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PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 13 JANUARY 2003

APPL NO: **UTT/1287/02/FUL & UTT/1288/02/LB**
PARISH: **LITTLE EASTON**
DEVELOPMENT: Conversion of part of building to form 2 two-bedroom dwellings
APPLICANT: Mr D H Trembath
LOCATION: Easton Farm.
D.C. CTTE: 16 December 2002 (Page 26)
REMARKS: Deferred for Members' Site Visit.
RECOMMENDATION: Approval with conditions
Case Officer: Richard Aston 01799 510464
Expiry Date: 01/11/2002

APPL NO: **UTT/1434/02/FUL & UTT/1435/02/FUL**
PARISH: **LITTLE DUNMOW/FELSTED**
DEVELOPMENT: Extraction of subsoil to enable filling on adjoining Oakwood Park development site; subsequent restoration to enable recommencement of previous agricultural use, using non-structural fill from the adjoining Oakwood Park site, with topsoil to finished level; together with associated temporary engineering and landscaping works, and installation of gas vent trench
APPLICANT: Enodis Property Dev. Ltd.
LOCATION: Land adj. Oakwood Park
D.C. CTTE: 16 December 2002 (Page 31)
REMARKS: Deferred for further information.
Applicant's Case: See letter dated 30 September 2002 attached.
RECOMMENDATION: Approval with conditions
Case Officer: Richard Aston 01799 510464
Expiry Date: 29/11/2002

APPL NO: **UTT/1017/02/FUL**
PARISH: **WIMBISH**
DEVELOPMENT: Erection of 25m monopole telecommunications tower with assorted antennae and dishes, and ten pack cabin within a fenced compound.
APPLICANT: Orange Personal Communications
LOCATION: Cole End Farm, Cole End Lane
D.C. CTTE: 16 December 2002 (Page 50)
REMARKS: Deferred for Members' Site Visit.
RECOMMENDATION: Approval with conditions
Case Officer: Hilary Lock 01799 510486
Expiry Date: 02/10/2002

APPL NO: **UTT/1183/02/OP**
PARISH: **FELSTED**
DEVELOPMENT: Outline application for erection of seven detached houses with integral garages to replace existing industrial and other buildings and uses.

APPLICANT: Messrs D & S Payne
LOCATION: Watch House Farm, Watch House Green.
D.C. CTTE: 16 December 2002 (Page 14)
REMARKS: Deferred for Members' Site Visit (see also next item).
RECOMMENDATION: **Refusal**
Case Officer: *Michael Ovenden 01799 510476*
Expiry Date: 03/10/2002

UTT/1638/02/FUL – FELSTED

Change of use of vacant stables for business use with class B1 and demolition of indoor riding arena and previous extensions to the former stables.

Watch House Farm, Watch House Green. GR/TL 691-212. Messrs D & S Payne.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 09/01/2003

NOTATION: ADP and DLP: Outside Development Limit and Settlement Boundaries/Adjacent to a public footpath.

DESCRIPTION OF SITE: The site is located on the eastern side of the hamlet of Watch House Green, 2km (1 mile) east of Felsted. It is sited to the rear of dwellings facing the green, with a relatively modern access sweeping around the rear of those properties, to a junction opposite Ravens Crescent. Adjacent to the site are a number of former agricultural buildings, some in commercial use for car repairs and security screen storage, the two within the site are vacant.

DESCRIPITON OF PROPOSAL: The application, which has been revised since its submission, now relates to the demolition of a former riding arena building and the change of use of a former agricultural building, last used as stables though vacant for quite sometime, to form 390sq.m of additional B1 business floorspace. All access would be from the driveway to the southeast.

APPLICANTS' CASE: See letters dated 14 October and 21 November 2002 attached at end of report.

RELEVANT HISTORY: Permission for livery use granted and permission for reuse of adjacent buildings for B1 purposes in 1992; breach of conditions relating to use of fork-lift truck and outside working and enforcement action relating to unauthorised outside storage taken subsequently. Application for use of two of the buildings on the site for B1 and B8 refused 2001 and dismissed on appeal in October 2002. Current outline application for demolition of all buildings and erection of seven dwellings (site visit case for meeting on 13 January 2003 see previous item on Deferred List).

CONSULTATIONS: Environmental Services: To be reported (due 20 December).

PARISH COUNCIL COMMENTS: The number of applications for development of this site is confusing in the light of a dismissed appeal, an application for a residential development and now change of use to B1 for a set of redundant buildings. Can this be a 'red herring'?

REPRESENTATIONS: Two letters have been received. Revised period expires 8 January 2003.

Object. Destruction of a useable agricultural building; over development, unacceptable further noise and disturbance; existing use mainly storage – applicants' aim is to expand this to whole site; traffic movements and off-site parking would increase to unacceptable level.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the proposed use of the former stable building would be acceptable (ERSP Policy RE2; ADP Policy C5 & DLP2 Policy E4),
- 2) the proposed activities would protect the amenity of neighbours (ADP Policy DC14 & DLP Policy GEN4) and
- 3) the proposal would give rise to unacceptable highway dangers (ADP Policy T1 & DLP Policy GEN1).

1) The Development Plan shows the site to lie outside of any development limit, in a rural area outside the Green/Belt. This is an area where the countryside will be protected for its own sake. Policy C5 has various criteria, which require the buildings to be of permanent and substantial construction and the proposal to protect the character and amenity of their surroundings. The buildings are of permanent and substantial construction, and the proposal involves the demolition of one large building and various extensions. This could also include nissen huts at the front of the buildings, which would improve the character of the area. On the other hand the user is not specified and would result in a total of 390sq.m added to the 415sq.m currently in commercial use, i.e. a total of 805sq.m. This would be a substantial amount of commercial floorspace and would be likely to adversely affect the character of the countryside and the amenities of neighbours by virtue of traffic generation and disturbance.

2) A B1 use is considered to be one capable of being carried out in a residential area without detriment to the amenity of that area due to production of various specified pollutants. However, such a use generates a large volume of traffic and general activity associated with the use, which in part depends on its scale. The proposal is for an extra 390sq.m and such a floorspace has the potential for generating significant activity, especially when adjacent buildings are already in commercial use. The Inspector did not unequivocally comment on the issue. It is considered by Officers that the operations of an 805sq.m industrial estate would be very likely to create amenity problems for neighbours.

3) Last year County Highways raised no objections to a proposal to reuse this and an adjacent building for B1 or B8 use, and therefore it is considered that no objections would be raised again. The Inspector showed concern about the traffic likely to be attracted to the buildings, but stopped short of dismissing the appeal on that ground. It seems that now the proposed floorspace would be roughly half that previously proposed, a refusal on highway grounds would be inappropriate.

CONCLUSION: It is considered that the reuse of this building would be likely to give rise to amenity problems to neighbours and be harmful to the rural character of the surrounding area.

