers: see application file.

UTT/0996/02/DC - SAFFRON WALDEN
(District Council proposal)

Change of use of dwelling to office, creation of 33 parking spaces (net increase of 1 spaces) and erection of two parking control barriers.

Lodge House & Council Offices car park adjacent 56 London Road. GR/TL 535-379.

Uttlesford District Council.

Case Officer: *John Grayson 01799 510455*

Expiry Date: 26/08/2002

NOTATION: ADP & DLP : Within Development Limits & Settlement Boundaries, Conservation Area and Curtilage of Listed Building.

DESCRIPTION OF SITE: The site is located on the northern side of London Road to the south-west of the town centre. It forms part of the District Council's main offices and includes the old Lodge House to the south-west, which is now empty. Two vehicular and pedestrian accesses are available from London Road. The main car park is to the eastern side and to the rear, with ancillary spaces to the front and has a total of 126 designated spaces. A footpath runs down the entire length of the western boundary between the Council Offices and the rear gardens of properties in Saxon Way.

DESCRIPTION OF PROPOSAL: As part of the Councils' resolution to relocate Planning Services to Saffron Walden, it is proposed to change the use of The Lodge House (about 100 sqm) to offices and to extend the car park to the rear of this building. An extra 12 staff car parking spaces would be provided in this area (net : 10 existing and 22 proposed), behind a new barrier. The existing vehicular access to London Road close to the mini roundabout at the junction of London Road with Newport Road would be closed. The existing car parking spaces in front of the building would be reorganised to create 12 visitors' spaces. In all 140 spaces would be provided, a net increase of 14. The second barrier would be constructed to the right of the access leading to the main staff car park. The council is proposing to allow staff parking at the Swan Meadow Car Park. The distribution and allocation of parking spaces is yet to be finalised.

RELEVANT HISTORY: Permission granted in 1988 for use as Council Offices and Civic Centre with extension. Ten extra parking spaces approved in 1991. Two extra spaces in front of main building refused in 2000 for reasons of adverse effects on setting of Listed Building and character of Conservation Area.

CONSULTATIONS: Design Advice: No objections.
ECC Transportation: No objections.

TOWN COUNCIL COMMENTS: Deferred making comments because they consider there would be insufficient car parking and wish to reconsider matter when fuller details are available.

REPRESENTATIONS: This application has been advertised and one representation has been received. Period expired 25 July.

It seems a retrospective application as the lodge has been empty for some time. It is already set out with conference tables and chairs in the main downstairs room, I saw through the window when I received your letter a month ago. Again there is one rule for the Council and one for the public. I do hope all the boundary trees will remain for screening, we already had so many were removed from the original nurses garden when it was surfaced for car parking space when UDC took over.

My main concern is that there is no room or parking for staff on the proposed move from Dunmow for the planning dept. Already double parking parking operates daily and there isn't

room. I frequently have my drive blocked in by workers parking all day blocking my exit in Gibson Gardens. If the Dunmow site is being sold then the money should be used to buy permission for your Planning Office instead of trying to squash onto the overfull old hospital site. If you grant permission for The Southgate site or adjacent Granite site then a building could be erected there instead. I do not think the full implications of this move have been considered. It is a pity financial restraints over ride everything else. I would be grateful for any information you could send me on this issue.

The existing entrance to the lodge is a dangerous spot with crossing bollards at a 3 way road intersection, used by 1600 pupils going to the high school at the time workers arrived to park. I hope the cars will access this new area via the circle in front of the main building instead.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would :

- 1) retain the setting of the Listed Building (PPG15, ERSP Policy HC3, ADP Policy DC5a & DLP Policy ENV2), preserve or enhance the character of the Conservation Area (PPG15, ERSP Policy HC2, ADP Policy DC2 & DLP Policy ENV1) and**
- 2) provide adequate on-site parking facilities (PPG13, ERSP Policy T12, ADP Policy T2 and DLP Policy GEN9).**

1) The relevant advice and Policies require that the development should not adversely affect the setting of the Listed Building and that the existing character of the Conservation Area should be preserved or enhanced. None of the existing landscaping around the building would be removed as part of this proposal and only minor trimming would be required behind The Lodge. The additional parking to the west of The Lodge and south-west of the modern extension to the main building would not adversely affect the setting of the main building. The longest uninterrupted run of parking spaces would only be five and important trees like the Wellingtonia would be protected during construction. There would be no external change to the appearance of The Lodge. A dwelling would be lost through the proposal but the existing and proposed parking arrangements would create a poor living environment and it is considered that in the interest of the development overall the loss of a residential unit would be acceptable.

2) The current advice from the Government is that on-site parking provision should be provided up to a *maximum*, based on agreed standards, in the interests of sustainability. There would be an additional 14 spaces bringing the existing total to 140. Although there is not a parking standard directly applicable to local government offices, the standard for B1 offices gives a rough guide. The net floorspace is around 4,800 sq m. At the adopted standard of 1 space per 30 sqm of office floorspace, there should be a maximum of 160 spaces on site. However, the Council offices have very different patterns of activity then a B1 office, with many staff working away from the office for prolonged periods. The provision of 140 spaces is considered acceptable in the light of the Government's advice to reduce on-site car parking and the off-site parking scheme which the Council is proposing to introduce. It is considered, none the less that a travel plan will need to be prepared and agreed prior to the commencement of the use of the new parking areas.

COMMENTS ON REPRESENTATIONS: The car parking issue has been addressed above. The existing access to The Lodge will be closed. The lodge has not been occupied for some time and although ad hoc meetings have occasionally occurred there has been to formal change of use to offices.

CONCLUSION: It is considered that the setting of the Listed Building would not be affected and the character of the Conservation Area would be preserved. There would be sufficient

on-site parking facilities to meet current standards, provided a Travel Plan is agreed and implemented prior to the use.

RECOMMENDATIONS: 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.4.6. Retention and protection of trees and shrubs
6. Before The Lodge is first used as offices the additional spaces hereby approved shall be implemented, laid out and brought into use and retained thereafter.
Reason: To ensure that sufficient on-site parking facilities are provided to avoid kerb-side parking in the interests of highway safety and in the interests of sustainability.
7. All car parking spaces provided as part of the application hereby approved shall be kept for use only by staff and visitors to Uttlesford District Council during normal working hours.
Reason: To ensure that sufficient on-site parking facilities are provided to avoid kerb-side parking in the interests of highway safety and in the interests of sustainability.
8. A Travel Plan shall be submitted to and approved in writing by the local planning authority before any of the additional parking spaces hereby approved are first used. The scheme shall include means of managing on and off-site car parking as well as measures to prevent parking in nearby streets, car sharing and transport facilities.
Reason: To ensure that sufficient on-site parking facilities are provided to avoid kerb-side parking in the interests of highway safety and in the interests of sustainability.

Background papers: see application file.

UTT/0984/02/FUL - SAFFRON WALDEN

Replacement village hall.

Land adj. St Johns Church, Little Walden. GR/TL 546-414. Mr M White, Clerk to Saffron Walden Town Council.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 23/08/2002

NOTATION: ADP: Outside Development Limits, within Area of Special Landscape Value, adjacent to an area covered by a Tree Preservation Order.

DLP: Outside Settlement Boundary, adjacent to area covered by Tree Preservation Order.

DESCRIPTION OF SITE: The site is located on the southern side of the village, north of the existing church and church hall. Between the site and the road is a copse of trees adjacent to the River Slade. The vehicular access to the site is on the northern side of the church, is bridged across the river and consists of a single-track gravelled driveway leading to a car parking area. Surrounding the site are open fields. The nearest residential units are on the opposite side of the road.

DESCRIPTION OF PROPOSAL: The proposal is to erect a new village hall building on the site. The existing access would be widened to a width of 5m. This widening would result in the loss of a line of trees which are not subject of the TPO. The existing hall would be demolished allowing for a total of 23 spaces to be set out including three disabled bays. The hall would consist of a main hall area with ancillary storage, toilet and preparation areas. The main windows would face to the east over the open countryside. Access for people with disabilities is via a ramp from the car park to accommodate the raised level of the building to avoid flooding.

The building would be of red brick and weatherboarding construction with a clay tile roof. The materials echo those of the Church and the nearby barn complex.

The site would be enclosed with a post and rail fence and hedging to the external boundaries.

APPLICANT'S CASE: The proposal follows negotiations which have taken place with the County Tree Officer, the County Surveyor and the case officer to alter the existing access rather than forming a new point of access to the south which would result in the loss of an important street tree. The issues of drainage and potential flooding of the site have also been addressed.

RELEVANT HISTORY: Outline permission was granted for the erection of a new village hall on this site in June 2001. This proposal differed in that the vehicular access was to be formed to the south of the church and a new access running round the eastern side of the church. The existing access was to be retained to form a pedestrian access.

CONSULTATIONS: ECC Transportation: No objections.

Country Arboriculturalist: Only two trees remain on the site which are subject of a TPO and neither of these trees would be adversely affected by the proposal.

It is considered to be more appropriate to widen the existing access than forming a new access to the south. The current proposal would lead to the loss of nine small Sycamores and two Hawthorns but this is preferred to the removal of a group of Sycamores and a Larch to the south of the church which the Outline scheme proposed. The loss of the Sycamores as part of this proposal would have very limited visual impact due to the presence of other trees on the site.

Growing on the east side of the Slade adjacent to the site for the hall are two Sycamores in early-semi maturity. Their form is such that they could be pruned without damage to their health or amenity value.

Appropriate protection measures will be necessary during construction.

TOWN COUNCIL COMMENTS: Not applicable (own application).

REPRESENTATIONS: None. Notification period expired 23 July 2002

PLANNING CONSIDERATIONS:

The main issues are whether the proposed development would be acceptable and in accordance with the ADP and DLP

- 1) **ADP Policy S2 (DLP Policy S7) development outside development limits and settlement boundaries**
- 2) **ADP Policy C2 (DLP Policy GEN8) the potential impact of the building on the countryside setting and the character of the village**
- 3) **whether adequate vehicular access to the site and parking can be provided, (ERSP Policies T4, T8 ADP Policies T1 and T2, DLP Policies GEN1 and 9)**

1) The principle of a replacement hall in this location has been accepted under the original outline consent. The proposal was considered to support the local community and on this basis development in this location was considered to be acceptable. Similar examples of village halls out side of development limits have been permitted at nearby Swards End and Clavering.

2) The building is set in open countryside, however the impact on the street scene would largely be screened by the copse of trees between the site and the road. The materials selected would harmonise with materials used on buildings in the locality. The structure echoes, via the materials and its bulk and scale, the brick barns close to the site, but also retains a modern distinct design via the window and entrance door detailing.

3) The upgrading of the existing access is considered to be acceptable in highway safety terms. The access has to be 5m wide for the first 10m of the access and tarmaced for this length. The tree growth to the road side would have to be trimmed back to achieve the required sight lines to the new junction.

COMMENTS ON REPRESENTATIONS: The advisory comments from the ECC Transportation and the Country Arboriculturalist have been taken into account in formulating the conditions for this application.

CONCLUSIONS: The proposal follows the principle of the development approved in outline last year, with the exception of the access. The works to widen the existing access are considered to be acceptable in highway safety terms and also do not lead to the loss of as significant tree specimens as the previous scheme. The scheme retains all the trees on the site identified as having important amenity value. The design and form of the hall is considered to be acceptable and in harmony with the locality.

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. The widened access hereby permitted shall be a minimum of 5m wide for the first 10m from the carriageway and this section of the access shall be hard surfaced in perpetuity.
Reason: In the interests of highway safety, to enable safe access and to ensure gravel is not taken out onto the main highway.

6. Prior to the first use of the new hall hereby approved. Visibility splays of 2.4m x 90m shall be provided at the widened access point onto the B1052 road and retained in perpetuity.
Reason: In the interests of highway safety.
7. Prior to works commencing on the site details shall be submitted to and agreed in writing with the local planning authority of the works for the disposal of sewage and foul/surface water from the site including the means of drainage for the car park. The new hall shall not be brought into first use until the agreed facilities have been fully provided and these shall be subsequently retained unless any variation or alteration is agreed in writing with the local planning authority.
Reason: To secure a satisfactory form of development which meets the requirements of the Environment Agency.
8. No sound amplification equipment which is audible outside the premises shall be installed in the premises without prior written consent of the local planning authority.
Reason: To protect the amenities of the nearby residential properties.
9. Details of any external lighting to the car park and the building shall be submitted to and approved in writing by the local planning authority before the building is first occupied. The development shall be carried out in accordance with the approved details.
Reason: To secure a satisfactory form of development
10. The hall hereby granted permission shall not be open for use except within the hours of 8.00 am to 10.30pm
Reason: In the interests of protecting the residential amenities of the occupiers of the nearby houses.
11. C.5.1. Samples of materials to be submitted and agreed.
12. C.4.5. Retention of hedges.
13. C.4.6. Retention and protection of trees and shrubs for the duration of development
14. Prior to the development hereby granted consent first commencing details of the refuse bin storage area shown on the site layout plan shall be submitted to and approved in and roof area of the structure to ensure it is vermin proof. Such measures shall be fully implemented to before the building is first brought into use.
Reason: To ensure the provision of satisfactory bin storage facilities.
15. Before the development commences, details of the measures to be taken to provide adequate access and facilities for the disabled shall be submitted to and approved by the local planning authority including the specification for the ramp and associated handrails to the front of the building. Such measures shall be fully implemented planning authority before the use of the building to which this consent relates commences.
Reason: To ensure adequate access and facilities for the disabled.
16. Prior to any development commencing on site, details shall be provided for on site covered and secure cycle storage facilities close to the main entrance of the hall hereby granted consent. The agreed details shall be fully implemented prior to the hall first being brought into use.
Reason: To ensure the provision of adequate on site cycle facilities to encourage the use of alternative transport means than the private car.
17. Prior to the development hereby granted consent commencing, full details of the new bridge or alterations to the existing bridge to carry the widened access over the River Slade shall be submitted to and agreed in writing with the local planning authority. Such details shall include the external finish materials and the safety rail detailed to the driveway self. The scheme shall be fully implemented in accordance with the approved details prior to the hall first being brought into use.
Reason: To secure a satisfactory access to the site.
18. C.15.1. Superseding previous permission.

