

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 2 September 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/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 further negotiations re access and density
RECOMMENDATION Deferral / to be reported
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,
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/0500/02/FUL**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: Demolition of former petrol filling station and erection of 7 x two-bedroom apartments, 2 x two bedroom live/work apartments, cycle store, car parking and alterations of existing access.
APPLICANT: Higgins Homes Ltd
LOCATION: 77-79 High Street
D.C. CTTE: 12 August 2002
REMARKS: Deferred to consider further revised plans: see agents' letter dated 7 August attached at the end of Deferred Items
RECOMMENDATION: **Deferral**
Case Officer: John Grayson 01799 510455
Expiry Date: 21 May 2002

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: *Jeremy Pine 01799 510460*
Expiry Date: 20 June

APPL NO: **UTT/0532/02/FUL**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: Erection of replacement dwelling, garaging, pool house and associated landscaping works
APPLICANT: Mr & Mrs Stephen
LOCATION: Mountains Farm Philpot End
D.C. CTTE: 12 August 2002
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: **Approval with conditions**
Case Officer: *Michael Ovenden 01799 510476*
Expiry Date: 28 May 2002

PPL NO: **UTT/0568/02/FUL**
PARISH: **HIGH EASTER**
DEVELOPMENT: Retrospective application for change of use of farm building to functions room
APPLICANT: C Matthews
LOCATION: Maidens Farm
D.C. CTTE: 12 August 2002
REMARKS: Deferred for Member's Site Visit
RECOMMENDATION: **Approval with conditions**
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 04 June 2002

APPL NO: **UTT/0605/02/FUL**
PARISH: **BIRCHANGER**
DEVELOPMENT: Erection of two-storey dwelling with two parking spaces
APPLICANT: Mr B Stone
LOCATION: Land r/o 17 Bradley Common
D.C. CTTE: 12 August 2002
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: **Refusal**
Case Officer: Richard Aston 01799 510464
Expiry Date: 24 June 2002

APPL NO: **UTT/0693/02/FUL**
PARISH: **HATFIELD BROAD OAK**
DEVELOPMENT: Demolition of existing dwelling. Erection of 2 two-storey dwellings with garages.
APPLICANT: Mr J Lukies
LOCATION: Newbury, Cage End
D.C. CTTE: 12 August 2002
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: **Approval with conditions**
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 05 July 2002

APPL NO: **UTT/0714/02/FUL**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: Erection of 8 floodlights, mounted on 6 columns, on 10m high poles
APPLICANT: Great Dunmow Town Council
LOCATION: Tennis Courts, Talberds Ley, Stortford Road
D.C. CTTE: 12 August 2002
REMARKS: Deferred at applicants' request for negotiations.
RECOMMENDATION: **To be reported**
Case Officer: Richard Aston 01799 510464
Expiry Date: 04 July 2002

APPL NO: **UTT/0720/02/FUL**
PARISH: **FELSTED**
DEVELOPMENT: Demolition of dwelling and erection of two dwellings
APPLICANT: Mr & Mrs D Nolic
LOCATION: Courtlands, Station Road
D.C. CTTE: 12 August 2002
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: **Approval with conditions**
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 04 July 2002

APPL NO: **UTT/0821/02/FUL**
PARISH: **QUENDON & RICKLING**
DEVELOPMENT: Erection of replacement two storey dwelling and detached treble garage/cartlodge
APPLICANT: Mr D Jones
LOCATION: Birds End Rickling Green
D.C. CTTE: 12 August 2002
REMARKS: Deferred to consider revised plans
RECOMMENDATION: Approval with conditions
Case Officer: Hilary Lock 01799 510486
Expiry Date: 25 July 2002

APPL NO: **UTT/0788/02/DFO**
PARISH: **TAKELEY**
DEVELOPMENT: Layered (decked) car parking to provide an additional 1314 short-term spaces
APPLICANT: Stansted Airport Ltd
LOCATION: Stansted Airport
D.C. CTTE: 12 August 2002
REMARKS: Deferred to negotiate design, landscaping and lighting details
RECOMMENDATION: Approval with conditions
Case Officer: Jeremy Pine 01799 510460
Expiry Date: 02 August 2002

APPL NO: **UTT/0875/02/FUL**
PARISH: **SAFFRON WALDEN**
DEVELOPMENT: 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.
APPLICANT: Granite Estates Ltd
LOCATION: Former Garden Centre, Thaxted Road
D.C. CTTE: 12 August 2002
REMARKS: Deferred to reconsider access arrangements
RECOMMENDATION: Approval with conditions
Case Officer: Jeremy Pine 01799 510460
Expiry Date: 02 August 2002

UTT/0213/02/FUL - GREAT CHESTERFORD
(Revised Report)

Erection of new freestanding church hall
All Saints Churchyard. GR/TL 505-427. PCC of All Saints Church.
Case Officer: Charmain Harbour 01799 510458
Expiry Date: 08/04/2002

NOTATION: ADP: Outside Development Limits, within Conservation Area, within Area of Special Landscape Value, adjacent to Listed Building (Grade 1).
DLP: Outside Settlement Boundary, within Conservation Area and adjacent to Listed Building.

DESCRIPTION OF SITE: The application site is located south of the parish church which is located on the south western side of the village. The church is set within a walled graveyard which contains a number of trees. Close to the southern porch to the church are a pair of yew trees. Vehicular and pedestrian access to the site is via Church Street, but there is no current vehicular access to the rear of the church. To the south and east the site abuts residential curtilages.

DESCRIPTION OF PROPOSAL: This revised application is for the erection of a freestanding church hall building which would be in a crucifix layout. The single-storey building would be in line with the south porch, with a path formed between the two yew trees. The building would have a slate roof and be constructed with a render finish to the walls with stone quoins and a flint plinth to harmonise with the materials to the church. The main entrance would have oak doors facing the Church. The eastern, southern and western elevations would all contain windows in the form of side hung multi pane casements with stone surrounds. Within the structure a community room would be formed with a small kitchen and toilet facilities. No parking is proposed to support the facility. The design has been revised following negotiations with English Heritage.

APPLICANT'S CASE: The revisions would give more emphasis to the west elevation and reduce the height impact of the roof line by providing hip ends in lieu of gables.

CONSULTATIONS: Essex County Council Archaeology: a full excavation of the developed area will be necessary, as a small evaluation trench has identified Roman remains. Although the agent has stated that an 18 inch raft foundation will be employed an archaeological excavation to this depth will still be needed. A condition is recommended accordingly.

Environment Agency: no objections. A percolation test is requested and is proposed to be secured by condition.

Essex Police: No objection. It should not give rise to crime and disorder issues and attention is drawn to Secured by Design award measures.

Building Services: fire service access to the site is currently unacceptable as the fire appliance must be able to get within 45m of the building.

English Heritage: (Members may recall this item was deferred at the meeting held on 20 May 2002 due to concerns raised by English Heritage). Supportive of the principle of a freestanding hall rather than seeking to form this facility within the fabric of the existing building. No objections to revised plans.

PARISH COUNCIL COMMENTS: Support.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 24 March 2002.

Concerns at problem of car parking in Church Street which do not wish to see exacerbated.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) the design and form of the revised proposal would be acceptable given its location within an archaeological important site, a Conservation Area and in the curtilage of a Grade 1 Listed Building (ERSP Policies HC5, HC3, HC2, ADP Policies: DC5, DC10 and DLP Policies: ENV1, ENV2),
 - 2) the proposals would adversely affect existing landscape features (ERSP Policy: NR5, ADP Policy: DC8 and DLP Policy: ENV3),
 - 3) the proposal would exacerbate car parking on the surrounding streets (ERSP Policy: T6, ADP Policy: T1 and DLP Policy: GEN9) and
 - 4) the security of the site has been fully addressed (DLP Policy GEN2).
- 1) The proposed hall would be freestanding from the main church building and is considered to be acceptable in that it would not physically affect the fabric of the church. It would be well related to an existing doorway to the building. The materials are considered to be appropriate and would reflect those in the main church. In design terms the building would be visually acceptable. The archaeology of the site will require excavation which is proposed to be secured by condition. The revised design addresses the concerns of English Heritage.
 - 2) The scheme has also been revised following advice by the Council's Landscape adviser, so that the building footprint has been moved away from the two yew trees, which are to be trimmed to form an access way. The layout is considered acceptable in terms of the impact on these trees. Protection measures are proposed to be conditioned.
 - 3) The scheme does not propose any new car parking to support the use of the hall. There is no defined parking area for the church and therefore the proposals would not relieve the current on-street parking situation. The supporting statement identifies the uses for the building as being all church related. It is proposed that non-church activities and separate hiring are precluded due to the lack of parking. Hours of use are also proposed. The guidance in Planning Policy Guidance Note 24 is to seek to reduce reliance on the car and encourage alternative means of transport. It is considered reasonable to condition the provision of bicycle facilities within the church site as part of this advice. The argument put forward by the applicant is that the use of the hall would be by persons already visiting the site and would not generate any additional parking. With the use restricted to ancillary church functions, it is proposed that no on-site parking is required.
 - 4) The security details, including external lighting, are proposed to be conditioned to be agreed. The applicants' attention has been drawn to the Essex Police comments regarding the use of Secured by Design details.

COMMENTS ON REPRESENTATION: The applicant is aware of the Building Control comments regarding fire access

CONCLUSIONS: The revised form of the proposed hall is considered to be acceptable. The hall is not proposed to have any on-site parking. With a restriction on the use of the hall and the provision of on-site bicycle storage facilities this is supported.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.3. To be implemented in accordance with original and revised plans.
3. No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
REASON: To allow for excavation and recording of this site of archaeological importance in advance of and during development as advised in Planning Policy Guidance Note 16 Planning and Archaeology.
4. Prior to the development hereby granted consent commencing a percolation test shall be conducted to ensure that the soak ways for the site will work in adverse conditions. The results of the tests shall be submitted to and approved in writing by the local planning authority and in the event of the tests showing that the soakaways will not work satisfactorily, details of alternative proposals shall be submitted to and approved in writing with the local planning authority. The scheme shall be implemented in accordance with the agreed scheme.
REASON: To secure adequate drainage for the site.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development
6. C.5.1. Samples of materials to be submitted and agreed.
7. The church hall hereby granted consent shall be used only as an ancillary facility to the use of the main church building and at no time shall it be separately hired or used by external groups, organisations or individuals. Without the written agreement of the planning authority.
REASON: In the interests of highway safety and the interests of the nearby residential properties, given the hall has no dedicated on site parking and any separate independent use is likely to lead to increased street parking.
8. The hall hereby granted permission shall only be open for use between the hours of 8 am and 11 pm seven days a week.
REASON: To protect the residential amenities of the occupiers of the nearby properties.
9. Prior to the development commencing details shall be submitted to and agreed in writing with the local planning authority of secure and covered on-site bicycle storage for up to 4 bicycles. The bicycle storage facilities shall be provided in accordance with the agreed details before the building is first brought into use.
REASON: To secure on-site alternative transport facilities to the private car given the scheme has no on-site car parking facilities.
10. Prior to the works commencing on site full details of the security measures for the building shall be submitted to and agreed in writing by the local planning authority. These measures shall include details of all external lighting for the site and any measures to secure the windows and doors. These agreed measures shall be fully in place prior to the building first being brought into use.
REASON: To secure an acceptable form of development in the interests of public safety.

