

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 23 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/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 (page 10)
REMARKS: Awaiting further revised plans
RECOMMENDATION: Deferral
Case Officer: John Grayson 01799 510455
Expiry Date: 21 May 2002

APPL NO: **UTT/0241/02/FUL**
PARISH: **CLAVERING**
DEVELOPMENT: Change of use of land and conversion of existing offices to 7 No. Class B1 light industrial/office units. Extension to joinery building to rear. Detached building to create 2 No. Class B1 units. Construct parking spaces and boundary wall/gates. Alterations to access.
APPLICANT: C E Funston Tractor Sales Ltd.
LOCATION: C E Funston Tractor Sales Ltd, Arkesden Road
D.C. CTTE: 2 September 2002 (page 27)
REMARKS: Deferred to renegotiate details of proposal 7 relandscaping on northern boundary
RECOMMENDATION: Approval with conditions
Case Officer: Hilary Lock 01799 510486
Expiry Date: 12 April 2002

APPL NO: **UTT/0603/02/FUL**
PARISH: **BARNSTON**
DEVELOPMENT: 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.

APPLICANT: Mr & Mrs Hart
LOCATION: The Courtyard, Onslow Green
D.C. CTTE: 2 September 2002 (page 66)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: **Approval with conditions**
Case Officer: Richard Aston 01799 510464
Expiry Date: 11 June 2002

APPL NO: **UTT/0654/02/FUL & UTT/0655/02/LB**
PARISH: **UGLEY**
DEVELOPMENT: 1+2 Renovation, demolition and conversion of out-buildings/barns to form 4 residential units

APPLICANT: Mr M Carney
LOCATION: North Hall Farm, North Hall Road
D.C. CTTE: 2 September 2002 (page 75)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: **Approval with conditions**
Case Officer: Charmain Harbour 01799 510458
Expiry Date: 24 June 2002

UTT/0536/02/FUL – THAXTED

(Revised Report)

Erection of chalet bungalow with rear basement and integral single garage. New access and double garage.

Land at Harrow Croft, Watling Lane. GR/TL 606-315. Mr N Temple.

Case Officer: *Jeremy Pine* 01799 510460

Expiry Date: 20/06/2002

(members visited this site on 1 July)

NOTATION: ADP: Within Development Limits and Area of Special Landscape Value.
DLP: Within Settlement Boundary and 57 Leq noise contour area re aircraft using Stansted Airport.

DESCRIPTION OF SITE: The site is located on the north western edge of the village on the western side of Watling Lane, near to the end of this cul-de-sac. It currently forms part of the curtilage of the dwelling Harrow Croft, a two-storey dwelling house and to the northern side the land abuts a pair of barns. The site has a frontage of 12m to the lane, leaving 25m for the existing property. The land measures about 0.074ha (0.18 acres) and slopes steeply to the west down to the River Chelmer. The settlement pattern for this section of the road is one of detached houses and bungalows.

DESCRIPTION OF PROPOSAL: This revised application seeks permission for the erection of a detached chalet bungalow on the land north of Harrow Croft. The structure is a Swedish energy-saving home. The plot currently has a double garage serving the existing dwelling and the amended proposal would modify the vehicular access to serve an integral garage to the front of the new dwelling, which would be set back from Harrow Croft by about 10m. The front elevation of the dwelling would have a ridge height of 8m and at the rear, taking into account the lower ground level, the height would be 10.5m including the basement. A balcony would be provided at the rear at the equivalent of ground level at the front. The southern side elevation to Harrow Croft would contain two secondary bedroom windows, a wc window at ground level and 2 rooflights. All these side windows could be obscure glazed to protect the amenities of the existing property. The structure would have boarding to the first floor and brick cladding to the ground. A new double garage would be erected to serve the existing dwelling to the south of the house off a new access.

PARISH COUNCIL COMMENTS: Original Plans: No objection, but concerned about loss of parking for Harrow Croft.

Revised Plans: To be reported (due 20/9).

REPRESENTATIONS: Original Plans: None. Notification period expired 16 May 2002.

Revised Plans: To be reported (due 20/9)

PLANNING CONSIDERATIONS: The main issues are whether the revised design and layout of the dwelling would be acceptable in terms of:

- 1) its location, external form and potential impact on the surrounding area (ERSP Policies H3 & CS2, ADP Policies H6 & DC1 and DLP Policies H2, GEN2 & GEN 4) and
- 2) on-site parking provision for the new and existing dwellings (ERSP Policy T12, ADP Policy T1 and DLP Policy GEN9).

1) The new dwelling would continue the frontage settlement pattern in this locality, but would be located in a position set back from the adjacent house. The orientation of the windows on the new dwelling are considered to protect the privacy of the existing house to the south. There is a mix of styles of property in the locality including some more unusual timber-style cabins therefore the form of the building would not be out of character with the area. The proposal would result in the removal of some of the leylandii hedge on the northern side of boundary the site, but two poplar trees at the rear will be retained. The loss of the leylandii is not considered to be detrimental to the area. Details of the boundary treatment to the site are to be agreed. The balcony would overlook part of the rear of the existing garden and it is suggested that the boundary be realigned to reduce this effect and provide the new dwelling with a larger rear garden in keeping with existing properties in this lane.

2) Adequate on-site parking facilities for two cars can be achieved. There is sufficient land retained to the existing property to form erect a new double garage for this dwelling, which is proposed to be secured by condition. The new access would be appropriate.

CONCLUSION: The proposed development is now considered to be in accordance with the Development Plan policies and would be in keeping with the locality. The dwelling has been revised to omit the detached garage, relocated further to the rear to take into account the change in levels as requested by Members and replacement parking for the existing dwelling would be provided.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. 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 dwelling house without further permission.
6. The windows in the southern elevation marked in pink on the approved plans shall be obscure glazed with obscuration level 4 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall be retained in those windows in perpetuity. No further windows shall be inserted into this southern elevation without the prior written consent of the local planning authority.
Reason: To avoid overlooking of the adjacent property in the interests of residential amenity.
7. The southern boundary to the new plot shall be amended as shown by line A-B on the approved plan.
Reason: To avoid overlooking of the adjacent property in the interests of residential amenity.
8. C.5.2. Details of materials to be submitted and agreed.
9. C.6.7. Excluding conversion of new garages to other use.
10. The new access and double garage to serve Harrow Croft shall be implemented and brought into use before the new dwelling is first occupied.
Reason: To secure adequate replacement parking facilities for the adjacent property in the interests of highway safety.
11. The development hereby permitted shall not be brought into first use until the on site parking and turning facilities have been constructed within the site. These shall be retained and kept clear for parking in association with the use of this dwelling at all times.
Reason: To secure adequate on-site parking facilities in the interests of highway safety.
11. C.8.25. Sound insulation requirements close to Stansted Airport.

NOTE: The rest of the existing hedge along the northern boundary shown C-D on the approved plan should be retained and protected dwelling construction.

Background papers: see application file.

UTT/0605/02/FUL – BIRCHANGER
(Revised report and recommendation)

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

This site was visited by Members prior to the DC&L Committee on 2 September 2002.

NOTATION: ADP: Within Development Limit. DLP: Within Settlement Boundary TPO:
Emergency group order served August 2002.

DESCRIPTION OF SITE: This site is located in the northern part of the village, forming part of the garden of a bungalow facing Bradley Common. This overall curtilage is L-shaped and measures 38-22m by 22m. The application site itself is an L-shaped portion of the garden and measures 22m in width by 14-22m in depth. The site backs onto HighView, a post-war residential estate. Along the HighView frontage of the site is a group of trees (Willow, Walnut and two Field Maple), now preserved.

DESCRIPTION OF PROPOSAL: A two-storey three-bedroomed detached house would be erected, facing and having access from HighView. This proposed dwelling would have a footprint of approximately 75 sqm with a garden area of almost 100m², whilst retaining a similar area of private amenity space for the existing dwelling. The new dwelling would have a ridge height of 7m and an eaves level of 4.25m. The parking spaces for the new dwelling would be provided to the east, behind the rear garden to No.17. A Willow tree fronting HighView is shown to be removed to allow the erection of the dwelling.

APPLICANT'S CASE: See applicant's letter of 27 August 2002 attached at end of report.

CONSULTATIONS: Landscaping Advice: Object to loss of preserved trees.

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

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

Summary of points received – Proposal would result in increase traffic and overlook other properties in High View. Object on the grounds that the existing trees including a willow tree which would be removed and subsequently kill all wildlife on the site. Proposal would affect the water pressure. Proposal would affect outlook and view. Overdevelopment. A petition of some 50 signatures against the proposal was submitted prior to the last meeting.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal:

- 1) would be appropriate to the character of the area (ADP Policies S1 & DC1 and DLP Policy ENV1),
- 2) would cause a material loss of amenity to the occupiers of adjoining and surrounding properties (ADP Policy DC14 and DLP Policy GEN4),
- 3) would harm any important trees (ADP Policy DC8 and DLP Policy ENV3) and
- 4) would cause highway dangers (ERSP Policy T3, ADP Policy T1 and DLP Policies T1 GEN1).

- 1) There is no objection in principle to erecting a dwelling in this part of the village, because it is within the Development Limits. However the Development Plan indicates that not all sites within settlements are appropriate for development and those proposals which would be detrimental to environmental or visual characteristics, will not be acceptable. It is considered that the erection of an additional dwelling on this site would be cramped, out of keeping and have a detrimental impact on the character of this area. The plot is not large enough to satisfactorily accommodate a new dwelling whilst meeting the following criteria.

- 2) With regard to the impact of the proposal on the residential amenity of adjoining occupiers, windows have been omitted from the elevation facing 41 HighView and obscure glazing has been proposed in the first-floor windows facing onto the back garden of No 17 Bradley Common. It is considered that the location, orientation and design of the property can limit material overlooking, loss of privacy, and overshadowing of adjoining premises. However, the new dwelling would be overbearing on the occupiers of the existing bungalow and particularly its small residual garden. As there would be approximately 20m between the front elevation of the new house and the front elevations of the terraced dwellings on the other side of HighView, overlooking into those properties would be marginal.

- 3) The willow and other trees on site are now preserved. The proposal shows that the Willow would be removed and it is the view of Officers that the other trees would be unlikely to survive in the longer term due to construction damage and loss of light caused by shading. These trees are prominent and provide a worthwhile contribution to the village street scene.

