

**PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 3 FEBRUARY 2003**

APPL NO: **UTT/0841/02/FUL**  
PARISH: **GREAT HALLINGBURY**  
DEVELOPMENT: Conversion and additions to two barns to form 12 units of bed & breakfast accommodation.  
APPLICANT: Ms Hoare & Mr Leyth  
LOCATION: Yew Tree Farm House, Tile Kiln Green.  
D.C. CTTE: 13 January 2003 (Page 12)  
REMARKS: Deferred for Members' Site Visit  
**RECOMMENDATION: Refusal**  
*Case Officer: Anthony Betros 01799 510471*  
Expiry Date: 08 August 2002

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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 to Swards End  
**RECOMMENDATION: Approval with conditions**  
*Case Officer: Hilary Lock 01799 510486*  
Expiry Date: 02/10/2002

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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 negotiations regarding the number of dwellings and their layout.  
**RECOMMENDATION: Refusal**  
*Case Officer: Michael Ovenden 01799 510476*  
Expiry Date: 03 October 2002

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APPL NO: **UTT/1247/02/FUL**  
PARISH: **STEBBING**  
DEVELOPMENT: To use 'The Coach Barn' for assured shorthold tenancy  
APPLICANT: M B Rich-Jones  
LOCATION: Coach House, High Street.  
D.C. CTTE: 13 January 2003 (Page 25)  
REMARKS: Deferred to be reconsider description of development  
and discuss with applicant.  
**RECOMMENDATION: To be reported**  
*Case Officer: Anthony Betros 01799 510471*  
Expiry Date: 18 October 2002

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APPL NO: **UTT/1386/02/FUL**  
PARISH: **TAKELEY**  
DEVELOPMENT: Erection of 5 detached two-storey dwellings with  
garages, 1.8m boundary walls, associated landscaping.  
Widening of existing access.  
APPLICANT: Mr & Mrs Humphreys & Mr & Mrs Sentag  
LOCATION: Land at Westbrook House and 1 Pincey Brook Cottages,  
The Street.  
D.C. CTTE: 13 January 2003 (Page 48)  
REMARKS: Deferred for Members' Site Visit  
**RECOMMENDATION: Approval with conditions**  
*Case Officer: Michael Ovenden 01799 510476*  
Expiry Date: 21 November 2002

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APPL NO: **UTT/1549/02/FUL**  
PARISH: **WIMBISH**  
DEVELOPMENT: Erection of stables incorporating feed and tack area.  
APPLICANT: Mr L R Eyers  
LOCATION: Land opposite Villa Clemilla, Wimbish Green.  
D.C. CTTE: 13 January 2003 (Page 29)  
REMARKS: Deferred for Members' Site Visit  
**RECOMMENDATION: Refusal**  
*Case Officer: Hilary Lock 01799 510486*  
Expiry Date: 26 December 2002

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APPL NO: **UTT/1564/02/FUL**  
PARISH: **SAFFRON WALDEN**  
DEVELOPMENT: Two-storey rear extension. Additional window to first floor  
rear. Front porch. Conversion of garage.  
APPLICANT: Mr J Hann  
LOCATION: 4 Fitzpiers.  
D.C. CTTE: 13 January 2003 (Page 41)  
REMARKS: Deferred for Members' Site Visit  
**RECOMMENDATION: Approval with conditions**  
*Case Officer: Geoffrey Lyon 01799 510458*  
Expiry Date: 26 December 2002

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## UTT/1729/02/FUL - SAFFRON WALDEN

Variation of condition 12 of planning permission UTT/1117/00/FUL (granted on appeal) to enable occupation of up to 35 dwellings prior to completion of on-street parking area. Land adjacent to Printpack Europe Ltd, Radwinter Road. GR/TL 549-383. Fairview New Homes Ltd

Case Officer: Geoff Lyon 01799 510458

Expiry Date: 31/01/2003

**NOTATION:** ADP and DLP: Within Development Limits of Saffron Walden.

**DESCRIPTION OF SITE:** The site is located on the southern side of Radwinter Road on the eastern side of Saffron Walden. This application is in association with the construction of 80 residential units approved appeal on land adjacent to Printpack Europe Ltd.

**DESCRIPTION OF PROPOSAL:** This application is for the variation of Condition 12 of the planning permission granted on appeal for 76 dwellings on land east of Prinpack Europe Ltd. The condition stated that:

**“No dwelling shall be occupied until an on-street parking area has been provided along the northern side of Radwinter Road between numbers 11 and 53, together with appropriate signing and white lining. The on-street parking area as installed shall be in accordance with drawing F174/10B unless otherwise agreed in writing with the Local Planning Authority”.**

The relevant drawing shows a 2m wide lay-by with tapered road markings, allowing carriageway widths of 3m in each direction. In this particular application Fairview seek to enable occupation of up to 35 dwellings prior to completion of the on-street parking area as required under Condition 12.

**APPLICANT'S CASE:** See letter dated 26 November 2002 attached at end of report.

**RELEVANT HISTORY:** Erection of 76 dwellings, associated parking and new vehicular access allowed on appeal in 2001 subject to a number of conditions, including the carrying out of a scheme of off-site highway works specifically identified in plans submitted as part of the application. The required works were:

1. traffic management measures at the Radwinter Road/Thaxted Road junction,
2. the construction of the lay-by, which is the subject of this application and
3. construction of a signal controlled junction at the new access to the site opposite Elizabeth Way.

Items 1) and 3) are not affected by this application and have been implemented by the applicant. In May 2002 an application to remove condition 12 of the proposal allowed on appeal was refused by the council for reasons of detriment to highway and pedestrian safety. In November 2002 enforcement action was agreed if more than 17 dwellings were occupied before the highway works were completed.

**CONSULTATIONS:** Essex County Transportation – Recommendation of Refusal – This proposal, if permitted would be likely to result in conditions of danger and obstruction to the free flow of traffic on Radwinter Road, B1053 to the detriment of highway safety.

**TOWN COUNCIL COMMENTS:** To be reported. (due 9 January).

**REPRESENTATIONS:** This application has been advertised with both press and site notices and 101 neighbours have been notified. Advertisement expired 9<sup>th</sup> January 2003. Four letters of objection have been received.

Objections: Radwinter Road is already suffering from severe congestion and works to widen the road are already under way. A further 35 dwellings and their associated residents would

only make the situation far worse than it already is. Therefore the developer should adhere to the conditions set out by the Inspector.