RECOMMENDATION: REFUSAL REASON

The proposal would result in unacceptable impacts on the quiet rural character of the countryside and the amenity of neighbours contrary to Policies C5 and DC14.

Background papers: see application file.

UTT/0841/02/FUL - GREAT HALLINGBURY

Conversion and additions to two barns to form 12 units of bed & breakfast accommodation. Yew Tree Farm House, Tile Kiln Green. GR/TL 521-209. Ms Hoare & Mr Leyth.

Case Officer: Anthony Betros 01799 510471

Expiry Date: 08/08/2002

NOTATION: ADP & DLP: Within Countryside Protection Zone/Outside Development Limits/Adjacent to Public Safety Zone/Within 57-66dB(A) Leq Zone re noise from aircraft using Stansted Airport.

DESCRIPTION OF SITE: The site is located on the western side of the road which connects Great Hallingbury to the A120 at Start Hill. The property is approximately 1 km south-west of the southern end of the runway at Stansted Airport. The group of buildings contains an existing farm house (currently converted to a 5 room guest house) with two single-level detached barns, forming a U-shape around a central parking area.

DESCRIPTION OF PROPOSAL: The application has been clarified as alterations and additions to the two existing barns to provide a total of 12 rooms bed and breakfast accommodation. Four rooms are proposed in the existing single-storey stable building adjacent to the farmhouse (Barn 1). One of the rooms is to provide disabled access and facilities. No change to the envelope of the barn adjacent to the farmhouse is proposed as alterations are confined to the internal fit-out and new window and/or openings for accommodation. Each room is to have private bathroom and storage facilities. The remaining eight rooms are proposed in the barn opposite the farmhouse (Barn 2). The application has been submitted as alterations and additions to the existing barn to provide a new second storey with 4 rooms at first-floor and 4 at ground floor. A new enclosed central stair access attachment is proposed facing the farmhouse. However, inspection of the plans has revealed that Barn 2 is a completely new building based upon varying ceiling heights, overall heights and lengths between the existing barn and the proposed building.

APPLICANT'S CASE: Yew Tree Farm House is an established bed and breakfast business which is in a position to expand. Our proposal is to convert two existing outbuildings to provide 12 additional bedrooms, including a dedicated disabled suite. The proposal is to convert two existing outbuildings to provide 12 additional bedrooms, including a dedicated disabled suite. In order to maximise the accommodation, one of the outbuildings has an extension on the courtyard elevation. It is considered that the proposal is in line with the published guidelines laid down in the local plan.

RELEVANT HISTORY: Permission granted in 1992 for conversion of the stable block to caretakers accommodation as it was considered that the proposal was inconsistent with Policy S4 (Green Belt), inappropriate in terms of noise exposure from aircraft and contrary to the Public Safety Zone requirements. Change of use granted in 1993 of the main farm house from office to a guest house. Conversion of the farmhouse from a residence to offices was granted in 1990.

CONSULTATIONS: Essex County Council - Transportation: No objections.

Environment Agency: No objections.

Environmental Services: No objections subject to noise insulation and requirement to register it as a food premises 28 days prior to opening.

PARISH COUNCIL COMMENTS: No objection, although some concerns were raised over visibility when exiting the premises.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 9 July 2002.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the proposal is consistent with polices for the re-use of rural buildings and tourist accommodation in the countryside (Structure Plan Policies RE2, C5 & LRT10, UDP Policies S4, C5, REC3 & 4 and DLP Policies E4, S7 & LC6),
- 2) the proposal is acceptable in relation to access, parking and traffic issues (ADP Policies T1 & T2 Structure Plan Policy T12 and Policy GEN9) and
- 3) the premises would be adversely affected by aircraft and traffic noise (ADP Policies N1 & N2 and DLP Policy ENV9).

1) The re-use of barn 1 for the conversion of the stable block for 4 self-contained units for tourist accommodation is acceptable under the Policies as it would be a genuine adaptation. However, given that Barn 2 would be a completely new building, the policy for conversion is irrelevant. Further, as the site is located in the Countryside Protection Zone and Outside Development Limits, new buildings are not normally permitted. A true single-storey conversion of Barn 2 to provide possibly another 4 rooms may be considered more favourably. The applicants have been given the opportunity to submit amended plans, but have sought determination of the application in its current state. The applicants have also been advised that first floor additions and new stairwell to Barn 2 would be unlikely to be supported as they would be contrary to the relevant policies.

2) The provision of parking to the rear of the buildings on the site is considered acceptable as the spaces would be screened from the public view and surrounded by a combination of existing and future planting. A reduction in spaces associated with fewer rooms would also be considered more acceptable in the Countryside Protection Zone.

3) Given the site's proximity to the airport and end of the runway, the tourist accommodation is likely to be affected by aircraft noise. However, this is not considered to be a serious flaw to the application as the buildings could be insulated to provide satisfactory internal noise levels.

CONCLUSION: The proposal in its current state is recommended for refusal due to non-compliance with the relevant policies for new buildings and tourist accommodation in the Countryside Protection Zone. Approval of a new building to provide tourist accommodation in the countryside would represent an undesirable precedent. A genuine single-storey conversion of both barns may result in a revised application being considered more favourably. A refusal reason on grounds of dangers from aircraft would not be appropriate as the site lies just outside the Public Safety Zone.

RECOMMENDATION: REFUSAL REASONS

- 1. The bulk and scale of new building to replace Barn 2 are considered to be detrimental to the character of the countryside and would contribute to coalescence between the airport and existing development contrary to Policy S4.
- 2. The application is not a true conversion of a rural building as it involves the demolition of Barn 2 and the erection of a new building contrary to Policy C5.
- 3. The proposed new building (replacement of Barn 2) is not considered acceptable in the countryside as it would detrimentally affect the rural character of the area and form an undesirable precedent, contrary to Policies REC3 and REC4.

Background papers: see application file.

1) UTT/1632/02/FUL & 2) UTT/1633/02/LB - WIDDINGTON

1) & 2) Conversion and alterations to outbuildings to form single-storey dwelling and garaging with oil tank enclosure.

Newlands Farm, Woodend. GR/TL 539-311. A D Gemmill.

Case Officer: Karen Hollitt 01799 510495

Expiry Date: 13/01/2003

NOTATION: ADP: Outside Development Limits/Within Area of Special Landscape Value/Listed Building Grade II/Public Footpath.

DLP: Outside Settlement Boundary/Listed Building Grade II/Public Footpath.

DESCRIPTION OF SITE: The site is located at the end of a track, approximately 300m to the south east of the main village. This access road serves 8 dwellings, including Newlands Farm. There is a traditional farm courtyard, with the barn forming the application site being located immediately opposite the listed farmhouse. There is a pond to the north and a landscaped area to the north and west, with a public footpath passing through the site.