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

CONCLUSION: Officers have reconsidered this proposal since their last report and now consider that the scheme is unacceptable as it would represent overdevelopment of the site, having a detrimental effect on neighbours, would require the removal of at least one tree and threaten the long term survival of a group of others which make a worthwhile contribution to the amenity of the immediate area. The applicant has suggested that he would agree to the erection of a bungalow on the site, but has not submitted revised drawings. Officers have not pursued this suggestion as it is likely that any proposal would still affect the recently protected trees (see point 4 above). Furthermore because a bungalow has all its facilities on one level, its footprint would be greater than a comparable two-storey dwelling and this would exacerbate the overdevelopment aspect of the proposal. The applicant has also suggested relocating the proposed dwelling so that it would lie along the western edge of the site. This is likely to dominate the adjacent properties and therefore would be unacceptable. It is not clear that such a variation would overcome other objections related to the trees.

RECOMMENDATION: REFUSAL REASON

The proposal is unacceptable because it represents overdevelopment, giving rise to a cramped form of development out of character with adjacent properties, detracting from the amenity of residents of the existing bungalow and damaging an established group of trees which make a positive contribution to the street scene, contrary to Policies S1, DC1, ENV1, DC14, GEN4, DC8 and ENV3.

Background papers: see application file & report to DC&L Committee on 12 August 2002 (Page 98)

UTT/0647/02/FUL - GREAT DUNMOW

Redevelopment of site and change of use to residential. Erection of 16 no. 2 bedroom flats and 9 no. 3 bedroom townhouses (total 25 units) with ancillary basement parking for 38 cars and a further 2 spaces at ground level.

Land at Hasler House, Haslers Lane & Chelmsford Road. GR/TL 629-216. Mill Projects Ltd.

Case Officer: Richard Aston 01799 510464

Expiry Date: 24/06/2002

NOTATION: ADP & DLP: Within Development Limits & Settlement Boundaries, Town Centre Develt. Opportunity Site/Adjoins Conservation Area

DESCRIPTION OF SITE: This 0.2ha (0.5 acre) site fronts onto Chelmsford Road & Hasler Lane, some 40m to the south of the Braintree Road High Street junction. The site comprises the current commercial office building known as Hasler House and a number of associated storage sheds and garages on the northern boundary. It extends to the public highway to the rear of No 10 – 26 High Street.

DESCRIPTION OF PROPOSAL: The proposal details the demolition of the existing office building known as Hasler House, the associated storage sheds and garages to the northern boundary and the redevelopment from commercial to residential to provide:

- 1) erection of 16. 2 bedroom flats and, 9. 3 bedroom townhouses (total 25 units) to include an internal amenity courtyard for all residents and
- 2) creation of a secure underground car parking facility to provide 38 spaces, with two more to the rear of the site in a shared area at ground level (total 40).

APPLICANT'S CASE: The proposal has been negotiated and the final height of the buildings has been reduced to be in keeping with the surrounding mass, form and scale of the streetscene. The number of units has been reduced from 36 to 25.

RELEVANT HISTORY: Change of use, extension and alteration to form light industrial, office and snooker hall, approved 1985. Extension to light industrial use, part of 1st floor for offices/light industrial, approved 1987.

CONSULTATIONS: ECC Transportation – No objections in principle. A Section 106 Agreement should be entered into to provide a contribution of £50,000 for the provision of 2 bus shelters on both sides of the carriageway and an uncontrolled crossing of Chelmsford Road (B184). The proposed access should be 5.0m to enable two-way working. Clear to ground visibility splay should be provided on access to the underground car park.

ECC Archaeology – Field evaluation this been undertaken by the Heritage Network and finds that the site had been disturbed. Although some Roman artefacts were recovered, they were redeposited in the dumped material because there is no evidence that they originated on the present site. Although some stratified artefacts may exist on other parts of the site, no further comments.

Water Authority – No objection in principle, subject to condition for the submission of details regarding foul and surface water drainage.

ECC Learning Services – A developer contribution is sought for primary school places of £33,810 of for secondary school places, a contribution of £37, 570 (totalling £71,380). Both need to be index linked under a Section 106 Agreement.

Environment Agency – Makes advisory comment relating to sewerage and surface water and suggests that the development incorporates principles of sustainable construction and design.

TOWN COUNCIL COMMENTS: Application supported in principle, concern that some properties may be overshadowed and that the front elevation is too close to the adjoining properties.

REPRESENTATIONS: This application has been advertised and 6 representations have been received. Period expired 30th May 2002.

General Summary – Concern over the amount of noise/pollution during building works. The proposal would be detrimental to the economy of the town as the site could be used for commercial purposes. The removal of Hasler House would be damaging to the frontage of the High Street due to the age of the surrounding buildings, the building is the only one left in Great Dunmow that has a connection to the Hasler family. Concern over access onto site, parking areas and access at busy times. No objection to the overall proposal, although concern at access into site and parking. The applicant should provide 40% Affordable Housing in line with Deposit Plan. No consideration for energy efficiency. The area deemed for shared parking is incorrect, the owners have no legal right to build on this land as the owners of neighbouring Digitext House have shared parking rights, if the application was approved litigation would commence (see Comments on Representations).

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) **this site is suitable in principle for residential development and at an appropriate density (ERSP Policies BE1 & W2; ADP Policy GD5 and DLP Policy GD4),**
 - 2) **the redevelopment would enhance the character of the area and be a good neighbour (ADP Policy DC1 and DLP Policies GEN2 & GEN4),**
 - 3) **the redevelopment would be appropriate in terms of traffic generation, access, parking, general amenity and open space (ADP Policies T1, T2, DC1 and DLP Policies GEN1, GEN9 & GEN2) and**
 - 4) **there should be some affordable units (DETR Circular 6/98).**
- 1) The site is allocated in the ADP as a Town Centre Development Opportunity site, under Policy GD5, which gives favourable consideration to commercial and residential development; including flats, as long as new building respects the surrounding scale and character and where practical, form part of a comprehensive redevelopment. The site is also classed as Brownfield under National Planning Policy Guidance and its appropriate reuse for residential purposes is encouraged. The amount of dwellings proposed for the site is also appropriate having regard to PPG3, resulting in a density which would exceed the 30-50 dwellings per hectare given in National guidance. Accordingly the sites suitability for residential development is accepted on this edge of town centre location.
 - 2) The proposal details the erection of two separate residential blocks, the first fronting onto Haslers Lane to provide 22 units in a 3-storey block to the north curving in a 'L' shape, down to 2.5 storeys as it fronts the highway towards Chelmsford Road. The building would reflect the character and design of similar housing developments in the vicinity, namely Fitzwalter Place and the newly - approved residential development fronting the junction of Braintree Road and the High Street. In this respect the proposal would enhance the character of the area and be in keeping with the surrounding architectural style. The height of the block has been reduced by 1-2m to be more in keeping with its surroundings. As a result although the ground slopes uphill away from the terraced

properties fronting Chelmsford Road the effect on the residential amenity of the adjoining occupiers would be reduced.

Furthermore, the separation distance between the terraced housing and the new block is detailed as being 16m at its narrowest point and 34m at the widest. Coupled with the reduced height and the presence of an internal landscaped amenity area, this should result in only a minimal impact on the residential amenity of adjoining occupiers, no more than any other residential development close to the town centre.

The second block comprises three 2.5-storey townhouses, fronting onto Chelmsford Road with access to the side to be secured by means of a gateway. These three properties would replace the long established Hasler House façade and reflect the existing mass, scale and form of the surrounding buildings, being only 2m higher than the adjacent row of terraced cottages, but the same height as other properties closer to the High Street.

- 3) The underground car park would remove the need to park cars in the internal courtyard, thus improving the appearance of the development whilst also meeting current car parking standards. This courtyard would meet Council standards and should provide an attractive area to sit out. The proposed access to the underground car park would be satisfactory, has an appropriate visibility splay and would have a minimal impact on the amenity of the adjoining occupiers of No 10 – 26 High Street. An agreement has been reached between the developer and the owner of Digitext House with regard to the shared parking rights for the overspill car park. The agreement gives freehold ownership of the 11 spaces outside the curtilage of the site to Digitext House. In return the rights for 5 spaces on the current application site, which encroach on the building's footprint, would be relinquished. This solution leaves the proposal with 40 dedicated spaces, 38 in the underground car park and 2 off site. The proposed access from Chelmsford Road to the 3 new dwellings has been widened to 5m, in order to meet Highway standards and to enable two-way working, which would remove the need for vehicles to have to wait in the carriageway whilst others are exiting the site.
- 4) The government advises that new devalued sites of 25 or more dwellings should have an element of affordable units. In this case it is considered that the usual 25% (6 units) be reduced to take account of the low overall number of dwellings proposed and that 3 units should be so occupied.

COMMENTS ON REPRESENTATIONS: The site is not one reserved for employment. Effects of construction work can be minimised by condition.

CONCLUSIONS: The residential redevelopment of this site accords with the provisions of the Development Plan and, subject to conditions would have limited effect on local amenity and would enhance the character and appearance of this rather run-down backland area. A Section 106 Agreement will be needed to facilitate financial contributions the County Council require for highway works and education.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND SECTION 106 AGREEMENT

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.8.27 Details of foul and surface water drainage.
6. The new access onto Chelmsford Road hereby approved shall be a minimum of 5m wide for the first 10m from the carriageway and this section of the access shall be hard surfaced in perpetuity.

REASON: In the interests of highway safety, to enable safe access and to ensure there is no tracking out of materials out onto the main highway.

7. Details of any external lighting in the internal courtyard and building shall be submitted to and approved by the Local Planning Authority in writing before the building is first occupied. The development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory standard of development and to protect the amenities of adjoining occupiers.

8. C.5.1. Samples of materials to be submitted and agreed, including clay tiles, slates, render and good quality red brick.
9. Prior to the commencement of the development hereby granted, details of the refuse bin storage areas shown on the site layout plan shall be submitted to and approved by the Local Planning Authority and implemented in accordance with those details.

REASON: To ensure the storage areas are vermin proof in the interests of amenity and public health.

10. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 8:00am and 18:00 on Mondays to Fridays and 9:00am and 17:00 on Saturdays.

REASON: To safeguard the amenities of the occupiers of neighbouring properties.