**PLANNING CONSIDERATIONS: The main issue is whether the proposed variation of Condition 12 to allow the occupation of 35 dwellings prior to the completion of the off-site highway works would have a detrimental effect on highway safety (ADP Policy T1 and DLP Policy GEN1.)**

The merits of the proposed off-site highway works are not relevant to this particular application. However, the key point for discussion is whether it would be appropriate to allow the occupation of 35 dwellings prior to the full completion of the highway works specified under Condition 12 of the original consent. The purpose of the highway works is to improve vehicle and pedestrian safety along Radwinter Road near to the junction with Elizabeth Way. The lay-by and widened Radwinter Road will remove cars parked half-on and half-off of the road and provide much needed residents' parking facilities. This will improve both the through-flow of vehicles along this stretch of road and improve the ease of pedestrian and wheelchair/pushchair access.

The developers have already been in breach of Condition 12 with several properties already occupied within the completed sections of the site. The Council have been made aware of this and recommended that enforcement action be taken if more than 17 dwellings are occupied. Clearly then, to allow a further 18 dwellings to be occupied prior to completion of off-site highway works would seriously question the reason for the original condition as set-out by the planning Inspector. This would be to the detriment of vehicular and pedestrian safety and harm the amenities of local residents living along Radwinter Road.

**CONCLUSION:** By not completing the off-site highway works prior to the commencement of occupation of the residential units, there would be a conflict between parked vehicles, passing vehicles and pedestrians along this section of Radwinter Road, which would be to the detriment of highway safety and affect the amenity of local residents living outside of the proposed development site.

**RECOMMENDATION: REFUSAL REASON**

It is the Policy of the Adopted Uttlesford District Plan (Policy T1) and the Revised Deposit Draft (Policy GEN1) to ensure that proposed development does not compromise road safety and result in detrimental impact to cyclists, pedestrians and people whose mobility is impaired. In this instance, the proposed occupation of half of the dwellings allowed on appeal prior to the completion of the off-site highway works stated under Condition 12 of the original planning consent would, by way of the additional through-flow of traffic, compromise road safety along this section of Radwinter Road and result in a conflict between road users, cyclists, pedestrians and people whose mobility is impaired. This would be to the detriment of highway safety and the amenity of local residents, contrary to the above stated policies.

*Background papers: see application file.*

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**UTT/1592/02/FUL – ELMDON**

Conversion and extension of outbuilding to form separate dwelling.  
The Coachhouse, Elmdonbury. GR/TL 460-399. Mr N & Mrs F Pearson  
*Case Officer: Geoff Lyon 01799 510458*  
Expiry Date: 03/01/2003

**NOTATION:** Outside Settlement limits/Within Conservation Area & 100m of Ancient Monument.

**DESCRIPTION OF SITE:** The site is located just beyond the northern edge of the village. The building forms part of a group of farm buildings at Elmdonbury, including 2 dwellings. It is currently in use as a residential annexe to Elmdonbury.

**DESCRIPTION OF PROPOSAL:** It is proposed to convert this annexe into a permanent separate dwelling with alterations.

**CONSULTATIONS:** Design Advice – Informal Advice regarding design of development including sketch alternative submitted to applicant to enable revised scheme to be submitted.

**PARISH COUNCIL COMMENTS:** To be reported (due 20 January)

**REPRESENTATIONS:** This application has been advertised locally with press and site notices and three neighbour notifications. Notification expired 05 December 2002. No objections have been received.

**The main issue is whether the proposed conversion would be appropriate within the Conservation Area (ADP Policy C6 & DLP Policy).**

**PLANNING CONSIDERATIONS: The main issue is whether the proposed conversion would be appropriate within the Conservation Area (ADP Policy C6 & DLP Policy H5).**

The applicant seeks to convert the existing freestanding building, which is an annexe to Elmdonbury, into a detached residential dwelling. Policy C6 of the Adopted District Local Plan states that *'The conversion for residential purposes of rural buildings in sound structural condition which through their historic, traditional or vernacular form enhance the character and appearance of rural areas will normally be permitted.'* The policy then goes on to say that *'Works of adaption should respect and conserve the characteristics of the building...substantial building reconstructions or extensions will not be permitted'.*

The property in question is unique in appearance and has been adapted and altered over time to suit the needs of the owners. The building is very tall and narrow with a mansard roof. There are numerous windows and openings to the south elevation including a hayloft, an arch head window and two double garage doors, one of which has been partially bricked-up and a window inserted.

The proposed development seeks the demolition of two existing ground floor lean-to extensions and the placing of a new extension measuring 4.75m long and 5.2m wide at the western end. This new extension would be pitched with a height to eaves of 2.1m and a height to ridge of 4.7m. The external materials of this extension would be black-tarred boarding with a pan-tiled roof & including a kitchen and cloakroom. There are also some proposed alterations to the southern elevation, including new windows in the former garage openings and a new door below the former hayloft. The hayloft opening would be glazed and a new window inserted at first-floor level.

In the east elevation there are two new windows to be inserted, one of which, at first floor, is an existing window from below the hayloft. In the northern elevation, there would be five new windows, two at ground floor level, one at first floor-level and two roof lights at second floor-level. The roof lights would be of the conservation type. Also on the northern elevation, the existing roofing material on the lower section of the roof would be replaced with matching peg-tiles as on the southern elevation. There is a detached garage to the south of the property, which would be used for the parking of vehicles. There is already adequate turning and parking space for a property of this size and access to the site is shared with four other dwellings. There is substantial natural screening in place around the site, adding to the character and interest of the property.

**Conclusion:** The proposed changes would be sympathetic in nature and should retain the character and charm of the existing building. The use of conditions should ensure that any changes and new materials used would be appropriate in relation to the local vernacular.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development
2. C.3.3. To be implemented in accordance with original and revised plans
3. C.5.1. Samples of materials to be submitted and agreed
4. The lower roof section of the mansard roof to the northern elevation shall be clad using second-hand hand-made clay plain tiles to match those used on the southern elevation.  
REASON: To ensure that appropriate materials are used for the approved works.
5. C.5.6. Clay pantiles
6. C.5.7. Window details
7. C.5.8. Joinery details
8. C.5.9. Stained wood
9. C.5.13. Historic brick bonding
10. C.5.14. Black rainwater goods
11. C.5.17. Window & door details and sections to be submitted and agreed
12. C.6.4. Excluding extensions without further permission
13. C.4.1. Scheme of landscaping to be submitted and agreed
14. C.4.2. Implementation of landscaping
15. Details regarding proposed boundary fencing including its height and appearance shall be submitted to and approved in writing by the planning authority prior to the commencement of any development.  
REASON: Insufficient information was submitted with the application & in the interests of protecting neighbours' amenity.