DESCRIPTION OF PROPOSAL: It is proposed to convert the Grade II Listed barn into a two-bedroomed dwelling. A small extension is proposed to provide garaging facilities and a weather-boarded screen to an oil store.

APPLICANT'S CASE: Newlands Farm, a small-holding comprising 5.25 ha (13 acres), has not been used for agriculture for over 30 years and now forms a partly residential curtilage. The listed barn is in a reasonable state of repair and soundly constructed, and the shape and form are ideal for conversion.

CONSULTATIONS: Design Advice: The aisled barn is early C17 with six bays. It is redundant for agricultural purposes and because of its architectural and historic merit it is important that a new economically viable use is found so its survival is secured. The building is in a good state of repair and in general terms fulfils the aims of current policies and ministerial advice. The scheme has been negotiated and is acceptable in principle subject to conditions.

ECC Footpaths: To be reported (due 10 January 2003).

PARISH COUNCIL COMMENTS: None received (due 19 December 2002).

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 19 December 2002.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the barn is worthy of conversion to a dwelling (ERSP Policy RE2, ADP Policy C6 & DLP Policy H5),
- 2) the works would be in keeping with the character of the listed building (ERSP Policy HC3, ADP Policy DC5, DLP Policy ENV2) and
- 3) the proposed conversion have an adverse effect on the residential amenity of the adjacent property (ADP Policy DC14 & DLP Policy GEN4).

1) The building is a part rendered and part black feather-edged weather-boarded barn with a clay plain tiled roof. It is of substantial construction and appears to be in a sound

condition. It is no longer required for farming purposes and, to some degree, already has the appearance of a residential outbuilding. It is proposed to extend one of the bays by approximately 1.5m in order to provide adequate garaging facilities for the new dwelling. This should not have an adverse effect on the character of the existing building. It is also proposed to erect a weather-boarded screen enclosure (2.4m by 3.9m) to the rear of the adjoining pan tiled outbuilding in order to create an oil-store. It is considered that the proposed works would respect and conserve the characteristics of the building and would enable the long-term retention of this barn in its historic setting.

2) The proposed alterations to the building are considered acceptable on design grounds and, subject to conditions, should not be detrimental to the character of the listed building.

3) The proposed alterations to the building would introduce the minimum number of windows to the courtyard elevation of the property. There is a separation distance of 18m between the barn and the farmhouse and any overlooking issues should be of a minor nature. It is proposed to install the majority of the fenestration to the rear elevation of the barn, overlooking its own private amenity space. It is proposed that the property would have its own access, further reducing the impact of the development on the occupiers of the farmhouse. The amenity area proposed for the converted barn is already landscaped and is bounded by mature vegetation, providing adequate screening from the adjacent property to the south.

CONCLUSION: The conversion of this barn to a dwelling would ensure the long-term retention of an historic building in its traditional farmyard setting and complies with the relevant Development Plan policies.

RECOMMENDATIONS:

1) UTT/1632/02/FUL - APPROVAL WITH CONDITIONS

1. C.2.1. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.6.2. Excluding all rights of Permitted Development within the curtilage of a dwelling house without further permission.
4. C.6.7. Excluding conversion of garage.
5. C.11. Standard car parking requirements.
6. C.8.26. Drainage requirements.

2) UTT/1633/02/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.3. Matching materials.
4. C.5.9. Stained wood.
5. C.5.16. No historic timbers to be cut.

Background papers: see application file.

UTT/1461/02/FUL - DEBDEN

Erection of dwelling to replace existing cottages and detached garage building. Change of use of land from agricultural to garden land.

Land adjacent to Brick House Farm off Water Lane. GR/TL 544-338. Mr J Turner.

Case Officer: Karen Hollitt 01799 510495

Expiry Date: 10/12/2002

NOTATION: ADP: Outside Development Limits/Within Area of Special Landscape Value/Adjacent to SSSI. DLP: Outside Settlement Boundary/Adjacent to SSSI (Debden Water).

DESCRIPTION OF SITE: The site is located in open countryside north of the village, on the northern side of Water Lane which leads to Newport, approximately 500m west of the crossroads to Saffron Walden and Debden. It is accessed via a private road, which serves two cottages and Brick House Farm. On site is a pair of semi-detached cottages on land which rises up from Debden Water, 90m away. They are brick built to the ground-floor and rendered to the first floor, with large single-storey side extensions. The houses have their front elevations screened by a conifer hedge. The farm complex to the north consists of a series of listed buildings, with the main farmhouse being Grade II*, but the application site is over 90m from the nearest. The boundary of the land owned by the applicant is screened by mature hedging and there is a group of trees on the bank of Debden Water, which provide additional seasonal screening to the site. There is no on-site parking and vehicles have to park on the access road leading to the units.

DESCRIPTION OF PROPOSAL: The proposal is for the demolition of the two existing dwellings and the erection of one four-bedroomed dwelling with a detached cart lodge in their place. The existing cottages have a combined floor area of approximately 185m² and this proposal has been negotiated to make it smaller, so that it would now have a floor area of 224m². The dwelling would have a maximum width of 20m, and height of 8.6m (plus chimneys). It is proposed to slightly overlap the footprints, demolishing only a lean-to initially, so that the existing dwellings can be occupied until the new one is ready.

APPLICANT'S CASE: The following amendments have been incorporated into the scheme:

1. Omission of one bay of the cart shed
2. Repositioning of the cart shed nearer to the house.
3. Garden area has been increased.
4. A proposal for screen tree planting has been submitted.
5. Omission of the family room to the new house.

RELEVANT HISTORY: Outline planning permission was granted, in April 2002 for a single replacement dwelling in place of the existing cottages, subject to a condition that it have a maximum floor area of 200m². This application related to the site of the cottages and their gardens. The revised proposal relates to a larger site and cannot be considered as a reserved matters application on the outline permission.

CONSULTATIONS: English Nature: No objections as the development is not considered to be likely to have a detrimental effect on the SSSI.

Building Surveying: Access may need to be improved.

PARISH COUNCIL COMMENTS: Original Plans: None received (due 15 November 2002).
Revised Plans: None received (due 20 December 2002).

REPRESENTATIONS: Original Plans: One. Notification period expired 6 November 2002. Do not object to the conversion of the cottages to a single dwelling. Would ask that the design and size are in keeping with the attractive surroundings.
Revised Plans: None received. Period expired 20 December 2002.

PLANNING CONSIDERATIONS:

The main issues are whether

- 1) the erection of one replacement dwelling would adversely impact on the rural character of the location outside development limits (ERSP Policy CS2; ADP Policies H8 & S2 and DLP Policies H6 & GEN8) and
- 2) the proposed means of access for the unit would be acceptable (ERSP Policy T3; ADP Policy T1 and DLP Policy GEN1).