11. No dwelling shall be occupied until all 40 car parking spaces and all the internal courtyard amenity area are provided and made available for use.

REASON: To ensure these essential facilities are available for use by future occupants.

12. C.7.1. Slab levels.
13. C.6.2. Excluding all rights of Permitted Develt.
14. Provision of 3 affordable units by RSL.

Background papers: see application file.

UTT/0744/02/FUL – CLAVERING
(Referred at Officers' Discretion)

Erection of 3 poultry houses, 1 goat house, 1 ancillary agricultural building and the alteration of an access for agricultural use.

Owls Farm, Pelham Road. GR/TL 462-309. Mr D & Mrs C Stokes.

Case Officer: *Jeremy Pine 01799 510460*

Expiry Date: 10/07/2002

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

DESCRIPTION OF SITE: The application site lies in open countryside and consists of 7.63 ha (18.8 acres) of agricultural land. It is located on the southern side of the Newport to Buntingford road (B1038) approximately 1km (0.5 miles) south-west of the village. The site has a road frontage of approximately 400m, the eastern part being behind high hedging, and a depth of up to 220m. The land rises gradually towards the rear of the site. A footpath runs down the western boundary of the site and another crosses the centre of the site, running north – south, and there is a further footpath/vehicular access (required by the County Council for tractor access for footpath maintenance) in the same direction along the eastern boundary.

DESCRIPTION OF PROPOSAL: 3 free-range poultry houses would be erected on the north eastern part of the site approximately 15-20m back from the site's front boundary, behind the high hedge. Each poultry house would measure 16.5 x 7.6m x 3.6m to the ridge, would accommodate 1,000 laying hens (giving 3,000 in total) set within fenced sections on the eastern half of the site. A goat house measuring 8 x 6m x 2.6m to the ridge would be erected about 70m west of the westernmost of the poultry houses; again about 20m back from the site's front boundary. A storage building measuring 12 x 6m x 4.5m to the ridge would be erected close to the eastern boundary of the site, 60m back from the front boundary. The vehicular entrance would be provided with a field gate set back 6m from the edge of the carriageway, and the access to the storage building would be hard surfaced with hardcore and chippings to prevent tracking out of materials onto the highway. Hay would be grown on the western part of the site.

APPLICANTS' CASE: A considerable amount of information has been submitted by and on behalf of the applicant. A summary is set out below -

Poultry houses: These would be a continuation of the applicant's existing free-range egg laying business at Templars Farm, Lindsell (1,000 hens) which is in full production. Eggs would be collected at intervals throughout the morning, would be packed in the storage building and stored until despatched for market. No direct sales would be made from the site. It is understood that eggs would not be graded on site (unlike at Templars Farm), because of the difficulty in obtaining a packing station licence from DEFRA.

Goat house: This is required for housing the applicants' goats, which are currently on a goat farm at Rettenden Common (Chelmsford) since two goats were killed following land contamination at the applicants' previous holding at Swards End. The goats are Anglo-Nubian, which are kept for breeding and showing. No male goats would be kept at the site, the females being removed to stud. The milk would be used for the kids and for the applicants' own use.

Storage building: This building would be used for purposes ancillary to the agricultural activities on the site. It would be provided with an electricity and water supply, wc, hand washing and tea making facilities. Food for the hens and goats would be stored, and an equipment room would house materials and tools for on-going maintenance, buckets, milk containers and bedding straw. Eggs would be cleaned in the building and boxed for transport to market, appropriate packaging being bought and stored in bulk in the building.

The applicants' supporting information also sets out how the agricultural activities on the site would be managed and explains their 18 years experience in the free range-egg business, including split site holdings and their 15 years membership of the NFU. It is the applicants' intention that the Owls Farm holding would be managed by Mr David Stokes from a house in Stocking Pelham (one mile away), there being no intention to live on site. Other staff living locally to the site may undertake feeding and collection of eggs and it is hoped to operate a YTS on the farm. The applicants' son, Daniel Stokes, operates Templars Farm.

The applicants' supporting information also explains why this land was chosen, namely:

- Level land with good drainage
- Power available, and water soon to be
- Access already established/roadside position
- Good visibility over all the site
- No interference from aircraft noise
- Sufficient available acreage
- Opposite established farming acquaintance
- Original farm buildings would have been ideal, but farmhouse was poor, with a risk of flooding, and all were sold away
- Competitive price for land
- Convenient between Buntingford and Saffron Walden, where family live.

The applicants state that hens would be delivered and collected from the site by 7.5 ton vehicles at the rate of 3 deliveries and 3 collections every 63 weeks or so, with all other ancillary deliveries being weekly by van. Eggs would be removed once daily by van.

The applicants also draw attention to a planning permission granted in 1999 for 3 free-range poultry houses and a storage building on land at Starlings Green in close proximity on the northern side of the B1038. The operator of that enterprise (which has not yet been implemented) would be the applicants' groundsman.

See agent's letter of 20/6/02 responding to the points raised in representation, attached at end of report.

CONSULTATIONS: DEFRA: No comments.

Independent rural planning consultant: (Conclusion of report). In my view the site is suitable for the establishment of a free-range poultry unit if local supervision can be provided. I do not consider it would be feasible to manage it from Lindsell, but a house in Stocking Pelham, although not ideal, would be possible. There may well be a need to live much closer if problems become too great and if the business were to expand. The field chosen in itself is suitable but I do not consider from the husbandry point of view that the best siting has been chosen for the poultry houses. I believe the design of house can be amended to provide better ventilation. If a poultry unit is established, I consider an ancillary storage building is necessary and the one proposed seems adequate. Likewise, an access with a gate set back would be needed. The goat shed is not necessary for the farming of the land, because it is non-commercial. If properly managed, I see no significant environmental effect to local residents from the proposals as submitted. (A copy of the full 5-page report can be inspected at the Council's Dunmow offices).

ECC Transportation: No objections subject to sufficient on-site parking, turning, loading and unloading facilities being provided.

Environmental Services: No objections in principle, but concerned at possible disturbance from early morning vehicle movements. Concerned at any burning of goat house bedding – condition required preventing on-site burning of waste would be useful. Waste to be removed frequently to prevent accumulations arising.

PARISH COUNCIL COMMENTS: Strongly object. See letter dated 10/6/02 attached at end of report.

REPRESENTATIONS: This application has been advertised and 9 representations have been received re the original plans. 7 letters of objection raising the following points:

The site is an arable field, not a farm. It was sold away from Parsonage Farm and renamed by the present owner within the last year.

Unnecessary loss of prime arable farmland to create a semi-industrial intensive livestock rearing operation. Many existing buildings could be reused.

Will destroy the character of Starlings Green. Currently quiet and peaceful.

Additional traffic hazards. Road is already very busy.

Offensive smell and increased vermin.

Buildings unsightly and totally out of keeping with the countryside. Scale excessive.

Buildings sporadically scattered over the site. Planting baffles required. The land must be one of the highest points in the area.

Public footpaths run through the land.

A dwelling to house an agricultural worker on site will follow.

Overdevelopment when considered with the other permitted enterprise in Starlings Green.

No evidence of viability or of a sound business plan. No established need for the buildings when movable poultry arks could be used and packing undertaken at Templars Farm.

Speculative, hobby proposals. Draws attention to a previous appeal decision in 2001 re a site in Woking where the Inspector said that, between 1994-7 on the basis of the available evidence and on the balance of probabilities, neither Mr & Mrs Stokes were solely or mainly working and had not last worked in agriculture.

1 petition in support containing just over 100 signatures, mostly from London, Felixstowe and Saffron Walden addresses. 1 letter of support raising the following points:

Land will be put to an enterprising agricultural use.

Lindsell operation is very good, and there is a demand.

The poultry would live in a happy and natural environment in purpose-built houses.

Very important to support farmers, many of whom are facing difficulties at this time.

Any representations received re the revised plans will be reported (due 20/8).

PLANNING CONSIDERATIONS:

The main issues are whether:

- 1) the proposed use of the land and of the new buildings would be appropriate in the countryside (ERSP Policy C5, ADP Policy S2 and DLP Policy S7),**
- 2) the appearance of the countryside would be materially affected (ADP Policy DC1 and DLP Policy GEN2),**
- 3) the amenity of adjoining residents would be respected (ADP Policy DC14 and DLP Policy GEN4), and**
- 4) highway dangers would result (ERSP Policy T3, ADP Policy T1 and DLP Policy GEN1).**

1) The use of land in the countryside for the production of free-range eggs is appropriate in principle. The Council's consultant confirms that the land holding would be of sufficient size to accommodate at least the 3,000 laying hens proposed by the applicants. He is also satisfied that the holding could be properly managed from Stocking Pelham as is proposed. Any subsequent applications for planning permission for new poultry houses or an agricultural workers' dwelling may be considered on their merits. In respect of the latter, any application would need to be judged against the functional and financial tests set out in PPG7. The erection of the storage building would be justifiable on grounds of agricultural need within the holding. Whilst the goat shed may be more difficult to justifiable, the grazing of goats is an appropriate activity within the countryside and the building would be acceptable, much as stables are.

2) The design, dimensions and siting of the proposed buildings would be appropriate. Originally, the applicant proposed scattered positions for the poultry houses, but these were amended into a more grouped location behind the front boundary hedge on the eastern part of the site to benefit from the available screening. The Council's consultant considers that, for animal husbandry reasons, a more dispersed location would, in fact, be better (i.e as per the original plans) and that functional requirements should not be compromised. This matter has been raised with the applicants' agent and any further comments/revised plans reported. The poultry houses would not be tall structures, and more dispersed locations on the eastern part of the site would equally be acceptable.

3) In relation to smell, the Council's consultant advises that free-range layers cause little nuisance, but that there may be some smell for short periods when the poultry houses are cleaned out if the wind is blowing towards the houses. Environmental Services have raised no objection subject to conditions re management of waste and delivery times.

4) Subject to the provision of on-site parking, turning, loading and off-loading facilities and the recessing of gates, it is not considered that material highway dangers should result. The number of vehicle movements to and from the site would be low.

COMMENTS ON REPRESENTATIONS: The concerns of the Parish Council and the local residents have been taken into account, but the proposed activity would be appropriate in the countryside and, subject to conditions, it is not anticipated that there should be any materially detrimental effects on amenity.

CONCLUSION: The proposals would be in accordance with the relevant Development Plan policies.