*Background papers: see application file.*

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**UTT/0004/03/FUL - WICKEN BONHUNT**

Conversion of barn to form two-storey dwelling with new pitched roof.  
Barn at Wicken Hall. GR/TL 498-333. G Clanford  
*Case Officer: Michelle Guppy 01799 510477*  
Expiry Date: 03/03/2003

**NOTATION:** UDP: Outside Development Limits Within Area of Special Landscape Value  
DLP: Outside Settlement Boundaries

**DESCRIPTION OF SITE:** The site is located to the north of the main road running through the village behind 'The Coach & Horses' Public House. The barn is one section of a multi-bay structure which has lost its original roof and been replaced with a monopitch. The site lies among a cluster of barns, some of which have been converted to residential properties and some of which remain as stabling.

**DESCRIPTION OF PROPOSAL:** This resubmitted application relates to an unlisted former agricultural barn within the curtilage of a listed barn which has been converted into three dwellings. The application is to convert the barn into a two storey dwelling. The revised access is to be from the north east. The shallow monopitched roof would be replaced by a pitched roof of traditional proportions.

**APPLICANT'S CASE:** See agents letter dated 24/12/02. Copy attached.

**RELEVANT HISTORY:** Various refusals from 1984 and dismissed appeals on grounds of over development and effect of traffic on neighbours in 1984 & 1989 (Permission granted for residential conversion of other barns in 1991 and renewed in 1996 and 2001. Approval granted in 1991 as the applicant had overcome the Inspectors' concerns by amending the access arrangements. Refusal for residential conversion in 1998 & 2000 on grounds of effect of traffic on neighbours. These schemes reverted to the access previously dismissed on appeal).

**CONSULTATIONS:** Design Advice: No objections

**PARISH COUNCIL COMMENTS:** None received (due 5 February 2003)

**REPRESENTATIONS:** This application has been advertised and any representations will be reported. Period expires 3 February 2003.

**PLANNING CONSIDERATIONS:** The main issues are whether the proposal

- 1) complies with the criteria for barn conversions to residential (ADP Policy C6 & DLP Policy H5),
- 2) would safeguard the residential amenity of neighbouring properties (ADP Policy DC14 & DLP Policy GEN4) and
- 3) would overcome the previous reasons for refusal.

- 1) The acceptance in principle of the conversion of this barn to residential was accepted by the appeal inspector in 1990 who stated that there was no overriding policy objection to the residential conversion of the barn, which makes an important contribution to the visual enclosure and courtyard character of the group, which would be lost if it were to be removed. Policy C6 requires that buildings should not be reconstructed or extended, which can be conditioned and should respect and conserve the characteristics of the building. Permission for residential conversion granted with conditions in August 2001, with proposed access was from the south of the group of barns.

- 2) The addition of a pitched roof would not cause overshadowing of neighbouring properties due to the orientation of the buildings. The proposal would not result in any unreasonable overlooking of neighbouring properties. The issue of disturbance from vehicle manoeuvring is dealt with under point 3 (below).
- 3) It is considered that due to the courtyard location of the barn the proposal provides for adequate amenity space. Any issue of doors and windows opening over land not in the applicants ownership has not been overcome by the proposed plans, but the door can be conditioned out as sufficient alternative exits are included in the proposal and the windows could be conditioned to be inward opening. Parking and manoeuvring of vehicles has been provided on the application site. This should enable the occupants to manoeuvre their vehicles without disturbing the amenity of neighbouring properties.

**CONCLUSION:** The principal of conversion has been accepted and previous reasons for refusal have now been overcome.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.5.1. Samples of materials to be submitted and agreed
6. C.5.7. Window details
7. C.5.9. Stained wood
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
9. C.6.14. Restriction on rebuilding
10. C.11.6. Standard Vehicle Parking Facilities
11. C.17.1. Revised plan required
12. No development shall take place until details of the wall marked 'B', gate marked 'C' and carport shown on the approved plans have been submitted to and agreed in writing by the local planning authority.  
REASON: The submitted plans do not include elevation details of these structures. To conserve and enhance the character and appearance and setting of the group of barns.

*Background papers: see application file.*

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## UTT/1589/02/FUL - LITTLEBURY

Erection of detached house and open fronted garage.  
Plot two (Minsmere), Wadmans Builders Yard, Catmere End. GR/TL 490-395. Hertlands Dev Ltd.

*Case Officer: Karen Hollitt 01799 510495*

Expiry Date: 03/01/2003

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

**DESCRIPTION OF SITE:** This site is located at the western end of Catmere End within a small group of houses in open countryside. There is currently a bungalow on the site, for which outline planning permission has been granted for its replacement. There is a small two-storey cottage to the east and the disused builder's yard to the west, for which outline planning permission has been granted for a dwelling. The dwelling for the adjoining plot one is the subject of a separate application, which has been refused under delegated powers as being too large and out of character with the area.

**DESCRIPTION OF PROPOSAL:** This detailed application is for a replacement dwelling (the application cannot be considered as a reserved matters proposal because the site does not relate to the whole site for which outline planning permission has been granted). The proposal relates to the erection of a two-storey dwelling with a ground floor area of 111 sq m (measured externally), a slight increase from the 102 sq m of the original dwelling. It is proposed that the building would have a ridge height of 6.5m, being a chalet-style dwelling, similar in character to several properties in this group of dwellings.

**APPLICANT'S CASE:** This proposed dwelling would have a reduced ridge height to reflect the adjoining properties, but would step up towards the new house on the corner plot (no.1).

**RELEVANT HISTORY:** Outline planning permission was granted in 2001 for a replacement dwelling on this site, together with another dwelling to replace the builder's yard on the adjoining site.

**PARISH COUNCIL COMMENTS:** Sensitivity of the site is paramount, it is very exposed, making it visible from miles around. Materials used must be sympathetic to C17 cottages in this area. Height should be lowered in order for it not to exceed the height of other dwellings in the vicinity.

**REPRESENTATIONS:** Four. Notification period expired 5 December 2002.

- 1) No objections, but would appreciate if dwelling could be kept as far as possible from my property. Would be an advantage if they could be kept as low as possible to fit in with adjoining properties.
- 2) Height of proposed dwellings should not exceed the height of the properties in the immediate vicinity. Like guarantee that no more than one dwelling would be built on each plot.
- 3) No objections to change of use and erection of dwellings on this site, but ask for confirmation that only 2 dwellings will be approved in total. It should have a sympathetic roof height.
- 4) A more individual approach to each property would result in a more appropriate and attractive development.