1) The proposal to replace two dwelling units with one detached unit accords with the replacement dwellings policies in principle, subject to details of size, siting and design. The conversion of two units into one dwelling would not require planning consent, so it is reasonable to calculate the combined floor areas of the cottages when considering an acceptable size for the new dwelling. In April 2002 it was considered that 200m² was the maximum size acceptable. This revised proposal shows a dwelling with a floor area of 224m², 12% larger than originally considered acceptable. This has been negotiated down from an original proposal for 270m². On balance, this is now considered to be acceptable, partly because the application relates to a larger site than the outline and partly because Permitted Development rights of extension could be exercised. The outline application related to a site measuring 26m by 42m, but this proposal relates to a plot measuring 45m by 50m. It is now proposed to change the use of this additional land from agricultural to residential garden. It is considered that this size part of the application is acceptable and meets the relevant policy criteria, subject to removal of Permitted Development rights.

In addition to increasing the size of the site, it is proposed to relocate the new dwelling slightly to the east of the existing cottages. This would enable the house to be located on lower ground, thus ensuring that it would not be more dominant in the landscape than the existing cottages, despite its increase ridge height. In addition, the existing mature trees on the banks of Debden Water provide seasonal screening to this part of the site. It is therefore considered that this minor relocation of the dwelling can be justified in this instance, due to the reduction of its impact on the open countryside. The applicant also intends to carry out extensive planting to the remainder of the land within his ownership, further screening the development. The design would be appropriate to this rural location and the existing dwellings are of not historic or architectural merit.

2) The existing access serves two dwellings and the proposal would reduce this to one. The site is large enough to accommodate on-site parking and would not adversely affect the amenities of the area or the setting of the listed buildings.

CONCLUSION: The principle of one replacement dwelling in place of the two existing units is considered to meet policy requirements and would not adversely affect the amenities of the area or the setting of the listed buildings, subject to conditions. There would be no adverse effect on the SSSI or highway matters.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time Limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.

3. C.6.2. Excluding all rights of Permitted Development within the curtilage of a dwelling house without further permission.
4. C.4.2. Implementation of landscaping scheme.
5. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
6. C.5.1. Samples of materials to be submitted and agreed.
7. C.23. Demolition of dwellings to be replaced.
8. C.6.7. Excluding conversion of garages.
9. C.11. Access and car parking requirements.
10. C.8.26. Drainage requirements.

Background papers: see application file.

UTT/1673/02/FUL - HATFIELD HEATH

Demolition of existing bungalow and erection of two-storey replacement dwelling with detached double garage and formation of new access.

Holmbury, Chelmsford Road. GR/TL 543-145. C.S. Group Ltd.

Case Officer: Katherine Benjafield 01799 510494

Expiry Date: 17/01/2003

NOTATION: ADP & DLP: Metropolitan Green Belt and Area of Special Landscape Value (ADP only).

DESCRIPTION OF SITE: The site is located on the south-western side of Chelmsford Road (A1060) to the east of Hatfield Heath and covers an area of approximately 0.15ha (0.33 acres). There is currently a bungalow and garage located on the site, which also has a significant amount of vegetation covering it at present screening the view from the road.

DESCRIPTION OF PROPOSAL: This revised proposal for a replacement dwelling is for a 1.5-storey building with a near two-storey cross wing. The footprint of the replacement dwelling would be approximately 132m², which would be a slight increase from the existing. The maximum ridge height would be approximately 7.4m. A new double garage would be erected 4m to the south-east of the new dwelling and this would cover an area of approximately 31m², with a maximum ridge height of 4.4m. An additional vehicular access would be constructed to the northern edge of the site.

RELEVANT HISTORY: Two applications for the erection of a replacement dwelling and creation of new access, one withdrawn February 2002, one refused September 2002 on grounds of excessive size detrimental to the rural character of the area.

CONSULTATIONS: ECC Transportation: No objections.

Environment Agency: No objections

PARISH COUNCIL COMMENTS: Object. Although the revised plan and especially the design are modest improvements on the original, still considered the property would be too large compared with the adjacent Hillfield Cottages and its position in open countryside.

REPRESENTATIONS: None. Notification period expired 13 December.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would

- 1) be appropriate in size and design in the Green Belt (ERSP Policy C2, ADP Policy S3 & DLP Policy S6 and
- 2) meet the criteria relating to replacement dwellings (ADP Policy H8 & DLP Policy H6).

1) There is a general presumption against inappropriate development in the Green Belt. However, it is also recognised that it may be acceptable to allow the replacement of existing dwellings if they are not materially larger than the existing. Following negotiations, it is considered that this revised application for a replacement dwelling on the site has now been scaled down to a size which would be acceptable in relation to the existing bungalow on the site, bearing in mind its location within the Green Belt. The proposal therefore now complies with the relevant policies regarding the Metropolitan Green Belt.

2) Policy H8 regarding replacement dwellings states that proposals that are in scale with neighbouring properties and are sited in proximity to the existing dwelling will normally be approved. Outside Development Limits, proposals which would impair the character of the countryside through their size or design will not be permitted. It is considered that this revised proposal has addressed the issues of size and scale that were problems with the previous applications and would now be of a size and design which would be acceptable in this location. The footprint of the new dwelling would not overlap that of the existing and the wall of the southern elevation would be 11.5m northwest of the existing dwelling. It is considered that this would be harmful to the character of the countryside. The proposed replacement dwelling, being nearly two-storey, would be more visible than the existing bungalow and resiting it in the proposed location would only increase its prominence. It is proposed to add a condition requiring the new dwelling to be moved to a position closer to the existing footprint.

COMMENTS ON REPRESENTATIONS: The Parish Council's comments are noted, but the revised scheme is now considered acceptable. Their main concern should be addressed by relocating the dwelling by condition. Hillfield Cottages are sufficiently far from the site to avoid direct comparisons between the two properties.

CONCLUSION: The current proposal for a replacement dwelling, new access and double garage complies with the relevant policies concerning development within the Green Belt and replacement dwellings.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and agreed.
6. C.6.2. Excluding all rights of Permitted Development within the curtilage of a dwelling house without further permission.
7. C.10.26. Standard Highway Requirement.
8. C.17.1.Revised plan required re siting of new dwelling.
9. C.23. Demolition of dwelling to be replaced.
10. C.11. Access and car parking requirements.
11. C.8.26.Drainage requirements.

Background papers: see application file.

UTT/1247/02/FUL – STEBBING
(Referred at Officers' Discretion)

To use 'The Coach Barn' for assured shorthold tenancy
Coach House, High Street. GR/TL 662-242. M B Rich-Jones.
Case Officer: Anthony Betros 01799 510471
Expiry Date: 18/10/2002

NOTATION: ADP & DLP: Within Development Limits and Settlement Boundaries/Curtilage of a listed building and a Conservation Area.

DESCRIPTION OF SITE: The site is located on the north-eastern side of the High Street in the middle of the village. There are three main structures, consisting of the primary dwelling adjacent to the frontage, a converted 2-storey barn at the rear and a single-storey structure known as the Coach Barn along the western side. Open space and parking areas exist within the curtilage of the structures and space is also available to the rear of the buildings. The property has a single driveway access to and from the High Street.