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. The existing roadside hedge shown on the 1:1250 scale layout plan shall be retained. Should any part of the hedge die, be removed or become seriously damaged or diseased, it shall be replaced during the following planting season by a hedge planting in accordance with a specification previously approved in writing by the local planning authority.
REASON: To reduce the impact of the proposed development on the countryside.
4. No development shall commence until the colours of the external boarding and roof felt to the buildings hereby approved has been agreed in writing with the local planning authority. Thereafter, the development shall be implemented in accordance with the agreed colours and not subsequently changed without the written consent of the local planning authority.
REASON: To ensure that the buildings will be in keeping with the rural character of the locality.
5. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
6. No waste shall be burnt on site without the prior written consent of the local planning authority.
REASON: To prevent the risk of pollution.
7. No development shall take place until a scheme for the provision and implementation of pollution control, which shall include surface water drainage and disposal of foul sewage, has been submitted to and approved in writing by the local planning authority. The development shall subsequently be implemented in accordance with the approved scheme prior to the first occupation of any of the buildings by laying hens.
REASON: To prevent the risk of pollution.

8. No deliveries to or from the site shall be made outside the hours of 0700 - 2100 unless in an emergency without the prior written consent of the local planning authority.
REASON: To protect the amenity of neighbouring residents.
9. Any gates to the vehicular access shall be set back at least 6m from the edge of the public highway.
REASON: In the interests of highway safety.
10. Prior to the first occupation of any of the buildings by laying hens, the area of land hatched in red on the 1:1250 scale layout plan shall be hardened and made available for parking, turning, loading and offloading facilities. Thereafter, this area shall be retained for these purposes in perpetuity.
REASON: In the interests of highway safety.
11. The poultry houses hereby approved shall be used solely for the free-range production of eggs.
REASON: To prevent intensification of use in order to protect the amenity of adjoining residents.
12. There shall be no sale of eggs from the site direct to the public.
REASON: To protect the amenity of adjoining residents.

Background papers: see application file.

1) UTT/0836/02/FUL & 2) UTT/0837/02/LB - LITTLE DUNMOW

Conversion of barn and part adjoining building to form dwelling
Rookwoods Braintree Road. GR/TL 666-227. J S Dorrington.

Case Officer: Anthony Betros 01799 510471

Expiry Date: 05/08/2002

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

DESCRIPTION OF SITE: The site is located north of the A120 between Great Dunmow and Rayne, just west of Stebbing Brook. The property contains the listed Rookwoods farmhouse and an L-shaped listed barn built over varying periods from the 17th century. The buildings are surrounded by gardens, orchard, parking and driveways. Access to and from the site is available via the existing drive directly from the A120. Neighbouring properties are substantially separated from the site.

DESCRIPTION OF PROPOSAL: The proposal involves conversion of the existing barn to a dwelling with workshop and garaging. The conversion does not involve any additional height or floor space, being restricted to the existing envelope. Additional openings are proposed to provide light and ventilation to living and bedroom areas. Parking is proposed adjacent to the barn. Access to and from the proposed dwelling is available through shared use of the existing driveway with the farmhouse.

APPLICANT'S CASE: (summary)

“All of the buildings are in reasonable state of repair, are soundly constructed, and in the main are in their original form, and the shape, size and form are ideal for conversion. The design of the conversion proposed is in accord with Policy DC5 where the character of the buildings have been retained without adverse affect on the special characteristics of the listed buildings. The proposed use accords with Policy DC6 re new uses for listed buildings. The conversion proposed complies with Policies S2 and C6 regarding the conversion of rural buildings to residential use, where the scheme respects and conserves the characteristics of the historic buildings and also accords with the Draft Policy H5 and ENV 2. The site is a few hundred metres from the settlement of Stebbing Ford and thus conforms with ESRP.RE.2 regarding not being isolated.”

RELEVANT HISTORY: Conversion of barn to residential use refused in 1989 on highway safety grounds.

CONSULTATIONS:

Specialist Design Advice- The barn is listed and form part of a historic farmstead with a listed farmhouse. The farm appears to be redundant for agricultural purposes, therefore a new economically viable use should be considered. The structure now fulfills all the necessary criteria of Policy C6. In design terms, the scheme is acceptable subject to conditions.

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: These applications have been advertised and no representations have been received.

Period expired 18 July 2002.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would be:

- 1) **consistent with ADP Policy C6 regarding conversion of rural buildings to residential use (DLP Policy H5),**
- 2) **detrimental to the Listed Building (ADP Policy DC5 & DLP Policy ENV2) and**
- 3) **likely to result in adverse traffic impacts (ADP Policy T1 & DLP Policy GEN1).**

1) The application involves conversion of an L-shaped barn to a residential dwelling. The barn is structurally sound yet showing preliminary signs of dilapidation. The proposal satisfies the tests within the District Plan as it has heritage and environmental merit which would be preserved by the conversion.

2) No additions to the envelope of the structure are involved with the proposal. New openings are proposed to allow light and ventilation to bedroom and living areas. The character of the listed building is considered to be retained by the proposal and the conversion should ensure its long term retention. There are no amenity impacts to the host dwelling as it is separated by approximately 50m.

3) Vehicle access to the converted dwelling would be from the existing driveway from the A120 which services the main dwelling house. The additional dwelling is unlikely to generate significant additional vehicles that would create traffic hazards turning in and out of the site. The completion of the A120 next year should decrease the traffic flow, thereby improving safety for ingress and egress movements to and from the A120. In addition, the deterioration of the fabric since the last refusal 13 years ago is further justification for overcoming the previous decision. Adequate parking is available for the new dwelling.

CONCLUSION: The proposal conforms with Council's Policies for Listed Buildings and barn conversions in an appropriate manner which would preserve the integrity and setting of the built forms on the site. There are no adverse amenity impacts and the additional traffic generated by the dwelling would be acceptable once the A120 is downgraded (as this is imminent, there is no reason to condition 1st occupation). Therefore, conditional approval is recommended.

RECOMMENDATIONS: 1) UTT/0836/02/FUL - APPROVAL WITH CONDITIONS

- 1. C.2.1. Standard time limit
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. C.6.2. Excluding all rights of permitted devel.
- 4. C.6.11. One dwelling unit only
- 5. C.6.14. Restriction on rebuilding

2) UTT/0837/02/LB – LISTED BUILDING CONSENT WITH CONDITIONS

- 1. C.2.2. Time limit for commencement of development
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. No elements of historic timber frame shall be cut or removed without inspection and written consent.
- 4. All existing sound hand-made clay tiles shall be re-used and the shortfall made up with matching materials.
- 5. All existing materials shall be re-used.
- 6. All weatherboarding shall be feather-edged and painted black.
- 7. All external timber joinery shall be painted black.
- 8. There shall be no wall or fence between the converted barn and the farmhouse.

REASON 3-8: To protect the setting of the listed building.

Background papers: see application file.

UTT/0875/02/FUL - SAFFRON WALDEN

(Revised Report)

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). Construction of new vehicular access. Former Garden Centre, Thaxted Road. GR/TL 551-372 Granite Estates Ltd.
Case Officer: Jeremy Pine 01799 510460
Expiry Date: 02/08/2002

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

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

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

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

Units A-C	345 m ²	(Officers)
Units 1-5	2230 m ²	(Industrial/Warehousing)
Units 6-9	465 m ²	(Industrial/Warehousing)
Units 10-14	710 m ²	(Industrial/Warehousing)

It is proposed the units be used for office, industrial and warehousing, split as shown above.

A total of 136 parking spaces would be provided adjacent to the new units with landscaping. A Traffic Impact Assessment has been submitted as part of the proposals together with details of a new junction onto the Thaxted Road. At present the access feeds onto the service road close to the junction to the main road and the exit to the municipal tip. The traffic study concludes that the new junction would have ample capacity with no significant queues for the main or side road traffic at peak hours. No details of car parking is provided for the conversion of the dwelling but there would be adequate space within its curtilage.

The design of units A-C would be two storey office buildings, which would be brick clad with a pitched roof. Units 6-13 would equate to two-storeys in form, but would comprise warehouse style buildings with roller shutter doors and a curved profile roof with corner supports. The walls would have a brick plinth with profile cladding above this.

RELEVANT HISTORY: Outline planning permission was granted in 2000 for the erection of industrial units with associated infrastructure and alterations of the existing access to the slip road. This consent specifically precluded the use of the site for B8 (warehousing and

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

Members have resolved to grant planning permission for a new direct access onto the B184, subject to the completion of an agreement between the applicant and ECC Transportation re the required off-site highway works. The agreement has not yet been completed.

CONSULTATIONS: Anglian Water: No objections in principle, subject to provision of public foul and surface water sewerage facilities.

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

ECC Transportation: Original Plans: Recommends refusal on grounds of insufficient information on access details, traffic flows and traffic impact. Any further comments to be reported.

Revised Plans: no objections subject to conditions and section 106 Agreement re provision of short-term access to site via slip road and provision of new access junction within 2 years (or implementation of existing approved access within 1 year). Appropriate public transport waiting facilities and upgraded footway link also required.

TOWN COUNCIL COMMENTS: No objections

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

Support principle of redevelopment as a positive proposal. They have concerns on the environmental impact this would have on Brick Kiln Farm located opposite the site to the south west from the increased activity on the site. They request hours of working are imposed.

PLANNING CONSIDERATIONS: The main issues are whether:

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

1) The principle of redevelopment of the site as a whole has been established under the two previous outline planning permissions which this application supersedes. The land is considered to be well suited to serve the range of uses proposed given that it is located away from the main residential area. The closest residential unit (Brick Kiln Farm) is over 150m from the site on the opposite side of the road. The layout of the proposal is such that the office units would be closest to the road and the industrial units would be located behind these and the existing unit so that the amenities of the area should be preserved. The units would be two storeys and although on rising land this height is again considered to be in scale with the locality. The scheme as submitted shows the provision of landscaping to the perimeter of the site and around all the units and parking areas. The exact detailed specification of this needs to be agreed. The parking and servicing of the proposed B1 use of the dwelling unit also needs to be conditioned to be provided.