Background papers: see application file.

UTT/0614/02/DFO – TAKELEY

Details following outline permission for 91 dwellings, 9 flats, new access and landscaping. Land to the south of A120 and west of Hawthorn Close. GR/TL 558-211. Countryside Residential Ltd.

Case Officer: Katherine Benjafield 01799 510494

Expiry Date: 13/06/2002

NOTATION: Within Development Limits / PolicyTAK 1 – Allocated for residential redevelopment

DESCRIPTION OF SITE: The site covers approximately 3.9ha (9.6acres) and is located west of Hawthorn Close, on the southern side of the A120 approximately 160m west of the Four Ashes crossroads. A public footpath runs along the western boundary and the Flich Way along the southern boundary. The land slopes gently towards the southwest corner, with the northern part being relatively flat.

DESCRIPTION OF PROPOSAL: This application is for approval of reserved matters for 91 dwellings, 9 flats, new access and landscaping. 20 of the units would be affordable. The access would be from the A120 and the main estate road is broadly in the form of a loop. The balancing pond and play area are proposed to be situated in the southwestern corner of the site. In addition to the play area, the public open space would be located near the entrance to the site with the remainder being provided as a landscaped strip along the main estate road. There would be 2 footpath links to the right of way which runs along the western boundary and links the A120 to the Flich Way.

APPLICANT'S CASE: Supporting statement dated April 2002 and agents letter dated 12 August 2002 attached at the end of report.

RELEVANT HISTORY: Outline application for 100 new dwellings and creation of new access conditionally approved 2001, subject to section 106 Agreement refinancial contributions and 20 affordable units, and no more than 80 dwellings to be occupied before new A120 opens.

CONSULTATIONS: ECC Transportation: A number of issues have been raised concerning the road types and widths which need to be addressed by the applicant. (Revised plans have been received addressing the relevant points.)

Architectural Liaison Officer Essex Police: Identifies four areas of concern within the proposed development which could be described as potential crime generators.

1. The central parking courts for Plots 35 – 53.
2. Parking areas to the northwest corner of the site adjacent to affordable type 1 and 2 housing.
3. Parking areas situated to the west of flats Plots 63 – 71.
4. Excessive potential through routes for criminal activity.

English Nature: Have raised the issue of the possibility of protected species being present on the site and request mitigation measures to be agreed.

Environment Agency: Will comment fully when details of the surface and foul drainage system have been submitted in line with condition C.90D of the outline consent.

Landscaping Advice: The submitted landscaping proposals for the retention of existing vegetation and new planting proposed are found to be satisfactory.

ECC Learning Services: Requested details of what the proposals entail and the expected timescale of the development

ECC Archaeology: It is recommended that the evaluation by trial trenching needs to be completed before a decision is made on this DFO application. (The applicant has proposed to carry out an evaluation during the week starting 19 August)

Leisure and Amenities: To be reported. (due 30 August 2002)

PARISH COUNCIL COMMENTS: No objections subject to conditions. More consideration be given to the location of affordable homes around the whole development and for access onto the Flitch Way.

REPRESENTATIONS: This application has been advertised and 12 representations have been received. Original Plans:

Main points of letters received being concerns regarding:

- the distance between existing properties on the northern and eastern boundary with the site and the proposed dwellings.
- the potential for overlooking and a loss of privacy to existing properties
- the lack of boundary treatment, especially in terms of native planting, between existing properties and the proposed dwellings.
- drainage issues and the possibility of existing properties and gardens flooding as a result of the proposed development.
- the impact of the proposed development on 'Attridges', a Grade II Listed Building.
- the loss of the footpath to the rear of properties fronting the A120 along the northern boundary of the site.
- the impact of increased traffic using the A120 and junction at Four Ashes, Takeley prior to the completion of the new A120.
- the location of the flats and affordable housing near to the existing properties on the northern boundary of the site.
- the provision of a footpath link to the Flitch Way and the subsequent affect of this on properties at Hawthorn Close.

Revised plans: To be reported (due by: 12pm on 2 September)

PLANNING CONSIDERATIONS:

The main issue is whether the proposals are in accordance with the outline permission and the approved Masterplan.

The number and mix of dwellings, point of access and main site layout are as shown on the Masterplan. The scheme provides a range of different sizes and types of dwelling including 20 affordable units. The layout shows four dwellings facing the A120 adjacent to the site entrance. Whilst it is important to provide a built frontage to the A120, the proposed house types would be inappropriate due to their height in comparison to that of existing units adjacent. For example, 'Attridges' a Grade II Listed Building fronting the A120 measures 7.4m in height, whilst the application proposes to erect two dwellings next to it measuring 8.8m and 9.9m high. Similarly, to the east of the site is a row of low dwellings including 'Sycamores' which measures only 5.2m in height. The application proposes to erect two dwellings of 8.8m and 9.7m high adjacent to this dwelling. Consequently, it is considered that these house types require further negotiation, delegated to the Head of Planning and Building Surveying. In order to protect the amenity of neighbours and the appearance of the front of the site, a condition will be attached requiring further details of the proposed boundary along 'Sycamores' for further approval.

The Masterplan shows various proposed footpaths linking to existing paths. Whilst the application does not include all those originally indicated, on balance the number and location of links would be acceptable provided that an additional link to the Flitch Way is provided. The principle of this has been agreed between the Developer and Essex County Council although the precise location has yet to be agreed. The details are to be covered by condition.

One of the matters of concern is the juxtaposition of the balancing pond and children's play area in the south-western corner. Officers are concerned about the dangers associated with this proximity, but the applicant considers it to be acceptable. Advice is being sought from Leisure and Amenities and will be reported orally. Although the play area would be small, the link to the Flitch Way would provide a safe and convenient 4 minute walk to the Gordon Austin playing fields, which have been provided with a sum of money (£45,000) by the developer at the outline stage for enhancement.

The scheme has been negotiated extensively and it is considered that the proposals have been improved as much as is possible through negotiations.

COMMENTS ON REPRESENTATIONS: Many of the issues raised by the representation letters have been addressed during the negotiation process and amendments have been made by the applicants. The police comments on dangerous areas have been taken into account. All other matters are covered by conditions.

CONCLUSION: The proposals have been altered through negotiations to address points raised in representation letters, consultation replies and officers' opinions and they are now considered to be in accordance with the outline permission and the approved Masterplan.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.4.2. Implementation of landscaping.
4. C.17.1. Revised plan required redesign amendments
5. C.19.1. Avoidance of overlooking
6. This permission shall not relate to the house types on Plots 1, 2, 79 and 80. Full details of the dwellings to be erected on these plots shall be submitted to and approved by the local planning authority prior to the commencement of development on the area hatched green on drawing no. N00142/PL/01 revision C received 13 August 2002.
REASON: The house types shown on the application are unacceptably tall and bulky in relation to adjacent dwellings.
7. The development of Plots 1, 2, 3, 4, 76, 77, 78, 79 and 80 shall not commence until full details of boundary treatment adjacent to these properties have been submitted to and approved by the local planning authority.
REASON: To ensure a satisfactory form of development.
8. Details of a direct pedestrian link to the Flitch Way shall be approved by the local planning authority and implemented prior to the occupation of the first dwelling.
REASON: To ensure satisfactory access to appropriate recreational facilities.
9. A protected species scheme shall be submitted to and approved by the local planning authority prior to the commencement of development.
REASON: In the interests of proper ecological considerations.

Background papers: see application file.

UTT/0241/02/FUL – CLAVERING
(Revised Report)

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.

C E Funston Tractor Sales Ltd, Arkesden Road. GR/TL 481-328. C E Funston Tractor Sales Ltd.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 12/04/2002

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

DESCRIPTION OF SITE: The site is located in Hill Green at the northern end of Clavering on the north-western corner of the junction of Clatterbury Lane, which leads to Arkesden, and the Stickling Green road. It is north of the junction of the B1038 Clavering to Newport road opposite "The Cricketers" Public House. The 0.36 ha (0.9acre) site (Britannica Works) is occupied by a two-storey office and a single-storey joinery building at the rear. The remainder is used for the storage of tractors. There is chain link fencing around the roadside boundaries, with minimal screen planting. To the west are other commercial units (Jubilee Works), and dwellings are to the north and east. There are two vehicular access points onto the Arkesden Road and one on the Stickling Green Road.

DESCRIPTION OF PROPOSAL: The first revised submission seen on site by Members proposed to replace the tractor storage depot by:

- sub-dividing the main building into 7 Class B1 units (4 at ground floor and 3 above),
- erecting a single-storey extension (8.3m x 9.2m) to the joinery building (unit 8),
- erecting a new two-storey building (11m x 20m wide x 8.1m high) for 2 Class B1 units on the Clatterbury Lane frontage (units 9 & 10), sited 4m (originally 2m) from the side boundary and 7m (originally 5m) from the closest dwelling to the north ("Timberscombe"),
- providing 34 car parking spaces and facilities for cycle parking throughout the site,
- planting a 4m wide belt of screening vegetation along the northern boundary, with additional planting elsewhere, (the originally proposed extension to the joinery building has been reduced in width to ensure it would be clear of a preserved Copper Beech tree in the adjacent garden, the plant species have been revised to reduce the rearward projection of the new building, the planting along that northern boundary has been increased and the lorry parking spaces have been relocated from near that boundary to the southern end of the site.)

This application was deferred at the Committee meeting on 22 July 2002 following Members' site visit for further negotiations with the applicant. It was requested that Units 9 and 10 be omitted from the scheme, and that the land be used for extra car parking.

Further revised plans have since been received which show the following:

- Both units 9 and 10 would remain, with the option to provide a mezzanine floor in the future, but the reduction in the footprint of the new building from 20m x 11m to 18m x 10m, a reduction in height of 700mm. And the rotation of the building through 90 degrees to reduce the perception of built form when viewed from the road.
- The new building re-sited 9.5m from the boundary with Timberscombe.
- Redesign of the front elevation of the new building with brickwork and standard frames to provide a balance between the office and dwellings.
- The retention of both vehicular access points to the site.

- An increase in parking spaces from 33 to 41 spaces.
- Provision of space for a waste skip

APPLICANT'S CASE: See agent's letter dated 30 July attached at end of report. (Previous letters were attached to the report on 22 July).

RELEVANT HISTORY: Established commercial depot and industrial estate.

CONSULTATIONS: ECC Transportation: no objections subject to satisfactory on-site parking, turning and servicing requirements.