**PLANNING CONSIDERATIONS: The main issues are whether the proposed dwelling**

- 1) **would be a suitable replacement (ADP H8 & DLP H6) and**
- 2) **whether it would accord with the design criteria (ADP Policy DC1 (Design of Development), T1 (General Highway Considerations) and DC14 (General Amenity) and DLP Policies GEN2, GEN1 and GEN4.)**

- 1) The general grain of development for this area comprises a mixture of house types including bungalows, two-storey cottages and a large two-storey property to the north of the site. A 1½ storey detached dwelling as proposed would be in scale with these other properties. The rural characteristics of this countryside setting would not be adversely affected and the criteria of the policies would be met.
- 2) The proposed layout would accord with operative published standards in terms of relationship with neighbouring properties, access, parking and garden spaces, all of which would be satisfactory. The design of the dwelling is considered to be acceptable in this location of mixed development. No overlooking or overshadowing issues would be raised by the proposed development. The impact of the proposed development would be less than that of the current dwelling on the site to the east and would represent an improvement to the residential amenity of the occupiers of that property.

**COMMENTS ON REPRESENTATIONS:** 1) The dwelling on this plot would be located 2m from the side boundary, with the majority of the bulk of the dwelling now being approximately 9m from the boundary, rather than 1.2m as at present. The ridge height has been kept down to 6.5m to be keeping with existing properties.  
2&3) Only one dwelling is applied for on each plot.

**CONCLUSION:** It is considered that this dwelling meets the criteria for replacements and its design would be suitable in this location.

**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. Landscaping requirements
- 4. C.4.2. Implementation of landscaping
- 5. C.10.7. Standard highway requirement (visibility splays)
- 6. C.11.7. Standard vehicle parking facilities
- 7. C.5.1. Samples of materials to be submitted and approved
- 8. C.23. Demolition of existing dwelling
- 9. Within one month of the demolition of the dwelling, the side wall to the remaining half of the former semi-detached pair shall have been made good in accordance with details which shall previously have been submitted to and agreed in writing with the local planning authority.  
REASON: To protect neighbouring amenity.
- 10. C.6.4. Excluding permitted development rights of extension
- 11. C.7.1. Slab levels to be submitted and agreed.

*Background papers: see application file.*

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**UTT/1522/02/FUL – CHRISHALL**

Erection of replacement dwelling  
The Stables Broad Green. GR/TL 442-395. M Holloway  
*Case Officer: Karen Hollitt 01799 510495*  
Expiry Date: 16/12/2002

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

**DESCRIPTION OF SITE:** The site is located within Broad Green, a hamlet to the west of Chrishall. It is located at the end of an access track to Springfield's and Camps Cottage, which also serves as a Public Footpath. The site is occupied by a series of single storey buildings, which comprise a horse yard. The main buildings are located around a central courtyard and consist of a residential unit (recently granted a Certificate of Lawfulness) and two wings of horse loose boxes.

**DESCRIPTION OF PROPOSAL:** The application is for the erection of a replacement dwelling. The existing dwelling has a depth of 3.m and it is proposed that the new dwelling would have a depth of 6.6m. In addition, the proposed replacement dwelling would have a central two storey element.

**APPLICANT'S CASE:** Proposals have been significantly reduced following consultation, by the removal of two thirds of the proposed first floor. Existing development is of poor quality and contributes little to the environment. The new dwelling will be a significant improvement, and its scale is smaller than the surrounding buildings, particularly the new building on the adjacent plot. Calculate the gross internal floor area to be 171 sq m, which is modest by present day standards.

**RELEVANT HISTORY:** A Certificate of Lawfulness was granted in July 2002 for the residential occupation of part of the stable building.

**PARISH COUNCIL COMMENTS:** No fundamental opposition. Concerned that this site was recently the subject of a retrospective application for change of use from stables to residential dwelling. Parish Council views the current application as an example of creeping development by stealth and would be opposed to any further development at this site.

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

**PLANNING CONSIDERATIONS:** **The main issue is whether this proposed dwelling would meet the criteria relating to replacement dwellings (ADP Policy H8 and DLP Policy H6).**

The proposal relates to the replacement of an existing dwelling having a floor area of approximately 100 sq m (measured externally) with a new dwelling having a floor area of approximately 205 sq m (measured externally), including a first-floor element to the middle of the structure. Whilst this would be a significant increase in floor area, a precedent has been set with the granting of planning permission for a replacement barn with a CL at Stonebridge Farm, Hatfield Heath. In this instance the original building had a floor area of 90 sq m and a replacement dwelling having a floor area of 208 sq m was approved by Members in August 2002. In the Hatfield Heath case the building was in a prominent road frontage position, within the Green Belt.

In the current case the dwelling is in a backland location and would only be visible from the public footpath running up to the site. It would present a visual improvement to the local amenity, particularly as the existing dwelling has been provided within a converted stable

building. The proposed dwelling would not appear out of character with the surrounding area as the adjoining dwellings are predominantly two storey.

**CONCLUSION:** On balance, it is considered that this application should be approved.

**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.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission (including extensions)
4. C.5.1. Samples of materials to be submitted and agreed
5. The use of the dwelling hereby permitted shall remain ancillary to the stables on the site, known as The Stables, Broad Green, Chrishall, outlined in red on the approved drawing, and shall not become a separate or dominant use at any time without the prior written permission of the local planning authority.

REASON: To avoid disturbance to future independent occupants.

6. C.23. Demolition of existing dwelling
7. C.4.1. Landscaping scheme to be agreed
8. C.4.2. Implementation of landscaping
9. C.7.1. Slab levels to be submitted and agreed
10. C.11.7. Car Parking to be provided.

*Background papers: see application file.*

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**UTT/1629/02/FUL - GREAT CANFIELD**

Demolition of existing bungalow dwelling, erection of replacement chalet dwelling and detached garage with studio above.

Boxley, Green Street. GR/TL 575-188. Foxley Builders Ltd.

Case Officer: Anthony Betros 01799 510471

Expiry Date: 23/01/2003

**NOTATION:** Outside development limits.

**DESCRIPTION OF SITE:** The site is located in open countryside between Gt Canfield and Takeley. The existing bungalow has a footprint of 119 sqm and ridge height of 5.5m.