Background papers: see application file.

1) UTT/0808/02/FUL & 2) UTT/0827/02/LB -- STANSTED

- 1) Two storey bedroom extension.
 - 2) Two storey bedroom extension, including demolition of existing wc block.
- The Three Colts Public House, 86 Cambridge Road. GR/TL 512-255. Top Dog Pub Company Ltd
Case Officer Charmain Harbour 01799 510458
Expiry Date: 25/07/2002

NOTATION: Grade II Listed Building. Within Development Limits (ADP) and Settlement Boundary (DLP).

DESCRIPTION OF SITE: The site is located on the eastern side of Cambridge Road. The site is occupied by the two storey Public House building which has a beer garden to the rear and a car parking area on the northern side. To the southern side the site abuts a petrol filling station and to the north and eastern boundaries the site is adjacent to residential properties.

The Public House dates from the 18th Century with the oldest part of the building having a clay tile roof. The building has been subject to a series of extensions to the rear and side elevations.

DESCRIPTION OF PROPOSAL: The application is for a two-storey extension to the north of the public house to form 18 guest bedrooms. The proposal would be linked to the northern side of the existing building by a single storey structure and would extend beyond the existing rear elevation of the Public House into the beer garden area. A car park area with 22 spaces would be laid out to the northern side of the site.

The structure would be 21.5m long and at its widest part 14.5m wide, with a maximum height of 7.2m located (at its closet point) 7m away from the gardens of the dwellings to the east (The Campions).

The windows to the rooms would face north and south and west with a blank gable elevation to the east. An open fire escape is shown to the eastern elevation but the applicant company has indicated that it would be willing to enclose this.

The design of the building proposes a brick ground floor with the first floor being within the roof space with dormer windows. The ridge of the structure would be approximately 1m higher than that of the main Public House but the extension would be set back from the front elevation by 2m.

It is proposed to carry out extensive landscaping to the perimeter of the site including the car park area. Currently there is little landscaping on the site and the car park is surfaced with a broken tarmac finish. It is proposed that their would be surfaced in shingle with the bays denoted in bricks.

A beer garden area would be retained to the south-eastern corner of the site.

APPLICANT'S CASE: See design statement attached at the end of report.

CONSULTATIONS: ECC Transportation: No objections.

Design Advice: The proposal represents a large extension to the Public House. The new and old are linked together by a single storey element which serves to separate the two buildings and creates an acceptable relationship between the two buildings. The height of the structure and location in the street scene would not dominate the Listed Building. The use of brick should be rethought and black weatherboarding is preferred to emphasise the

subservience of this range of buildings to the main rendered building. The environmental improvements to the curtilage will greatly enhance the setting of the building.

PARISH COUNCIL COMMENTS: Raise objection on the following grounds:

- inadequate parking. The existing Public House has approximately 30 parking spaces and these are frequently all in use. The proposal would lead to a reduction in on site parking, which would lead to on street parking.
- The proposal would cause overshadowing and loss of amenity to the neighbouring properties.
- The proposal represents over development of the site
- The design is not in keeping with the Listed Building
- Airport related business has remained confined within the confines of the airport and they do not consider this development is necessary in the light of recent hotel approvals in the area.

REPRESENTATIONS: These applications have been advertised and 4 letters of objection and a petition with 25 signatures have been received. Period expired 2 July 2002.

The following concerns are raised:

- inadequate car parking leading to vehicles parking on the adjacent roads
- inadequate provision for service vehicles
- loss of light and privacy to the houses in The Campions
- It will increase the security risk to the houses backing onto the site
- Increased noise and disturbance to local residents from the activities associated with this use, including from air conditioning units and lighting on the site.
- The need for this facility is questioned
- The change of use of the site from a pub to a motel is considered to have an adverse impact on the residential character of the area and adversely affect the highway safety.

PLANNING CONSIDERATIONS:

The main issues are:

- 1) **whether the proposal accords with the provisions of ADP Policy REC2 (DLP Policy LC6) in providing overnight accommodation, with adequate on site parking and no detrimental effect on adjacent properties by noise or traffic nuisance;**
- 2) **the potential impact on the character and appearance of the Listed Building (ADP: Policy DC5, DLP: Policy ENV2), and**
- 3) **the potential impact on the surrounding dwelling units from the built form and new use of the site (ADP: DC1 & DC14 and DLP: GEN2, GEN4 & GEN5).**

1) The current parking standards require one space per bedroom for hotels but provision is expected to be less in town centre locations. In this instance as the majority of trade is likely to be airport related, it would be reasonable to require one space per bedroom as most guests would be likely to be using private cars. A pub has to provide 1 space per 4 staff and 1 space per 5m² of floor area. On this basis the hotel use would require 18 spaces and 22 spaces for the public house giving a total of 40 spaces. The site would therefore have a significant shortfall of 18 spaces. It would therefore appear that there is insufficient parking to support both uses. It is proposed that should consent be granted, on site cycle provision be sought to encourage alternative means of transport to the car, aimed particularly at uses of the public house element.

2) In terms of the visual impact of the development to the main front elevation of the Public House and the street scene, the building should not be out of scale. The Public House would remain the visually dominant element, being the longer structure, and the setting back of the new element would retain the dominance of the older building in the street scene. The link element would give a degree of separation of the two buildings.

The form of the buildings is in a vernacular style with the use of traditional materials giving the buildings a barn-like character again emphasising the subservience of this building to the historic building. It is recommended that rather than brick, a black weather boarded finish be sought to underline the role of the wing as a service building to the main building. The rear wing is not considered to materially harm the setting or appearance of the Public House. The building has been much altered to the rear and the proposal will serve to screen the later additions to the main building from the main view from the road.

3) The southern boundary is a group of commercial uses and the overlooking of the bedroom windows in this direction is not considered to be an issue. To the north are dwellings. The windows facing this direction would be located 20 m from the boundary to the site and this is considered to be an adequate privacy distance.

The rear elevation would be blank and this could be controlled by condition. If planning permission were granted, the full enclosure of the fire escape caused be secured by condition so this could not afford overlooking. The blank gable ends would be 7m from the boundary with the properties of The Campions and a total of at least 15m from the rear elevation of the houses. The Essex Design Guide follows the guidance in the Building Establishments report 'Site Layout planning for Daylight and Sunlight' 1991 in that a minimum separation distance of two storey buildings is set at 10 m to avoid loss of light. The dwellings in The Campions should not therefore suffer from significant loss of light particularly as the main southerly aspect will not be obstructed by the development. The screen planting proposed to the boundaries should help screen the site. The security risk posed by this proposal is not considered to worsen the situation from the current relationship of land uses. The on-site lighting could be conditioned if planning were granted. The applicant has written to confirm that the rooms would not be air-conditioned and this could also be secured by condition to ensure if any such plant were added a planning application would be required.

COMMENTS ON REPRESENTATIONS: The local planning authority is advised by central government that it is not their role to question the need for a use that this is market led and the application must be considered on its planning merits. The proposal would add a large extension to the pub complex and having considered the proposal on the basis of current parking standards there would be a significant shortfall of spaces.

Although the unit would be very visible to the rear elevations of the houses to the east of the site, the proposal should not cause significant overlooking or loss of light to any of the surrounding units. Concerns of the resident regarding air-cooling lighting of the site and the use of the fire escape could be controlled by condition. The works would include significant landscaping of the site which is considered to visually enhance the site. It is not considered the proposal harms the setting or appearance of the Listed Building.

CONCLUSIONS: The proposal would be contrary to ERSP Policy T12, ADP Policy T2 and DLP Policy GEN9. Policy REC2 allows for such developments with development limits of an existing settlement and the proposal is not considered to cause significant harm to the amenities of the area. The scheme is not considered to harm the character or appearance of the Listed Building. There are no design reasons, to refuse listed building consent.

RECOMMENDATIONS:

1) UTT/0808/02/FUL – REFUSAL REASON

The development proposed has failed to demonstrate that on site car parking to the Local Planning Authority Standards for both the Public House and the new guest bedroom use can be provided on the site. A short fall of 18 spaces would be produced, likely to give rise to on street parking in the surrounding area which would be to the detriment of the occupiers of

the dwellings in the surrounding locality. The proposal is therefore considered to be contrary to the following policies: ERSP T12, ADP Policy T2 and DLP Policy GEN9.

2) UTT/0827/02/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development – listed buildings.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.2. Details of materials to be submitted and agreed.
4. C.5.5. Clay Plain tiles.
5. C.5.9. Stained wood.
6. C.5.14. Black rainwater goods.
7. C.5.17. Window & door details and sections to be submitted and agreed.
8. Prior to the works hereby granted consent commencing detailed drawings to a scale of at least 1:50 shall be submitted and approved in writing with the local planning authority detailing how the single storey link extension shall be attached to the existing fabric of the historic building including details of the materials to be used.
Reason: To secure an acceptable form of development.

Background papers: see application file.

UTT/0721/02/FUL - LEADEN RODING

Demolition of existing buildings and erection of 4 no. 3 bedroom and 6 no. 2 bedroom terraced dwellings.

Land adj. 8 Chelmsford Road. GR/TL 594-131. Park Hill Housing Ltd.

Case Officer: *Michael Ovenden 01799 510476*

Expiry Date: 04/07/2002

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

DESCRIPTION OF SITE: This roughly rectangular site is located in the southern part of the village about 150 metres south of the roundabout junction with the Dunmow Road. It measures approximately 50 metres wide by 45 metres in depth, with an area of 2250 square metres and (0.225ha) is a vacant commercial site with two warehouse buildings with car parking and turning area at the front behind a wide highway verge. To the north of the site is a cleared former garage site which has a valid permission for four dwellings. To the east is the Chelmsford Road; to the south is a row of mid twentieth century former Council semidetached dwellings (Chalk Villas), whilst to the rear is open farmland with a thickly wooded area to the immediate west.

DESCRIPTION OF PROPOSAL: This alternative scheme proposes the demolition of the warehouses and removal of the large areas of hardstanding and the erection of two terraces of ten small dwellings consisting of 6 x 2 bed and 4 x 3 bed dwellings with associated car parking for 20 vehicles, including a five bay carport accessed via an archway. The dwellings would each be provided with small gardens of about 40 square metres.

RELEVANT HISTORY: Outline Permission for 6 dwellings with garaging granted in 2001; Permission for two identical schemes for 10 x 2 bed and 2 x 3 bed flats granted in 2002.

CONSULTATIONS: ECC Transportation: To be reported.

Thames Water: Advisory comments.

Design Advice: Satisfactory subject to provision of external chimneys to minimise impact of side span and relocation of the windows at ground level to be moved closer to improve the balance of the design.

Environment Agency: Request for a scheme for the provision and implementation of surface storage works prior to development with recommendations to achieve this by way of on site storage with restricted discharge or soakaways. Opportunities for water saving efficiency devices also recommended.

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: None. Notification period expired 3 June 2002.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) this proposal would be an efficient use of this site within development limits in accordance with the advice in PPG3 Housing;
- 2) the proposal would provide sufficient car parking and amenity space to meet the adopted standards (UDP T2, DDP GEN2);
- 3) the proposed design would protect the character of the area and the amenity of neighbours (UDP DC1 & DC14, DDP GEN2 & 4).

1) The erection of 10 dwellings on this site would be to a density towards the upper end of the Government's recommended density of 30-50 dwellings per hectare. The proposal is a rare opportunity to provide a significant number of small units in the village, and is to be welcomed.

2) The proposal would provide two spaces per unit which would be sufficient to meet the adopted standards. The access would be in the same place as the current one and (subject to confirmation by ECC transportation) should be acceptable. The proposal would provide approximately 40 square metres garden per dwelling. This is significantly less than the 100 square metres standard in the adopted and deposit plans but would be comparable to the footprint of these small dwellings and because these dwellings are largely two bedroom, it is easier to justify smaller gardens than larger, more obviously family housing.