PARISH COUNCIL COMMENTS: Original Plans: Welcome the look of the new building in preference to the old tractor site which has become eyesore over years, but recommend refusal on grounds of over-development, impact on amenity, inadequate parking/turning and increased traffic.

Revised Plans (2nd set): see letter dated 6 August attached at end of report.

REPRESENTATIONS: Original Plans: 43 letters received, 41 objecting (10 identical) and 2 in support. Notification period expired 2 April.

1. CPREssex: Do not object in principle to redevelopment for further commercial use of this existing site. It is within Development Limits of Clavering, provides economic activity and employment in the countryside and is currently 'untidy'. However, object to this particular application as contrary to DP Policies S1, DC1, DC14 and T1. Scale of proposed development, design and proximity to housing are all inappropriate to the rural village setting. Potential increase in activity and vehicle movements would create hazards and conflict with other road users. Concerned that there is not adequate space within site for larger vehicles to manoeuvre.

2-41. Objections: see standard letter dated 15 March attached at end of report to meeting on 22 July which summarises the objections.

2 in support: proposals would not be detrimental to village, but would improve site by getting rid of tractors. Would eliminate large articulated low loader vehicles and containers that transport tractors. Applicant has been supportive in village, has planted trees and maintained verges. Would provide more jobs which would be beneficial to village.

Revised Plans (1st set): 29 letters of objection received (18 identical). Renotification period expired 5 June. See letters dated 27 & 30 May attached at end of report to meeting on 22 July, which summarise the objections.

Revised Plans (2nd set) received 31 July: 1 letter received – see copy dated 2 August attached at end of report, Renotification period expired 16 August.

PLANNING CONSIDERATIONS:

The main issues are whether the proposed redevelopment would be appropriate in terms of its likely effect on:

- 1) **the character of the area and the amenities of local residents (ADP Policies DC1 & DC14 and DLP Policies GEN 2 & GEN4) and**
- 2) **the need for satisfactory access, parking, turning and servicing facilities (ADP Policies DC1 & T2 and DLP Policies GEN 1 & GEN9).**

1) This industrial site is in need of redevelopment or renovation in order to enhance the appearance of this part of the village. A scheme has been negotiated which would achieve improvements to the site, comprising the works listed above. A number of revisions have been made which would reduce the effect on neighbours' amenity. The Government's encouragement for local employment, which is supported by the Council, would be assisted by this venture, which would increase the number of jobs on the site from 7 to 21. Restrictions could be imposed on the type and times of activity to be carried on in the new units (B1 light industrial or office use only) and the open storage now established could be removed permanently.

New walls and landscaping would help to improve the appearance of this industrial site, and a new 2m wall and fence should be erected along the whole of the northern side boundary in order to protect the amenities of neighbours. The renovation and conversion of the existing building is acceptable, subject to a condition restricting its use to B1 only. The extension of the joinery unit to the rear would also be acceptable now that it has been reduced in size and kept 6m from the northern boundary. The new building for units 9+10 would be no higher than the neighbouring buildings, and given the increased separation of 9.5m from the closest neighbouring property, it is not now considered necessary to restrict it to single-storey height. It is considered that, overall, the scheme as revised and further amended would be appropriate by enhancing the appearance of this established commercial site and reducing its current adverse effects on the attractive rural character of this part of the village.

2) Despite being only part of the original industrial estate, the access and proposed parking facilities would meet the Council's standards. There would be more smaller vehicles (vans and cars) accessing the site and the need for larger vehicles would be reduced. However, there would still be insufficient space for turning and servicing. There is currently no footway on the Clatterbury Lane frontage and it is considered that, should permission be granted, a 2m wide strip of land be made up and dedicated to the Highways Authority for this purpose in order to improve pedestrian safety. This would mean that there would need to be a readjustment in the layout, in order to retain the landscaping and parking, which could be covered by conditions. Although the latest set of revisions do not propose the closure of the northern access, it is still considered that a condition should be imposed requiring closure in the interests of safety and amenity of local residents, and the land saved as a result would go towards increasing the turning and servicing facilities.

COMMENTS ON REPRESENTATIONS: All the issues raised have been covered above.

CONCLUSIONS: Although the further revised plans do not fully accord with the previous request of Members, they do go some way towards addressing them. This is a finely balanced case which could be granted given the improvements which would accrue from the development, especially in relation to the type of uses carried on, employment, appearance of the site and highway safety.

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 (Set2)
3. C.4.1. Scheme of landscaping to be submitted
4. C.4.2. Implementation of landscaping
5. C.5.2. Agreement to colour of cladding
6. C.6.8. Excluding Permitted Development extensions or alterations to industrial or warehouse premises
7. C.7.1. Slab levels to be submitted and agreed
8. C.8.3. No outdoor working
9. C.8.8. Insulation of industrial building
10. C.8.14. Restriction on hours of operation: 8.30 to 6pm Monday to Friday: 9am to 1pm Saturday: not at all on Sunday, Bank of Public Hoildays

11. C.8.22. Control of lighting
12. C.9.1. No outdoor storage
13. All the existing buildings and uses indicated on the plan hereby approved shall be removed and cease before the new building is first used.
REASON: To protect the amenities of local residents and reduce its impact on the attractive rural character of the countryside.
14. C.25.1. Restriction on airport-related car parking
15. C.8.27. Drainage requirements
16. The existing access to Clatterbury Lane at the northern end of the site shall be closed permanently within one month of the first occupation of the new building hereby permitted.
17. A new footway shall be provided between points A and B on the attached plan hereby approved within one month of the closure of the northern access.
REASON 16+17: To protect local pedestrians.
18. C.17.1. Revised plan required regarding additional servicing/turning facilities.
19. C.6.1. B.1. light industrial/office uses only.

Background papers: see application file.

UTT/1614/01/FUL – THAXTED
(Revised Report)

Installation of 25m high telecommunications tree mast, with 6 No. antennae, 2 No. dishes and 10 No. equipment cabins within a fenced compound.

Park Farm, Park Street. GR/TL 600-303. Orange Personal Communications.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 18/03/2002

NOTATION: ADP: Outside Development Limits/Area of Special Landscape Value.
DLP: Outside Settlement Boundary/Within Airport Noise Zone.

DESCRIPTION OF SITE: The site is within a small woodland surrounded by agricultural land to the south west of Thaxted. It is reached by a 230m unmade track off the southern side of Bolford Street, approximately 1km from the village centre. It is in an elevated and prominent position, identified as an Area of Special Landscape Value in the District Plan. There is a hamlet at Cutlers Green to the west, and the nearest dwelling would be approximately 340m from the mast.

DESCRIPTION OF PROPOSAL: A 25m high mock Scots Pine telecommunications mast with 3 antennae and 1 dish is proposed within the woodland, with ten equipment cabins in a 14m x 7m fenced compound. The agent has confirmed that 4 trees are to be removed: 3 conifers 8-10m high, and an 8m high birch. The compound would be screened by the remainder of the woodland. The use of a tree mast is a revision following the original submission for a 22m high monopole.

RELEVANT HISTORY: This application was considered at the Committee meeting on 10 June 2002, and Members visited the site on 1 July. The application was subsequently deferred to seek a technical appraisal of the scheme by an independent external consultant.

APPLICANT'S CASE: The site is remote from housing and centre of village, and therefore needs to be on relatively high ground. This location was chosen as it is particularly well screened by surrounding trees and remote from housing. Other sites explored were either unavailable, too close to housing, or too low lying to provide coverage. See agent's letters dated 30 November 2001 and 26 February attached to report to meeting on 10 June and letter dated 4 July 2002 attached at end of report.

CONSULTATIONS: National Air Traffic Services: No safeguarding objections.
Independent Consultant: The information provided by Orange is reasonably accurate and the need for a mast has been clearly demonstrated. The site at Park Farm would fit well with the coverage from existing sites, and there would be very little overlap coverage in Thaxted. The tree mast would be 25m high and this height is realistic as a tree mast cannot have aerials mounted at the top. The lack of overlap in coverage in Thaxted indicates that the aerial height is only just sufficient and thus a lower mast would probably leave some areas with coverage below the optimum level. Tree masts are effective in reducing the visual impact of a base station but need to be sited with great care. The aerials need to be above surrounding trees and the tree mast must therefore project above surrounding trees. Whether this looks natural will be dependent on the site. An alternative would be a 20m monopole, which may be more visually obtrusive, depending on the design of headgear.

Of the other sites considered by Orange, Charringtons would require a 25 – 30m high mast, but cannot be discounted on technical grounds. The water tower is too far away to give the required coverage for Thaxted. Consideration could be given to the use of pylons, or use of the water tower with a small street-works installation in the village.

There appears to be no obvious single site alternatives that would be significantly less obtrusive than the proposed site. The mast and aerials can be painted in almost any colour. The Council should consider how to ensure screening would exist for the lifetime of the installation, which may involve Tree Preservation Orders or a Woodland Management Agreement through a Section 106 Agreement.

In response to the consultant's advice, Orange has been asked to: provide a photomontage of the area, showing the mast; consider the use of pylons; and consider if a two-site option would be preferable.

Orange's response is that use of pylons north of Thaxted would not be possible, as they already have a site to the north of Thaxted and it is attempting to cover the south side. A street-works installation combined with the water tower would not provide the required coverage, and a two-site option would not be viable. These comments have been passed to the external consultant and a verbal update will be given at the meeting.

A full copy of the report is available for inspection at the Dunmow Offices.

PARISH COUNCIL COMMENTS: Original Plans: Existing conifers are only 12m high and not 15m as stated. A 15m ash tree near the edge of the site would give no screen in winter. 10m would show above the conifers. Site is unspoilt part of Chelmer Valley where there are no pylons or masts, which is rare in Essex. Approximately ½ mile away is water tower which Councillors suggested would be an ideal location for aerials. Owners of two of the sites listed as "unwilling providers" by agent were not approached.

Revised Plans: Object. Mast would be a visual eyesore in a beautiful landscape, previously unspoilt. At 25m high it would have visual impact for miles around.

REPRESENTATIONS: This application has been advertised and 8 representations have been received to the original plans and 10 to the revised scheme. Revised Period expired 1 May 2002.