**DESCRIPTION OF PROPOSAL:** The bungalow would be replaced by a 1.5 storey chalet – style dwelling and garage totalling 174 sqm (132 for dwelling and 42 for the garage).

**APPLICANT’S CASE:** See agents’ letter dated 8 November 2002 attached at end of report.

**PARISH COUNCIL COMMENTS:** Concern was expressed that the demolition of the existing building and replacement with a chalet-style property with a detached garage might allow the garage at some future point to be converted to further residential accommodation.

**REPRESENTATIONS:** None. Notification period expired 20 January.

**PLANNING CONSIDERATIONS:** The main issue is whether this proposed dwelling would meet the criteria relating to replacement dwellings (ADP Policy H8 and DLP Policy H6).

The proposal involves demolition of a single storey bungalow an outbuilding with a 1.5 storey chalet dwelling. It would result in a reasonable increase in terms of building siting, height, bulk and footprint. The design is considered to be an improvement to the existing dwelling while existing and future landscaping would further assist the screening of the site. The dwelling is typical of the scale and design of dwellings in the locality, without creating any harmful amenity impacts. Adequate parking and open space is to be provided. A condition will be imposed to prohibit the garage to be used as a separate dwelling.

**CONCLUSION:** The proposal meets the Replacement Dwelling criteria.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.6.3. Excluding Permitted Development extensions and erection of freestanding buildings without further permission
6. C.23. Demolition of existing dwelling
7. The garage or studio shall be used only for the parking of vehicles.

REASON: The site lies within an area where permission for new dwellings is not normally granted and the local planning authority would not be prepared to permit a second dwelling in this location.

*Background papers: see application file.*

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## UTT/1429/02/FUL – THAXTED

Two-storey dwelling with detached double garage. Improvement to existing access to replace all commercial buildings and activity.

The Ironyard, Cutlers Green. GR/TL 598-307. Mr P Skellern.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 29/11/2002

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

**DESCRIPTION OF SITE:** The site is located on the northern side of a Class III road approximately 1.5km west of Thaxted which leads to Debden. It is surrounded by a group of seven houses. There is currently access to the site from the drive serving five of the houses but also direct onto the main road. It comprises two timber buildings towards the rear of the site, a portable building and some open storage, but the majority of the site is grassland.

**DESCRIPTION OF PROPOSAL:** It is proposed to replace all commercial buildings on the site with a detached house and double garage towards the rear of the site. The four-bedroom house would have a footprint of approximately 138 sqm. It would be 8.3m high (plus chimneys). Materials are not specified. The existing vehicular access would be closed and replaced with hedge planting. The internal unauthorised track would be removed and the land would become garden area. Vehicular access would be from the existing access serving the five dwellings to the east. Additional planting is proposed to all boundaries.

**APPLICANT'S CASE:** see agent's supporting statement and letter dated 6 January attached.

**RELEVANT HISTORY:** Outline applications for erection of dwelling refused 1979, 1982, 1984 (dismissed at appeal), & 1993 (also dismissed). Retention of timber framed building granted 1981. Certificate of Lawful use of building and land for commercial storage refused 1996, and for use of building for Class B8 storage refused 1998 but allowed at appeal. Application to remove existing buildings and erect 3 houses and garages, with alterations to access refused 2000, and for erection of 1 house refused February 2001. An enforcement notice was issued earlier this year against the unauthorised widening of the access, the construction of a service track within the site, the enlargement of the hardstanding beyond the area permitted by the Certificate of Lawfulness, the siting of a contractor's unit and its use as offices, and the change of use of land for the external storage of articulated lorry trailers and other items. An appeal has recently been dismissed and the enforcement notice requires the removal of the access, track, contractors unit and trailers, all within two and three months.

**CONSULTATIONS:** Environment Agency: suggest site is subject to a detailed scheme for the investigation and recording of contamination and a report submitted together with detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless of such contamination as may be found.

**PARISH COUNCIL COMMENTS:** No objection. Development could be 'planning gain' and therefore an exception to normal rules regarding building outside development limits. Application must include whole of site within curtilage of proposed dwelling.

**REPRESENTATIONS:** Three. Notification period expired 25 October.

1. CPREssex – object as contrary to Policies S2 & H6. The existing buildings on site are low key and the unkempt condition of the site should not warrant a new dwelling. This would not be an infill site as it would have an adverse effect on the character and appearance of the

countryside. Past applications for this site have been refused and dismissed at appeal, and there has been no change in circumstances to warrant approval.

2. Query the location of proposed drainage to the development.

3. Proposal is best opportunity for bringing harmony to on-going situation with The Ironyard.

If permission is not granted site will continue to be used as commercial base, with 24-hour access. Understand applicant's need to increase commercial activity but would have adverse impact on residential amenity, safety and rural location. Acceptable size, design and location of proposed dwelling.

**PLANNING CONSIDERATIONS: The main issues are whether the replacement of existing buildings on the site with a single dwelling would**

1) **accord with planning policy for development in the countryside (ERSP Policies C5 & CS2, ADP Policies S2 & H6, and DLP Policy S7) and**

2) **be a planning gain of sufficient weight to override established policy.**

1) The site is outside any development limits and construction of a dwelling would be contrary to established policy. The proposal would not accord with any of the exceptions listed in Policy S2. The site is not considered to be infill as it does not constitute a small plot, but would instead serve to consolidate existing sporadic development in the countryside.

2) The Lawful Development Certificate for this site is confined to an existing timber building at the rear of the site and an adjacent hardstanding. The contractors unit and trailers are unauthorised and their removal upheld by the appeal Inspector. Although the applicant has indicated that more intensive use could be made of the lawful building and hardstanding, it is considered that the limited size of the authorised area would significantly restrict the level of activity which could be generated at this site. The Inspector accepted that the overall application site has been used for open storage for over ten years and that element is immune from enforcement action. There may, therefore, be the potential for more open storage on the site, but it is considered that the location and size of the site would limit the type of storage which would likely take place (the appeal decision would prohibit storage of vehicles). It is not considered that either the existing or potential level of activity or the appearance of the site would be so harmful to residential amenity or the character and appearance of the countryside to warrant approval of the application. The improvements to the access to the site are not of such significant planning gain to warrant approval of this scheme.

In dismissing the appeal, the Inspector commented that the addition of the portable contractors' unit on the site had "*significantly increased the amount of building on the site and contributed to the intrusive consolidation of development*". The bulk and mass of the proposed dwelling and garage would have far greater visual impact than the existing outbuildings and must inevitably consolidate development to a larger extent than the scheme which the Inspector found unacceptable.