The original outline scheme was conditioned to preclude B8 use as the Adopted Local plan identified the site for relocating existing local businesses. The emerging Deposit Plan is less restrictive and purely identifies the site for employment purposes, therefore in the light of the emerging policy there seems no reason to thus restrict the site. Furthermore, the provision of a new direct access onto the B184 would be more suited to the traffic associated with B8 use. This would accord with National Guidance contained in PPG 4 and 7 which seek to locate businesses in accessible sites close to existing towns rather than in the countryside or other areas which are less accessible.

2) The provision of a new direct access has already been agreed in principle, subject to a legal agreement to secure the works to widen the service road and the access onto the main road at no public cost. This agreement is awaiting completion. However, ECC Transportation has indicated that it is not satisfied with the current proposal for direct access. A meeting has been held with the agent and ECC Transportation to discuss these concerns, and agreement has been reached. This involves interim use of the previously agreed access onto the slip road pending further work on the best specification and location for a new direct access which could serve other parts of the industrially allocated land as well. Failing the letter, the new direct access that has already been agreed could be implemented to serve just the application site.

The level of on-site parking provision is considered to be satisfactory for the proposed new units. It is proposed to condition any consent to preclude the installation of mezzanine floors as permitted development, which would allow the formation of extra floor space without additional on-site parking provision. It is proposed to require by condition-on site provision for each unit of secure and covered cycle facilities to offer an alternative to the use of the private car.

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

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

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

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

RECOMMENDATIONS: APPROVAL WITH CONDITIONS AND S106/S278 AGREEMENT

1. C.2.1. Time limit for commencement of development
2. C.3.3. To be implemented in accordance with original and revised plans
3. C.4.1. Scheme of landscaping to be submitted and agreed, including minimum 3m belt along south eastern and north eastern boundaries
4. C.4.2. Implementation of landscaping
5. C.5.1. Samples of materials to be submitted and agreed
6. Prior to the commencement of any development a scheme for the provision and implementation of foul water drainage, surface water drainage and pollution control shall be submitted and agreed in writing with the local planning authority. The development shall be constructed and completed in accordance with the approved plans prior to any of the units being first occupied.
Reason: To ensure a satisfactory method of foul and surface water drainage and pollution control and to prevent the increased risk of pollution to the water environment.
7. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
8. C.6.8. Excluding Permitted Development extension or alterations to industrial warehouse premises
9. C.8.3. No outdoor working
10. C.9.1. No outdoor storage
11. No development shall take place until access to the site has been provided in accordance with details which shall previously have been submitted to and approved in writing with the local planning authority. The development shall be implemented in accordance with the approved details.
Reason: In the interests of highway safety.
12. Prior to the development commencing, details of secure and covered bicycle storage for each of the units hereby granted consent and pedestrian and cycle access points and routes within the site shall be submitted to and approved in writing with the local planning authority. The facilities shall be provided in accordance with the approved details prior to any of the units first being first occupied and shall be subsequently retained in perpetuity.
Reason: In the interests of highway safety.
13. Notwithstanding the provisions of the Town and Country Planning General permitted Development Order 1988 (as amended) or any other Order revoking or re-enacting that Order, no access other than that shown on the approved plans shall be formed to the site.
Reason: In the interests of highway safety.
14. None of the units hereby granted consent shall be first brought into use until the car parking and servicing areas shown on the approved plans to serve the units has been provided. The areas shall be surfaced and subsequently retained in perpetuity solely for this purpose.
Reason: In the interests of highway safety to ensure there is adequate on-site parking provision.
15. Prior to development commencing, details of the measures to be taken to provide access and facilities for people with disabilities, including parking for each of the units shall be submitted to and agreed in writing with the local planning authority. The agreed measures shall be fully implemented prior to the units first being brought into use.
Reason: To secure adequate access and facilities for the disabled.
16. Prior to any of the units being first occupied, details of the on-site lighting including security lighting shall be submitted to and agreed in writing with the local planning authority. The lighting shall be implemented solely in accordance with the agreed details.
Reason: To safeguard the visual amenities of the area.
17. Prior to any development commencing to convert the existing dwelling unit on the site into B1 use as approved as part of this consent, a detailed car parking layout shall be submitted to and approved in writing with the local planning authority. The scheme shall be laid out in accordance with the approved layout prior to the unit first being brought

into use and shall subsequently retained in perpetuity for use in connection with this unit.

Reason: To secure adequate on-site parking provision to serve this unit.

18. The residential use of the existing bungalow on the site shall cease prior to any of the units hereby granted consent first being occupied for a B2 use.

Reason: To protect the residential amenities of the occupied of this unit given the relationship of the unit to the site.

Background papers: see application file.

UTT/1028/02/DFO – THAXTED

Erection of two-storey dwelling with detached triple garage (details following outline permission UTT/0104/01/OP).

The Old Waterworks, Bardfield Road. GR/TL 622-308. Mr B Holt.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 12/09/2002

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

DESCRIPTION OF SITE: The site is located on the northern side of Bardfield Road approximately 1km (0.5 miles) east of Thaxted. The area is characterised by linear residential development in a rural setting. The square site measures 0.14ha (0.35 acre), with a road frontage of 40m and maximum depth of 40m. It is screened by a mature hedge along the southern and western boundaries beyond which are the main road and allotments. There are open fields to the rear, and the applicant's house and garden lies to the east. The site is occupied by workshop buildings, a converted reservoir and hardstandings used for a vehicle repair business.

DESCRIPTION OF PROPOSAL: Outline permission for one house was allowed on appeal in February this year with all matters reserved for subsequent approval. The proposed two-storey five-bedroom house would have a footprint of 140 sqm, and ridge height of 8.1m. The building would have a width of 14.7m, and maximum depth of 12m. The ground floor would be brick with rendered first floor, and a plain tile roof. It would be sited in line with the dwellings to the east. There has been no survey of the existing reservoir submitted, but revised plans have been received which omit a proposed treble garage on the frontage, with the intention of using the reservoir for garaging instead. The footprint of existing buildings to be demolished (excluding the reservoir) is in the region of 200 sqm. Additional planting is proposed to all boundaries of the site, but there would be a break in the existing roadside planting to accommodate vehicular access to the site (a new access in this location to serve the existing workshops was granted in July 2001).

APPLICANT'S CASE: Original Plans: proposed dwelling and garages have been designed having regard to local character and materials.
Revised Plans: see agent's letter dated 13 August 2002 attached at end of report - Inspector stated that scheme is not inconsistent with aims underlying the Local Plan. Advantages offered by redevelopment of site were sufficient grounds for granting permission. Inspector accepted arguments about reduction in footprint, and this scheme does that. Existing footprint of buildings in business use is 365sqm, including reservoir (about 90sqm). Footprint of new house would be 140sqm, which is significant reduction. Inspector did not see re-use of reservoir as fundamental to his decision. No reasonable basis in Inspector's arguments for client to reconsider size and design of dwelling, but amended layout plan would be an alternative (omission of garage, and use of reservoir instead; re-siting of dwelling more in line with existing dwellings along road; associated rearrangement of access).

RELEVANT HISTORY: Change of use from water storage tank to vehicle repair/spray workshop granted 1982. Paint store, compressor, boiler sheds and replacement storage building granted 1983 (personal to applicant and tied to adjoining dwelling). Proposal for two dwellings withdrawn 2000 following publication of refusal recommendation to Committee. One house refused on size and access grounds, allowed at appeal February 2002.

PARISH COUNCIL COMMENTS: No objection to original and revised plans

REPRESENTATIONS: None. Notification period expired 8 August 2002.

PLANNING CONSIDERATIONS: The main issues are whether:

- 1) the proposed details would accord with the Inspector's decision, and
- 2) a dwelling of the size and design proposed would be appropriate in this rural location (ERSP Polices C5 and CS2, ADP Policies S2 and DC1, and DLP Policies S7 and GEN2).

In granting outline permission, the Inspector agreed that the proposal would not comply with planning policy, and could not be regarded as infilling, but was concerned that the resolution of the future of the existing commercial buildings should be addressed "in order to prevent the risk of the buildings becoming redundant and/or derelict". Paragraph 9 to the decision is important:

"The appellant also indicates that there would be a reduction in the "footprint" of buildings on the site and that, subject to structural survey, the existing reservoir could be used as the garage and foundation of the new dwelling which itself could be split level, with just one storey facing the road, on top of the reservoir. However, whether or not this proved to be the final solution it is, I believe, possible to see that redevelopment could achieve environmental improvement, and reduce the potential for conflict of neighbouring uses in future. This would be consistent with the positive approach advocated by paragraph 3.24 of PPG7".

The Inspector acknowledged that this is a "sensitive site" and that the development must be "compatible with the area within which the site is located". It is accepted that the Inspector did not require the house to utilise the existing reservoir, but his decision clearly envisaged a development which would be designed to minimise its visual impact. The existing two-storey house adjacent has a footprint in the region of 88sqm, and dwellings to the east are of similar size or smaller (a number being semi-detached). The dwellings further west, closer to the village are generally more modest in size. Having accepted the principle of redevelopment of the site, it is considered that the proposal would fail Development Plan policy in that its size, mass and scale would be out of keeping with the existing development pattern in the area.

The applicant has been invited to reduce the size of the dwelling, but the only amendments achieved have been the omission of the treble garage, additional boundary planting and the relocation of the property slightly further forward, to be more in line with the positioning of other dwellings to the east.

It is accepted that there would be a reduction in ground coverage, but the buildings to be demolished are single-storey and comprise several blocks, rather than creating a single structure in excess of 8m high. It is not therefore considered that the visual impact resulting from the proposed dwelling would be reduced, and there is concern that its size and scale would be out of keeping with other dwellings in the vicinity.

CONCLUSION: The site is located in a rural area outside any development limit. The outline permission was granted at appeal on the basis of environmental benefits from redevelopment of the site, but the proposed dwelling would have significantly greater visual impact. The size, mass and scale of the proposed dwelling would not be in keeping with the that of other dwellings in the vicinity, and would be visually intrusive in the rural street scene.

RECOMMENDATION: REFUSAL REASON

The proposed dwelling is considered unacceptable in this rural location as its size, mass and scale would be out of keeping with that of other dwellings in the vicinity, and would not respect the characteristics of its wider setting. The proposed dwelling may be a reduction in footprint on the site compared to the existing commercial buildings to be demolished, but the existing buildings are single-storey, and comprise several separate buildings. The two-storey height combined with a width to the building in excess of 14m would result in a development with much greater visual impact in the rural street scene, out of keeping with the rural and

open setting beyond the Village Development Limits. The proposal would be visually and intrusive and detrimental to the street scene. For the above reasons the proposal is considered contrary to Essex and Southend on Sea Replacement Structure Plan Policies C5 and CS2, Policies S2 and DC1 of the Adopted Uttlesford District Plan, and Policies S7 and GEN2 of the Deposit Draft Uttlesford Local Plan.