Original:

Object as contrary to DP Policies S2, C2 & DC13, ERSP Policy BE8, and PPG8. Site is outside Development Limits in Area of Special Landscape Value. Mast would be clearly visible and intrusive above surrounding trees both from highways and footpath south of site. Policy only encourages telecommunications development where there is proven need, but there is no evidence that there is significant lack of coverage. Less than total coverage is to be expected in rural areas and is inevitable unless environmental concerns are to be unacceptably compromised. This is single operator mast in highly sensitive rural location and not affixed to existing structure, and therefore least preferred type of location. Thaxted is of historic importance which will be impaired by mast. Does not relate to use appropriate to rural area. Other options are available but have not been pursued. Placing trees in front of aerials severely reduces their performance and is not feasible. Expert advice is that the conifers will not grow much more than their existing height due to soil conditions. (*Additional comments as below.*)

Revised:

Objections – technical need unproven. As Orange and One-to-One users, have done survey of Thaxted and Cutlers Green and found good reception in all areas. Would substantially blight scenic landscape from Cutlers Green, Thaxted and surrounding areas. Disappointed at extent of search for alternative sites, such as water tower. Contravenes national and local policy. Mast would be double height of trees in copse. Would compete for prominence with water tower, which can be seen for miles in many directions. Residents are sensitive to visual environment around town. Visual amenity of the copse should not be turned into eyesore. If granted, and site sharing encouraged, would add to impact. Health risks to

residents and walkers. Stewart Report recommends caution until more is known. With new technology, is there a less intrusive solution? Tree mast will look ridiculous above natural tree line. Deficiencies in coverage would have been known before licence applied for by Orange, and should not affect Committee consideration. Not remote from dwellings. Site chosen due to ownership rather than amenity issues. More than 6 trees must be removed with adverse effect on wildlife and ecology.

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) **the proposal would be appropriate in the countryside in terms of a) general its visual impact on the rural Area of Special Landscape Value; and b) if the location is essential for technical reasons, whether alternative sites have been fully considered and c) appropriate measures have been taken to mitigate adverse effects on rural amenity (ERSP Policies BE8 & NR1, ADP Policies DC13 and C2, and DLP Policies T4 & GEN8) and**
- 2) **health considerations are relevant (PPG8).**

1) The site is prominently located in an elevated position surrounding by agricultural land, and designated as an Area of Special Landscape Value in the District Plan. Council policy is to resist such development in the countryside except where essential and measures have been taken to reduce the effects. The applicant's case is that, after considering other options around Thaxted, the company has a technical requirement for an additional base station in the vicinity of this site. It would provide coverage for Thaxted, Cutlers Green and west to Cherry Green. It is advised that for technical reasons, the mast could not be sited further west as it would not then link with existing cells, and any further east would be unacceptably close to the village itself. The applicant argues that a 25m high mast would be required to obtain sufficient clearance above the woodland to avoid signals being blocked. The proposed tree mast would seek to imitate a Scots Pine, and although undeniably artificial and much taller than the surrounding woodland, it is considered that this would be less conspicuous than an undisguised mast. The woodland would screen the compound and base equipment, and it is considered that the applicant has taken sufficient measures to ameliorate the impacts of the development on its setting.

2) Planning Policy Guidance note 8 on Telecommunications states that health considerations and public concerns can be material considerations. However, it is the Government's view that the planning system is not the appropriate place for determining health safeguards. If a base station meets the International Commission on Non-ionising Radiation Protection (ICNIRP) guidelines for public exposure, it should not be necessary for the local planning authority to consider health aspects. . The Stewart Report 2000 concluded that *'the balance of evidence indicates that there is no general risk to the health of people living near base stations, on the basis that exposures are expected to be small fractions of guidelines.'* The application states that the predicted field strengths would fall well below the ICNIRP guidelines.

COMMENTS ON REPRESENTATIONS: The proposal would be visible in the landscape, but it is considered that the design would reduce the visual impact in the landscape, and the base units would be screened by existing planting. It would be located sufficiently distant from the main village to avoid any adverse impact on its historic importance. The use of the Water Tower at Cutlers Green was discounted by the applicant on technical grounds, as it would be too far west to provide contiguous coverage with the existing network. Other issues raised are addressed above.

CONCLUSION: This case is finely balanced, weighing the visual impact in an attractive, open and prominent site against proven technical need. However, given the measures taken by the applicant to minimise the impact of the mast and associated equipment, it is not considered that the application could reasonably be resisted, given the Government's encouragement to telecommunications networks.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard Time Limit.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.21.1.Excluding extensions to telecommunications masts without further permission.
4. The base cabinets, compound fencing and associated equipment hereby permitted shall be coloured green prior to installation on the site, in accordance with details first submitted to and approved in writing by the local planning authority, and shall thereafter be retained as approved unless otherwise first agreed in writing by the local planning authority.
Reason: To minimise the visual impact of the development.
5. C.4.5. Retention of Trees.
6. C.4.4. Replacement of trees_

UTT/0583/02/FUL - HATFIELD HEATH

Erection of 25 m telecommunication mast, equipment cabinet & 1.8 m fence
Greenways Farm Eggs, Camp Farm, Mill Road. GR/TL 517-155. Orange Personal
Communications.

Case Officer: Richard Aston 01799 510464

Expiry Date: 07/06/2002

NOTATION: ADP: Within Area of Special Landscape Value & Metropolitan GreenBelt
DLP: Outside Settlement Boundary Metropolitan GreenBelt

DESCRIPTION OF SITE: The site is located in the southwestern corner of Camp Poultry Farm on the western outskirts of the village in the Metropolitan GreenBelt. It is accessed from Mill Lane off the A1060 Stortford Road, and lies to the rear of the residential gardens of properties on Stortford Road, which are approximately 120m from the proposed compound.

DESCRIPTION OF PROPOSAL: It is proposed to erect a 25m high telecommunications monopole tower with six mounted antennae, four microwave dishes with ten equipment cabins within a 12 x 12 m compound surrounded by a 1.8m high security fence.

APPLICANT'S CASE: Other sites that have been explored in the Hatfield Heath area were either unsuitable or unavailable, too close to housing, or too exposed. See supporting statement including technical justification and letter dated 18 July 2002 attached at end of report.

PARISH COUNCIL COMMENTS: If it is absolutely necessary to have a mast for 3G in the area, then this is probably one of the least objectionable locations. Concerned however that the access road is too small for larger vehicles. Requests that the site must be suitable for multiple use.

REPRESENTATIONS: This application has been advertised and 15 representations have been received (2 from same person). Period expired 9th May 2002.

Orange has a mast already at Lancaster Farm, Chelmsford Road, why can't this site be used? Facility could be a health risk to nearby residential properties and will have a great visual impact and appear intrusive. Not enough consideration into choice of site. Height means that it can't be masked from surrounding area. Residents already suffer noise pollution from aircraft and the M11. Access is not good enough to the site. Mast would be a blot on the landscape and become an eyesore. Mast would cause a huge loss to value of property; already have to tolerate infill developments so why should we allow a huge ugly mast? Health risks are unclear so the mast should not be sited so close to residential properties.

PLANNING CONSIDERATIONS

The main issues are whether:

- 1) **the proposal is essential in terms of need,**
- 2) **it would be appropriate in the countryside in terms of its visual impact on the Rural Area of Special Landscape Value and Metropolitan GreenBelt and if the location is essential for technical reasons, alternative sites have been considered and the appropriate measures have been taken to mitigate any potential adverse impacts on amenity (ERSP Policies BE8 & NR1, ADP Policies DC13 and C2 and DLP Policies T4 and GEN8) and**

3) health considerations are relevant having regard to National Planning Policy Guidance (PPG8).

1) The need for the mast has been clearly identified in the supporting information and alternative sites have been investigated by the developer both prior to and after the application was submitted, but these sites have been found unsuitable for various technical and other reasons. Further technical information was requested and received on 19th July 2002. The coverage plots submitted show that there is insufficient coverage for Orange's requirements in this area of Hatfield Heath. Lancaster Farm, which currently houses a 15m mast, covers the eastern part of Hatfield Heath as shown on the submitted coverage plots, this is therefore unsuitable for the developers requirements. Having researched other options in the area this has been considered to be the least objectionable site for such a mast, because of the existence of natural vegetation used to screen the mast up to 11m. Residential properties are located some distance away from the site and the proposal accords with current ICNIRP standards.

2) PPG8 advises that when considering telecommunications applications regard must be given to the following:

- 1 The height of the site in relation to the surrounding land;
- 2 The effect on the skyline/horizon;
- 3 The site in relation to areas designated for their scenic or conservation value;
- 4 The site in relation to existing masts, structures or buildings; and
- 5 The existence of topographical features and natural vegetation.

The nearest residential property is 140m away located on the Stortford Road. The mast would be surrounded by a group of large mature trees, which have a height ranging from 6-11m. The proposed mast at 25 m would be partially screened by the trees with the top 14m being visible in the surrounding landscape.

Because of the relatively isolated location, coupled with the fact that there is an abundance of natural vegetation, the mast would be partially screened therefore reducing its impact on the landscape and skyline. It is considered that the mast would have a minimal impact on the character and appearance of the Metropolitan GreenBelt and would not have sufficient adverse impact on visual amenity to warrant a refusal. Appropriate measures have been taken to mitigate the mast's impact on the open countryside/greenbelt by positioning it as far away from residential properties as possible and by using existing natural vegetation to reduce its visual impact and appearance.

3) The site and mast comply with current ICNIRP public and occupational hazard RF levels and as it would be located approximately 140m away from the nearest residential property, it is considered that in this instance the perceived risk to public health is insufficient to warrant a refusal, even if this issue was a justifiable planning reason.

COMMENTS ON REPRESENTATIONS: These are covered above. Regarding the Parish Councils' comments, it is a Government requirement that mast sharing be carried out.

CONCLUSIONS: The proposal is necessary and sufficient justification has been given. The mast would be screened by a number of trees, which would help soften its visual impact. The proposal conforms to ADP Policies DC13, S3 and DLP Policy T4, whilst also satisfying ERSP Policy BE8 and the requirements of PPG8.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit
2. C.3.2. To be implemented in accordance with approved plans
3. C.21.1. No extensions to mast.
4. Retention of existing screening.

Background papers: see application file.

UTT/0961/02/FUL - GREAT HALLINGBURY

Erection of 24 m high replacement lattice telecommunication mast and equipment cabinet within a secure compound.

Access road side of M11 off Church Road. GR/TL 505 –188. Vodafone Ltd

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 16/08/2002

NOTATION: ADP + DLP: Outside Development Limits & Settlement Boundaries/Within Metropolitan Green Belt

DESCRIPTION OF SITE: The site lies to the west of the M11, 230 m south of where Church Road passes over the motorway between Great & Little Hallingbury. The site is accessed by a narrow lane which runs parallel to the M11.

DESCRIPTION OF PROPOSAL: It is proposed to erect a 24 m high lattice telecommunication mast to replace the existing mast, to allow for multiple operators to share the facility, and an equipment cabinet within a secure compound at the base. No alteration to the existing landscaping required by previous permissions is proposed.

APPLICANT'S CASE: An extensive submission has been prepared by Vodafone, a full copy of which is available at the Dunmow Offices. A summary is provided below:

“A replacement mast is required because the existing mast is not strong enough to hold more than one operator. The Lattice mast has been selected for use because it minimises environmental impacts whilst permitting sharing. As such, on balance the increase in width of the mast is considered acceptable by virtue of the negligible height increase and it would negate the need for Hutchison 3G to erect their own mast within the immediate area. The coverage plots demonstrate that there is a technical requirement for the proposed development.