In recent years, a number of applications for dwellings to replace "non-conforming" activities on far more visually intrusive activities have been decided on other sites in the District. Members may recall appeal dismissals to redevelop The Old Mushroom Farm at Radwinter and former piggery buildings in Cornells Lane, Widdington. Appeals have been allowed for the replacement of workshop buildings by a dwelling at The Old Waterworks site in Thaxted, derelict farm buildings at Sampford, a haulage yard at Gt Easton and Taylor Brothers Yard in Wimbish, but these are not considered to set a precedent for this proposal.

**COMMENTS ON REPRESENTATIONS:** As set out above, it is not considered that the level of activity authorised or legal future enlargement capable of being accommodated on the site would be to such levels to warrant a new dwelling in the countryside.

**CONCLUSION:** There is a history of refusals for residential development of this rural site. The extent of the authorised commercial building and hardstanding on site is limited, and it is not considered that clearance of this limited area, or the risk of open storage across the site, warrants approval of a dwelling, contrary to established countryside policy.

**RECOMMENDATION: REFUSAL REASONS**

The site is located in the countryside beyond any development limit as defined in the District Plan. The proposed replacement of existing buildings and works on the site with a dwelling would be contrary to ERSP Policies C5 & CS2, ADP Policy S2, and DLP Policy S7 in that it would result in the unacceptable consolidation of existing sporadic housing in the countryside, to the detriment of the rural character and appearance of the area. The clearance of existing buildings and structures from the site, some of which are unauthorised, would not be sufficient justification to warrant an exception to established policy and would not outweigh the harm which would result from the proposed development. If permitted, this would set a precedent for the replacement of other buildings in the countryside, which would have a cumulative effect on the character and appearance of the rural areas throughout the District.

*Background papers: see application file.*

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**UTT/1678/02/FUL – STEBBING**

Erection of office building. Alterations to existing storage building, access and turning arrangements and landscaping

Land rear of Town Farm, High Street. GR/TL 662-242. Lodge & Sons Builders Ltd.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 23/01/2003

**NOTATION:** Outside development limit & Settlement boundary/Within Conservation Area

**DESCRIPTION OF SITE:** The site is an established builder's yard to the rear of the line of development along the northeastern side of the High Street. The site measures approximately 1130 sqm and is roughly rectangular in shape with a partly shared vehicular access of just over 70 metres in length leading from the High Street. Currently on the site is an old storage building, a small sectional office building granted permission a few years ago, a large unlawful extension to it (that is required to be removed under the terms of an enforcement notice) and small areas of open storage of sand.

**DESCRIPTION OF PROPOSAL:** The proposed new building is intended to be located along the northwest edge of the site and is intended to be a replacement for the unlawful office building. The proposal involves the erection of a purpose designed detached single storey building to provide office accommodation, oriented to present a gable end to the countryside, recladding of an existing store and provision of landscaping along the side boundaries.

**APPLICANTS' CASE:** See agents' letter dated 18 November 2002 attached at end of report.

**RELEVANT HISTORY:** Certificate of lawful Use for builders yard 1997; permission for sectional office building granted 1998. Application for retention of office building refused 2002 & appeal against refusal and associated enforcement notice dismissed July 2002 for reasons.

**CONSULTATIONS:** ECC Transportation and Operational Services: No objection  
Design advice: Advice to be reported

**PARISH COUNCIL COMMENTS:** Original plans: Stebbing Parish Council strongly opposes this application to erect a permanent structure to replace the temporary building unlawfully erected on this site and which should be demolished in accordance with an enforcement notice.

The Council believes that this proposal to be just as objectionable as that contained in the applicants' earlier attempt by means of Planning Application UTT/0904/01 to legalise the unlawful structure and asks that all the points made in its letters dated August 3<sup>rd</sup> 2001 and March 9<sup>th</sup> 2002 on that matter be taken into account in respect of the current application also.

The Parish Council is totally opposed to any stay in execution of the current enforcement order pending consideration of the new application.

Revised plans: To be reported. "if any are received"

**REPRESENTATIONS:** This application has been advertised and 2 representations have been received. Period expired 2.1.03.

1. Impaired view, The proximity of the whole building adjacent to our land, Sea containers (whatever colour) certainly do not have any place in this development, Privacy, we now have

to draw our curtains early morning and evening in our bedroom areas as we are and will be overlooked and Security/Site lighting: Quite often at 5.45 am an arriving car outside the office will trigger bright security lighting. Concerned about sheer size of this proposed building. The offices would be bigger than the original timber store. Suggest reposition to E side of yard.

2. This can only cause a further downgrading of our outlook and environment.

Revised plans: To be reported "if any are received"

**PLANNING CONSIDERATIONS: The main issues are whether**

- 1) **the proposal complies with settlement limit policy (ERSP Policy C5, UDP Policy S2, & DDP Policy S7),**
- 2) **the proposal is appropriate for a conservation area (ERSP Policy H2, UDP Policy DC2 & DDP Policy ENV1) and**
- 3) **the proposal protects the amenity of neighbours (UDP Policy DC14 & DDP Policy GEN4).**

1) When dismissing the appeal against the refusal of the application for the retention of the flat roofed sectional building located along the rear edge of the site the Inspector stated that in his view the site that even though the site is outside the development limit the restriction of development contained in C5 and S2 was not appropriate. Consequently the principle of providing an appropriate office building in connection with the existing activities on the site has been accepted as a justified exception to policy.

2) The Inspector did not accept the utilitarian design of the existing unlawful office building or its location along the rear boundary as it perpetuated an uncharacteristic continuous line of buildings along the edge of the settlement. This revised proposal involves a location & design which would be more traditional and would avoid built form along the village edge. It also proposes the recladding of an adjacent building and significant screen planting which would improve the appearance of the site when viewed from outside.

3) The level of the site where the building is proposed varies between 0.8m and 1.2m lower than land to the north and west. In addition there are 1.2m and 1.8m fences along the site boundaries. Since the application was submitted the proposal has been revised to present a smaller silhouette to the immediate neighbour and to relocate a storage container. On balance, it is considered that the proposal would not materially affect the amenity of neighbours.

