

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 24 FEBRUARY 2003

APPL NO: **UTT/1429/02/FUL**
PARISH: **THAXTED**
DEVELOPMENT: Two-storey dwelling with detached double garage. Improvement to existing access to replace all commercial buildings and activity
APPLICANT: Mr P Skellern
LOCATION: The Ironyard, Cutlers Green.
D.C. CTTE: 3 February 2003 (Page 24)
REMARKS: Deferred for Members' Site Visit and to negotiate revised design
RECOMMENDATION: Refusal
Case Officer: Hilary Lock 01799 510486
Expiry Date: 29 November 2002

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 further negotiations regarding height of rear extension
RECOMMENDATION: To be reported
Case Officer: Geoffrey Lyon 01799 510458
Expiry Date: 26 December 2002

APPL NO: **UTT/0004/03/FUL**
PARISH: **WICKEN BONHUNT**
DEVELOPMENT: Conversion of barn to form two-storey dwelling with new pitched roof
APPLICANT: G Clanford
LOCATION: Barn at Wicken Hall.
D.C. CTTE: 3 February 2003 (Page 11)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Approval with conditions
Case Officer: Michelle Guppy 01799 510477
Expiry Date: 03 February 2003

APPL NO: **UTT/1678/02/FUL**
PARISH: **STEBBING**
DEVELOPMENT: Erection of office building. Alterations to existing storage building, access and turning arrangements and landscaping
APPLICANT: Lodge & Sons Builders Ltd
LOCATION: Land rear of Town Farm, High Street.
D.C. CTTE: 3 February 2003 (Page 30)
REMARKS: Deferred for Members' Site Visit and to negotiate extra controls
RECOMMENDATION: Approval with conditions
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 23 January 2003

UTT/1247/02/FUL – STEBBING

(Revised Report Referred at Officers' Discretion)

Conversion of 'The Coach Barn' to separate permanent residential occupation
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: This revised proposal now involves the full residential conversion 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. The original scheme was for shorthold leasing up to a maximum of 6 months.

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), or 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: Original Plans - 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.

Revised Plans – See letter received 5 February 2003 attached at end of report.

REPRESENTATIONS: This application has been advertised. Period expired 14 October 2002.

Original Plans - 2 representations (including 1 from the Stebbing Society) have been received.

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.

Revised Plans – Any received will be reported (due 21 Feb)

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, parking and amenity open space requirements (ADP Policies T1, T2 & DC1 and DLP Policies GEN1 & GEN2) and**
- 3) impact upon the amenity of neighbouring residents (ADP Policy DC14 and DLP Policy GEN4).**

1) The proposed full residential use of the Coach Barn would normally be acceptable in principle within the Development Limits. It is not considered that the proposed would represent a material change from the previous use of the Coach Barn for occasional short-stay holiday letting and use by the owner’s visitors and families as an annexe. Therefore, the proposal is considered acceptable in principle within the built-up part of the village.

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, similar to Livery Mews to the southeast. It is, therefore, considered that parking, ingress and egress to and from High Street is satisfactory from planning and safety viewpoints. It is considered that adequate open space exists for the enjoyment of the 3 properties.

3) 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: It is considered that the Coach Barn could function as a separate dwelling without undue detriment to the area and would retain the attractive courtyard of historic buildings close to the village centre.

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 central courtyard shall remain open.
REASON: In order to retain the communal open area for residents’ enjoyment & to protect the setting of this visually important courtyard.
4. C.11.5. Standard vehicle parking facilities.
5. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house.

Background papers: see application file.

UTT/1183/02/OP – FELSTED

(Revised Report)

Outline application for erection of four detached houses with integral garages
Watch House Farm, Watch House Green. GR/TL 691-212. Messrs D & S Payne.
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 03/10/2002

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. Within the site are a number of former agricultural buildings, some in commercial use for car repairs and security screen storage, others are vacant.

DESCRIPTION OF PROPOSAL: The application relates to the demolition of four main buildings plus a couple of smaller ones including a Nissen hut, a shed and flat roofed stable. In place of these buildings it is proposed to erect four (now reduced from the 7 originally proposed) detached dwellings in an informal "Arcadian" group. The application has reserved all detailed matters except means of access. Since its submission the applicants have amended the application to provide for all access to be from the driveway to the southeast referred to in the above paragraph, rather through land to the north of the site which is also under the applicants' control.

APPLICANTS' CASE: See agents' letter dated 6 August 2002 and summary attached at end of report. A 14-page supporting statement was submitted with the application and two letters have since been received to address matters raised in representations.

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.

(NB. In 1990 permission was granted for the provision of a fishing lake, tennis courts and bowling green. The applicants' agent has commented in the statement (para 2.4) that the development was commenced within the five year period. However that permission required various submissions (landscaping scheme and extraction scheme) before development commenced. No such submission was made. Therefore, it is considered that a lawful start was not made on the development and the permission has lapsed.)

CONSULTATIONS: Design Advice re Original Plans: The indicated house types of 8-10m spans would form clumsy and bulky units not in keeping with local vernacular tradition. The suggested linear layout would be unimaginative and urban in character. Should the principle of this development outside the village limit be acceptable, a higher quality design and layout would be required.

Revised Plans: To be reported (due 21 Feb).

PARISH COUNCIL COMMENTS: Original Plans: Proposal would be the lesser of 2 evils.