All the equipment is tested, licensed and regulated by the National Radiation Protection Board (NRPB) and the Health and Safety Executive (HSE). The Government has stated that emissions from base stations should meet the ICNIRP guidelines and that if they do then local authorities need take no further action. Planning Policy Guidance Note 8 (PPG8) supports the rollout of the Third Generation networks and actively encourages utilising existing telecommunication sites, buildings and structures to accommodate telecommunication apparatus.

The application is therefore in accordance with both national guidance and local plan policies.”

RELEVANT HISTORY: Approval in 1989 of a 22.5 m radio tower with cellular radio aerials and an adjacent equipment building on the northern part of the site. Approval in 2000 of a 21 m high telecommunications mast with antenna, microwave dishes, equipment cabin and security fencing on the site. Proposal assessed as compliant with Policy S3 and DC13.

PARISH COUNCIL COMMENTS: No comment.

REPRESENTATIONS: This application has been advertised and one representation has been received.

Period expired 25 July 2002. The following comments were raised:

- The subject site already has an unsightly aircraft noise tracking device which detracts from the appearance of the area.
- The village has suffered in recent years from an accumulation of building and utility erection which should cease before the character of the village is lost forever.

- Research on the effects on health of living in close proximity to these masts has not yet confirmed that they do not cause or contribute to life threatening illness such as leukaemia and other cancers.

PLANNING CONSIDERATIONS:

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

- 1) its effect on the open characteristics and features of the surrounding Green Belt (ADP Policy S3 & DLP Policy S6),
- 2) the Councils' guidelines relating to large telecommunication equipment (ADP Policy DC13 & DLP Policy T4) or
- 3) create any health concerns to the community (PPG 8)

1) The replacement mast is considered to form a special circumstance where development may be permitted in the Green Belt, as the proposal is for a replacement of an existing facility that is needed to provide telecommunications in this area. Its largely screened location from surrounding countryside confirms its acceptance on this site.

2) The proposal is in conformity with Policy DC13, as the proposal would utilise an existing telecom facility. The additional 3m height associated with the proposal is considered acceptable as it avoids the requirement for another tower and allows mast sharing.

3) The applicant has submitted the necessary information as required by Government legislation for such facilities. This information shows that radio wave emissions from the station would comply with the latest ICNIRP guidelines, which are based upon the findings of the 'Stewart Report', Government research by the Independent Expert Group on Mobile Phone technology.

COMMENTS ON REPRESENTATIONS: Given that the proposal is for a replacement mast, it is considered that the character and appearance of the area would not be affected. The secluded location of the tower and screening from public view should ensure that the tower would not detract from the character of the area. The applicant has submitted an ICNIRP Conformity Certificate which demonstrates that the proposed development will comply with the Health and Safety guidelines. Latest research reveals no health risks associated with telecommunications masts.

CONCLUSION: The application is considered reasonable in this location as it involves replacement of an existing tower and is addressing a substantiated requirement for local telecommunication services. The proposal satisfies National and Local requirements whilst meeting safety and health standards.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit
2. C.3.1. To be implemented in accordance with approved plans
3. C.21.1. Excluding extension to telecommunications masts without further permission
4. The existing mast shall be completely removed from the site within 2 weeks of the first use of the replacement. REASON: to avoid proliferation of mast detrimental to rural amenities.

Background papers: see application file.

UTT/0811/02/OP - GREAT DUNMOW

Outline application for residential development
Land at The Broadway, Church End. GR/TL 631-229. Messrs D K R & R Pickford.
Case Officer: Richard Aston 01799 510464
Expiry Date: 25/07/2002

NOTATION: ADP : Within Town Development Limits & allocated for residential development. DLP: Outside Settlement Boundary.

DESCRIPTION OF SITE: The site is located on the north-eastern edge of the town, abutting the smaller separate settlement of Church End. It measures 0.3 ha (0.74 acres) with a frontage onto The Broadway which leads to Bran End and Stebbing. There used to be a 2-storey dwelling (Bardfield House) at the junction with St Edmunds Lane, which has now disappeared and this plot does not form part of the current application. The site is unused and overgrown. It adjoins dwellings in St Edmunds Lane at its south-western point and open countryside to the east and north. There are also dwellings on the other side of the road at Church End Villas to the west.

DESCRIPTION OF PROPOSAL: This outline application proposes to erect dwellings on the site along the lines of the previous planning permission granted over 20 years ago. All detailed matters are reserved for later approval.

APPLICANT'S CASE: See agent's letter dated 24 May 2002 attached at end of report.

RELEVANT HISTORY: Alternative proposals for one dwelling in garden of Bardfield House, demolition of Bardfield House (structurally defective) and erection of 2 or 3 dwellings or block for multiple occupation granted 1979 (all expired). Detailed application for 12 dwellings on land at rear of Bardfield House granted 1981 (not correctly implemented and therefore also expired).

CONSULTATIONS: ECC Transportation: no objections subject to details.
ECC Learning Services: requires financial contribution if approved.
Environment Agency: no objections subject to conditions.
Anglian Water: no objections subject to conditions.

TOWN COUNCIL COMMENTS: Site should only be developed for affordable housing.

REPRESENTATIONS: None. Notification period expired 2 July 2002.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the previous planning permission is still extant,
- 2) the relevant planning considerations have changed sufficiently since 1981 to justify a different decision being made (ERSP Policies CS1 & C5, ADP Policies H1 & GD10 and DLP Policy H1) and
- 3) the residential development of this site would cause harm to the character of the area (ERSP Policy CS2, ADP Policies S1, S2 & DC1 and DLP Policy S7).

1) The Council's Legal Services has ruled that the permission granted in 1981 has since lapsed because the work which was carried out on site was not done in accordance with conditions attached to the consent (see letter dated 15 April 2002 attached at end of report). The Council has concluded, therefore, that the site no longer enjoys the benefit of planning permission for residential development.

2) That being the case, the second issue is whether it would now be justified to make the same decision for approval or whether circumstances have changed to warrant refusal. The Local Plan for Gt Dunmow approved in 1979 shows the site formed part of an Area of Special Landscape Value on the edge of Church End. There were no Development Limits at that time. The District Plan adopted in 1995 shows the whole site (including Bardfield House) allocated for residential development within the Town Development Limits as an outstanding residential commitment where development has still to commence. The Deposit Local Plan 2001 shows the site excluded from the Settlement Boundary.

The reasons for changing the site's designation between 1995 and 2001 are as follows:

- a) The site now forms part of the countryside, especially since the demolition of Bardfield House. It has returned to a natural state and cannot now be considered "brownfield", ie previously developed. The land now relates more to the countryside to the east, rather than the built-up area of the town. Policy S7 of the Deposit Plan specifies a strict control on new building in the countryside. The forthcoming Revised Deposit Plan will show no change to this stance. This strategy mirrors the Essex Structure Plan which was adopted in 2001.
- b) Following Government advice in PPG 3 (2000), a sequential approach has been applied to the location of residential sites, looking first to previously developed land within the built-up areas and then sites on the edge of main settlements. Following this strategy, it has not been necessary to identify any new "greenfield" sites in the Deposit Plan which did not already enjoy an extant planning permission. The Council has been able to identify adequate land on "brownfield" sites within the main urban areas and Development Limits, the committed urban / settlement extensions and the reuse of existing buildings and "brownfield" sites outside the rural areas, as set out in Policy H1.

3) The application is in outline and no indicative drawings have been formally submitted. The previously approved layout showed a 3-sided group of 12x2-storey dwellings with its open end facing east and a row of 12 garages along the eastern boundary. This represents a density of about 40 dwellings per hectare, in line with current Government advice in PPG3. It would be reasonable to assume, therefore, that this number of units would now be appropriate on this site. In addition, the Bardfield House site has also been excluded from the Settlement Boundary and up to 3 more units could be accommodated to Council standards. In order to assess its impact, it would be reasonable, therefore, to consider this proposal as being for a total of about 15 dwellings.

ADP Policy S1 advises that within Development Limits, proposals which would not be detrimental to any important environmental or visual characteristic of the locality will normally be granted. If this site were still within the Settlement Boundary, there would be no objection in principle to the proposal. However, it has already been established that rural area restraint policies should now apply. These indicate that permission will only be given for development which needs to take place there. No housing need argument has been put forward with the proposal and none exists, with the possible exception of affordable units. However, this option is not being applied for at this time. It is considered, therefore, that the erection of up to 15 new dwellings on this site would extend the built-up part of Church End into open countryside, to the detriment of the rural character of the area.

CONCLUSION: The previous permission has lapsed. There have been material changes in the relevant planning considerations to justify excluding this site from the Settlement Boundary. There is no housing need to justify reallocating this land. The residential development of this site would harm the rural character of the area.

RECOMMENDATION: REFUSAL REASON

The residential development of this site is not justified in terms of housing need and would cause harm to the rural character of the area by extending into open countryside, detrimental to the attractive environment and creating a suburban-style access onto the road, contrary to ERSP Policies CS1, C5 & CS2 and DLP Policies H1, S2 & S7.

Background papers: see application file.

UTT/0860/02/FUL - HATFIELD HEATH

Demolition of existing dwelling and erection of 7 dwellings with garaging and creation of new vehicular access

Bentley's, Matching Road, Ardley End. GR/TL 526-147. Berkeley Homes (Eastern) Ltd.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 01/08/2002

NOTATION: ADP and DLP: Within Development Limit and Settlement Boundary/Adjacent to Metropolitan Green/Belt/TPO 12/94 on edge of site.

DESCRIPTION OF SITE: The site is located along the road to Matching between the Heath and the cluster of development at Ardley End. The site itself is 128m wide and 45m deep (0.57ha or 1.3acres) and lies between 1.5-1.8m above the highway, set back behind a wide greensward. Towards the northern end is a large two-storey house dating from the early C20th, a grass tennis court to its rear, with the rest of the site laid to garden. The southern part has good perimeter planting and there are some mature fruit trees. The grassland to the rear owned by the applicant is not part of the application site and is outside the Settlement Boundary. The site is very prominent, being open to view from three sides and from longer views from the Heath.

DESCRIPTION OF PROPOSAL: This revised detailed proposal seeks to remove the existing single dwelling and all out-buildings and erect 7 detached dwellings with associated garaging to the rear. The proposal also details the creation of a new access, 35m to the south of the existing.

PLANNING HISTORY: Application for the erection of 15 dwellings refused May 2002 on grounds of failing to protect the character of the area; highly prominent development; would dominate this rural part of the village on the edge of the Green Belt; long dominant terraced blocks which would be uncharacteristic of the area; create backland development; inadequately small gardens, lacking basic privacy and prominent open parking some distance from the dwellings (appeal decision pending).

APPLICANTS CASE: Following refusal of an earlier planning application for the erection of 16 dwellings, the proposal has been revised following negotiations with the local planning authority. See agent's letter dated 31 May 2002 attached at end of report.