**COMMENTS ON REPRESENTATIONS:** The proposed has been revised and it is considered that it is now satisfactory.

**CONCLUSION:** The proposal complies with the comments made by the Inspector when dismissing the recent appeal.

**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. The development hereby permitted shall not commence until the roof of the adjacent building shown on drawing L:02:105.B as "Timber store, Paint store, Plumber store" has been clad with natural slate. This roof shall be retained in perpetuity.  
REASON: This work is part of a package of works considered necessary to outweigh the policy objection to the proposal to erect a building outside development limits.
4. The development hereby permitted shall not commence until a detailed plan showing the area available for the planting of the boundary hedge and the specification including,

species, size and spacing, has been submitted to and approved in writing by the local planning authority. The approved planting scheme shall be carried out in the first planting season following the substantial completion of the approved building or if it is substantially completed during a planting season, by the end of that planting season.

REASON: To avoid harm to neighbours' amenities

5. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
6. C.6.8. Excluding Permitted Development extensions or alterations to industrial warehouse premises
7. The building hereby permitted shall not be used other than as offices operated as part of the builders yard operating within the application site.  
REASON: The use of the building for other purposes would be likely to adversely affect the amenity of neighbours and the character of the area.
8. Prior to the first occupation of the building hereby permitted the layout of the site shall be set out as shown on approved drawing L:02:105.B. and the layout retained in that manner unless previously agreed writing by the local planning authority.  
REASON: To provide for the parking and turning of vehicles visited the site and to protect the amenity of neighbours and the character of the area.
9. No gates shall be erected until full details have been previously submitted to and approved in writing by the local planning authority.  
REASON: No information was submitted with the application and details are required to assess their impact on the character of the area.
10. The walls to the building hereby permitted shall be clad with feather edged timber boarding with all doors and windows frames finished to match.  
REASON: To ensure the character of the Conservation Area is maintained
11. C.5.1. Samples of materials to be submitted and agreed

*Background papers: see application file.*

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## UTT/1537/02/FUL - GREAT DUNMOW

Installation of telecommunications base station comprising 20.1m monopole, 3 antenna, 2 dishes, equipment cabin and meter cabinet.

Dunmow Farm Broadway, GR/TL 647-238. Airwave MMO2 Ltd.

Case Officer: Richard Aston 01799 510464

Expiry Date: 24/12/2002

**NOTATION:** ADP & DLP: Outside Development Limits & Settlement Boundaries/Adjacent ancient woodland

**DESCRIPTION OF SITE:** The site lies to the south of Dunmow Farm off the B1057 between Great Dunmow and Stebbing. It is located adjacent to Ancient Woodland and is 640m south of the highway in an area of gently undulating landscape.

**DESCRIPTION OF PROPOSAL:** This revised proposal is for the installation of a telecommunications base station, comprising a 20.1m monopole mast, 3 antenna, 2 dishes and a equipment cabinet and meter cabinet, for use by the Police & other Emergency Services.

**APPLICANT'S CASE:** The mast is part of a new move to provide digital nation-wide frequency for use by the emergency services. The site has been revised following the refusal of planning permission in August 2002. We are proposing to locate the site in the very corner of the field with screening on two sides from the wood and hedge. The installation would consist of a 20m monopole and medium sized equipment cabinet. All of the equipment would be painted green to blend in with the surroundings. Due to the height of the trees in the wood, only the antennae would be visible over the tree canopy. A monopole mast has been proposed because it is felt that a lattice tower would be too prominent. If required a hedge planting scheme can also be designed to screen the compound. Essex Police Force are not in a position where they can forego coverage.

**RELEVANT HISTORY:** Proposed erection of agricultural storage building approved 1986. Change of use of redundant building from agricultural to light industrial use, approved 1990.

**TOWN COUNCIL COMMENTS:** Supports the application given the need.

**REPRESENTATIONS:** This application has been advertised and no representation have been received.

Period expired 28.11.2002.

**PLANNING CONSIDERATIONS:** The main issues are whether

- 1) **there is sufficient technical justification for the mast and appropriate measures have been taken to mitigate adverse impacts on rural amenity (ADP DC14, DLP T4, S7) and**
  - 2) **the proposal would have a detrimental impact on the natural environment (ADP Policy C3 and DLP and GEN7, ENV7).**
- 1) Radio coverage is required in the area in line with a new digital nationwide frequency for use by the Emergency Services. This consists of a minimum coverage level of 'Street Level' hand portables with a number of important areas requiring a greater level in order to cover suburban areas, which have a large number of buildings. The Dunmow Farm site is required because it provides the required coverage over Great Dunmow, Barnston, Felsted, Stebbing, Great Easton and coverage along the busy A120 corridor. Other sites in the area have been discounted because of the superior coverage options this site provides. Policies DC14 and T4 state that large

telecommunications developments will not normally be permitted in the countryside except where it is essential for technical reasons.

It is considered that because the mast is for use by the Emergency Services both sufficient justification for its principle and its siting has been given. Policies DC14 and T4 also support such large-scale developments if appropriate measures have been taken to mitigate adverse effects on rural amenity. The site has been chosen following the previous refusal because of its distance from residential properties. The mast at 20m high would be visible but it would not be visually obtrusive. In addition other measures have been taken to reduce the mast's impact, such as painting it green to set it against the natural backdrop of the ancient woodland and proposing a Monopole mast, which because of its slim design is less visually obtrusive than a standard lattice style mast.

- 2) The mast and equipment cabins would be located immediately abutting Dunmow Farm Wood on a access track running from Dunmow Farm to the north western corner of the woodland. Policy C3 of the Adopted District Plan and Policy ENV7 of the Emerging District Plan supports development in areas of special landscape elements only if the need for the development outweighs the need to retain the elements for their importance to wild fauna and flora. The impact on the Ancient Woodland would be purely visual, given the justification for the mast it is considered that the proposal would not have a detrimental impact on the area of Ancient Woodland.

**CONCLUSION:** The need for the mast for use by the Emergency Services has clearly been proven. This proposal represents a significant improvement on the scheme that was refused in August 2002 and would be less visually prominent in this rural area.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. Excluding future PD extensions of the mast.

*Background papers: see application file.*

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**UTT/1531/02/FUL - GREAT DUNMOW**  
***(Referred at Members' request)***

Conversion of barn to form indoor adventure play and party centre.  
Ford Farm, Braintree Road. GR/TL637221. Mr & Mrs Walsh  
*Case Officer: Anthony Betros 01799 510471*  
Expiry Date: 17/12/2002

**NOTATION:** Outside development limits/Within Area of special landscape value (ADP only).

**DESCRIPTION OF SITE:** The site is located at the extreme eastern end of the town on the northern side of Braintree Road, approximately 100m from the A120. It contains a large corrugated iron shed with a concrete parking area. The site is adjacent to agricultural land and has a 4.5m right of way through the car park to allow agricultural machinery access to and from Braintree Road.