DESCRIPTION OF PROPOSAL: The proposal involves shorthold leasing (maximum of 6 months) of the Coach Barn. The structure has already been converted to a 2-bedroom annexe which has been used on a temporary basis for housing relatives, visitors and short-stay letting accommodation. The applicant has been advised that none of these uses/works required planning permission.

APPLICANT'S CASE: The applicant advises that ill-health does not allow her to utilise the property for short-stay accommodation. Therefore, a longer lease arrangement is sought. Parking and open space for the private letting of the Coach Barn is available adjacent to the structure.

RELEVANT HISTORY: Approval of change to fenestration on south-east elevation and insertion of three roof lights to north-western elevation in 1999. Objections were raised in relation to overlooking, however, planning assessment revealed that roof lights would only allow an upward view and would not overlook the adjacent property. Internal alterations were carried out to the Coach Barn, providing two bedrooms, bathroom, kitchen and living/dining room. No planning permission was required as the use of the Coach Barn was ancillary to the main dwelling house (being used by guests and family visiting). Correspondence with the owner advising no planning permission required for use of the Coach Barn as an annex for short-stay holiday lets for self-catering accommodation on a limited basis.

CONSULTATIONS: Specialist Design Advice: No objections as no new works are proposed.

PARISH COUNCIL COMMENTS: Oppose on the following grounds:

- Constitutes back-land development
- Additional traffic hazard sharing a constricted access
- No listed building application has been made
- Unauthorised use of the premises for occasional holiday letting.

REPRESENTATIONS: This application has been advertised and 2 representations (including 1 from the Stebbing Society) have been received. Period expired 14 October 2002.

The following comments have been raised:

- Proposal constitutes over development from increased use of driveway.
- Proposal would conflict with decision to refuse application for a new dwelling at the rear of Motts Cottage.
- Roof lights that were approved for the studio of the Coach Barn would create overlooking concerns if the barn was used as a separate dwelling.
- Use as a separate dwelling should not be permitted as neighbours have been assured that the studio would be for personal use ancillary to the dwelling.
- Applicant has changed uses without approval.
- There is already a barn conversion in the grounds and an additional dwelling would create a dangerous situation with 3 families using a single driveway to a street with limited sight lines.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would

- 1) be appropriate in the development limits (ADP Policy S1),
- 2) be satisfactory in relation to traffic and parking generation (ADP Policies T1 and T2 and DLP Policy GEN1) and
- 3) impact upon the amenity of the neighbouring residents (ADP Policy DC14 and DLP Policy GEN4).

1) The proposed use of the Coach Barn for assured shorthold tenancy would entail a lease of the barn (2-bedroom dwelling) for periods, usually up to 6 months. The application would not allow for separate letting of the Coach Barn as an individual residence, which would result in a total of 3 separate dwellings on the site, as the Coach Barn would be in addition to the main dwelling and a barn conversion at the rear. It is not considered that the proposed longer periods would represent a significant increase from the previous use of the Coach Barn for occasional short-stay holiday letting and use by the owner's visitors and families. Therefore, the proposal is considered acceptable within the built-up part of the village, subject to a condition preventing permanent separate occupation.

2) Inspection of the site revealed an electric gate which provides access to a common parking and turning area, while a large common open space area also exists between the buildings. It is considered that there is adequate parking for the 3 dwellings and sufficient manoeuvring area for entering and exiting the site in a forward direction. The gate at the entrance is set back from the footpath and has visibility splay which allows views either side along High Street. It is, therefore, considered that parking, ingress and egress to and from High Street is satisfactory from planning and safety viewpoints.

3) It is considered that adequate open space exists for the enjoyment of the 3 properties. There is no privacy issue associated with the roof lights in the Coach Barn due to their high sill height. No alterations to the form of the building is proposed and no overshadowing is associated with the proposal. Therefore, the proposal is unlikely to result in any amenity issues for surrounding properties.

COMMENTS ON REPRESENTATIONS: The proposal is different from the application which was refused at Motts Cottage as that involved the erection of a new 5-bedroom detached dwelling in the rear yard. No listed building application is necessary and the Conservation Officer has no objections. The other issues have been dealt with above.

CONCLUSION: While the above assessment indicates that the Coach Barn could function as a separate dwelling without undue detriment, subject to provision of amenity space, approval is now sought only to use the dwelling for short-term letting up to 6-month periods. The applicant also intends to ensure that the Coach Barn remains on the title of the main dwelling.

RECOMMENDATION: APPROVAL 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. The use hereby permitted shall be for short-stay private letting only. The maximum period that any person(s) may occupy the building shall be 6 months calculated from the first day of occupation. The planning authority shall be notified of all changes of occupancy. The accommodation shall not be permanently occupied as a separate dwelling.
REASON: To ensure the application is implemented in accordance with the proposed use and because no separate private amenity open space has been provided for residents.
4. C.11.5. Standard vehicle parking facilities.

Background papers: see application file.

UTT/1549/02/FUL – WIMBISH
(Referred at Officers' Discretion)

Erection of stables incorporating feed and tack area
Land opposite Villa Clemilla, Wimbish Green. GR/TL 607-353. Mr L R Eyers.
Case Officer: Hilary Lock 01799 510486
Expiry Date: 26/12/2002

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

DESCRIPTION OF SITE: The site is located in open countryside on the eastern edge of the scattered hamlet of Wimbish Green. It comprises a 1.5 ha (3.7 acres) field at the south-eastern corner of the junction of Top Road and Donkey Road, fenced to create two paddocks and a gallop area around the perimeter. Vehicular access onto Top Road is in the eastern corner. The site is adjacent to farmland and sporadic housing.

DESCRIPTION OF PROPOSAL: This is a revised proposal following an appeal in September this year. The Inspector allowed the change of use of the land for the recreational grazing of horses, but dismissed a stable block on size and design grounds. This revised proposal is to construct an 'L' shaped stable building in the north-western corner of the field. It would be 6m from the landscaped boundary with Donkey Road and 9m from the planting on the northern boundary (this is a revision from the south-western corner of the field previously proposed). The block would have a footprint of 30m x 6m and 10m x 6m, with a height of 6.57m (the dismissed scheme was 34m x 7.35m and 13m x 6.5m, with a height of 8.05m). As previously, it would be of oak frame construction, with handmade brick plinth and internal walls, with lime plaster panels. The roof would be handmade clay tiles. It would provide five stables, a feed room, tack room and foaling area. The previously proposed hay store and grooming area have been omitted. There would be openings to the front and rear of the stables. Native planting to boundaries has been ongoing since 1999. As previously, the stables would be for the keeping and breeding of the applicant's four Lipizzaner horses.