Background papers: see application file.

UTT/1056/02/FUL – THAXTED

Single-storey three-bedroom staff accommodation block for owners of the Farmhouse Inn
The Farmhouse Inn & Restaurant, Monk Street. GR/TL 613-288. Mr & Mrs A Lloyd.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 20/09/2002

NOTATION: ADP: Outside Development Limits/Area of Special Landscape Value.
DLP: Outside Settlement Boundary. Both: Written curtilage of Grade II Listed Building

DESCRIPTION OF SITE: The site located away from/north eastern edge the of Monk Street, some 100m west of the B184 Thaxted to Dunmow road. The triangular 0.4 ha (1 acre) site comprises a Grade II listed public house and restaurant, with a range of single-storey tourist accommodation to the rear. It is split-level, and at the rear there are steps up to the applicants' garden. There are open fields on all sides, with sporadic housing to the east. There is a mature tree belt along the eastern boundary, but otherwise it is open and elevated.

DESCRIPTION OF PROPOSAL: It is proposed to construct a single-storey three-bedroom dwelling for the owners, to free existing accommodation in the main building for staff. The building would have a footprint of 165 sqm. in a 'C' shape, and height of 5m. It would be in an elevated position on the rear lawn, constructed of black boarding and a pantile roof to match the existing bedroom block. Amenity space in excess of the Council's standards would be retained, and parking would be in the existing car park. The dwelling would accommodate the applicants and their family, who currently occupy the first floor above the public house and one of the letting rooms.

APPLICANT'S CASE: A copy of the agent's eleven-page supporting statement is available for inspection at the Dunmow Offices. In summary, the applicants have built this into a successful restaurant and pub business, but there is difficulty in recruiting staff to live in this expensive rural area. With accommodation, it would be easier to recruit permanent staff, achieve stability for the business and reduce pressure on the applicants. Would free one of the much needed letting rooms currently occupied by elderly relative. Suggest condition tying occupation to employees of restaurant. Similar development granted at The White House Hotel in Broxted. Would accord with advice in PPG21 (Tourism), PPG (Countryside) and local Policies.

RELEVANT HISTORY: Extension and change of use of barn to functions room granted 1983. Extension for private living accommodation granted 1986. Change of use from barn to restaurant granted 1986 and amended scheme 1989. Link from restaurant to public house granted 1989. Motel extension with 11 bedrooms granted 1989.

CONSULTATIONS: Design Advice: The Farmhouse Inn is set apart from the hamlet of Monk Street. The setting of this listed building is defined in greater extent by the open countryside around it, rather than the built-up residential qualities of the hamlet itself. Intensification of the development in the proximity of the historical Inn would detract from its original rural setting. Due to the topography of the land, even a single-storey structure as suggested would have an overpowering effect on the listed building. Additionally the new residential facility, located on much higher ground would be very prominent. This may lead to an unfortunate visual consolidation of development between the existing edge of the hamlet and the curtilage of the listed building. This proposal would adversely affect the setting of the listed building and should not be permitted.

PARISH COUNCIL COMMENTS: No objections subject to the development being tied to The Farmhouse Inn for the purpose of staff use.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 29 August.

Proposed new building is extensive in size perched on elevated grassland, several metres above ground levels of restaurant, and would dominate local landscape. If site were excavated, as was the site for the motel block, it would be much less obtrusive, and acceptable.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the proposal would be an acceptable form of development in the countryside for tourist purposes (ERSP Policies CS2, C5, LRT10 & NR1, ADP Policies S2, REC3, REC4 & C2, and DLP Policies S7, LC6, & GEN 8),**
- 2) **the proposal would have any adverse impact on the setting of the listed building (ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV2) and**
- 3) **there are any other material considerations of sufficient weight to warrant approval of the development.**

1) Planning policy presumes against non-essential new building in the countryside. Although there is general support for changes of use and extensions to provide tourist accommodation subject to its impact, this does not generally include the provision of new buildings. DLP Policy LC6 would allow the replacement of existing serviced accommodation. In this instance, the proposal may improve the operation of a tourist service at the site, but it is effectively a new dwelling rather than a development wholly required for tourism. In addition, it is not an extension to existing facilities, but would be a building detached from the main complex, in a prominent rural location.

2) Design Advice is that further development at this site would adversely affect the setting of the listed building, particularly due to the topography of the site. The setting of the building is defined more by the openness around the site than the more built up hamlet to the west, and the proposed building would adversely affect the setting of the listed building.

3) It has been demonstrated that the proposal is contrary to established countryside policies. Although a new dwelling on site may be the preference of the applicants, it is considered that there are other options to achieve staff accommodation on site which have not been fully explored. For example, if there would be permanent and resident staff within the existing building, there would be less reason for the applicants to also be resident on site, and they could live elsewhere in the District. Some limited form of extension to the main complex may be acceptable to provide staff accommodation. It is not considered that the imposition of a condition tying the dwelling to the restaurant/hotel would be sufficient to overcome the harm which would result from constructing a new house in the countryside. There is already private residential accommodation on the site, and therefore the agent's reference to Policy C4 is unfounded. The Council's support for tourism cannot extend to the erection of new dwellings, particularly given that eleven tourist rooms have already been permitted at this site, only one of which is currently occupied by a relative. If permitted, this development would lead to further pressure from other rural businesses to develop sites to aid their operation and retention.

The case cited at The White Hall Hotel, Broxted, which is a larger hotel and conference centre, is not considered comparable. The erection of a building for staff accommodation was allowed at appeal in 1988, the Inspector accepting the arguments that it was a prestigious hotel with many staff, and a requirement for service to be provided eighteen hours per day. The unit was designed to accommodate a number of support staff on a site well away from the listed building, and the Inspector did not consider it would have any

material impact on its setting. Given the differences in size and nature of the business, the operational requirements of the two sites are considered to be very different.

COMMENTS ON REPRESENTATIONS: Setting the dwelling into the ground would reduce its impact in the landscape, but would not overcome the fundamental objections to a further dwelling in this location, and would not significantly reduce the impact on the setting on the listed building.

CONCLUSION: Although this proposal may assist in the operation of an established rural business, it is not considered that there is any justification for the erection of a new dwelling in the countryside. There are considered to be other options available to meet the needs of staff. If permitted, the proposal would be a visually intrusive development, detrimental to the setting of the listed building.

RECOMMENDATION: REFUSAL REASONS

1. The proposed development would create a separate dwelling in a prominent rural location, outside any area where new dwellings would normally be permitted. It would be damaging to the open and spacious character and appearance of the countryside setting, and would consolidate existing sporadic housing in the vicinity. Although the proposal may improve the provision of staff accommodation on site, with the aim of recruiting and retaining staff in the interests of maintaining a viable business, it has not been demonstrated that the only feasible option is the construction of a new dwelling to accommodate the applicants and their family. The Council's policies support tourism, and this has been evident in the previous developments approved at this site to enable the business to develop. However, given that the existing accommodation enables an operator to be resident on site, it is not considered that there is any special circumstance to justify the provision of a second unit of accommodation to meet the needs of the business. If such case could be made it is considered that these needs could be met in a more modest, less intrusive, and visually damaging way than the construction of a new dwelling. The proposals are not considered essential or reasonable in the interests of tourism.

2. The listed Farmhouse Inn was originally a fifteenth century open hall and crosswing house with some sixteenth century alterations. Permission has been granted in the past for change of use and new building in order to improve the economic viability of this rural pub. The Inn is set apart from the hamlet of Monk Street, and the setting of the listed building is defined in greater extent by the open countryside around it, rather than the built up residential qualities of the hamlet itself. Intensification of development in the proximity of the historical Inn would detract from its original rural setting, and even a single storey structure would have an overpowering effect on the listed building due to the topography of the land. The proposed building, located on much higher ground, would be very prominent and may lead to the undesirable visual consolidation of development between the existing edge of the hamlet and the curtilage of the listed building. For these reasons, it is considered that the proposal would adversely affect the setting of the listed building. For the above reasons, the proposal is considered contrary to Policies CS2, C5, LRT10, HC3 and NR1 of the Essex and Southend on Sea Replacement Structure Plan, Policies S2, REC3, DC5 and C2 of the Adopted Uttlesford District Plan, Policies S7, LC6, ENV2 and GEN8 of the Deposit Draft of the Uttlesford Local Plan, and national policy advice contained in Planning Policy Guidance Notes 7, 15 and 21.

Background papers: see application file.

UTT/1129/02/FUL - HIGH EASTER

Erection of 12 affordable dwellings and construction of access, estate road and parking facilities

The Street. GR/TL 627-148 Mr C Warder-Smith (Rural Housing Trust)

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 20/09/2002

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

DESCRIPTION OF SITE: The site is located to the east of the village on the northern side of Pleshey Road. It lies almost opposite the Village Hall and alongside Lodges' Bus Depot and the new PO/Shop. The land forms part of an open agricultural field and measures about 0.435 ha (1.75 acres). The road frontage of 75m has a hedge and tree screen.

DESCRIPTION OF PROPOSAL: It is proposed to erect 12 affordable two-storey houses (6x2 bedroomed and 6x3 bedroomed), four of which would be rented and 8 shared equity. They would be grouped around a cul-de-sac access road from the southwestern corner of the site with a bridge over the ditch. The sightlines would not require any felling of trees, but hedges would be cut back to improve visibility. The designs are in a traditional style with a mixture of materials including plain clay and concrete tiles, slates, render and red bricks. Two car parking spaces per dwelling would be provided.

APPLICANT'S CASE: See summary and letter dated 6 September 2002 attached at end of report. Full 19-page report available for inspection at the Dunmow Offices.

CONSULTATIONS: ECC Transportation : to be reported (due 25 August).

ECC Learning Services : recommend infrastructure contribution totalling £48, 838.

Environment Agency & Anglian Water : no objections subject to conditions.