CONSULTATIONS: ECC Transportation: To be reported. (due 30 Aug 2002)

Anglian Water: To be reported (due 17 July 2002)

Environment Agency: To be reported (due 17 July 2002)

Environmental Services: Access for HGVs would be extremely tight to individual properties. Refuse collection point unclear. Bins are not provided for individual properties.

PARISH COUNCIL COMMENTS: The density of the housing appropriate for the Matching Road. However, the design and size of the houses is considered to be massively overbearing for this part of our village. The neighbouring houses of Bentley Villas are small semi detached and the remainder of the road is mostly relatively low chatlet bungalows. The Council consider that larger houses would be acceptable on Plots 5, 6 & 7 but Plots 1 – 4 should be much smaller. The Councillors therefore strongly object to this planning application in a visually important part of our village.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired see copy letter from Mrs. D CR Pyle dated 15 July 2002 attached at end of report 18 July 2002.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would

- 1) **protect the character of the area and be of satisfactory design and meet adopted amenity and parking standards (ADP Policies DC1 & T2 and DLP Policy GEN2),**
 - 2) **threaten the long-term survival of the protected or other important trees (ADP Policy DC8 and DLP Policy ENV3) and**
 - 3) **give rise to highway dangers (ADP Policy T1 and DLP Policy GEN1).**
- 1) The land lies within the Development Limit, outside the Green/Belt, where appropriate development can be granted subject to details. To the north are larger properties, some of which have been extended but still retain a sense of space around them. To the south is a line of semi-detached former Council houses, with more modern dwellings opposite. The site forms part of the transition from the Heath to the more densely developed cluster of Ardley End that is partly separate from the rest of the village. It allows views from and to the open Green Belt land and beyond, reinforcing the rural character of this part of the village. It is inevitable that redevelopment would affect this relationship to some degree, although the magnitude of change would depend on the number and size of the dwellings as well as their layout. Although there are differences between the type and design of dwellings in the local area, without exception they have a linear form, which is reflected in this revised application.

The layout of the proposed scheme follows the established linear form and grain of the surrounding properties running south to north with a slightly staggered building line, with the frontages facing onto Matching Road representing a significant improvement on the previously refused application for 16 dwellings, some of which would have been located behind others. The proposed siting of the properties would retain some space between them, protect the existing open aspect of this rural area and would not have a detrimental effect on the Metropolitan Green/Belt. Furthermore, the proposed garaging would be located to the rear of the dwellings, accessed via the sides of the properties, which would further enhance the appearance of the development and avoid the need for parking to the front of the dwellings, which would have an adverse effect on the character of the village street scene. The proposal provides adequate car parking arrangements and amenity space.

PPG3 advises that there should be an efficient use of land, for example of a higher density than proposed in this scheme (approximately 6 units per acre or 15 per hectare). It is the view of Officers that high density is not appropriate everywhere and should not be created at the expense of all other issues of good planning, including character etc. Indeed the PPG refers to the need for good design and recognition of site context.

- 2) Most of the trees along the perimeter of the site would be retained, although some vegetation would be removed to form the main access. On its own this is considered to be satisfactory and would not be a sufficient enough reason for refusal. At the rear, the boundary would be planted with an indigenous hedge and trees to screen the rear parking and gardens. The access to the field beyond will be retained and enhanced.
- 3) Supplementary highway information has been submitted by the applicant and the comments of ECC Transportation will be reported at the meeting.

COMMENTS ON REPRESENTATIONS: The views are noted, but the previous proposal was unacceptable and would not have provided any dwellings capable of being afforded by local people.

CONCLUSION: This revised proposal complies with Development Plan Requirements.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard Time Limit
2. C.3.1. 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 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.6.5. Excluding fences and walls without further permission
8. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
9. C.23. Demolition of existing dwelling.

Background papers: see application file.

UTT/0603/02/FUL – BARNSTON

Removal of condition C.90A attached to UTT/0008/94/FUL (restricting occupancy of dwelling to Langley Lodge Riding Stables) and erection of replacement chalet bungalow. Change of use part storage building to garage and domestic stabling.

The Courtyard, Onslow Green. GR/TL 651-181. Mr & Mrs Hart.

Case Officer: Richard Aston 01799 510464

Expiry Date: 11/06/2002

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

DESCRIPTION OF SITE: The site is located in open countryside about 2km (1 mile) south of Barnston village next to Sholdo Hall (listed building). It comprises a small dwelling, a group of former farm buildings and a paddock with horses, totalling some 0.8 ha (2 acres).

DESCRIPTION OF PROPOSAL: This revised proposal seeks to remove the condition tying the dwelling to Langley Lodge Riding Stables (which no longer exists), replace the dwelling with a new chalet bungalow, adapt one of the barns to domestic garaging and stabling and to demolish the rest. The commercial activities would cease.

APPLICANT'S CASE: See agent's letters dated 12 April 2002 & 12 August 2002 attached at end of report.

RELEVANT HISTORY: Change of use of agricultural buildings to riding stables granted in 1980. Change of use of storage building to accommodate stable hands granted in 1982 and in 1987 when it was restricted to a particular individual. Commercial livery granted in 1988. Permanent occupation granted in 1994 tied to the riding stables. Replacement dwelling application withdrawn earlier this year.

PARISH COUNCIL COMMENTS: None (due 24 May).

REPRESENTATIONS: This application has been advertised and 2 representations have been received. Period expired 15 August.

1. If the commercial use of the property is rescinded, no objection to a permanent residence.
2. Replacement chalet bungalow would be totally outside the planning constraints and should not be allowed.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the restricted occupancy condition is still required (ADP Policy S2 & DLP Policy S7) and
- 2) the replacement dwelling can be justified (ADP Policy H8 & DLP Policy H6).

1) The relevant Policies are designed to prevent inessential residential development in the countryside. The existing accommodation was intended to look after the commercial equestrian facilities on this smallholding, which have now been removed. The need for the occupancy restriction has, therefore, also ceased and can be withdrawn subject to a condition preventing the re-introduction of commercial stabling.

2) If it is agreed that the occupancy condition can be removed, then the dwelling would have established use as a private residence. On that basis, its replacement would be appropriate subject to the usual criteria relating to location, size and design. The proposal is to relocate the dwelling 10m back into the site where it would be less prominent from the road. This would be acceptable. The size of the new dwelling has been significantly

reduced following the earlier withdrawn application. It would now comprise a chalet bungalow of 4 bedrooms, 6.5m high. The footprint would be about four times that of the existing, which is only a small two-bedroom cottage resulting from its previous use. It is considered that its size would be the most that could be acceptable, and then only because it is proposed to demolish other existing buildings. The design and materials of render and tiles would be appropriate for this location. There would be no adverse effect on the setting of the nearby listed building due to the amount of existing landscape screening.

COMMENTS ON REPRESENTATIONS: These are covered above.

CONCLUSION: There is no longer any need to retain the occupancy restriction following the cessation of the commercial activities. The replacement of the dwelling would be appropriate and lead to a tidying up of the site with the demolition of other structures. Conditions would be required to prevent any future commercial uses and to restrict the number of horses kept on the site for domestic purposes only. Similar replacements have been approved recently at Wimbish & Hatfield Heath.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping.
5. C.5.2. Details of materials to be submitted and agreed, including clay plain tiles and smooth rendered walls.
6. C.6.2. Excluding all rights of permitted development.
7. C.6.9. No riding school or livery use.
8. No more than 6 horses for domestic use shall be kept on the site.
REASON 7+8: To prevent disturbance to neighbouring residential properties.
9. C.7.1. Slab levels to be submitted and agreed.
10. The existing dwelling and buildings shown on the approved plan to be demolished shall be removed from the site within one month of the first occupation of the new dwelling.
REASON: To improve the appearance of the site in an Area Special Landscape Value.

Background papers: see application file.

1)UTT/0654/02/FUL 2) UTT/0655/02/LB – UGLEY

1+2 Renovation, demolition and conversion of out-buildings/barns to form 4 residential units North Hall Farm, North Hall Road. GR/TL 522-302. Mr M Carney.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 24/06/2002

NOTATION: ADP: Outside Development Limits within Area of Special Landscape Setting and complex of building Listed Grade II and associated ancillary buildings.

DLP: Outside Settlement Boundaries complex of Listed and associated farm buildings.

DESCRIPTION OF SITE: The site is located in open countryside north of Elsenham at the end of an access track on the western side of North Hall Road, over which the M11 passes. The farmhouse is located on the southern side of the access with a series of farm buildings to the north. The buildings include a timber-framed barn listed in its own right which is currently being converted into a residential unit as part of an approved scheme. The remaining buildings are arranged around a courtyard. The majority of buildings are weather-boarded and slate-roofed. They are used either in connection with the applicant's marble business or as unlawful guest accommodation.

DESCRIPTION OF PROPOSAL: The application seeks to cease the existing stone cutting use and B+B and to convert the buildings so that including the already approved barn (unit 2), a total of five residential units would be formed, the existing farmhouse (unit 1) making six units in all. The range of buildings to the western side of the site would be converted into three units (5,6+7). The structure to the northern side of the courtyard is a modern metal-framed barn not considered to be of any aesthetic merit to justify its conversion and this would be demolished. To the western side of the site a building referred to as a mill is also proposed to be converted (unit 3). Within the courtyard some buildings would be demolished, leaving one block to serve as outbuildings to 2,3,6+7 units. Three garages and car parks would be erected to serve units 5, 6+7. Revised Plans have recently been received withdrawing unit 4 following negotiations with Officers, because the building was of insufficient merit.

APPLICANT'S CASE: It is my client's intention to develop the existing site, by the conversion of the existing premises. Both the stone cutting work and bed and breakfast facilities to the present barns will cease. I trust this will enable you to withdraw the alleged breach of planning control recently served on my client. Mr Theobald's (Planning Enforcement Officer) letter dated 4th April 2002 refers. As discussed, in my view of the submission of the enclosed application, my client does not need to submit any further planning application in connection with alleged breach of planning control.

The drawing has been revised to omit Unit 4 and rearrange the gardens to Unit 3 and 5. I also enclose six copies of the site plan showing the location of the earth mounds adjacent to the M11 motorway. I have added a note to that drawing that refers to the existing by-way. Would you please omit Unit 4 from all the previous drawings submitted.

RELEVANT HISTORY: The conversion of the main barn into a dwelling was first approved in 1988, but the current works being under taken are in accordance with a revised scheme approved in 2001. Commercial uses granted in 1990 + 1998. Enforcement action is currently being pursued against the unlawful use of the site for guest accommodation, which includes use of the farmhouse and some of the barns. This action would be withdrawn if PP + Usc are granted and implemented.

CONSULTATIONS:

Essex County Transportation: no objections.
Environmental Services raise no objections subject to conditions.