APPLICANT'S CASE: See applicant's letters dated 12 November and 9 December attached at end of report.

RELEVANT HISTORY: Change of use from agricultural to recreational grazing land and erection of stable block refused February 2002 on grounds of size and design. In September an appeal was allowed for the change of use of the land, but was dismissed in respect of the building. The key paragraphs of the Inspector's decision are as follows:

"8. There would be rear wall of 34m length along the side of the lane. Whilst the wall would be relieved by timber framing and limited openings, I consider the expanse of wall and roof to be out of character with the prevailing form of development in the vicinity. The building would be L shaped, but through being sited to face away from the road, I am of the opinion that the building would appear larger and to occupy a greater footprint from viewpoints to the south and west. The use of identical pitch and ridgeline on both legs of the L would, in my view, accentuate this blocky, rectangular appearance. The siting of the building would not, I consider, relate well to the existing domestic scale and style of buildings in the near vicinity and would appear to extend the built form along a considerable length of Donkey Road, presenting a hard urban edge to the presently rural lane.

9 Turning to the detailed design of the building, the appellant proposes the use of halved timbers, infill panels, gothic arches and decorated ridge tiles. The appellant refers to the architecture of a nearby church porch and Thaxted Guildhall. I have no doubt that it is

the intention to erect a building of quality that would also withstand the attentions of the horses, particularly the stallion. However, whilst I acknowledge the quality of the proposed materials and the intentions behind their choice, I find that the scale and proportions of the building do not suit this approach. The examples given of Essex vernacular design are in the order of 500 years old. ; they are of limited size and display the use of timber in two or three storey construction. The interpretation of this structural system into the proposed stables, a modern building sized to suit a particular requirement, would not, I consider, carry forward the same character or appearance. Rather, it appears to me that the building would look fussy and over-large for the chosen detailed design, and hence out of place in an open rural setting.”

CONSULTATIONS: Policy Advice: No policy objection to principle of erecting a stable building in this countryside location. It is, however, a large scheme and the well-being of horses will need to be considered against visual impact on surrounding area. Main concern is that in view of value of horses and use of stabling for foaling, applicants will apply for dwelling on site (as has happened at Martinside Stud, Great Hallingbury). Applicants should be made aware that erection of dwelling in this location would be contrary to policy. Would require very good landscaping scheme.

Drainage Advice: Unacceptable foul and surface water drainage proposals. Property downstream (“Joe on the Donkey”) is subject to flooding already and any additional discharge must be dealt with without increasing the flow in the ditch. Alternative proposals must be agreed in writing before construction.

PARISH COUNCIL COMMENTS: Object. See letter dated 4 December attached at end of report.

REPRESENTATIONS: This application has been advertised and 18 representations (3 from 1 person) have been received. Period expired 26 November. Revised periods expired 2 & 22 December, and 4 additional letters received (but not raising any new issues). Any additional representations received will be reported.

Objections: virtually same as previous building dismissed at appeal, and does not overcome findings of Inspector. Excessive size and scale. Misrepresented attempt to suggest infill plot. Query reduction in size as this was previously essential for welfare of horses. Despite changes building would dominate surroundings. Concerned at increased traffic and risk of accident to cyclists and walkers, pollution from traffic and animal waste, and quasi-commercial use of land. Scale, solidity and permanence of proposed development are wholly inconsistent with approved status of land for recreational grazing outside development limits. Use for increased equestrian activity would be wholly unsuitable in terms of residential amenity, pressure on limited local highway network and rural character and appearance of area. Proposed size and height far exceeds other properties in area. Inappropriate design relative to surrounding development. Contrary to PPG7, Structure and Local Plan policy. Inadequate drainage proposals for heavy clay subsoil. Repositioned stables would face north, which would provide poorest protection for horses from winds. Object to any development of Greenfield site. Out of keeping with residential nature of Wimbish Green. Alien design. Credibility gap between cost of proposals and intended use. Precedent. Would exacerbate existing flooding problems in area. Health risks. Noise, air and light pollution. Premature pending outcome of proposals for Stansted airport expansion. Proximity to residential property. Loss of agricultural land. No proven need for stabling as no horses grazed on site to date. Insufficient land area to support number of proposed horses. Would be difficult to resist future dwelling, or change of use to dwelling if business fails. Detailed letter from equestrian centre outlining why this site is inappropriate for proposals.

PLANNING CONSIDERATIONS:

The main issue is whether the proposal would overcome the reasons for the appeal dismissal and would be an acceptable form of development in the countryside (Annex F ‘Development Involving Horses’ to PPG7, ERSP Policies CS2, C5 & NR8, ADP Policies S2, C1, C4 & DC1, and DLP Policies S7, GEN2, GEN8, E3 & ENV4).

The principle of the use of the land for the grazing of horses has been accepted. The Inspector also accepted that the particular breed and needs of the applicants horses would require a building of the originally proposed height and footprint, and that it would be likely that purpose-built premises would be required rather than relying on conversion of existing buildings elsewhere in the District.

The proposed footprint and height have been reduced, but this would still be a significant and visually intrusive building in an open rural setting. The proposed design, materials and detailing have not changed significantly and would not overcome the Inspector’s concerns about the building’s inappropriateness in this location. The design is considered over elaborate for a rural equestrian building, and its scale and size would still be wholly out of keeping with the setting and general pattern of development in the area. Although the building has been reorientated on site, and moved to the corner at the junction of Top Road and Donkey Road, it would remain visually intrusive in the street scene. The proposal would not accord with either national or local planning policy.

COMMENTS ON REPRESENTATIONS: The Inspector stated that the previous proposal would not “*raise immediate concerns over traffic, flooding or any adverse effect on the living conditions of neighbouring residential occupiers. The plans of the appellant may not come to fruition, but the Council would have the opportunity to treat any future applications on their merits, and in the light of prevailing policy*”. It is not therefore considered that the development could be opposed on any basis other than its inappropriate form and impact in the countryside.

CONCLUSION: The proposal would not overcome the appeal dismissal reasons, and would remain an excessive and visually intrusive building of inappropriate design in this rural location. There are also drainage issues which remain to be resolved.

RECOMMENDATION: REFUSAL REASONS

1. The proposed stable building is considered unacceptable in this rural location by virtue of its excessive size, over-elaborate design, detailing and materials, and prominent siting, all of which would result in a building totally out of keeping with its rural setting, contrary to ERSP Policies CS2 and C5, ADP Policies S2, C4 and DC1, and DLP Policies S7, E3, GEN2, & GEN8. The proposal does not overcome the reasons for the dismissal of the scheme refused under UTT/1614/01/FUL, and would create an inappropriate development to the detriment of the rural character and appearance of the area.
2. Inadequate drainage, contrary to ADP Policies W1 & W2 and DLP Policies GEN3 & GEN6.

Background papers: see application file.