3) The design of the terrace benefits from being simple and uncluttered and attractive, using a mixture of brick, boarding and render, with roofs clad with plain tiles. With the exception of the single bathroom window on each of the two flank elevations, all other windows would be front or rear facing. It is considered that the proposal should not adversely affect neighbours, nor give rise to material overshadowing.

CONCLUSIONS: The proposal complies with relevant policies and would be acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit
2. C.3.1. In accordance with approved drawings
3. The development hereby permitted shall not commence until details of the proposed means of foul and surface water drainage have been submitted to and approved by the local planning authority. Thereafter the dwellings shall not be occupied until the approved means of foul and surface water has been provided and is fully working.
Reason: To protect the environment from pollution.
4. C.17.1. Revised plan re provision of chimneys.
5. No further windows shall be inserted into the side elevation of the dwellings and those side elevation windows shown on the approved drawing shall be fitted with obscure glass and remain so in perpetuity.
Reason: To prevent overlooking of neighbouring properties.
6. C.6.3. Removal of PD Rights of extension.
7. No dwelling hereby permitted shall be occupied until the existing vehicular access has been altered in accordance until the details shown on drawing 16602/6.
Reason: In the interests of highway safety.
8. No dwelling hereby permitted shall be occupied until the parking and turning area inducted on drawing 16602/6 has been provided. Thereafter all the parking spaces shall be retained in perpetuity for the parking of domestic vehicles.
Reason: In the interests of highway safety.
9. C.4.1. Landscaping scheme to be submitted and agreed
10. C.4.2. Implementation of landscaping
11. C.7.1. Slab levels to be agreed

Background papers: see application file.

UTT/0693/02/FUL - HATFIELD BROAD OAK

Demolition of existing dwelling. Erection of 2 two-storey dwellings with garages.
Newbury, Cage End. GR/TL 546-162. Mr J Lukies.
Case Officer: *Katherine Benjafield 01799 510494*
Expiry Date: 05/07/2002

NOTATION: ADP & DLP: Outside Development Limits and Settlement Boundaries / Within Area of Special Landscape Value (ADP only).

DESCRIPTION OF SITE: The site is located at the southern edge of the village, just beyond the Development Limits. It forms the curtilage of Newbury, a dwelling erected in the early 1980's, and is situated on the corner of Cage End and Newbury Meadow. To the west are 10 recently erected affordable houses, to the north is the village hall, to the east is older housing and to the south open farmland. The plot measures 0.19ha (0.47 acre), is 15m wide and there is a gap of about 22m between Newbury and the side wall of the first affordable dwelling. The land is currently overgrown and has not been incorporated into the garden to Newbury as indicated in 1994.

DESCRIPTION OF PROPOSAL: It is proposed to replace Newbury with two 2-storey dwellings. The house on plot 1 to the east would have 5 bedrooms and that on plot 2 four bedrooms. It is also proposed to discharge the second Section 106 Agreement relating to the land between Newbury and the affordable housing.

APPLICANT'S CASE: See solicitor's letters dated 2 August 2001, 2 May & 1 July 2002 attached at end of report.

RELEVANT HISTORY: Agricultural dwelling approved in 1979 and occupancy condition removed in June 2001. Site to west (in same ownership as Newbury) approved for 10 affordable houses in 1994, subject to two Sec 106 Agreements relating firstly to the occupancy of the dwellings and secondly to the retention of the open gap between Newbury and the affordable housing.

CONSULTATIONS: Environment Agency: No objections subject to informative notes.
ECC Archaeology: Notice of commencement of works required.

PARISH COUNCIL COMMENTS: Object: See letter dated 6 June attached at end of report.

REPRESENTATIONS: One. Notification period expired 7 June.

Support. Some 5 years ago I acquired Buryfields, Cage End (now Cage End House) of similar age and equally unattractive as Newbury. You approved my application to demolish and replace with 3 dwellings which was the only way economically I could justify demolition. I think it fair to say that the village and residents of Cage End in particular are delighted with Cage End House. The same opportunity now presents itself with this application which I hope will be enthusiastically grasped to enable a well-designed appropriate dwelling to replace Newbury in this visually important location.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would be in accordance with the Development Plan regarding :

- 1) a replacement dwelling for Newbury on plot 1 (ADP Policy H8 and DLP Policy H6),
- 2) an infill dwelling on plot 2 (ADP Policy H6 and DLP Policy S7) and

3) the proposed discharge of the Section 106 Agreement and its likely effect on the Council's affordable housing strategy (ADP Policy H5 and DLP Policy H10)

1) The relevant policies indicate that replacement dwellings should be in scale and character with neighbouring properties and sited in proximity to the existing property. Although somewhat larger than Newbury, the proposed replacement house would be in keeping with other properties in this part of Cage End and would be sited on the existing footprint.

2) ADP Policy H6 indicates that an individual dwelling in (i) a small gap within a small housing group outside Development Limits will normally be permitted, providing there is no adverse effect on (ii) the character or appearance of the countryside or any associated settlement, (iii) appropriate environmental interests or (iv) road safety and convenience.

(i) The plot is 15m wide and there is a gap of 22m between Newbury and the affordable housing. This is considered to comply with the generally accepted definition of an infill plot.

(ii) The character of Newbury Meadow has changed since the erection of the 10 affordable dwellings seven years ago. It used to be a rural lane leading to the sausage factory and it now has a more suburban feel, although the land opposite to the north and behind to the south remains open. Although it is considered that this gap performs a role in helping to retain some of the previous rural character of the area, which would be completely lost if there were to be a continuous line of development along the southern side of the lane, this would not be so damaging to warrant refusal.

(iii) Environmental interests - there are no specific features such as a village green or Conservation Area to consider in this case.

(iv) Road safety and convenience - despite being opposite the entrance to the village hall's rear car park, there should be no material dangers from a new access serving a single dwelling.

3) In reporting the joint application by the Hatfield Broad Oak Parish Council and the English Villages Housing Association for the 10 affordable houses on the land to the west to the DC Committee meeting on 5 December 1994, Officers stated that:

"A piece of land at the eastern end of the site would be incorporated into the garden of the agricultural property on the corner of the lane and Cage End, known as Newbury, and a clause will be included in the Section 106 Agreement to prevent further development of that land as an infill plot."

The second Section 106 Agreement dated 19 May 1995 stated that:

"The Council has resolved to grant permission for the development subject to the completion of this Agreement without which such permission would not be granted."

The owner covenanted with the Council:

"not to use or permit to be used the land for any purposes other than land appurtenant to and forming part of the curtilage of the dwelling house known as Newbury, and not to erect any structures or buildings other than boundary walls and fences and such extension or extensions to the dwelling house known as Newbury as may be permitted by planning consent."

The issues to consider are (a) whether there have been any fundamental changes in relevant planning circumstances to warrant setting the Agreement aside and (b) what effects this would have on the Council's affordable housing strategy.

(a) The solicitor's supporting letter dated 2 August 2001 states that *"the Section 106 Agreement is now over five years old and therefore an application may be made for its removal. Of course a Section 106 Agreement can only be valuable if it is to protect a valid planning interest. If planning permission might properly be expected to be granted for a single dwelling on the infill plot in accordance with the Development Plan, then we would suggest that there is no legitimate planning interest served by the Section 106 Agreement."*

It is considered by Officers that in the intervening years since the Agreement was signed, there have been changes in relevant planning circumstances that now can warrant discharging the Agreement. Taking into account the test of reasonableness in Circular 1/97 (Planning Obligations) it is not considered that the Council could today require an applicant to enter into an agreement removing his or her rights to apply for planning permission, as any application must be judged primarily against the provisions of the Development Plan. One of the aims of the Development Plan is to protect legitimate planning interests and a framework is set out within the plan against which to judge infill proposals. Officers can advance no reasons why the infill proposals would contravene Development Plan Policy and in these circumstances the infill proposed would make the most efficient use of land under PPG3, which was revised since the agreement was signed.

(b) One of the essential criteria of the Council's affordable housing policies for sites outside Development Limits is the need to ensure that there is no release of land for private housing as part of, or on the back of, the affordable development. This is supported by advice in Annex B of PPG3 where the Government states that:

"General market housing, or mixed developments consisting of high-value housing used to cross-subsidise affordable housing on the same site, are inappropriate on affordable housing sites." This is to prevent speculative applications for mixed schemes which would dilute the provision of low-cost units and add to inessential development in the countryside.

The purpose of the Agreement at the time it was signed was to prevent creating a mixed development which would not have been approved. Seven years have now passed since then, during which time the applicant has not been able to benefit from infilling and the agreement has served its purpose. The degree to which the granting of planning permission 7 years later for an infill dwelling can be said to be creating a mixed scheme is debateable and officers do not, therefore, consider that discharging the agreement now could reasonably be argued as setting a precedent for similar development elsewhere.

CONCLUSION: This is not a straightforward proposal, but the new infill dwelling would be in accordance with the Council's infill policy, circumstances have changed since the agreement was signed in 1994, and in view of the time laps. Officers do not consider that the discharging of the agreement should set a precedent or be prejudicial to the Councils' affordable housing strategy.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND DISCHARGE OF SECTION 106 AGREEMENT

1. C.2.1. Standard Time Limit.
2. C.3.1. To be implemented in accordance with original plans.
3. C.4.1. Scheme of landscaping to be submitted to include retention of existing planting along Cage End frontage.
4. C.4.7. Implementation of scheme of landscaping.
5. C.7.1. Slab level to be agreed.
6. C.6.4. Excluding extension without further permission.
7. C.23. Demolition of existing dwelling.
8. The vehicular access garages and parking space shown on drawing 01/072/3 shall be provided prior to the first occupation of the dwelling to which they relate.

Reason: In the interests of highway safety.

Background papers: see application file.

UTT/0568/02/FUL - HIGH EASTER

Retrospective application for change of use of farm building to function room.

Maidens Farm. GR/TL 634-164. C Matthews.

Case Officer: Katherine Benjafield 01799 510494

Expiry Date: 04/06/2002

NOTATION: ADP & DLP: Outside Development Limits & Settlement Boundaries/Protected Lanes and Verges.

DESCRIPTION OF SITE: The site lies in open countryside between High Easter and Barnston. The barn forms part of a farm complex and has recently been restored and converted for the use proposed.

DESCRIPTION OF PROPOSAL: It is proposed to retain the use of this barn for functions such as 21st birthday parties, craft fairs, wedding receptions and dances for local organisations.

APPLICANT'S CASE: See agent's letter dated 24 March attached at end of report. (Note: There are no rights of permitted development because the use involves a building).

RELEVANT HISTORY: This application results from an enforcement investigation in February 2002.

CONSULTATIONS: Environmental Services: No objections subject to noise and hours restrictions.

English Nature: Does not affect on SSS1. Adjoining pond may warrant further investigation re protected species habitats

Environment Agency: Advisory comments on drainage given.

PARISH COUNCIL COMMENTS: Whilst we have no objection to the function operation we are concerned about the extremely narrow lanes which give access to the barn. The applicants have indicated that in the event of their application being approved directions to the Barn would be stated to be from the High Easter Road (to Barnston) and not through the narrow lane from Stagden Cross.

REPRESENTATIONS: One. Notification period expired 3 May.

NFU: Support. Farming has changed dramatically in recent years, machines have become larger, crops are stored in specialised bulk bins to comply with Quality Assurance Schemes and commodities such as fertiliser and seed are delivered in tonne bags requiring the use of mechanical handlings. The result of these changes has been to render many of the traditional farm buildings redundant. In addition the dramatic downturn in returns from farming over the past 6 years, typically cereal farmers incomes have fallen by 90% to an average of just £4,500 mean that alternative forms of income have to be found. By allowing the change of use for the barn, it will ensure that its character is maintained and the building will not suffer dilapidation and the income generated will be beneficial to the farming enterprise. Additionally I believe that Mr Matthews intends to use other local businesses for catering etc which in itself will help to strengthen the local rural economic microclimate in accordance with Government policy.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would:

- 1) be appropriate in the countryside (ADP Policy S2 & DLP Policy S7),
- 2) adversely affect local residents (ADP Policy DC14 & DLP Policy GEN4) and

3) be harmful to Protected Lanes and Verges (ADP Policy C3b & DLP Policy ENV8).

1) The policies allow appropriate changes of use of suitable existing buildings compatible with a rural area. This barn has been sympathetically restored to its former condition and enhances this group in the countryside. Its occasional use for functions as described would be appropriate, subject to the other two considerations below.

2) The policies require new development to have regard to protecting the residential amenities of neighbours. In this case there are only 2 dwellings within 200m and no representations have been received. (The enforcement referral was from an Officer in another Department). It is considered that there should be a maximum limit of 12 events per year in order to safeguard the amenities of local residents and that they should cease by 2am. It is also considered that a temporary permission for 2 years would be appropriate to allow the effects of the activities to be monitored. Whilst Government advice normally discourages temporary permissions, it is considered to be justifiable in this case because the applicant is not proposing to carry out building works as the application is retrospective.