Environment Agency: raise no objections, but recommend the use of a separate treatment plant for each property. They request that a percolation test should be undertaken to ensure that soakaways would work adequately in adverse conditions.

PARISH COUNCIL COMMENTS: This form of development would be unsuitable in this location particularly so close to the motorway and would create an unacceptable precedent.

REPRESENTATIONS: These applications have been advertised and 1 representation has been received.

Period expired 30 May 2002.

Concerned that:

- this development should only be carried out if the access road is widened as the existing heavy commercial traffic to the site has already eroded the side of the road here and
- the signage to the business should be improved as we are regularly disturbed by people seeking to locate the site for B+B accommodation.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) **the proposal meets the environmental, historic and architectural quality criteria relating to the residential conversion of rural buildings (ERSP Policy RE2, ADP Policy C6 and DLP Policy H5),**
- 2) **the effect of the proposals on the historic buildings and their setting would be acceptable (ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV2),**
- 3) **the impact of the development on the countryside would be acceptable (ERSP Policies CS2 & C5, ADP Policy S2 and DLP Policy S7),**
- 4) **a satisfactory residential environment can be created with regard in particular to traffic noise (ADP Policy N2 (a) and DLP Policy ENV10 (a) and**
- 5) **the access and service arrangements for the site would be satisfactory (ERSP Policy T12, ADP Policy T1 and , DLP Policy GEN1).**

1) The Development Plan policies allow the residential conversion of suitable rural buildings, subject to certain criteria being met. The buildings have to be of sound construction capable of conversion, their form should enhance the appearance of the area and the private gardens should be provided unobtrusively. The buildings the subject of this application are in sound condition and require minimum alterations to the original fabric to convert. The building requiring most work is the 'mill' which would have modern alterations removed to utilise the original fabric of the structure. There are only two buildings, which are of no merit and are both to be demolished. The scheme is considered to meet the tests of these policies.

2) The farmhouse and the main barn are listed in their own right and the other buildings provide an important context to these. The structures to be converted are all pre-1948 and are therefore ancillary to the main buildings. The works are considered to cause the minimum amount of alteration to the buildings and would retain the character. The scheme is considered to be acceptable in historic building terms.

3) The proposal would decrease the number of structures on the site. The revised scheme is seeking to remove the proposal to form a new access drive around the perimeter of the units and seeks to keep the development inward-looking, not to spread into the surrounding countryside. The site is visible from the motorway. The form of the works is considered to be compatible with its rural setting.

4) The units are located close to the motorway. It is proposed to secure sound attenuation measures to ensure the noise levels within the dwellings would be acceptable, in

accordance with advice from Environmental Services. The external areas of the buildings would be subject to noise from traffic on the motorway. The applicant is proposing to construct an earth bund with planting to seek to improve the external environments of the units and to erect garage/carports on the eastern side of the complex to form a barrier to the motorway. These mitigation means are considered appropriate.

5) The current authorised industrial use of the site includes large vehicles making deliveries to the site. The proposed alternative residential use would reduce this activity and the adverse effects on the neighbours' amenities. Adequate on-site parking provision can be made.

COMMENTS ON REPRESENTATIONS: See above. The proposal represents a planning gain compared to the existing uses and would preserve & enhance the setting of listed buildings. The neighbours' concerns would be overcome by the removal of the stone cutting business.

CONCLUSIONS: The proposal is considered to meet the provisions of the Development Plan Policies and would be an acceptable form of development.

RECOMMENDATIONS:

1) UTT/0654/02/FUL - 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.6.2. Excluding all rights of Permitted Development within the curtilage of a dwellinghouse without further permission
6. C.11.7. Standard Parking Requirement
7. C.8.26. Internal sound insulation to dwellings
8. C.8.27. Drainage Details
9. The out-building granted as part of the development hereby granted consent shall only be used for storage purposes ancillary to the dwelling units hereby granted consent and at no time shall be converted and used for habitable living space unless this is first agreed in writing with the local planning authority.
REASON: To prevent over-intensive use of the site.
10. Prior to any development commencing on the development hereby granted consent, full details of the bund proposed to the eastern boundary of the site adjacent to the motorway shall be submitted to and agreed in writing with the local planning authority. These details shall include: The profile of the bund; Materials used in the construction of the bund; Height; The exact line of the bund in relation to the bridleway and Planting. The works shall be carried out in accordance with the agreed details. The bund shall be fully implemented before any of the residential units hereby granted consent are first occupied.
REASON: To secure an acceptable form of development to mitigate noise disturbance from motorway traffic.
11. Details of all fireproofing/thermal and sound insulation measures to be installed in the dwelling units hereby granted approval shall be submitted to and agreed in writing with the local planning authority. Such details shall demonstrate how any existing features are to be treated and retained. The works shall be implemented solely in accordance with the agreed details.
REASON: To secure an acceptable form of development in terms of noise mitigation measures.

2) UTT/0655/02/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development
2. C.3.2. To be implemented in accordance with revised plans
3. C.5.1. Samples of materials to be submitted and agreed
4. C.5.4. Natural Slate
5. C.5.9. Stained wood
6. C.5.14. Black rainwater goods
7. C.5.15. Side-hung timber garage doors
8. C.5.16. No historic timbers to be cut
9. C.5.17. Window & door details and sections to be submitted and agreed
10. The location of all service meters shall be submitted to and agreed in writing with the local planning authority prior to the works commencing. No meter boxes shall be located on the external elevations unless otherwise in writing with the local planning authority.
REASON: To protect the visual appearance of the development to ensure the historic character of the buildings is retained.
11. Prior to works commencing on the development hereby granted consent, a schedule of repair works including a time table for the works shall be submitted to and agreed in writing with the local planning authority for the restoration of the granary mill building on the site. The building shall be fully repaired and restored prior to the first occupation of any of the dwelling units hereby approved.
REASON: To ensure the retention of all the buildings of historic importance on the site.
12. Prior to and during the process of stripping out of these buildings a programme of recording shall take place to meet the specification of a level 2 standard of recording of the Royal Commission of Historical Monument of England. A scheme of investigation for the recording shall be submitted to and approved in writing with the local planning authority and the recording shall be carried out in accordance with this specification. The record made shall be submitted to the local planning authority for their archives.
REASON: To ensure that a proper record is made of the buildings on the site prior to their alteration.

Background papers: see application file.

UTT/0857/02/FUL – THAXTED

Demolition of existing dwelling and erection of replacement two-storey dwelling with garage. Colts Range, Cutlers Green. GR/TL 594-307. Mr & Mrs H D Crane.

Case Officer: Charmain Harbour 01799 510458

Expiry Date: 01/08/2002

NOTATION: ADP: Outside Development Limits, within Area of Special Landscape Value, adjacent to Listed Building.

DLP: Outside Settlement Boundary, adjacent to County Wildlife Site & Listed Building.

DESCRIPTION OF SITE: The site is located on the north-western side of the village green at Cutlers Green. It has a residential curtilage abutting it on either side, with open countryside to the northwest (rear). The site currently forms the curtilage of a dwelling which is a modern-style timber-clad flat-roofed building. The principal habitable rooms are at first-floor level with the ground floor largely consisting of a storage area and the stilts on which the main house is built. The existing building is set in a landscape setting with semi-mature trees on the site and ponds to the frontage of the site. There are other ponds to the south.

DESCRIPTION OF PROPOSAL: The application seeks a replacement dwelling on the site. The new dwelling would be in a similar location to the footprint of the existing house. The plans have been amended to retain the three large trees in the centre of the site which form an important landscape setting to the green and the open countryside beyond the site. The proposed dwelling is a three bedroom unit with the first floor being within the roof area with dormer windows. The building would be in an Essex vernacular style. Two sunrooms are proposed at ground floor level. A double garage is proposed on the western side of the site with a new driveway across the front of the site. The application has been revised to include the retention of shrubs and trees fronting the green and the reinforcing of this landscaping with new planting. All hedging to the site is to be retained, with the exception of a leylandi hedge to the northern boundary which has been removed and a fence has been erected. The proposal is to infill these ponds. An ecological survey has been submitted as part of the proposals which identifies the presence of Great Crested Newts (as before regarding the case at the nearby site of 'The Stores', which Members visited recently). It is proposed to infill the existing ponds and a new pond has been formed to which the newts would be relocated as part of the mitigation works. A licence from DEFRA is required for the works.

CONSULTATIONS: Environment Agency: Raise no objections but make advisory comments. Provision of a private sewage treatment plant is required and it is proposed to secure the details of this by condition.

English Nature: The site is known to have Great Crested Newts and an ecological survey has been carried out and submitted as part of this application which satisfies their requirements. Confirm that a licence has been applied for. Request that a condition be applied to ensure that the necessary mitigation works are submitted and agreed including a timescale for the works.

Building Surveying: Raise fire safety concerns. The existing vehicular access road is unsatisfactory and this needs to be widened to a minimum of 3.7m wide capable of taking 12.5 ton vehicles. A turning area is required within the site and the driveway splay must allow access for a fire tender. The plans have now been amended to provide these requirements.

Design Advice: The existing structure is a kit structure made by Colt. English Heritage have been consulted and confirmed the building is not of listable quality as buildings of this type are not uncommon nationally.

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: Original Plans -

This application has been advertised and 1 representation has been received. Period expired 4 July 2002. Support: would enhance visual amenity of green, but concern regarding

loss of the trees on the site and having the driveway and parking to the front of the site which would be visually dominant.

(Officers' Response: The concerns over the loss of the trees have been addressed in the revised plans where the trees are shown as being retained and would be conditioned accordingly. The impact of the driveway would be minimised by the revised proposals which seek to retain and reinforce the existing shrubs and trees to this boundary).

A reconsultation has been carried out following the receipt of amended plans and the consultation period expires on 16 August 2002. 3 letters have been received.

Support: The design is sympathetic and removes the existing building which is considered to be an eyesore. The applicants are taking measures to preserve the wildlife and trees on the site.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) **the proposal accords with the provisions of the replacement dwelling criteria (ADP Policy H8 and DLP Policy H6),**
- 2) **the visual impact of the proposal on the countryside setting would be acceptable (ERSP Policy : CS2 ADP Policies C2 & DC8 and DLP Policies GEN8, GEN2, ENV3 & S7) and**
- 3) **the applicant has addressed the issue of protected species on the site (ADP Policy C3 and DLP Policy: GEN7).**

1) The size and scale of this proposed house is considered to be in keeping with the locality, including the setting of the adjacent Listed Building. The inclusion of the first floor in the roofs means that the height of the unit would not be excessive. The materials and form of the building would harmonise with other properties in the locality. The siting would overlap with the footprint of the existing dwelling.

2) The revised scheme proposes to retain the main trees of importance on the site and the shrubs to the frontage on the green. Reinforcement planting is proposed so that the scheme would not harm the landscape setting of the green or the wider countryside beyond.