UTT/1564/02/FUL - SAFFRON WALDEN

(Referred at Member's request)

Two-storey rear extension. Additional window to first floor rear. Front porch. Conversion of garage

4 Fitzpiers. GR/TL 540-387. Mr J Hann.

Case Officer Geoffrey Lyon 01799 510458

Expiry Date: 26/12/2002

NOTATION: ADP and DLP: Within Development Limits and Conservation Area.

DESCRIPTION OF SITE: The site is located in the northern part of the town just within the Conservation Area. The property is a two-storey linked dwellinghouse and constructed utilising red brick, render and black stained feather-edged timber boarding. The rear of the property is predominantly cream rendered on a red brick plinth. Windows are single glazed and are of white painted timber. The existing garden was to the side of the property and approximately 60sq.m in size. The applicant is in ownership of the neighbouring Castle Hill Cottage. This has enabled the garden of 4 Fitzpiers to be enlarged following the removal of a wall and the pruning of trees adding an extra 100sq.m of garden area before the extension is constructed.

DESCRIPTION OF PROPOSAL: This is a revised application following negotiation with the applicant and agent. The proposal comprises several different elements: -

1. **Conversion of Garage and Covered Parking Area into Living Accommodation.**

This element seeks to remove the existing garage door and fill the space with two windows and matching brickwork to provide additional living accommodation of approximately 20sq.m. Window details were amended following Conservation Officer advice.

2. **Creation of Additional 3 No. Parking Spaces**

The spaces lost through the conversion of the garage and covered parking area will be provided on land adjacent to the site. This is within the ownership of the applicant and indicated as being within the red line of the application site. Three spaces are identified on the plan, each of which measures 2.4m wide x 5m long.

3. **Front Porch**

The applicant seeks to erect a porch measuring 3.25m x 1.3m. It would have a height to eaves of 2.4m and height to ridge of 3.5m. The porch would be cream rendered on a red brick plinth.

4. **Rear Two-Storey Extension**

The main element of the application is the erection of a two-storey rear extension. Originally the proposed extension was 0.6m from the side boundary with 'Wessex', Ashdon Road. Following representations from the resident of this property, the application has been amended to take the extension 1.8m from the side boundary with 'Wessex.' The rear extension is now longer by 1m than the original design. The extension would now project 5.5m from the rear of the house with a gable width of 5.5m. The smaller side gable projects 1.2m with a width of 2.4m. The rear extension

would have a height to eaves of 5m and a height to ridge of 8m. The smaller gable would have a height to eaves of 5m and a height to ridge of 6.8m. This would give the rear extension a volume of approximately 213 cu.m. The extension would be cream rendered on a plinth of red brick. The applicant has removed the existing wall running parallel with the property, which was below 2m in height and also has consent for works to trees in the rear garden formerly within Castle Hill Cottage.

CONSULTATIONS: Design Advice: The overall form of the extension would be in keeping with the general character of the Conservation Area and, subject to the use of matching materials and joinery details, would be acceptable. The proposed glazing of existing garage door opening is rather clumsy in relation to the proportions of other windows. Suggest the use of three narrower windows with brick piers between. Verbal advice regarding removal of wall within Conservation Area - as wall was below 2m in height, consent for demolition would not have been required and had it have been required, consent would almost certainly have been granted.

TOWN COUNCIL COMMENTS: No objection.

REPRESENTATIONS: This application has been advertised and 4 neighbours have been notified. Advertisement expired 29 November. Two letters of objection have been received from the same address.

Objections: The applicant has been undertaking preparation works for the proposed development over the last few months. A "listed" wall has been removed and works to trees have taken place. The proposed extension is very large, is close to our boundary and will overlook, overshadow and generally have an overbearing impact on our property. The plans are also inaccurate and show the proposed work being within 4 Fitzpiers when in fact it is within land belonging to Castle Hill Cottage. This extension should not be permitted.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would

- 1) represent over-development of the site in the Conservation Area (ADP Policies DC1 & DC2 and DLP Policies GEN2 & ENV1) and**
- 2) have a detrimental impact on surrounding neighbours (ADP Policies DC14 and DLP Policy GEN4).**

1) The proposed extensions would significantly increase the size of the dwelling from a modest 3-bedroom property into a spacious 4 bedroom house. Policy DC2 seeks to preserve or enhance the character or appearance of the Conservation Area. Design advice has indicated that the proposal is generally in keeping with the character of the surroundings and is therefore in line with policy recommendations. Following demolition of a wall which was not listed, the applicant has increased the size of the garden in order to accommodate the extension. It could be argued previously that the proposal represented over-development of the original site, but because the garden has now been increased in size, this is no longer the case.

2) Representations from residents in neighbouring 'Wessex' have indicated that the proposed extension would result in a loss of privacy and sunlight and have an overbearing impact on their property. The aspect of the site is such that this property lies to the southwest of the site. This means that the proposed rear extension in itself could not cause a material loss of sunlight or overshadowing of this property. It may be possible to suggest a loss of daylight, but the extension would be cream rendered, which would reflect light, and has now been set-back 1.8m from the side boundary with 'Wessex.' This set-back from the

boundary would help to reduce the impact of the extension. The set-back is almost twice the recommended distance from the boundary and therefore is deemed to be acceptable in this instance.

CONCLUSION: The applicant has amended the plans to overcome the concerns raised by the neighbour in terms of the close proximity of the extension to the side boundary. There is sufficient parking for the proposed development and materials would match with the existing property.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time Limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.5.2. Details of materials to be submitted and agreed.
- 4&5. Design requirements.
6. C.19.1. Avoidance of overlooking.
7. C.7.1. Slab levels to be submitted, agreed and implemented.

Background papers: see application file.

UTT/1660/02/DC - GREAT DUNMOW

(District Council application)

Change of use from Council Offices to B1 use (i.e. general office, research & development and light industrial process).

Council Offices, High Street. GR/TL 628-217. Uttlesford District Council.

Case Officer John Grayson 01799 510455

Expiry Date: 13/01/2003

NOTATION: ADP & DLP: Within Development Limits, Settlement Boundaries, Town Centre & Conservation Area/Adjoining Listed Building.

DESCRIPTION OF SITE: The site is located on the southwestern side of the High Street at its junction with New Street. It comprises the Council Offices with the listed front building and the modern rear extension. The associated car park is at the rear accessed via New Street.

DESCRIPTION OF PROPOSAL: It is proposed to change the use of the modern rear two-storey extension from local authority office use (professional services) to B1 use (general offices). The floorspace affected is about half of the existing total, i.e. some 500sq.m.

APPLICANT'S CASE: The proposed change of use is designed to allow for the re-occupation of the rear part of the building once the Planning Department has relocated to Saffron Walden.

RELEVANT HISTORY: Rear extension approved 1978.

CONSULTATIONS: Specialist Design Advice: No objections.