3) There would be additional traffic along these country lanes, but generally they should be travelling in the same direction, thus avoiding the need to pass and mount the verge.

CONCLUSION: The proposal may well be appropriate, but should be assessed for a trial period. The comments of English Nature will be passed to the applicant but as the application is retrospective there is no other action for the Council to take at this time.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS

1. The permission hereby granted shall enure for a temporary period of 2 years from the date of this notice, after which time it shall cease unless an application for its permanent retention has been granted.
Reason: In order to monitor its use and assess whether it should continue permanently.
2. No more than 24 functions shall be held during the two year period mentioned in condition 1.
Reason: In order to safeguard the amenities of neighbours.
3. All functions shall cease by 2am.
Reason: In order to safeguard the amenities of local residents.
4. Parking for a least 20 vehicles shall be provided on-site in the area shown on drawing no. 1177/8 received 25.7.02 during the holding of these functions.
Reason: In order to avoid parking in the narrow country lanes in the interests of highway safety.
5. C.8.27. Drainage Details
6. No external lighting shall be installed without the prior written approved of the local planning authority.
Reason: In order to safeguard the visual amenity of the countryside

Background papers: see application file.

UTT/0714/02/FUL - GREAT DUNMOW
(Referred at Officers' Discretion)

Erection of 8 floodlights, mounted on 6 columns, on 10metre high poles.
Talberds Ley Tennis Courts, Talberds Ley. GR/TL 625-220. Great Dunmow Town Council.
Case Officer: *Richard Aston 01799 510464*
Expiry Date: 04/07/2002

NOTATION: ADP & DLP: Within Development Limit and Settlement Boundary, Conservation Area and Protected Open Space of Environmental Value/Informal Recreation.

DESCRIPTION OF SITE: The tennis courts are situated on the northern side of Stortford Road to the rear of the Foakes Hall. They are some 40m southeast of Rosemary Lane and 115m southwest of Doctor's Pond. Although partially screened by trees to the north and northeast, the site is visible over a wide area from the top of The Downs to the north, Rosemary Lane to the west, Stortford Road to the south and North Street to the east. There are a number of dwellings which overlook the area and a footpath runs between North Street and Rosemary Lane. The nearest dwelling is 15m from the courts. This part of the Conservation Area is relatively unspoilt with large public open spaces. There are low levels of artificial lighting in this area, which have recently been enhanced, and this contributes to its character. The courts are relatively unobtrusive at present, especially at night.

DESCRIPTION OF PROPOSAL: This revised proposal seeks to erect six 10m high lighting poles with eight lights. It is proposed to use the floodlights up to three evenings a week until 10pm.

RELEVANT HISTORY: 12 Floodlights mounted on 9 columns, 8m in height, refused and dismissed on appeal in 1999 on grounds of loss of amenity to neighbours (four evenings per week until 10 pm).

APPLICANT'S CASE: See applicant's letter dated 7 May, a letter from the Police dated 2 May and a supporting statement attached at end of report.

The scheme has been revised because the character of the Talberds Ley area has now changed since the 1998 application, in as much that additional lighting has been installed at Foakes Hall and street lighting has been added following consultation with the local police. Believe that the revised scheme now satisfies the Inspector's comments that the previous proposal would have appeared as a marked intrusion in the darkness of the open space. Furthermore, the impact on local residents would be reduced because the proposal employs the latest technology. It would increase security as courts would be used when daylight hours are restricted.

CONSULTATIONS: Environmental Services: Floodlighting would intensify use and this could give rise to noise and disturbance to residential premises. It may be appropriate to consider limiting the hours of use. Whilst it is possible to control glare with modern technology, the floodlighting would still have a visual impact on the locality.

Design Advice: No objections from a Conservation Area viewpoint.

REPRESENTATIONS: This application has been advertised and two representations have been received. Advertisement expired 13.06.02.

1. Concerned about the effect of the lighting and increase in use.
2. Dunmow Society objects on the grounds that the lighting would be unsuitable and would affect local residents. It may also be visible from other places in the surrounding area across the Chelmer Valley.

PLANNING CONSIDERATIONS:

The main issues are:

- 1) whether the proposal would protect or enhance the character and appearance of the Conservation Area (ADP Policy DC2 and DLP Policy ENV1),
- 2) the effects that the proposal would have on the residential amenity of adjoining and surrounding occupiers (ADP Policy DC14 and DLP Policies GEN4 & GEN5), and
- 3) whether the revised proposal should outweigh the Inspector’s decision.

1. This part of the Conservation Area is relatively open and the courts are unobtrusive, especially at night. Design Advice is that there should not be any material impact on the character of the area from the erection of 6 lighting poles. However, the Inspector stated that *“the scheme would appear as a marked and discordant intrusion into the darkness of the open space, weakening its contrast with the built-up area. I consider its impact would be harmful to the appearance of the open space and would seriously erode these qualities.”* It is not considered that the changes now proposed, or the additional support argued in terms of security, would be sufficient to fundamentally alter this view.

2. The previous application was refused and dismissed on appeal because the Inspector concluded that the lights would *‘seriously intrude on the outlook of adjoining residential occupiers’*, especially from Star Lane which is at a lower ground level and would be detrimental to their residential amenity. It is not considered that the proposed reduction in the number of poles from 9 to 6 (2m higher) or the frequency of use from 4 evenings to 3 are sufficient to overcome this objection.

3. Compared with the previous scheme, the applicant’s case also states that the lights would reduce the potential for vandalism, and that various elements of street lighting have recently been introduced. Whilst this is a material consideration, it is the judgement of Officers that it does not outweigh the fundamental reasons for dismissing the previous appeal which still stand.

CONCLUSION : The applicants have gone some way towards addressing the Inspector’s concerns, but it is clear that this location is not suitable for floodlighting.

RECOMMENDATION: REFUSAL REASONS

- 1. The introduction of floodlighting on this site would be harmful to the appearance of the open space and seriously erode the quality and character of the Conservation Area, contrary to Policies DC2 & ENV1.
- 2. The visual presence and intensity of the proposed floodlighting would seriously intrude on the outlook of local residents and be a source of tangible disturbance, to the detriment of their residential amenity due to light pollution, contrary to Policies DC14, GEN4 & GEN5.

Background papers: see application file.

1) UTT/0677/02/FUL, 2) UTT/0678/02/FUL & 3) UTT/0679/02/FUL – FELSTED
(Joint Report)

1) Erection of poultry house with two 7550mm high feed bins (house no.1) and new vehicular access.

2) Erection of poultry house (house no.2).

3) Erection of poultry house (house no.3).

Sparlings Farm. GR/TL 696-226. Mr & Mrs Moore.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 27/06/2002

NOTATION: ADP: Outside Development Limit. DLP: Outside Settlement Boundary.

DESCRIPTION OF SITE: The site lies towards the eastern edge of the District close to the Gransmore Green junction of the current A120. To the north of the site, approximately 150 metres away, is the line of the new A120 currently under construction; to the east and south is open farmland; whilst to the west is the farmhouse, a court yard of farm buildings, three more modern buildings including a storage barn erected as permitted development last year and a telecommunications tower. Currently the access to all these features is via an established access passing between the farmhouse and the courtyard of buildings.

DESCRIPTION OF PROPOSAL: These applications relate to the erection of a terrace of three free range poultry houses, having a total length of around 70 metres and width of 18 metres, and two 7½ metre tall silo style feed bins. The buildings would accommodate a total of 10,000 birds, would have an eaves height of 2.5 metres, the 15° roof giving the buildings a total height of 5 metres. The walls would be clad in stained timber and the roofs in profile sheeting. Internally the buildings would be undivided. It is proposed to construct a 180 metre access road travelling in an L-shape to serve the new buildings and access the B1417 around 100 metres further south than the existing farm access.

APPLICANT'S CASE: A four page report with annexes has been submitted and is available for inspection of the Dunmow offices. The report describes the proposal, its operation and how, through regulation and management, adverse impacts (e.g. noise and odour) are all but avoided.

CONSULTATIONS: ECC Transportation: To be reported.

Environmental Services: Have carefully considered the information submitted in support of the application and have considered similar uses within the District which have not given rise to complaints of a public health nuisance. I therefore have no objections to the proposal.

Environment Agency: Advisory comments only.

PARISH COUNCIL COMMENTS: No comment.

REPRESENTATIONS: One. Notification period expired 30 May.

Concerned at the position directly opposite my property. I feel the position could be more suitable and convenient to both the farmer and myself.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) the principle of the development taking place outside development limits would be acceptable (ERSP Policy C5; UDP S2; DDP S7)
- 2) the appearance of the buildings would be satisfactory (UDP Policy C10)
- 3) the proposal would adversely affect neighbours (UDP DC14; DDP GEN 4), and
- 4) the proposed access would be acceptable in highway terms (UDP T1)

1) The buildings would be used for the occupation of up to 10,000 laying hens as part of a free range system which is an agricultural use appropriate to the countryside. In principle this meets the requirements of both the ERSP & UDP rural restraint policies. The existing dwelling on the holding is subject to an agricultural occupancy condition so the proposal should not create the need for an additional dwelling in the countryside.

2) The design of the buildings would be that of normal functional modern agricultural buildings, cladding over a frame having a shallow pitched roof, with doors and cooling vents. The new buildings would be hidden behind existing buildings from one direction and seen against the backdrop of the same buildings when viewed from the opposite direction. In order to soften the outline of the buildings, a planting scheme along the line of the new A120 is to be negotiated. The colour of the cladding is unspecified and will be subject to a condition requiring it to be agreed. Subject to such safeguards the buildings would be acceptable.

3) The applicant has described the operation of the buildings – they would be operated under contract on behalf of the applicants by a company operating many similar sites including another in this District, and points out that due to their proposed operation, which is regulated for accreditation by the RSPCA, odours would be unlikely to occur on more than about 2 days in a sixty week cycle; that traffic would be at a low level; noise would be low and in their experience problems from dust, flies or vermin should not occur. It is not considered that there should be an address effect on neighbours.

4) It is understood that the proposal has been discussed with ECC Transportation prior to submission. Subject to receiving confirmation, no highway objections area raised.

COMMENTS ON REPRESENTATIONS: It seems to be a judgement about precisely where on the holding to site the buildings. The chosen position is away from the highway and near to existing buildings. There do not appear to be other locations on the site which would be obviously better. Given the absence likely material amenity issues, the proposed sitting appears to be satisfactory.

CONCLUSIONS: The scheme would be an acceptable form of agricultural development in the countryside.

RECOMMENDATIONS:

UTT/0677/02/FUL, UTT/0678/02/FUL and UTT/0679/02/FUL - APPROVALS WITH CONDITIONS

1. C.2.1. Standard time limit.
2. C.3.1. In accordance with approved drawings.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of scheme of landscaping.
5. The development hereby permitted shall not commence until details of the colour of walls, doors and roof cladding of the building and of the two feed bins (silos) has been submitted to and approved in writing by the local planning authority. Furthermore the building shall subsequently erect in accordance with the approved details.
Reason: The application did not provide such details and the control of colours is required to protect the appearance of this soon to be very prominent site.
6. Within seven days of the date on which the proposed building is substantially completed, this fact shall be confirmed in writing to the local planning authority.
Reason: To comply within the requirement placed upon agricultural building erected under the General Permitted Development Order 1995.

7. Unless otherwise agreed in writing by local planning authority, the building hereby permitted shall be completely removed from the site within one month of being ceased to be required for the accommodation of free range poultry
Reason: These buildings are only permitted on the basis of their proposed use and to comply with the requirements placed upon agricultural buildings erected under the General Permitted Development Order 1995.
8. The building hereby permitted shall be operated in accordance with the information submitted as part of the application unless otherwise previously agreed in writing by the local planning authority
Reason: To protect the amenity of neighbours
9. Prior to the first use of the building for the accommodation of livestock a scheme for the provision of the new access to the B1417 shall be submitted to the local planning authority for appeal. The scheme as submitted shall include a specification of works to be carried out a timetable for implementation. Subsequently, the access shall be implemented in accordance with the approved scheme.
Reason: In the interests of highway safety.
10. The buildings shall be operated in accordance with the information submitted as part of the application unless otherwise previously agreed in writing by the local planning authority.
Reason: To protect the amenity of neighbours.

Background papers: see application file.

1)UTT/0945/02/FUL & 2) UTT/0950/02/LB – DEBDEN

1) Conversion of barn (01) to dwelling and storage building to associated garage change of use of land to garden.

2) Alteration to barn (01) and storage building to convert to dwelling and garage. Brickhouse Farm, Newport Road. GR/TL 543-340. Mr & Mrs J Arkwright.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 15/08/2002

NOTATION: ADP: Outside Development Limits. DLP: Outside Settlement Boundary. Forms a curtilage Listed Building to the main Listed structure of the Grade II* Farmhouse and Grade II Granary and cart shed.