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

PLANNING CONSIDERATIONS: The main issues are whether the proposal complies with:

- 1) the criteria for affordable housing on exception sites beyond development limits (ADP Policy H5 & DLP Policy H10),
 - 2) the need for good design (ADP Policy DC1 & DLP Policy GEN2) and
 - 3) the requirements of highway safety (ADP Policy T1 & DLP Policy GEN1).
- 1) There are four criteria which need to be met:
 - a) ***the development will meet a particular local need which cannot be met in any other way.*** There are currently 22 people on the Council's Housing Register in High Easter. Housing Services advise that the turnover of tenancies in the parish is very low and it is unlikely that the needs of any of those people will be met in the foreseeable future. A recent local survey established that there were 26 local families who would qualify for accommodation on this site. The Housing Association has decided that an initial development of 12 houses would meet some needs and that there should be a mix of 2 and 3 bedroomed houses with some shared ownership. Two other sites were investigated, but this one was preferred on accessibility grounds.
 - b) ***all the dwellings are to be affordable, provided through a Registered Social Landlord (RSL) and permanently controlled.*** In this case all 12 dwellings are

proposed to be affordable and provided by the English Rural Housing Association as the RSL. A Sec 106 Agreement would ensure permanent control.

- c) ***the site adjoins the village and the development is of a scale appropriate to the size and facilities of the settlement.*** The site adjoins the PO/shop and Lodge's Bus and Coach Depot, which in turn abuts the Village Development Limit. The depot has a frontage of 95m, which would not be considered an infill plot. Any future redevelopment of the depot site would be considered on its merits, regardless of whether the proposed affordable housing was approved and built. High Easter is a relatively small village where a large development would not be appropriate. Now that the new shop/PO and village hall have been built on adjacent sites to the one proposed for this housing, it is considered that all the basic services necessary to support a development of this modest size are available, except schooling which is provided at Leaden Roding.
- d) ***the development is not detrimental to the character of the village, or environmental and other planning considerations.*** The site is well screened from the road and further planting would be carried out to field boundaries at the rear with native species of hedging and trees. The access road would be of the minimum size to cater for a development of this scale and no trees would be lost. The dwelling on plot 7 needs to be relocated 2m to the west to allow for thicker planting of the eastern boundary. This could be achieved by condition.

- 2) The design would be to a high standard in line with advice in the Residential Guide. The layout, design and materials would be in keeping with the character of the village. Three of the dwellings would face the road behind the tree screen, served by vehicular access from the rear and a footpath at the front. This would form a pleasant entrance to the village from the east.
- 3) The comments of ECC Transportation will be reported at the meeting.

CONCLUSION: The proposal meets all the criteria and would help to provide much needed local affordable housing. The applicant's comments on the request for a financial contribution towards educational provision are attached and it is considered that such a contribution would not be appropriate in the case of Affordable Housing.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS

- 1. C.2.1. Time Limit for commencement of development
- 2. C.3.1. To be implemented in accordance with approved plans
- 3-4. C.4.1& 2. Scheme of landscaping to be submitted, agreed and implemented
- 5-6. C.4.4. & 5. Retention of trees and hedges on road frontage except at point of access
- 7. C.4.6. Retention of trees and hedges during construction.
- 8. C.5.2. Details of materials to be submitted and agreed
- 9. C.6.4. Excluding Permitted Development extensions without further permission
- 10. C.8.27. Drainage details to be submitted and approved
- 11. C.10. Standard highway requirements
- 12. C.11. Standard parking facilities
- 13. C.17.2. Detailed amendment to be incorporated by relocating units 7-9 2m to west.

Reason: In order to ensure sufficient depth of landscaping along eastern boundary to help screen the development from the open countryside.

- 14. Permanent provision of affordable housing through a Registered Social Landlord with mix of tenure and nomination rights by Council.

Background papers: see application file.

UTT/1136/02/FUL – NEWPORT

Erection of four dwellings

Site adjacent to Granta Cottage, Station Road. GR/TL 521-336. T Knight.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 23/09/2002

NOTATION: ADP: Within Development Limits & Area of Special Landscape Value

DLP: Within Settlement Boundary

Both: Within Conservation Area, Curtilage of Grade II Listed Building & Floodplain.

DESCRIPTION OF SITE: This 0.1 ha (0.25 acres) site is located on the northern side of Station Road, off the eastern side of Newport High Street. It forms part of the split-level side garden to a Grade II listed cottage. There is a 2m high hedge on the road frontage, with an existing vehicular access adjacent to the cottage. The garden is mainly lawned, and the site steps down by approximately 1m behind the dwelling. There is a mix of tree and hedge planting to the remaining boundaries. The application site would have a frontage of 39m and depth of 34m. The River Cam runs alongside the eastern boundary. Station Road has several dwellings but is primarily made up of commercial premises, a community hall, rail station and car parks.

DESCRIPTION OF PROPOSAL: The proposal is to develop a large part of the garden with a terrace of four houses 2x3 bed + 2x4 bed. A crossover would be retained at the High Street corner to serve the existing Granta Cottage, and two further access points would be created. One would serve Unit 4, and the second would pass below the first floor of Unit 1, to provide rear parking for the remainder. The dwellings would be of traditional design, and constructed of render and brick, with slate or plain tile roofs:

Unit	Footprint	Height	Bedrooms	Garden Size	Parking
House 1	65 sqm (+ 12 over access)	7.8m	3	104 sqm	1 space
House 2	76 sqm	7.8m	3	149 sqm	1 space
House 3	76 sqm	8.7m	4 (2 nd floor)	163 sqm	1 space
House 4	65 sqm	8.7m	4 (2 nd floor)	86 sqm (excluding river bank)	2 spaces

A distance of 7.6m would be retained between Unit 1 and Granta Cottage, and a minimum 7.4m between Unit 4 and the River Cam. A garden area of approximately 300 sqm would be retained for Granta Cottage.

APPLICANT'S CASE: See agent's supporting statement conclusion attached at end of report.

RELEVANT HISTORY: Outline permission for one house, garage and new access granted 1986 and 1991- expired unimplemented.

CONSULTATIONS: Design Advice: some form of development on this site is considered acceptable subject to the impact on the listed building and the character of the Conservation Area. PE advice has been given that 2 or 3 modest cottages may be acceptable. The current proposal addresses some design concerns, but would have an overpowering effect so close to the adjacent listed cottage, particularly the three-storey unit which would be generally taller than the other cottages in the street. Too intensive loss of garden to the listed building. Intrinsic character of Conservation Area, which obtains its interest from the mixture of loose and tightly – knit development, would be seriously disturbed in this instance.

Environment Agency: no objection as lowest floor slab level of 59.00m A.O.D.N. would be 300mm above highest known flood level. Indications are that rear, northern part of site is below flood level and there should be no raising of ground levels or development on this part of site.

Anglian Water: no objections in principle, but recommend condition regarding submission of drainage details.

ECC Archaeology: recommend condition

Landscape Advice: No objection in principle. Proposal includes removal of hedging and a Sycamore tree. There are two hedge runs, within site and on road frontage. The latter is important element in providing enclosure and adds character to street scene, but much of it is dead. Sycamore to be removed is approximately 7m in height but is not considered to be of visual amenity worthy of TPO or being retained in any development on the site. Conditions should require retention of other sycamores and a cherry at rear of site, as they provide backdrop, measures for their protection during construction, and a detailed landscaping scheme including provision of new hedge on roadside frontage.

PARISH COUNCIL COMMENTS: to be reported – due 28 August

REPRESENTATIONS: This application has been advertised and three representations (from 2 addresses) have been received. Period expired 29 August.

1. Concerned at increased parking difficulties in Station Road. Insufficient parking allocated on site, and overflow cars would park in street, which is already extremely congested by cars from station users, local businesses and residents (could be alleviated by allocated residents parking). Too many houses for site.

2+3. Strong objection – would be out of keeping in road, as other houses are semi or detached. Three-storey houses would invade privacy and overlook ‘Mulrian’. Four houses would have overbearing impact on adjacent property. Loss of light and quiet environment. Has been flooding of site and garden of ‘Mulrian’ for distance of 20m in recent years, as although river does not break its banks it seeps through. Parking at rear will entail removal of established trees, and will cause loss of privacy, noise and pollution. ‘Mulrian’ is Grade II listed building, and development will impair its character and setting. Will not be low cost housing. Impact on Conservation Area and property prices.

PLANNING CONSIDERATIONS:

The main issues are whether the proposed development would adversely affect

- 1) **the existing development pattern in this part of the settlement and residential amenity (ADP Policies S1, DC1 & DC14, and DLP Policies H2, GEN2 & GEN4),**
- 2) **the setting of adjacent listed buildings, the character and appearance of the Conservation Area (ERSP Policies HC2 & HC3, ADP Policies DC2 & DC5 and DLP Policies ENV1 & ENV2), and landscaping on the site (ADP Policy DC8 and DLP Policy ENV3),**
- 3) **highway safety and parking congestion on Station Road (ERSP Policies T3 & T12, ADP Policies T1 & T2 and DLP Policies GEN1 & GEN9) and**
- 4) **flood protection in the vicinity (ERSP Policy NR12, ADP Policy W3, and DLP Policy GEN3).**

1) The site is within Development Limits and dwellings would be acceptable in principle subject to there being no detriment to any important environmental or visual characteristic. The designs of the four houses are traditional, and the taller buildings seek to emulate the scale of commercial property elsewhere in Station Road. This could be a reasonable design solution, but given the site is within the curtilage of a listed building in a Conservation Area, it is considered more appropriate for the development to respect the scale of the modest residential properties in the road. The proposal would meet the Council’s standards in terms of garden sizes, and it is not considered that the dwellings would be so close to other

properties that there would be significant overshadowing, or overlooking beyond reasonable levels given the relatively tight-knit setting.

2) The historic setting of Granta Cottage is defined by a relatively long curtilage in keeping with other historic dwellings fronting High Street, where rear boundaries have been defined by the river. However, as Granta Cottage fronts Station Road, the principle of some modest form of development which respects the characteristics of that street would be acceptable, but the extent of the current propose is considered excessive. Although there would be separation between buildings of over 7m, it is not considered that this would be sufficient to protect the setting of the listed Granta Cottage, which would be overpowered and dominated by the development. In particular, the rising height of the terrace would not respect the scale of the listed building or other residential property in Station Road, and would be detrimental to the setting, and the wider character and appearance of the Conservation Area. The proposal would enable the retention of most planting on the rear boundary, and as the existing frontage hedge is mostly dead or dying, replacement planting could be achieved. The loss of a sycamore on the site would not be unacceptable, as the tree has limited amenity value and is not considered to be worthy of retention.