3) The application has been supported with a survey which identifies the presence of Great Crested Newts on the site and the applicant has identified mitigation measures to be implemented during the construction period. English Nature are satisfied with the details submitted to date. A timetable for the measures is required and proposed to be secured by condition.

COMMENTS ON REPRESENTATIONS: The concerns raised have been fully addressed by the revised scheme whereby trees and shrubs existing on the site are identified as being retained and new planting proposed to reinforce the landscape character of the site.

CONCLUSION: The proposal is considered to accord with the Development Plan policies and is acceptable in countryside, design, nature and historic building conservation terms.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.3. To be implemented in accordance with original and revised plans
3. C.4.2. Implementation of landscaping
4. C.4.5. Retention of hedges
5. C.4.6. Retention and protection of trees and shrubs for the duration of development
6. The surface treatment of the driveway shown on the plans hereby granted approval shall be submitted to and agreed in writing with the local planning authority prior to the development commencing, including samples if requested. The driveway shall be finished solely in accordance with the agreed details prior to the new dwelling first being brought into occupation.

REASON: To secure an acceptable form of development.

7. C.5.1. Samples 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. C.6.5. Excluding fences and walls without further permission
10. C.6.7. Excluding conversion of garages
11. C.8.27. Drainage Details
12. C.11.7. Standard Vehicle Parking Facilities
13. C.23. Demolition of existing dwelling
14. Prior to development commencing on the site a schedule of works shall be submitted to and agreed in writing with the local planning authority for the ecological mitigation work clearly indicating how the various stages of the development will be carried out and include mitigation measures for the existence of Great Crested Newts on the site. The works shall be carried out solely in accordance with the agreed schedule. Any variation shall first be agreed in writing with the local planning authority.

REASON: The ecological report for the site has identified the existence of a protected species on the site and this schedule is required to ensure mitigation measures are in place for the duration of the works to ensure they are not adversely affected by the works.

Background papers: see application file.

UTT/0914/02/FUL - QUENDON & RICKLING
(Referred at Officers' Discretion)

Retention of first-floor extension and amendments to roof.
Pantiles, Green Road. GR/TL 512-301. Mr T Proctor.
Case Officer: Hilary Lock 01799 510486
Expiry Date: 15/08/2002

NOTATION: ADP: within Village Development Limit, Area of Special Landscape Value & Conservation Area DLP: within Settlement Boundary & Conservation Area

DESCRIPTION OF SITE: The site comprises a semi-detached bungalow in a small backland group off the eastern side of Rickling Road, towards the north of the settlement. It backs onto a commercial garage and the village hall car park which fronts Cambridge Road (B1383). The site is just within the Conservation Area, but the land to the rear is outside.

DESCRIPTION OF PROPOSAL: The existing unauthorised flat-roofed first-floor rear extension spans the rear of the property and is built up from the existing ground floor rear and side walls. The flat roof is approximately 800mm below the main roof ridge. The original property had two bedrooms. One has been converted to a dining room and a further two bedrooms and bathroom have been created at first floor.

This revised proposal follows negotiation with the Council's Conservation Officer. In place of the flat roof, a second pitch would be created, with a projecting window to add interest to the rear elevation. The second pitch would be no higher than the original roof of the dwelling. This design would achieve the aim of removing the unsightly flat roof. The rear elevation would be boarding and render. The property would retain parking to meet Council standards, and the existing garden area would be unaffected.

APPLICANT'S CASE: Existing plans reflect on-site position. Propose to re-use existing rear windows rather than replace all with cottage style windows. Do not believe style of building warrants an overall 'facelift', but that proposal maintains appropriate sense of scale and semi-rural aesthetic.

RELEVANT HISTORY: Building Regulations consent for first floor dormer extension granted August 1999, and construction started in April 2001. A retrospective planning application was submitted and refused in April 2002, following a Members' site visit. Enforcement action was deferred to enable further negotiations for amendments to be made and a revised application submitted.

CONSULTATIONS: Design Advice: recommend approval subject to matching materials (no objection to the weatherboarding and render).

PARISH COUNCIL COMMENTS: none received - due 20 July

REPRESENTATIONS: This application has been advertised and two letters have been received. Period expired 21 July 2002.

Comments are same as before – not overlooked but can see it. Whatever is done to roof will not make brickwork match. Proposed rear of property would look quite attractive, but the side which would be viewed from 'Hedges' shows the incongruity when viewed with lines of original bungalow. Would make extension bigger and take even more light. Would be preferable for it to stay as it is.

PLANNING CONSIDERATIONS:

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

- 1) **its impact on the Conservation Area, and whether it would preserve or enhance its setting (ERSP Policy HC2; ADP Policy DC2; DLP Policy ENV1), and**
- 2) **residential amenity, car parking and garden land (ADP Policy DC14; DLP Policy GEN4).**

1) The current scheme follows negotiations between the applicant’s agent and Officers. It is considered that the proposed design, in removing the unsightly flat roof, would accord more closely to the criteria of ADP Policy DC2. Although not a wholly traditional design on a modern bungalow, this revised proposal would overcome the previous reasons for refusal. In considering the impact of the proposal on its setting, it should be noted that this is a modern development backing onto a car park and garage site, and does not contribute to the most attractive and traditional parts of the Conservation Area. A pitched-roofed design and detailing would be more in keeping with the Conservation Area.

2) In terms of impact on the amenity of adjacent residents, although this would be a relatively bulky addition, it is not considered that it would have any material impact on the attached bungalow to the west, and although some overshadowing would occur it would not be so significant that refusal could be justified. The same applies to the dwellings fronting Cambridge Road. The side elevations would be altered to matching brickwork, which should improve the appearance when viewed from those properties. The parking requirement for the resulting 3 bedroom dwelling would be unchanged, and although residents may already have difficulties with shared access, this would be unaffected by the development. There is adequate space to accommodate two vehicles on site.

COMMENTS ON REPRESENTATIONS: Once completed, the finishes to the extension would improve its appearance when viewed from neighbouring properties. Although there would be some increase in roof area, it is not considered this would significantly reduce light to adjacent residents compared to the existing extension. Retention of the existing extension has already been refused, and the proposal would be a visual improvement.

CONCLUSION: It is considered that this design solution would overcome the objections to the existing extension, and would accord with the requirements of Structure and District Plan Policies for development in Conservation Areas. In view of the urgent need to remove the unauthorised extension, it is recommended that the ‘time limit’ condition no.1 be amended to require the commencement of the development within one rather than five years. Once implemented, the enforcement action can be withdrawn.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS

- 1. The development shall be begun within one year from the date of this permission.
- 2. C.3.1. To be implemented in accordance with approved plans
- 3. C.5.3. Matching materials
- 4. The eastern and western side elevations of the extension hereby permitted shall be constructed using brickwork to match the existing dwelling, samples of which shall be submitted in accordance with condition C.5.3. of this permission.
- 5. All external weather-boarding hereby permitted shall be feather-edged and painted black.
- 6. All rendered surfaces hereby permitted shall be smooth finished.
- 7. C.19.1. Avoidance of overlooking

Background papers: see application file.

UTT/0976/02/FUL – ASHDON
(Referred at Members' Request)

Change of use of part of barn to B1 use (joinery shop and store)
Hill Farm, Radwinter Road. GR/TL 587-417. Mr R Argent.
Case Officer: Hilary Lock 01799 510486
Expiry Date: 22/08/2002

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

DESCRIPTION OF SITE: The site is located at the southern end of the village on the western side of Radwinter Road. It comprises a complex of agricultural buildings, some of which have been converted to employment use and day nurseries. The modern barn proposed for conversion measures about 800 sqm floorspace.

DESCRIPTION OF PROPOSAL: It is proposed to convert a large agricultural building close to the road for use by a joinery firm from Steeple Bumpstead in Braintree district. The proposal seeks to use all of the building and there would be 5 employees. Since submission, the proposed use has been changed from B2 (general) to B1 (light industrial). The applicants propose to use part of the building as a joinery shop and the rest for storage.

APPLICANT'S CASE: See letters dated 18 & 26 July 2002 attached at end of report.

RELEVANT HISTORY: Previous permissions on other buildings for nursery schools granted in 1991 & 1995 and B1 business use in 2001.

CONSULTATIONS: Environmental Services : recommend conditions to reduce loss of amenity to local residents.

PARISH COUNCIL COMMENTS: Object – close proximity to dwellings on the opposite side of Radwinter Road and adjacent nursery school, potential noise nuisance and traffic hazard, no need for B2 use in rural areas setting precedent for creeping industrialization of site.

REPRESENTATIONS: Five. Notification period expired 22 July 2002.
Object on similar grounds to Parish Council.

PLANNING CONSIDERATIONS:

The main issue is whether the proposal would meet the criteria for the re-use of rural buildings for business purposes (ADP Policy C5 & DLP Policy E4).

The criteria contained within the relevant Policies are:

- a) *the buildings are of permanent and substantial construction* - this structure is a modern designed corrugated prefabricated construction on a brick plinth.
- b) *it is capable of conversion without major reconstruction* - Building Control have no adverse comments.
- c) *the proposal would protect or enhance the character of the countryside or its amenity value and would not result in a significant increase in noise levels or other adverse impacts* - The external appearance of the building would be unchanged. The nearest dwelling is 28m away on the opposite side of the road. The joinery shop would be located in the western side of the building, away from neighbours. Provided that conditions were imposed controlling the type and hours of use, insulation of equipment and no outdoor working or storage, it is considered that the amenities of neighbours would be sufficiently protected.
- d) *the development would not place unacceptable pressures on the surrounding rural road network in terms of traffic levels, road safety and amenity* -

the applicants currently have 10 cars and 3 service vehicles calling at their existing site each day. This low level of use would be insignificant compared with the potential traffic which could be generated by 800 sqm of B1 office floorspace.

COMMENTS ON REPRESENTATIONS: These are covered above. The safety of the children in the day nurseries would be a matter for their organisers, but a condition requiring a protection plan should be included.

CONCLUSION: The building is suitable for conversion to employment purposes and the proposed low-key use would be far preferable to a more intensive activity. The proposal is in line with Council Policies and Government encouragement for the diversification and re-use of farm buildings.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit
2. C.3.1. To be implemented in accordance with approved plan
3. C.6.1. Excluding changes of use or subdivision.
4. C.6.8. Excluding Permitted Development extensions or alterations to industrial premises
5. C.6.14. Restriction on rebuilding
6. C.8.3. No outdoor working
7. C.8.6. Insulation of plant and machinery
8. C.8.15. Restriction on hours of operation: 0730 – 1800 Mon-Fri & 0800 – 1300 Sat
9. C.9.1. No outdoor storage
- 10 Details of the access route from Radwinter Road to the site showing the proposed means of protection for the nursery school buildings shall be submitted to and approved in writing by the planning authority before the use commences.
REASON: In the interests of public safety.
11. C.11.3. Provision of car parking and servicing facilities

Background papers: see application file.