**DESCRIPTION OF PROPOSAL:** The application involves the re-use and fitting-out of the shed for a children's play activity centre. The concept indicates that the indoor (450sqm) and smaller outdoor (140sqm) play centre is for children up to 11 years of age. A range of activities are proposed, with a divided section for children up to 3 years of age.

The proposed hours are 9.30am to 6pm Monday to Saturday and 10am to 4pm Sunday. The Big Top (as it is proposed to be known) would be staffed from a pool of between 12-15 people with 4-6 on duty at any time. A chef will be responsible for managing a café.

Additional information submitted revealed that it is anticipated to cater for 42 children over a 2-hour period. This is based upon a similar centre at Halstead where 1 adult brings an average of 2 children. This results in a car parking demand for approximately 21 spaces. 22 car spaces are available on the site whilst allowing for a right of way for agricultural machinery to the adjoining farm.

**APPLICANT'S CASE:** See agents' letter dated 10 October 2002 attached at end of report.

**RELEVANT HISTORY:** Adjoining unit approved for B8 storage use weekdays only 7am to 5pm.

**CONSULTATIONS:** Environmental Services: No adverse comments. Premises would have to register as a food business.

Design Advice: Proposal would have no effect on the setting of any listed buildings in the vicinity. A condition should be imposed restricting signage to internally illuminated signs.

**TOWN COUNCIL COMMENTS:** Support subject to provisos including:

- Access from highway to the east should be re-opened
- ROW through site should be separated from the parking/play area to ensure safety of children at all times
- Building shall be soundproofed
- Application should be dealt with by Committee

Further comments were received in relation to the revised plans which deleted the outdoor component and included staff parking. These comments are:

Object: (i) Has adequate car parking be provided?  
(ii) Right of way for agricultural vehicles to the fields behind the property passes through the car park. Concern at the danger to persons using the car park, particularly children. Alternative access required.

*Officers' Comment: It is considered that the highway access should not be re-opened as it would create traffic hazards to and from the A120. It is not possible to completely separate the ROW from the parking area. It is not considered essential to separate given the low volume of usage of the ROW by agricultural machinery and the limited hours of the activity centre. A condition will be imposed to soundproof the building. The proposal has an acceptable amount of parking.*

**REPRESENTATIONS:** This application has been advertised and 1 representation has been received. Advertisement expired 25 November 2002.

The following issues were raised:

- Proposal would generate unnecessary noise
- Inappropriate in a farming and residential area
- Hours of operation, soundproofing and age of children up to 11 years should be strictly enforced.

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

- 1) **UDP Policy C5- Re-use of Rural Buildings (RE2 of the Structure Plan and E4 of the Draft DLP 2001),**
- 2) **UDP Policies T1 and T2- Traffic Generation and Car Parking (T12 of the Structure Plan and GEN9 of the Draft DLP 2001-Vehicle Parking Standards) &**
- 3) **UDP Policies DC1- Design of Development & DC14- General Amenity (GEN4 of the Draft DLP 2001- Good Neighbourliness).**

1) The use is considered to be a recreational facility within a former agricultural barn outside of the development limits. Policy C5 of the UDP states that appropriate re-use of soundly constructed rural buildings for non-residential purposes will normally be permitted. The use should not interfere with agricultural activities or the characteristics of the countryside. The re-use of the barn is considered acceptable in this instance as the barn is in sound condition and the use will not materially alter its rural appearance or the amenity of the countryside. The design of the car park allows for a clear ROW for the agricultural portion to the north of the barn.

2) The building is adjacent to other light industrial/commercial uses to the south and west and has 22 car spaces available to the barn to the east for patrons and 4 car spaces to the north for staff. The access and parking arrangements are considered acceptable in terms of the number of spaces and layout, with the exception of the staff parking arrangement. Conditions will be imposed to ensure that the parking area be rearranged, clearly defined and signposted to alleviate any conflict with the other nearby commercial and light industrial uses as well as the ROW. The access to and from Braintree Road is considered satisfactory for the scale of the use in its present situation.

4) There are no residential premises that are likely to be affected by the proposal in terms of noise, parking or traffic generation as the outdoor component has been deleted after discussions with the agent. Nevertheless, to alleviate noise concerns to immediately adjacent premises, the applicant is willing to take appropriate noise insulation measures as well as mechanically ventilating the barn.

**COMMENTS ON REPRESENTATIONS:** The objector resides across on the southern side of the A120, approximately 130m from the entry to the barn and it is considered that there would be no unreasonably adverse effects on amenity.

**CONCLUSION:** The proposed use of the vacant barn as a children's' play facility is considered acceptable in terms of its use, noise, traffic and parking impacts.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

- 1) C.2.1. Time limit for commencement of development
  - 2) C.3.3. To be implemented in accordance with original and revised plans
  - 3) C.4.1. Scheme of landscaping to be submitted
  - 4) C.13.7. Restriction of hours of operation
  - 5) C.9.1. No outdoor storage
  - 6) C.11.1. Standard Vehicle Parking facilities
  - 7) That the four staff parking spaces to the north of the barn be rearranged to improve manoeuvring in and out of the site. Such plans to be submitted to local authority approval.  
REASON: To ensure adequate parking exists for the use hereby permitted.
  - 8) C.12.4. Boundary screening requirements
  - 9) The right of way through the car park of the subject premises is to be kept free at all times other than for the manoeuvring of vehicles associated with the use hereby permitted.  
REASON: To ensure access is available for the agricultural activities associated with land surrounding the subject site.
  - 10) Signage shall be erected to clearly identify the subject premises and its allocated parking areas (patron and staff) from neighbouring uses.  
REASON: To avoid potential parking and traffic conflicts along the driveway access and adjacent road network to the site.
  - 11) The building hereby permitted shall be adapted so that the structure with windows and doors closed will provide a minimum of 40 db insulation against internally generated noise, aswell as providing adequate ventilation. Windows and doors shall be kept closed whenever the building is in use.  
REASON: To protect the amenity of the surrounding area.
- Notes: a) The premises should be registered as a food premises with the Environmental Services Section prior to occupation.  
REASON: To ensure the premises complies with relevant health standards for food handling.
- b) The age limit of 11 years should be strictly enforced by management at all times.  
REASON: To protect the nature of the children's' play centre.

*Background papers: see application file.*

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