DESCRIPTION OF SITE: The farm complex is located in open countryside on the northern side of the road between Newport and Debden. The farmhouse is located at the end of a private road approximately 500m west of the Debden crossroads. The listed farmhouse is located on rising land to the north of the older farm buildings. The barn the subject of this application forms the western range in a courtyard of barn buildings south of the farmstead. The barn is a traditional Essex threshing barn with two large gabled projections fronting the courtyard. The barn has been superseded in its farm use by modern farm buildings on the site. To the southern side the building is used as a chicken coop but is otherwise unused. The roof is clad in metal corrugated sheeting. The rear elevation is weatherboarded but the front elevation is whitewashed where one doorway has been infilled and a front lean to extension added in the past. The building fronts onto an open grassed area.

DESCRIPTION OF PROPOSAL: The proposal is to convert the building into a single six bedroom dwelling unit. The main full height space in the barn would be to the dining area and family room with no floor inserted to this area to retain the spatial form of the barn. The bedrooms would be located in the single storey outbuildings attached to the main barn, with stepped access being needed as the building slopes down from one end the other. Roof lights would be introduced to the western (rear) elevation.

The front elevation would have an area of glazing where the barn entrance doors are to be removed but the level of glazing has been significantly scaled down from the previously withdrawn conversion scheme. The single storey outbuilding to the front elevation would be retained. New windows would be installed throughout the building.

Car parking to serve the unit would be formed in a building to the north of the barn adjacent to the Listed Granary. The barn would have a rear amenity area formed from an existing field which would be enclosed with post and rail fencing.

APPLICANT'S CASE: The application has been submitted with a view to overcoming the previous concerns of the local planning authority and English Heritage.

RELEVANT HISTORY: Applications for planning permission and listed building consent were submitted last year for conversion of the barn but the format of the development was considered to be unacceptable and the proposal was recommended for refusal. The applicant sought to withdraw the proposals before they were considered. Applications for planning permission and listed building consent for the residential conversion of another barn within the complex have been jointly submitted ([see next item](#)).

CONSULTATIONS: English Nature: The proposal would not affect the nearby SSSI. The building could have protected species in the form of bats or owls roosting in it therefore it recommended that an ecological survey be carried out to establish if these species are present or not.

Anglian Water: No comments.

Civil Aviation Authority: To be reported.

Serco Gulf Engineering and Unipen: Oil pipeline not affected.

Environment Agency: No objections, but make advisory comments.

Building Control: Have raised concerns regarding the fire access to the site being unsatisfactory. The access road to the site needs to be widened to a minimum of 3.7m and the study and bedroom windows need to be amended to allow means of escape.

English Heritage: No objections.

Design Advice: No objections subject to conditions

PARISH COUNCIL COMMENTS: To be reported (expiry date 22 July).

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 7 July 2002.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) **the proposals would be acceptable as a residential barn conversion in the countryside (ERSP Policy RE2, ADP Policy C6 and DLP Policy H5), and**
- 2) **the conversion would protect and enhance the character and setting of the listed buildings on the site (ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV2).**

1) It is not considered that these buildings are remote as there are three existing dwellings on the site and the site is in reasonable driving distance of Debden and Saffron Walden. Given recent planning decisions in respect of this issue, it is not considered the site can be classed as remote so as to justify refusal. The building is in sound structural condition and is of historic importance in forming part of the group of agricultural farm buildings around the main farmstead. It is considered the proposal meets the policy requirements.

2) This new scheme is considered to address the previous concerns in respect of the conversion of the building. The external and internal alterations should not materially alter the appearance or spatial form of the barn significantly, thereby retaining the character of the building. The main alterations are to the rear elevation, so that the courtyard frontage would not be significantly altered and should not take on too domestic an appearance.

COMMENTS ON REPRESENTATIONS: It is proposed to secure the alterations to the driveway and bedroom/study windows to meet the fire regulations.

CONCLUSIONS: The proposal is considered to meet the policy requirements and the scheme is considered to retain the historic character and appearance of the building. It is not considered to harm the setting of the main farmhouse

RECOMMENDATIONS

1) UTT/0945/02/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. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Sample of materials to be submitted and agreed.
6. C.5.5. Clay plain tiles.
7. C.5.9. Stained wood.
8. C.5.14. Black rainwater goods.
9. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission.

10. C.6.5. Excluding fences and walls without further permission.
11. The barn shall not be first residentially occupied until the garage area shown on the approved plans for the parking of vehicles has been made available for this purpose and this area shall subsequently be reserved solely for this purpose.
Reason: To secure adequate on site parking provision.
12. C.6.7. Excluding conversion of garages.
13. C.17.1. Revised plan required (alterations required to comply with Fire Regulations).
14. Other than the windows shown on the approved drawings to which this planning permission relates, no windows or doors shall be inserted into any of the elevations of the building conversion hereby permitted without the prior written consent of the local planning authority.
Reason: To ensure the exterior of the building is not materially altered so as to have an impact on the character and appearance of the building.
15. C.8.27. Drainage Details.

2) UTT/0950/02/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.5.5. Clay plain tiles.
5. C.5.9. Stained wood.
6. C.5.14. Black rainwater goods.
7. C.5.17. Window & door details and sections to be submitted and agreed.
8. C.5.16. No historic timbers to be cut.
9. Prior to the works commencing on the site and during the stripping out process, a detailed photographic record shall be made of the building to a specification submitted to and agreed in writing with the local planning authority. The recording shall be carried out in accordance with the agreed specification. A copy of the photos and associated annotated drawings shall be submitted to the local planning authority on completion of the recording.
Reason: To ensure that a proper record is made of the building prior to the works taking place in accordance with the guidance contained in Planning Guidance Note 16 Planning and Archaeology.
10. Prior to the development commencing on the site details of the service routings for the building including any external vents and flues shall be submitted to and agreed in writing with the local planning authority. These details shall clearly show how the services will relate to the timber frame of the building. The exact location of an external plant and the colour finish of the vent or flue shall be submitted. The works shall be implemented solely in accordance with the agreed details.
Reason: To ensure a satisfactory form of development.
11. The roof lights to be installed to the building as part of the development hereby granted consent shall be of a conservation format. Details of the exact size and format of the roof lights shall be submitted to and agreed in writing prior to works commencing. The works shall be implemented in accordance with the agreed details.
Reason: To secure an acceptable form of development.
12. Details of all fireproofing and timber treatment measures shall be submitted to and agreed in writing by the local planning authority. Such details shall demonstrate how these works will affect the historic timber frame of the building clearly demonstrate what timber will remain exposed within the building. The works shall be carried out in accordance with the agreed details.
Reason: To secure a satisfactory form of development.
13. The following items of architectural or historic interests shall be carefully removed or salvaged during the execution of the works, stored in a location to be submitted to and agreed in writing with the local planning authority and then reused in the scheme in a location agreed in writing with the local planning authority:- the feed troughs identified in the submitted photo.- internal and external doors

Reason: To retain features of historic interest associated with the building.

14. Prior to the first residential occupation of the barn the building to be used for garaging for the dwelling unit hereby granted consent shall be reroofed with handmade clay tiles and the side hung timber doors permanently retained unless replacement doors are agreed in writing with the local planning authority.

Reason: To ensure the character and appearance of the building is acceptable and does not adversely affect the setting of the adjacent Listed Buildings.

Background papers: see application file.

1) UTT/0937/02/FUL & 2) UTT/0940/02/LB – DEBDEN

1) Conversion of barn (02) to dwelling and part of barn (04) to garage. Change of use of land to garden.

2) Alterations to barn (02) to convert to dwelling and to part barn (04) to from garage. Brickhouse Farm, Newport Road. GR/TL 544-340. Mr & Mrs J Arkwright.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 15/08/2002

NOTATION: ADP: Outside Development Limits. DLP: Outside Settlement Boundary. Forms a curtilage listed building to the main listed structure of the Grade II* Farmhouse and Grade II Granary and cart shed.

DESCRIPTION OF SITE: The farm complex is located in open countryside on the northern side of the road between Debden and Newport. The farm is situated at the end of a private road some 500m west of the Debden crossroads. The farm house occupies the most northerly position in the group of buildings with the historic barns forming a courtyard down slope of the house set around a grassed area. South and north of the site, modern farm buildings have been erected.

DESCRIPTION OF PROPOSAL: These applications relate to the barn which forms the eastern wing of the courtyard. This structure is a weatherboarded structure set on a brick plinth with a corrugated metal clad roof. The frame inside indicates the building has 18th century origins. The building is currently used as an office with ancillary domestic storage. The proposals would create a single four bedroom dwelling unit in the barn with the majority of the living space being on the ground floor level. Two of the bedrooms would be formed in the northern section of the building which has an existing floor at this level making use of the drop of levels down the length of the building.

The existing western elevation has few openings and the proposal would retain these with the majority of windows and doors being to the eastern and end elevations. An existing garage building to the southern range of the courtyard would provide the parking for this unit. The curtilage is denoted as including the grassed area to the courtyard and the land to the east of the building.

APPLICANT'S CASE: The applicant has altered the scheme to take into account previous concerns raised by the local planning authority and English Heritage.

RELEVANT HISTORY: Applications for planning permission and listed building consent to convert the barn were recommended for refusal on the grounds of the proposed alterations being unsympathetic following objections being received from English Heritage to the scheme. The application was withdrawn at the request of the applicant. Applications for planning permission and listed building consent for the residential conversion of another barn within the complex have been jointly submitted (see previous item).

CONSULTATIONS: Anglian Water: No comments to make.

Environment Agency: No objections, but made advisory comments.

Civil Aviation Authority: No safeguarding objection.

Serco Gulf Engineering and Unipen: Oil pipeline not affected.

Building Control: Have commented that the fire access to the site is not acceptable. The access road needs to be widened to 3.7m and a suitable turning head made together with the windows to the bedrooms being revised to serve as a means of escape.

English Heritage: No objections.

Design Advice: No objections subject to conditions.

PARISH COUNCIL COMMENTS: To be reported (expiry date 20 July).

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 18 July 2002.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) the proposals would be acceptable as a residential barn conversion in the countryside. (ERSP Policy RE2, ADP Policy C6 and DLP Policy H5), and
- 2) the conversion would protect and enhance the character and setting of the listed buildings on the site (ERSP Policy HC3, ADP Policy DC5, DLP Policy ENV2)

1) It is not considered that these buildings are remote as there are three existing dwellings on the site and they are in a reasonable driving distance of Debden or Saffron Walden. Given recent planning decisions in respect of this issue, it is not considered the site is remote so as to justify refusal on these grounds. The building is in sound structural condition and is of historical importance in providing a group setting to the main farm house. As such the principle of a residential conversion would meet the policy provisions.

2) The scheme is now considered to protect and enhance the character of the barn having addressed the previous concerns raised the external changes would not result in domestication of the barn's appearance. These applications are considered to have regard to the existing form and layout of the barn and would retain an acceptable setting to the main farm.

COMMENTS ON REPRESENTATIONS: It is proposed to secure the alterations to the drive way and bedroom windows to meet the fire regulations by condition.

CONCLUSIONS: The proposal is considered to meet the policy requirements and is considered to retain the historic character and appearance of the building and would not harm the setting to the main farmhouse.

RECOMMENDATIONS

1) UTT/0937/02/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. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and agreed.
6. C.5.5. Clay plain tiles.
7. C.5.9. Stained wood.
8. C.5.14. Black rainwater goods.
9. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
10. C.6.5. Excluding fences and walls without further permission.
11. The barn shall not be first residentially occupied until the garage area shown on the approved plans for the parking of vehicles has been made available for this purpose and this area shall subsequently be reserved solely for this purpose.
Reason: To secure adequate on site parking provision
12. C.6.7. Excluding conversion of garages
13. C.17.1. Revised plan required (alterations required to comply with Fire Regulation).
14. Other than the windows shown on the approved drawings to which this planning permission relates, no windows or doors shall be inserted into any of the elevations of

the building conversion hereby permitted without the prior written consent of the local planning authority.

Reason: To ensure the exterior of the building is not materially altered so as to have an impact on the character and appearance of the building.

- 15 C.8.27. Drainage Details.

2) UTT/0699/02/LB - LISTED BUILDING CONSENT WITH CONDITIONS

- 1. C.2.2. Time limit for commencement of development.
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. C.5.1. Samples of materials to be submitted and agreed.
- 4. C.5.5. Clay plain tiles.
- 5. C.5.9. Stained wood.
- 6. C.5.14. Black rainwater goods.
- 7. C.5.17. Window & door details and sections to be submitted and agreed.
- 8. C.5.16. No historic timbers to be cut.
- 9. Prior to the works commencing on the site and during the stripping out process, a detailed photographic record shall be made of the building to a specification submitted to and agreed in writing with the local planning authority. The recording shall be carried out in accordance with the agreed specification. A copy of the photos and associated annotated drawings shall be submitted to the local planning authority on completion of the recording.