TOWN COUNCIL COMMENTS: Object to any light industrial use.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 19 December.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would materially affect

- 1) **the vitality or viability of the town centre (ADP Policies R1 & GD2 and DLP Policies RS1 & GD1),**
- 2) **the setting of the adjoining Listed Building or Conservation Area (ADP Policies DC2 & DC5 and DLP Policies ENV1 & ENV2) and**
- 3) **the car parking arrangements (ADP Policy T2 and DLP Policy GEN9).**

1) There would be no adverse effects on the commercial activity within the town centre because the change would not be material in terms of numbers of people employed on the premises. There would be a loss of 30 current staff, but the building could accommodate a similar number under a normal B1 office use. The retention of the CIC and a certain small number of Planning staff in the older building would ensure that there would continue to be visits from members of the public.

2) No external or internal changes are proposed to the fabric of either the modern rear extension or the Listed Building. The setting of the Listed Building and the character of the Conservation Area would remain as existing.

3) The car parking spaces to the north of the depot access would be retained with the building for the use of the new occupants, which would be sufficient for their needs. Visitors to the CIC and remaining staff would also continue to be able to park in this area.

COMMENTS ON REPRESENTATIONS: The Town Council's comments are appreciated and it is proposed to exclude the light industrial part of the B1 use as this would not be appropriate in this location.

CONCLUSION: There are no objections to this minor change of use.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plan.
3. C.6.1. Office use only, excluding future changes of use to light industrial.
4. C.11.2. Standard vehicle parking facilities.
5. C.25.3. Ban on Airport-related car parking.

Background papers: see application file.

UTT/1386/02/FUL - TAKELEY

Erection of 5 detached two-storey dwellings with garages, 1.8m boundary walls, associated landscaping. Widening of existing access
Land at Westbrook House and 1 Pincey Brook Cottages, The Street. GR/TL 548-212.
Mr & Mrs Humphreys & Mr & Mrs Sentag.
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 21/11/2002

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

DESCRIPTION OF SITE: The site is located on the southern side of the A120 at the eastern end of Takeley Street. It forms part of a former builders yard. There is one new dwelling on the western half of the frontage and the Flitch Way footpath to the rear. The site measures about 0.4 ha (1 acre).

DESCRIPTION OF PROPOSAL: It is proposed to erect a further five two-storey four-bedroomed houses, one in the frontage gap and four at the rear.

APPLICANT'S CASE: See agent's letters dated 18 September and 22 November attached at end of report.

RELEVANT HISTORY: One new dwelling approved on frontage in 2000.

CONSULTATIONS: ECC Transportation: Object to any occupation before new A120 opens.

Environment Agency: No objections subject to condition regarding control of surface water.

PARISH COUNCIL COMMENTS: Object to backland development.

REPRESENTATIONS: Three letters have been received. Notification period expired 24 October 2002.

1. CPREssex: Object. The layout of the site does not respect the grain of development in The Street, which is characterised by predominantly street frontage linear development whereas the application seeks to develop the depth of the site up to the rear boundary. There would be a significant increase in the number of vehicles using the access which would serve a total of 6 dwellings. This would be likely to result in traffic hazards and delays on the A120 prior to the opening of the new A120. The large increase in the number of dwellings would also tend to undermine the aim of reducing traffic flow and speeds on the old road once the new A120 is opened.

2. Concerns. Do not want the overall layout of Pincey Brook Cottages to change. The land at the bottom of the gardens floods. The sewer gets overloaded and raw sewage is forced onto the front gardens. The A120 at this point is a black spot and has been surfaced with anti-skid due to the large amount of accidents. More vehicles coming on and off the road would not improve the situation.

3. Support.

PLANNING CONSIDERATIONS:

The main issues are whether the proposal would -

- 1) be an appropriate form of development for this mainly backland site within Development Limits (ADP Policies S1, DC1 & H10 and DLP Policies GEN2 & H3) and
- 2) be premature in terms of highway safety pending the opening of the new A120 (ADP Policies T1 & AIR10 and DLP Policy GEN1).

1) The relevant Policies require new development to be in keeping with its surroundings and not to cause materially detrimental effects on neighbouring residents. The site is 78m deep and is capable of accommodating development in depth. The existing dwelling plot has a length of 45m and it is proposed to create a matching dwelling to the east. The four to the rear would be accessed via a private drive from the existing road. The only alternative would be to take access from the Bush End road to the west, but this would be over neighbouring property whose owner is unwilling to sell at this time. The backland would be sterilised if not developed comprehensively and it is considered that the layout proposed would be acceptable. Other backland to the east would be able to be accessed from this drive in the future if required and the adjoining land to the west has a frontage to the Bush End road. Although the general grain of Takeley Street is frontage development, the four dwellings to the rear would not be particularly prominent and would not materially affect this character.

The dwelling on plot 1 should be brought forward on its plot to increase the distance from plot 3 to the rear, in order to reduce overlooking and to reinforce this frontage development. The dwelling on plot 3 should be of a different house type to omit the front projection, again to reduce overlooking into the rear garden of plot 1. The sizes and designs of the dwellings would be in keeping with this part of the village.

2) The relevant Policies require that there should be not be a significant amount of additional traffic movements onto and off the existing A120 until the new one is open. It is suggested that a Grampian condition be imposed preventing any start on implementing the permission until that occurs. As that event is now only a year away, such a restriction would be reasonable.

COMMENTS ON REPRESENTATIONS: The only issue not covered above is drainage, which is required to be provided by conditions.

CONCLUSION: The proposed redevelopment of this brownfield site is appropriate, subject to restrictions.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement
2. C.3.1. To be implemented in accordance with approved plans (except condition 16)
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.5.2. Details of materials to be submitted agreed and implemented
6. C.6.4. Excluding extensions without further permission
7. C.7.1. Slab levels to be submitted, agreed and implemented
8. C.8.13. Restriction on hours of deliveries and construction: 0800 – 1800 Monday – Friday, 0900 – 1300 Saturday, not at all on Sundays or Bank & Public Holidays
9. C.8.27. Drainage details to be submitted, agreed and implemented
10. Surface water source control measures to be submitted, agreed and implemented

11. No development shall be commenced on site (except in relation to condition 15) until a) details of the proposed access have been submitted to and approved in writing by the local planning authority and b) the new A120 has been opened to the public.
REASON: in the interests of highway safety.
12. C.11.5. Standard parking requirements.
13. C.6.7. Excluding conversions of garages.
14. C.12.1. Boundary screening requirements.
15. C.16.1. Watching archaeological brief.
16. C.17.1. Revised plan required showing dwelling on plot 1 moved forward (north) 7.5m and dwelling on plot 3 having a different house type avoiding front projection
17. Commencement of implementation of this permission shall completely supersede the previous commercial and industrial uses on the site.
REASON: In the interests of the amenities of future residents.
18. C 25.3. Ban on Airport-related car parking.

Background papers: see application file.