3) The development includes one parking space for both of the three-bedroom units and one of the four-bedroom units and two spaces for the other four-bedroom house. Government policy is to reduce parking provision, and given the location close to a station it is considered that it would be difficult to justify requiring the Council's normal standard of ten spaces in this case. However, given that there is evident pressure for parking on Station Road due to the close proximity to the railway and the number of local businesses, the development should meet its own parking needs by providing at least eight spaces. In addition, proposal would not provide adequate on-site turning facilities for the existing dwelling or unit 4. Although approaching vehicle speeds would likely be low, given the obstruction caused by vehicles parked on the roadside, reversing onto the road could prove hazardous to other road users.

4) The site is within a floodplain, but the Environment Agency has raised no objection to the development based on the proposed slab levels of the dwellings. In the absence of any objection from that authority, refusal on this issue could not be sustained.

CONCLUSION: Although there would be no objection in principle to some residential development of this site, it is considered that the scale of the proposed scheme does not respect the characteristics of the locality and would have an overbearing impact on the setting of the adjacent listed building and the character and appearance of the Conservation Area. The lack of adequate on-site turning facilities for the proposed and existing dwellings could give rise to hazard to other road users. A revised scheme for 2 dwellings similar to plots 1+2 relocated further east may be considered more favourably.

RECOMMENDATION: REFUSAL REASONS

1. The proposed terrace would not be acceptable in this part of the Village Development Limit as it would fail to respect the characteristics of the locality. The extent of the built frontage of the group, the proximity to the adjacent listed building (Granta Cottage). and the height of Units 3 and 4 would have an overbearing impact on the setting of Granta Cottage and the wider Conservation Area street scene. Station Road is a mix of residential and commercial properties, but the terrace would not reflect the scale and height of the residential pattern, and would be out of keeping. The development would significantly reduce the historic curtilage of Granta Cottage to an unacceptable degree, and the listed building would be dominated by the size, mass and height of the group to the detriment of its character and appearance. The infilling of the frontage to the extent proposed would not enhance the appearance of this part of the Conservation Area as the site currently forms an open and attractive part of an otherwise built-up frontage.

2. The proposal fails to provide adequate off-street parking and turning facilities to serve the development would result in reversing onto the public highway, where visibility is often reduced by parked vehicles in connection with the station, local businesses and other dwellings on Station Road. This could add unacceptable hazards to other road users, to the detriment of highway safety. For the reasons the proposals are considered to be contrary to Essex and Southend on Sea Replacement Structure Plan Policies HC2, HC3, & T3, Adopted Uttlesford District Plan Policies S1, DC1, DC2, DC5, DC14, & T1, and Deposit Draft Uttlesford Local Plan Policies H2, GEN1, GEN2, GEN4, ENV1, & ENV, advice contained in Planning Policy Guidance Notes PPG 13 and PPG 15.

Background papers: see application file.

UTT/1624/01/CC – LITTLE CANFIELD
(County Council Consultation)

Construction of match fishing facility and carp lake with associated removal of materials and variation of conditions 2 and 8 of ECC planning permission ref ESS/33/95/UTT Crumps Farm. GR/TL S80-207. D K Symes Associates.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 31/12/01

NOTATION: ADP+DLP: Outside Development Limits + Settlement Boundaries / Adjacent to public footpath.

DESCRIPTION OF SITE: The proposed 7.4ha (18.3 acres) site lies 500m directly to the west of Crumps Farm Quarry and Landfill site to the south of the A120, between Dunmow and Takeley. The site appears to be used for agriculture and is not part of the landfill. The site falls by about 5m from northwest to southeast (a distance of about 350 m) and is part of the gently undulating land in the locality.

DESCRIPTION OF PROPOSAL: The proposal involves the creation of two fishing lakes adjacent to an established sand extraction pit and landfill site. It would involve the removal of approximately 100,000cu m of sand, gravel and clay (and some top soil) which would then be taken to the adjacent Crumps Farm site for processing. It is this process which requires the variation of Conditions 2 and 8 of ESS/33/95/UTT to allow the removal of materials which would extend the life of extraction activities at the quarry by a further 18 months, though not on the rest of the site. The facility would consist of a carp lake (constructed first) and a match lake and would be surrounded by a 3m high earth bund on its southern, northern and western sides. Two car parks are proposed, one for 20 spaces, the other for 40 spaces, with adjacent facilities for overflow parking. The former would be sited to the north of the carp lake and the latter 280m further south, to the southeast of the match lake. The car parks would be reached (post construction) via the existing main site entrance via approximately 1000 m (0.62 mile) of upgraded former agricultural tracks. No buildings are proposed. The proposal would include landscaping which would be carried out during the planting season commencing Autumn 2004.

APPLICANT'S CASE: See detailed supporting letter dated 23 October 2001.

RELEVANT HISTORY: Various permissions to extend the life of extraction and restoration works at Crumps Farm.

CONSULTATIONS: All carried out by ECC

PARISH COUNCIL COMMENTS: *Little Canfield* – Originally informed that the working life of Crumps Farm would be limited, but already two extensions have been granted. What is proposed would ensure constant traffic at weekends. Not convinced that a match fishing facility is an amenity the village wants. The application is a ruse to continue mineral extraction at the quarry, particularly as there appears to be no basic facilities. Badgers are also present on the site.

Takeley – No objections subject to the condition that the facility not be open until the new A120 is finished.

REPRESENTATIONS: This application has been advertised and two representations have been received. Period expired December 2001.

General Summary – Objects on the ground that the application would result in the destruction of another piece of local countryside for commercial gain. The statement that there are not enough angling facilities in the area is completely wrong. The fishery is to be a 'Special Match Fishery' that would attract angling clubs and associations, not the local

pleasure angler. To be financially viable these matches would have to attract 50 plus anglers.

PLANNING CONSIDERATIONS:

The main issues are the impact of the proposal on

- 1) the open countryside and rural amenity (ADP Policy S2 & DLP Policy S7),**
- 2) The amenity of neighbours (ADP Policy DC14 & DLP Policy GEN4) and**
- 3) Highway safety (ADP Policy T1 & DLP Policy GEN1).**

1) Landfill sites are normally expected to be restored and returned to agriculture rather than being a precursor to further development in the countryside. Policy REC6 does state that the recreational after use of mineral working will be encouraged. The applicant has stated that he has investigated many extraction sites and been unable to find ones that are functionally suitable for this use. It seems from the applicant's case that the extraction of the materials is a bi-product of the creation of the lakes rather than vice versa. It is considered that the above policy refers to the reuse of redundant workings rather than the extract of material specifically to create lakes etc. The policy therefore does not support the proposal as implied by the applicant. Notwithstanding that, the provision and use of a fishing facility would be appropriate to a rural area, being a quiet activity and the development sharing some of the characteristics of natural landforms. It is therefore considered that the proposal complies with Policy S2.

2) The prolonging of the period of extraction works would continue the disruption to neighbours. Currently 32 lorry movements per day are permitted and it is not proposed to alter this. It is difficult to judge whether a further 18 months would be so significant so as to justify a refusal. On balance it is considered that a further 18 months working would not be unacceptable. The location of the lakes would be fairly remote from dwellings although the established access into the main site does pass one property. Following the completion of the development, the activity itself is likely to be reasonably quiet, although there would be some level of disturbance from traffic travelling to and from it. The other side of the applicant's case that there is significant demand for such a facility from as far afield as St Albans, Tendring, Hutton and Royston is that it is likely to be well used and therefore give rise to some possible disturbance. On balance it is considered that this disturbance is likely to be limited given the number of traffic movements (see below) and the reduction in traffic along the existing A120 once the new road is open.

3) The existing access onto the A120 has been constructed to allow large extraction and refuse vehicles to enter and leave the site. The extracted material would be processed within the main site for export from the site via this access. The applicant has stated that there would not be an increase in the vehicles going to and fro during construction. Prolonging the use of the site would not create highway dangers. The new A120 is proposed to open within the timescale for extension. The applicant proposes up to 130 vehicle movements on any one day peaking in Spring and Summer on match days, with significantly fewer movements on non-match days in the Winter.

CONCLUSION: The proposal is considered to be appropriate to this rural area. The applicant has submitted information that indicates that there is a need for such a facility in this general location and that they investigated other possible sites, without success. The need for a facility is unlikely to fundamentally affect the planning issues of this case, but given the generally positive comments above, this need does lend weight to a recommendation of no objections.

**RECOMMENDATION: INFORM ESSEX COUNTY COUNCIL THAT NO OBJECTIONS
ARE RAISED SUBJECT TO:**

1. The times of extraction/ construction to be the same as the existing permitted hours of extraction.
2. Submission & implementation of landscaping scheme (around lakes, car parking and access tracks).
3. Condition prohibiting airport related car parking.
4. No opening before new A.120 available.

Advise that notes be added to DN indicating:

- a) That applicant should not assume that permission will be forthcoming for the expansion of facilities or for the erection of buildings or other development on the site.
- b) That applicant should be satisfied before commencing this scheme that the facilities should be sufficiently secure and fish stocks resilient enough not to require the provision of a dwelling.

Background papers: see application file.

UTT/0788/02/DFO – TAKELEY

(Revised Report)

Layered (decked) car parking to provide an additional 1314 short-term spaces.

Stansted Airport. GR/TL 557-233. Stansted Airport Ltd.

Case Officer: *Jeremy Pine 01799 510460*

Expiry Date: 02/08/2002

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

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

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

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

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

APPLICANT’S CASE: See two-page note prepared by Stansted Airport Limited and attached at end of report. Any further comments on design, landscaping and lighting will be reported orally at the meeting.

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

CONSULTATIONS: ECC Transportation: No objections.

CAA: Holding response issued.

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

Environment Agency: Advisory comments.

Thames Water: No objections.

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

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

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

PLANNING CONSIDERATIONS:

The main issues are whether:

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

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

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

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

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

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

CONCLUSION: If amended as Members requested, these proposals would be in accordance with the ADP and DLP policies mentioned earlier in this report.

RECOMMENDATION: APPROVAL WITH CONDITIONS

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

Background papers: see application file.