Reason: To ensure that a proper record is made of the building prior to the works taking place in accordance with the guidance contained in Planning Guidance Note 16 Planning and Archaeology.

- 10. Prior to the development commencing on the site details of the service routings for the building including any external vents and flues shall be submitted to and agreed in writing with the local planning authority. These details shall clearly show how the services will relate to the timber frame of the building. The exact location of an external plant and the colour finish of the vent or flue shall be submitted. the works shall be implemented solely in accordance with the agreed details.

Reason: To ensure a satisfactory form of development.

- 11. The roof lights to be installed to the building as part of the development hereby granted consent shall be of a conservation format. Details of the exact size and format of the roof lights shall be submitted to and agreed in writing prior to works commencing. The works shall be implemented in accordance with the agreed details.

Reason: To secure an acceptable form of development.

- 12. Details of all fireproofing and thermal insulation measures shall be submitted to and agreed in writing by the local planning authority. Such details shall demonstrate how these works will affect the timber frame of the building and clearly demonstrate what timber will remain exposed within the building. The works shall be carried out in accordance with the agreed details.

Reason: To secure a satisfactory form of development.

Background papers: see application file.

UTT/0532/02/FUL - GREAT DUNMOW

Erection of replacement dwelling, garaging, pool house and associated landscaping works. Mountains Farm, Philpot End. GR/TL 626-191. Mr & Mrs Stephen.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 28/05/2002

NOTATION: ADP: Outside Development Limit, DLP: Outside Settlement Boundary.

DESCRIPTION OF SITE: The site is located 1.6 miles south of Dunmow town centre amid gently rolling open countryside. Access to the site is achieved from narrow lanes via Philpot End/Clapton Hall Road. Currently on the site is a relatively modest render and slate roofed dwelling, with an eaves and ridge height of approximately 5 and 7 metres respectively, although the house appears to have been recently badly damaged and part of it has been demolished. Also on site are two large barns, stable blocks, garages and sheds. Most of the land has been divided into four paddocks. The land slopes up from its southern corner to the north and to both east and west.

DESCRIPTION OF PROPOSAL: The proposal, which has been negotiated and reduced in scale since submission, is to erect an 8 bedroom dwelling on four levels inc. cellar, having an asymmetric largely H plan form of about 24 metres in width, 21 metres deep and up to 10 metres tall (exc. chimneys). The dwelling would be erected on the site of the existing dwelling. It is also proposed to erect a swimming pool and garage building having the appearance of a barn with outbuildings, measuring 18 in length, 14 metres wide and 5 metres tall. The existing dwelling, four small buildings and two large barns would be demolished.

APPLICANT'S CASE: A 14 page explanatory planning statement, with photographs and drawings has been submitted and is available for inspection at the Dunmow offices. See summary attached at end of report.

CONSULTATIONS: Environment Agency: Advisory comments.

TOWN COUNCIL COMMENTS: No comment.

REPRESENTATIONS: This application has been advertised and 3 representations have been received. Period expired 16 May.

1. In my opinion the proposal would enhance the area and have no undue impact on neighbours.

2&3. Property in good condition 8-9 months ago. Extension and modernisation preferred. Sadly, the house wasn't listed.

PLANNING CONSIDERATIONS:

The main issue is whether the proposed replacement of this dwelling in the open countryside would accord with the requirements of ERSP Policy C5 ADP Policies S2 & H8 and DLP Policies S7 & H6.

The site lies outside of any development limit where in accordance with ERSP policy C5, ADP Policy S2 and DLP Policy S7, new buildings are not normally permitted. One of the few exceptions when development may be permitted in the open countryside is the erection of a replacement dwelling. The accompanying text to Policy H8 states:

"A small number of dwellings are coming to the end of their life and will need to be replaced in the plan period. Of particular concern are proposals for the replacement of modest sized dwellings by much larger structures. This tends to occur in countryside locations or where

the curtilage of the property, sometime an interwar bungalow, is extensive. Whilst it is not considered appropriate to limit the size of replacement dwellings by an arbitrary percentage increase, great care will need to be exercised to ensure that such proposals are in keeping with neighbouring properties or do not alter the countryside character of their location. A sprawling property which adversely affects the character of the locality will not normally be permitted”.

The existing dwelling is a relatively modest structure and the proposal is to erect a much larger structure. Therefore this is a type of proposal which has been identified in the ADP as being of particular concern. There is no extensive residential curtilage – the application site (outlined in red on the 1:2500 plan) includes fields (shown as four paddocks) and the former agricultural buildings. No extension to the domestic garden is proposed. The original proposal was for a large dwelling approximately 41.5m wide with a maximum height of 11m that would have adversely affected the character of the locality (both by itself and as a potential precedent) and therefore would have been contrary to this part of the ADP.

Policy H8 of the ADP states that:

(a) Proposals involving replacement dwellings will normally be approved providing such proposals are in scale with neighbouring properties and the siting of the replacement dwelling is in proximity to the original structure.

(b) Outside development limits the replacement of existing dwellings by larger buildings which, through their size or appearance, impair the rural characteristics of the countryside will not be permitted. The council may impose planning to restrict the occupancy of any such dwellings to single households.

Since submission the proposal has been very significantly reduced in size although it still represents a considerable increase in size over the original. The height has been reduced by about 1m, the width by approximately 16m, the maximum depth remaining the same. The design of the dwelling would be satisfactory, with appropriate use and traditional materials. The outbuildings would also be of traditional design. Furthermore the applicant has agreed to demolish two large barns which significantly reduces the effective increase in built form.

Policy H6 of the DLP is relevant to the proposal although it cannot yet be afforded significant weight as there are objections to it which are due to be heard at next years local plan inquiry. However, this policy does shift the emphasis from requiring proposals to result in no harm to the countryside to requiring at least the protection if not enhancement of rural character. This proposal would remove a damaged although not unsightly dwelling, which is quite low and discrete in the landscape, but would also remove some large unattractive barns, which on balance would protect the character of the area.

COMMENTS ON REPRESENTATIONS: The comments from two parties largely relate to the change in the state of the property since its sale last year. This is not an issue of central importance in this case. A third representation has been received supporting the original proposal.

CONCLUSIONS: The revised reduced size and the appropriate design of the dwelling should not now harm the character of the area, given that the scheme now includes the removal of two large barns.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit.
2. C.3.3. Revised plans.
3. The dwelling hereby permitted shall not be erected until the two barns marked A & B on the site master plan Rev 'A' have been demolished.
Reason: This replacement dwelling was only considered to be acceptable because the two large and unsightly barns were proposed to be removed.
4. C.6.3. Removal of PD rights of extension.
5. C.5.2. Details of materials.
6. C.23. Demolition of original dwelling.
7. C.4.1. Submission of landscaping scheme in accordance with revised site master plan.
8. C.4.2. Implementation of landscaping scheme.
9. C.7.1. Slab levels to be agreed.

Background papers: see application file.

UTT/0590/02/OP - LITTLE CANFIELD

Outline application for erection of a dwelling.
Langthorns Plantery. GR/TL 591-205. Mr E Cannon.
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 25/06/2002

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

DESCRIPTION OF SITE: Langthorns Plantery is located at Canfield End off Highcross Lane West, about 0.8 km (0.5 mile) south of the A120 some 3 km (2 miles) west of Dunmow. The nursery occupies an area of about 2.8 ha (7 acres) in total. The nursery is essentially open in aspect, especially south towards the countryside, with the associated buildings, polytunnels, etc clustered around the northern end totalling some 3,700 sqm.

DESCRIPTION OF PROPOSAL: This revised proposal is for the erection of a manager's dwelling on a plot of 0.1 ha (0.25 acres) in the north-east corner of the holding. The application is in outline and only the access is submitted for detailed approval.

APPLICANT'S CASE: See supporting information attached at end of report. A copy of the full ADAS report can be seen at the Council Offices in Great Dunmow.

RELEVANT HISTORY: Change of use of part of the nursery site to horticultural sales and for new highway access approved in 1988. New manager's house on southern part of holding refused and dismissed on appeal in 1991 (see copy letter dated 13 March 1991 attached at end of report.) New manager's house refused in April 2002 following a Members' site visit, for reasons of insufficient agricultural need and intrusive in the countryside, detrimental to its open character.

CONSULTATIONS: Environment Agency : A private sewage treatment plant would be required.

PARISH COUNCIL COMMENTS: None (due 19 May).

REPRESENTATIONS: One. Notification period expired 24 May.

Support. Local community needs such investment. Circumstances changed since appeal dismissed. Refusal may lead to closure.

PLANNING CONSIDERATIONS:

The main issues are whether :

- 1) **the agricultural need for a new dwelling on this holding has now been justified (ADP Policy C8 and DLP Policy H11 – Agricultural Workers' Dwellings) and**
- 2) **the revised site would be acceptable (ERSP Policy C5, ADP Policy S2 and DLP Policy S7 – Development in the Countryside).**

1) Policy C8 requires applicants to demonstrate that there is an essential need for someone to live permanently on site *"to provide essential care to processes or property at short notice."* This approach is amplified in PPG7 which advises that two tests should be applied, firstly a functional test which should show that new permanent dwellings are only approved where there is a clearly established functional need, with the activity having been established for at least 3 years, and there is no other suitable dwelling on the unit or readily available nearby. The functional need should prove that a worker needs to be *"on hand to deal quickly with emergencies which could otherwise cause serious loss of crops or products*

for example by frost damage or the failure of automatic systems.” Secondly, the financial test should prove the economic viability of the enterprise.

(a) Functional test : No additional evidence of need has been submitted in support of this revised application but the position has been changed in discussions. The position put forward on behalf of the applicant is that it is important that he is available to oversee the operation of automatic irrigation systems and to monitor conditions within the frost-free tunnels. These can both require attendance at short notice out of normal working hours. Frost damage, or the wilting of plants in hot weather, can both result in the death of plants or leave substantial numbers of them unsaleable for prolonged periods. There is also the question of site security. The applicant lives 5 miles away and other workers live within walking distance. One dwelling and an annexe have been separated away from the nursery since the appeal was dismissed, which results in there now being no accommodation on the holding. This is occupied by the applicant's parents, who founded the nursery.

Officers have given this case considerable thought and have concluded that, on balance, there is a case for a resident worker to be on site to deal with emergencies, including security issues. The nursery has operated successfully for many years and it is considered that the case on the basis of need has been met. Moreover, continued employment opportunities for local people would remain.

(b) Financial test : It is considered that this has been complied with.

2) The new site would be in the north-eastern corner of the holding behind the sales building on the herbaceous stand bed. This would be the least prominent location and the best in relation to existing buildings. It would also mean that it would be difficult to occupy separately from the holding. This was the location suggested by Officers once it became clear that land to the north, previously part of the nursery, was not available.

COMMENTS ON REPRESENTATIONS: These are covered in the report.

CONCLUSION: It is considered that, on balance, the combination of the proposed re-siting, and additional clarification regarding need, and the history behind the severing of the existing dwelling from the Nursery, are such that approval may be recommended.

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS

1. C.1.1. Submission of reserved matters.
2. C.1.2. Submission of reserved matters.
3. C.1.3. Time limit.
4. C.1.4. Time limit for commencement.
5. The dwelling hereby permitted shall be occupied by a person employed or last employed in the business occupying the site edged blue on the attached plan, or a widow or widower of such a person, or any resident dependents
Reason: In the interests of preventing inappropriate development in the countryside.

Background papers: see application file.

UTT/0605/02/FUL – BIRCHANGER
(Referred at Member's request)

Erection of two-storey dwelling with two parking spaces.
Land r/o 17 Bradley Common. GR/TL 504-231. Mr B Stone.
Case Officer *Richard Aston 01799 510464*
Expiry Date: 24/06/2002

NOTATION: ADP: Within Development Limit. DLP: Within Settlement Boundary.

DESCRIPTION OF SITE: This 'L' shaped plot measures approximately 22m in width and 14-22m in depth and is located in the northern part of the village, forming part of the rear and side garden to 17 Bradley Common.

DESCRIPTION OF PROPOSAL: A two-storey three-bedroomed detached property would be erected, facing Highview. The dwelling would have a footprint of approximately 76sqm with a garden area of 100m², whilst retaining a similar area of private amenity space for the existing dwelling. The new dwelling would have a ridge height of 7m and an eaves level of 4.25m. The parking spaces would be provided to the east of the new dwelling, behind the rear garden to No.17, served off an existing access. A willow tree fronting Highfield would be removed to allow the erection of the dwelling.

APPLICANT'S CASE: The proposal has previously been discussed with the local planning authority, in particular giving consideration to the amenity of adjoining occupiers.

CONSULTATIONS: Environment Agency: Advisory comments only.
Thames Water: None received (due 15 May).

PARISH COUNCIL COMMENTS: Site visit suggested in view of local concerns.

REPRESENTATIONS: This application has been advertised and 6 representations have been received. Period expired 20 May.

Summary of points received – Proposal would result in increase traffic and overlook other properties in High view. Object on the grounds that the existing trees including a willow tree will be removed which will subsequently kill all wildlife on the site. Proposal will affect the water pressure. Proposal will affect outlook and view. Overdevelopment.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal:

- 1) would be of a good standard of design and appropriate to the street scene (ADP Policy DC1 & DLP Policy ENV1)
- 2) would cause a material loss of amenity to the occupiers of adjoining and surrounding properties (ADP Policy DC14 and DLP Policy GEN4), and
- 3) whether highway dangers would be caused (ERSP Policy T03, ADP Policy T1 and DLP T1 and DLP Policy GEN1).

1) The site is overgrown and is not considered to be of significant environmental value in the streetscene. The willow tree is not preserved. It is not considered that the erection of a dwelling on this site would be out of character should not have a detrimental impact on the immediate area. Furthermore, although 2 storeys in height it is considered that the proposal would be acceptable in terms of its design and is in keeping with the mixed variety of house sizes and types in the area in and around Bradley Common and High view. Appropriate replacement planting for the willow tree can be sought by condition.

2) With regard to the impact of the proposal on the residential amenity of adjoining occupiers, windows have been omitted from the elevation fronting onto 41 Highfield and obscure glazing is proposed in the first floor windows facing onto the back garden of No 17 Bradley Common. It is considered that the location, orientation and design of the property should not cause material overlooking, loss of privacy, or overshadowing of adjoining premises and as a consequence should not be detrimental to residential amenity. There would be approximately 20m between the front elevation of the new house and the front elevations of the terraced dwellings on the other side of High View

3) With regards to the position of the access to the site, it should not cause a traffic hazard and the dwelling would not result in materially increased traffic levels along High View.

COMMENTS ON REPRESENTATIONS: The proposal has been negotiated and it should have a minimal impact on the streetscene and the residential amenity of adjoining occupiers.

CONCLUSIONS: The negotiated proposal complies with Development Plan Policy.

RECOMMENDATIONS: 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.
4. C.4.2. Implementation of landscaping.
5. C.5.2. Details of materials to be submitted and agreed.
6. C.6.2. Excluding all rights of Permitted Development within the curtilage of a dwelling house without further permission.
7. C.19.1. Avoidance of overlooking.
8. C.7.1. Slab levels to be agreed.
9. The car parking spaces and turning area shown on drawing 532/01 shall be provided and made available for use prior to the first occupation of the dwelling hereby permitted, and shall thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

Background papers: see application file

UTT/0756/02/DFO – WIMBISH

Erection of a four-bedroom detached house with double garage to replace chalet bungalow. Brambles, Wimbish Green. GR/TL 599-351. De Vere Homes Ltd.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 12/07/2002

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

DESCRIPTION OF SITE: The site is set in open countryside close to Tye Green and is bounded on three sides by an agricultural field. The lawful use of the land has been established to be a separate dwelling with a mobile home. There are a series of ramshackle outbuildings on the site and vehicular access is to the north-east corner.

DESCRIPTION OF PROPOSAL: Reserved matters consent is sought for the replacement of all the existing structures on the site with a single four-bedroom detached dwelling with associated parking. The style of dwelling would echo the appearance of the nearest properties in the area with a steeply pitched clay roof and rendered wall cladding on a brick plinth. The revised design lowers the eaves line to reduce its visual impact and sets the double garage back.

RELEVANT HISTORY: Permanent retention of the mobile home was granted in 1986. A Certificate of Lawful Use was allowed for use of a 'chalet bungalow' as a dwelling on appeal in 2001. Outline permission was granted for a replacement dwelling in February 2002. No restriction was placed on the consent regarding the form of replacement and its height.

CONSULTATIONS: Environment Agency: Raise no objections. The premises would have to have a private treatment plant. The existing septic tank is proposed to be used.

PARISH COUNCIL COMMENTS: Object strongly as the area is outside the Development Limits and will lead to urbanisation of the area. The site is currently occupied by low level development and the proposal would alter the character of this.

REPRESENTATIONS: None. Notification period expired 7 June 2002

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) the proposal would be acceptable in relation to the relevant policies regarding replacement dwellings in the countryside (ADP Policy H8 and DLP Policy H6),
- 2) the visual appearance of the dwelling would be acceptable within its location and
- 3) adequate on-site amenity and car parking spaces can be achieved.

1) The replacement dwelling policies require the new dwelling to be in scale with the nearby properties. This site is set away from immediate dwellings, but the other properties along the lane are two-storey with clay tile roofs. The materials proposed would harmonise with the existing dwellings as would the scale and form of the dwelling. The principle for a replacement dwelling on this site has been established and no limitation was placed on the structure. The settlement pattern in the locality is one of detached two-storey dwellings. The proposal would replace the variety of structures on the site and reduce the overall site coverage by buildings. The existing tree and hedge screen to all four boundaries of the site is to be retained and reinforced with new planting, which would help to ensure the dwelling is not unduly intrusive in the surrounding countryside.

2) The design and choice of materials are considered to be in keeping and acceptable for this locality.

3) The unit would have a double garage with on-site parking for a total of four cars and turning which meets the required standards. The vehicular access would be retained in its existing location. Adequate on-site private amenity space would be provided.

CONCLUSION: The proposal is considered to accord with the provisions of the Development Plan.

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. C.4.2. Implementation of landscaping.
5. C.4.5. Retention of hedges.
6. C.5.1. Samples of materials to be submitted and agreed.
7. C.6.2. Excluding all rights of Permitted Development within the curtilage of a dwelling house without further permission.
8. C.6.7. Excluding conversion of garages.
9. C.23. Demolition of existing dwelling and removal of all structures.
10. The dwelling hereby approved shall not be first occupied until the on-site parking and associated driveway have been provided and laid out. Such areas shall not thereafter be used for any other purpose than the parking and maneuvering of vehicles.

Reason: In the interests of highway safety.

Background papers: see application file

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UTT/0775/02/FUL - GREAT CANFIELD

Erection of two storey replacement dwelling and detached double garage.
Laywood, Canfield Drive, Great Canfield Road. GR/TL 571-210. Mr I Woodley.
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 17/07/2002

NOTATION: ADP: Outside Development Limits. DLP: Outside Settlement Boundary.

DESCRIPTION OF SITE: The site is located approximately 1km east from the centre of Takeley and has an area of approximately 0.1ha. There is currently an existing 2-bedroom bungalow, garage and outbuilding located on the site. The existing dwelling is sited in the centre of the site. There is significant vegetation on the south, east and west boundaries as well as around the existing dwelling.

DESCRIPTION OF PROPOSAL: The proposed development consists of a one-and-a-half-storey replacement dwelling and double garage. The dwelling would have a footprint covering an approximate area of 82m² while the garage would cover an area of 33m². It is proposed that the ridge height of the roof of the dwelling would be 7.5m. The dwelling would be primarily rendered with some use of red brick while the garage would be black feather edged weatherboarding. The existing bungalow has a footprint of 42.5m² and a ridge heights of 4m.

APPLICANT'S CASE: See letter dated 16 May attached at end of report.

CONSULTATIONS: Environment Agency: Advisory comments only.

PARISH COUNCIL COMMENTS: None received (due 28 June).

REPRESENTATIONS: None. Notification period expired 19 June.

PLANNING CONSIDERATIONS:

The main issue is whether the proposed development complies with Policy H8 of the Adopted District Plan (DLP Policy H6) – Replacement Dwellings.

Policy H8 of the Adopted District Plan states that proposals involving replacement dwellings will normally be approved providing they are in scale with neighbouring properties and the siting of the replacement dwelling is in proximity to the original structure. This proposal complies with the policy in that it is located on the footprint of the existing dwelling and would be in scale with the neighbouring properties.

As the proposal is located outside development limits, it also complies with part b) of the policy in that it would be of relatively modest dimensions and of an appropriate design such that it would not impair the rural characteristics of the countryside.

CONCLUSIONS: The proposed development is in accordance with the policy for replacement dwellings.

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, agreed and implemented.
4. C.4.2. Implementation of landscaping.
5. C.4.5. Retention of hedges.

6. C.6.3. Excluding Permitted Development extensions and erection of freestanding buildings.
7. C.23. Demolition of existing dwelling.

Background papers: see application file.

UTT/0821/02/FUL - QUENDON & RICKLING

Erection of replacement two storey dwelling and detached treble garage/cartlodge.
Birds End, Rickling Green, Rickling. GR/TL 506-293. Mr D Jones.
Case Officer: Hilary Lock 01799 510486
Expiry Date: 25/07/2002

NOTATION: ADP: Outside Development Limits/Area of Special Landscape Value/Protected Lane. DLP: Outside Settlement Boundary/ Protected Lane.

DESCRIPTION OF SITE: This 0.78 hectare site is located on the south eastern side of the single-width rural lane which links Rickling Green to Manuden to the south west. It is well screened and overgrown, and is occupied by a disused bungalow (approximate footprint of 57.2 sqm. and 3.2m high) in a poor state of repair, and the fire damaged remains of two mobile homes and a range of outbuildings related to the previous use as a smallholding and sawmill. It is approximately 100m from the nearest dwelling, and ½ km from the village green.

DESCRIPTION OF PROPOSAL: The proposal is to replace the existing bungalow and other outbuildings with a two storey four-bedroom dwelling, with double open fronted carport and single garage. The submitted scheme would have a footprint of 159 sqm, plus garaging, and a main ridge height of 7m. It would be constructed from weatherboard on a brick plinth, with a clay tile roof. The existing unmade access point would be utilised, close to the proposed garages. The dwelling would be near the existing group of buildings. The applicant is open to negotiation on siting, and is to submit revised plans showing a dwelling with a footprint no greater than 120 sqm, and lower than currently proposed. A private sewage treatment plant is proposed.

APPLICANT'S CASE: The applicant operates a business from the village and wants to construct a dwelling close by. Proposed design is in keeping with scale of neighbouring properties and sited in proximity to dilapidated buildings which are to be removed. Will be overall improvement to local environment as site has been left to decay. Oak frame and weatherboard would be sympathetic to rural character of area and size and height would not create visually dominant building, which will be screened by existing and proposed tree planting. Site is large and can accommodate proposal without intrusion on neighbours or public.

RELEVANT HISTORY: Permission granted in 1979 to replace existing substandard bungalow with 1 1/2 storey cottage, conditioned to have floor area not exceeding 85sqm. Varied application approved 1982, and the same scheme approved in 1987. Several applications for dwellings on different part of site (not replacing existing dwelling) refused on policy grounds.

PARISH COUNCIL COMMENTS: To be reported (due 29 June).

REPRESENTATIONS: One. Notification period expired 21 June.

No existing two storey dwelling on site so this is to enlarge and not replace existing. Development of this size would generate more traffic movements on narrow lane, and this issue prevented increase in cattery on lane. Given size of site, concerned that applicant may transfer business here in future. Applicant should be aware that nearby kennels can create noise and cannot be cause for complaint in future.

PLANNING CONSIDERATIONS:

The main issue is whether the proposal would meet the requirements of Policy H8 [H6 of DLP] as a replacement dwelling, and would be an acceptable form of development in the countryside.

The site is in a relatively isolated rural location, but not far from the main village of Rickling. The principle of replacing the existing bungalow on site was established over 20 years ago, and was last granted planning permission in 1987. In the past 15 years the condition of the building has further deteriorated, but although in poor condition there is evidence that it was occupied residentially, and bathroom and kitchen fittings remain. A structural survey has not been submitted, but the building would appear to be capable of occupation with some significant level of repair. The size of the proposed dwelling would be much greater than the existing bungalow, and the other dwellings previously approved on this site. However, if reduced in size as set out earlier in this report, it is considered that it would be in keeping with the scale of other properties in the vicinity. It would be in proximity to the group of buildings on site, and on both issues it would meet the terms of Policy H8. It is not considered that the size of the dwelling should impair the rural characteristics of the area. Although it would be larger than the existing, it would have the benefit of clearing a number of dilapidated and fire damaged structures on the site, and the visual impact would therefore be improved (in accordance with Policy H6).

COMMENTS ON REPRESENTATIONS: The issues about the impact of the dwelling are addressed above. Assuming the existing bungalow could be lawfully repaired and occupied, it is not considered that the increased size of the proposed dwelling should have a material impact on traffic generation in the lane. The relocation of the applicant’s business to the site would require planning permission and would need to be considered on its own merits should one be submitted.

CONCLUSIONS: Subject to the proposed revisions it is considered that the proposal would meet the requirements of Policies H8 and H6 and would be an acceptable form of development in the countryside.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with original plans (except in relation to condition C.17.1.).
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.5.2. Details of materials to be submitted and agreed.
7. C.5.9. Black Painted Featheredged boarding.
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
9. C.6.5. Excluding fences and walls without further permission.
10. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
11. C.17.1. Revised plan required re height and footprint reduction.
12. C.23. Demolition of existing dwelling.
13. C.8.27. Drainage details.

Background papers: see application file.

UTT/0932/02/FUL - GREAT DUNMOW

Two storey dwelling and detached double garage. Construction of new vehicular access. Dormers, Braintree Road. GR/TL 635-220. Mr P J & Mrs C J Botwright.

Case Officer: Anthony Betros - 01799 510471

Expiry Date: 15/08/2002

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

DESCRIPTION OF SITE: The site is located on the northern side of Braintree Road approximately 100 metres west of the intersection with the A120. The site has a frontage to Braintree Road of 30 metres and a depth of approximately 50 metres, A two storey dwelling known as Dormers to the east of the site while a 2 storey domestic barn lies approximately 10 metres to the west of the dwelling. The site forms part of the domestic garden to Dormers.

DESCRIPTION OF PROPOSAL: The application involves the erection of a new two-storey 5-bedroom dwelling house with detached double garage. The new dwelling which would be of 'H' plan form would have a width of 16.5. and a ridge height of 7.4m and would be located 10m from both the dwelling to the west and the ancillary barn to the east. A new access would also be constructed 12 metres to the west of the existing driveway which services Dormers. The garage would be located 1 metre to the north-east of the rear elevation of the new dwelling. The design includes a steeply pitched roof, dormer windows as well as features typical of traditional housing in the locality. These include exposed rafter feet, exposed oak joist ends, plain roof tiles, Red Essex facing bricks and painted decorative render finishes.

The site lies to the east of established terraces and semi-detached houses with similar features. It is proposed to remove a row of Fir trees along the western boundary of the site which would be replaced with a more native screen.

APPLICANT'S CASE: The application site lies on the western side of Dormers between two dwellings of traditional appearance. The scale and form of the proposed dwelling respects both span, height and bulk and appearance of adjacent properties. Site boundaries and existing native hedgerows would remain unaltered and interplanted. It is proposed to create a new vehicular access to serve the proposed dwelling and it can be seen that visibility at point of egress is satisfactory. The proposed plot is considered acceptable in scale and shape. Care has been taken to provide a layout creating no overlooking/overshadowing or loss of amenity to immediate neighbours. As a result of existing mature site screening, the proposed dwelling will not intrude or dominate the street scene. The site forms a natural infill plot that can accommodate comfortably a single dwelling and garage whilst retaining spatial garden areas to the host building.

RELEVANT HISTORY: Outline permission for a new dwelling to the west of the site south of Greenacre granted in 2002.

CONSULTATIONS: Anglian Water Services: No objections subject to conditions.
The Environmental Agency: Advisory comments only.

TOWN COUNCIL COMMENTS: Object on the grounds that the site is outside development limits.

REPRESENTATIONS: This application has been advertised and no representations have been received. Advertisement expired 17 July 2002.

PLANNING CONSIDERATIONS:

The main issues are whether the proposed dwelling would:

- 1) be appropriate infilling (ADP Policy H6 Policy HO2)
- 2) respect the streetscape along Braintree Road ADP Policy DC1 and Policy (GEN2) and the amenity of surrounding neighbours ADP Policy DC14, DLP Policy GEN4),
- 3) create highway dangers (ERSP Policy TO3, ADP Policy T1, DLP Policy GEN1).

1) It is considered that the application would amount to genuine infilling consistent with Policies H6 and HO2. In concept, the proposal would be comparable to the recently allowed infill at Greenacres. There should be no adverse effect on the character or appearance of the countryside. Despite being outside the development limits, the site is within close proximity to the town centre and its services. Therefore, it is considered that the site is appropriate for infill outside the development limits.

2) The view of the site is largely obscured from Braintree Road by existing vegetation which would be retained, aided by the significant setback of the proposed dwelling (20 metres at its nearest point). Therefore, development opposite the site would be unaffected by the visual impact of the new dwelling. The substantial distance of separation between dwellings, appropriate placement of 1st floor windows and screen planting should result in no overshadowing, overlooking or overbearing impact. A condition requiring a landscape plan to ensure replacement of the vegetation along the western boundary is required to retain privacy between the two properties. Whilst the proposed dwelling would be relatively large, this is a spacious plot able to accommodate it.

3) There would be adequate sight distance to the east and west of the proposed driveway while the speed restriction in this location is 30mph. Therefore, it is considered that the low volume of traffic associated with a single dwelling could be accommodated safely within the road system.

COMMENTS ON REPRESENTATIONS: The Town Council object to the development on the basis that the proposal is outside the development limits. However, given the site's close proximity to the Town Centre and the built forms adjacent to the site, it is considered that the development is acceptable under the infill policy.

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

RECOMMENDATIONS: APPROVAL WITH CONDITIONS

- 1. C.2.1. Standard time limit.
- 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.5.2. Details of material to be submitted and agreed..
- 6. C.7.1. Slab levels to be agreed.
- 7. The new access hereby approved shall be constructed and brought into use before the new dwelling hereby approved is first residentially occupied.
Reason: To ensure safe access to and from the new dwelling.

Background papers: see application file.

UTT/1014/02/DC - GREAT SAMPFORD
(District Council proposal)

Outline application for erection of a 3 bedroom two storey dwelling.
Land at rear of 2 & 3 Robletts Villas. GR/TL 644-353. Uttlesford District Council.
Case Officer: Charmain Harbour 01799 510458
Expiry Date: 29/08/2002

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

DESCRIPTION OF SITE: The site has a road frontage to the cul de sac of Willetts Field which serves a development of two storey dwellings. The plot is located to the rear of the two storey dwellings fronting the B1053. The land slopes down from north to south, so the units of Robletts Villas are at a raised level to Willetts Field. There is a walnut tree close to the western boundary of the site which is subject of a TPO and there is a large tree close to the boundary with 2 Willetts Field.

The site has a dropped kerb and bell mouth access, but forms an overgrown area at the entrance to the Willetts Field estate with no specific function. The site is currently enclosed to the road elevation with 2m high fencing.

DESCRIPTION OF PROPOSAL: The application seeks permission to redevelop the site with a single dwelling. The application has been submitted as an Outline proposal but indicative details of all reserved matters have been provided. The dwelling would have three bedrooms and would be one and half storeys in height with the first floor being accommodated in the roof space.

The dwelling would be a chalet bungalow with dormer windows to the front and rear elevations. Two parking spaces would be formed to the eastern side of the front garden area, away from the walnut tree. Both the walnut tree and the tree adjacent to No 2 Willetts Field would be retained. The dwelling would have private amenity space to the front and side of the property, with a patio area enclosed by a retaining wall given the slope of the plot.

RELEVANT HISTORY: A pair of semi detached two storey dwellings were approved in outline larger site which included the land to the east in 1987, and renewed in 1990, 1993 and 1999.

CONSULTATIONS: Landscaping Advice: Raises no objection in principle to the development, which it is considered can be accommodated without any detrimental effect on the protected walnut tree.

PARISH COUNCIL COMMENTS: To be reported . Expiry date 3 August 2002.

REPRESENTATIONS: None. Notification period expired 25 July 2002.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the proposal would be acceptable in terms of its impact on the visual character of the area as set out in ADP Policy S1 (DLP Policy S3)
- 2) the scheme would retain the protected walnut tree and accord with ADP Policy DC8 and DLP Policy ENV3
- 3) the scheme would have an adverse impact on the amenities of any of the surrounding residential properties, contrary to ADP Policy DC1 & DC14 and DLP Policy GEN2 and GEN4

- 1) The proposal would follow the line of dwellings on this side of the cul de sac. The existing dwellings are two storey so that this proposal should not be a visually dominant in the street scene. The materials would harmonise with the existing development.
- 2) The proposal should not have an adverse impact on the protected tree. It is proposed that tree protection measures be conditioned for the construction period.
- 3) The proposal should not have an adverse impact on the adjacent properties. The principle of a dwelling on this site has already been agreed. The form proposed should have less impact on the houses of Robletts Villas than the two storey development already granted outline consent, as the first floor would be within the roof space thus keeping the ridge height to a lower level.

CONCLUSIONS: The proposal would to accord with development plan policies and should not have an adverse impact on the locality.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1. Submission of reserved matters.
2. C.1.2. Submission of reserved matters.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. C.4.3. Details of earthworks to be submitted.
7. C.5.2. Details of materials to be submitted and agreed.
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
9. The two parking spaces shown on the approved plans shall be laid out and surfaced prior to the dwelling first being brought into occupation. The spaces shall subsequently be retained and reserved for parking in association with this dwelling at all times.
Reason: To secure the provision of adequate on site car parking in the interests of highway safety.

Background papers: see application file.

UTT/0720/02/FUL – FELSTED
(Referred at Members' request)

Demolition of dwelling and erection of two dwellings.
Courtlands, Station Road, GR/TL 672-202. Mr & Mrs D Nicollic.
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 04/07/2002

NOTATION: ADP & DLP: Partly Within Development Limits & Settlement Boundaries.

DESCRIPTION OF SITE: The site is located to the west of the village centre on the southern side of Station Road. There is an existing four-bedroomed detached dwelling erected during the 1950's located to the front, with an extensive curtilage of 2.35ha (5.8 acres) to the rear. The plot is 52m wide at the point where the dwelling is currently situated.

DESCRIPTION OF PROPOSAL: This revised application proposes to replace the existing dwelling with two new houses. They have been brought forward on the plot to be more within the Development Limits than the previously withdrawn scheme. The house on the eastern plot (1) would be of two-storeys with 5 bedrooms and have a detached double garage at the front on a frontage of 18m. The house on the western plot (2) would be of 2.5 storeys with 5 bedrooms, rooms in the roof space and a detached triple garage at the front on a frontage of 34m. They are proposed to be built with stock bricks, render and clay tiles.

RELEVANT HISTORY: Application for similar proposal withdrawn in March 2002 to avoid refusal on grounds of extending suburban development into the countryside, detrimental to its rural character and overshadowing the existing property to the east.

CONSULTATIONS: Environment Agency: No objections subject to advice notes.

PARISH COUNCIL COMMENTS: None (due 14 June).

REPRESENTATIONS: One. Notification period expired 4 June.
Object. Both proposed houses would be outside the Development Limits. House on plot 1 would have a garden directly overlooking our windows. Impinge on open countryside. Drainage problems. Land to north in separate ownership. House on plot 2 would be almost double the size of the existing.

PLANNING CONSIDERATIONS:

The main issues are whether the revised proposal would overcome the objections raised to the previous application, namely the likely effects on the :

- 1) character of the area (ERSP Policy C5, ADP Policy S2 & DLP Policy S7) and**
- 2) amenities of neighbouring residents (ADP Policy DC14 & DLP Policy GEN4).**

1) The Development Limits for Felsted in the Adopted District Plan run behind the existing dwelling. The Written Statement accompanying the maps states that, where appropriate, the Limits will follow boundaries on the ground and may relate to existing buildings rather than garden boundaries where the latter would allow inappropriate development. In this case it is considered that the Limits follow a line much closer to the existing dwelling than the plan accompanying the application would suggest. However, both dwellings have now been relocated further north compared with the previous proposal, so that the house on plot 1 would be 9m further forward and on plot 2 by 13m. This would bring all of the house on plot 1 and most of the house on plot 2 within the Limits, as far as they can be accurately defined on the ground. Although the house on plot 1 would still project 6m beyond the existing dwelling and the house on plot 2 by about 9m, it is considered that the previous incursion into the open rear garden has been significantly reduced, especially since

the triple garage block on plot 2 has been relocated to the front. Consequently, it is considered that the first objection has now been overcome.

2) The dwelling on plot 1 has been relocated 5.5m from the eastern boundary, the same distance as the existing dwelling, compared with 2m on the previous scheme. Although the house on plot 1 would be set back by up to 8m from the existing, it would be 9m further forward compared with the previous scheme, thus reducing the effect on the neighbours. The main problem is that the adjacent property is set at an angle overlooking the garden to Courtlands, but there should be no increase in loss of amenity caused by overlooking. This is considered sufficient to reduce the impact on neighbours' residential amenities to overcome the previous objection.

COMMENTS ON REPRESENTATIONS: Most of the matters have been covered above, but the remaining issues are:

Drainage: a copy of the EA's letter will be forwarded to the agent.

Ownership: this has resulted in the proposed double garage to plot 1 being located under the Ash tree in front of the house, which would affect its long-term health. It is proposed to require its omission or relocation by condition.

Replacement: the size of the dwelling on plot 2 would be in keeping with adjacent properties, thereby satisfying ADP Policy H8.

CONCLUSION: It is considered that the previous objections have been overcome.

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. The double garage to Plot 1 shall be omitted or replaced in a location to be agreed before it is erected.
Reason: In order to retain the Ash tree.
4. C.4.1. Scheme of landscaping to be submitted and agreed.
5. C.4.2. Implementation of landscaping.
6. C.5.2. Details of materials to be submitted and agreed.
7. C.6.3. Excluding Permitted Development extensions and erection of freestanding buildings without further permission.
8. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
9. C.12.3. Boundary screening requirements.
10. C.23. Demolition of dwelling to be replaced.

Background papers: see application file.