Revised Plans: To be reported (due 24 Feb).

REPRESENTATIONS: Original Plans: 7 letters have been received (period expired 29 Nov).

1. Countryside Protection Rural Essex: object District Plan Policy S2 – The site is outside development limits. Policy S2 affects development in such locations to that

which 'needs to take place there'. The applicant is objecting to the designation of this site in the new Plan and the proper place for consideration of this is not in the Development Control process, but at the Local Plan Inquiry. The whole thrust of PPG3 is to direct new residential development to previously developed land within urban areas. This site is not sufficiently non-conforming as to justify a departure from Plan policy and government guidance. Permission has been refused for other comparable sites on this basis.

2. In principle we have no objections. We are totally opposed to a green field site being used for access from north.
3. Whilst I do not generally agree with more houses being created in a rural setting it seems preferable to have low density housing instead of the current industrial activity with its inherent problems. I was disappointed that the application is for 7 houses as I previously understood the submission would be for 4/5.
4. I support Reduction in noise disturbance and Improvement in appearance of site.
5. We are broadly in favour of this proposal. To granted this limited application would put an end to this continuous irritation. The present proposal is the maximum suitable number.
6. I wish to register my full support for this application. The site has been the subject of considerable anxiety for the neighbourhood since the first permission was granted for limited industrial activity approximately 14 years ago. This is the only industrial site in Watch House Green.
7. My support for this development is subject to no further housing or industrial development on the remaining land and entry to the site by the entrance, which is now used, and not as proposed.

Revised Plans: Any received will be reported (due 21 February).

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the proposal complies with the need to safeguard the countryside (ADP Policy S2: Development outside Development Limits, ERSP Policy C5, DLP Policy S7), and**
- 2) **the weight of material considerations indicate that a decision contrary to the Development Plan would be appropriate.**

1) The Development Plan shows the site to lie outside any development limit, in a rural area outside the GreenBelt. This is an area where the countryside will be protected for its own sake and new building will be strictly controlled to that required to support agriculture, forestry or other rural uses. The proposed new dwellings are not required for any purpose related to agriculture, forestry or rural uses. As such the proposal is contrary to adopted rural restraint policy and should normally be refused.

2) The applicants have made their case that, for visual reasons, the removal of the existing buildings, traffic and noise associated with the occupation of some of them, their redevelopment would have various benefits. The existing buildings are not attractive, are typical of former agricultural buildings found throughout the District, weathered, set back from the highway and, although visible from various locations, do not cause significant visual harm. In principle, therefore, their replacement with residential development would not be appropriate. Members visited the site on 13 January 2003.

The current application is in outline and there are no formal proposals for house types. A sketch layout has been submitted with indicative house types. Whilst these do not formally comprise part of the application, they are taken to be an indication of what is proposed. Given the footprints of the dwellings on the illustrative layout and the number of bedrooms proposed, it is considered likely that the dwellings would be well in/excess of 6m high. Consequently, there is unlikely to be a material reduction in the height of built form (the applicants refer to the existing arena building being 7.5m high tall – an internal measurement at 6.5m has been made of the other one).

The applicants did not consider the traffic and general activities associated with existing and proposed business use of the buildings unduly objectionable when pursuing an appeal against a

refusal for the B1/B8 use of some of the buildings earlier this year. There is a current application for the B1 use of one of the buildings and the demolition of another one which is likely to be determined under delegated powers in the next few weeks. Some noise nuisance has been caused by unlawful activities which have in large part been remedied by enforcement action. Some of the buildings are not in use and as stated above the applicants are currently proposing to demolish one of them.

The applicants have quoted from Government policy. The key instrument of this policy is that applications should normally be determined in accordance with the Development Plan. Much of the supporting statement refers to issues to be considered when an authority is preparing its Development Plan. The appropriate forum for considering such matters is the Local Plan Review and the agent has submitted an objection relating to the site on behalf of the applicants. In the meantime, the proposal is contrary to an up to date Development Plan (Structure and Local Plans) and the emerging Deposit Local Plan which is generally consistent with it. It can be seen from the above paragraphs that it is considered that the removal of the existing buildings and uses would not provide substantial planning gain and the applicants have not demonstrated that the proposed development would be a material improvement. The reduction in the number of proposed dwellings from 7 to 4 does not fundamentally alter this assessment.

COMMENTS ON REPRESENTATIONS: The majority support the proposal in principle, but it needs to be borne in mind that similar complaints could be easily generated on other sites throughout the District, creating an unwelcome precedent.

CONCLUSION: The proposal is contrary to the Development Plan and having considered the material considerations raised by the applicants, it is not considered that they have enough weight to justify such a fundamental departure. The degree of disturbance caused by the overwhelmingly acceptable re-use of this complex is not sufficient to warrant 4 new dwellings in the countryside.

RECOMMENDATION: REFUSAL REASON

The site is located within countryside beyond Development Limits as defined in the adopted District Plan. Policy S2 states that: *“Permission will not normally be given for development in the countryside beyond Development Limits unless the proposals relate to agriculture, forestry, appropriate outdoor recreational uses, or appropriate changes of use of suitable existing buildings compatible with a rural area”*.

The proposed development is not covered by these exceptions and would be unacceptable because it would result in the erection of a development of four houses which, without compelling evidence to the contrary, would be likely to be of a character which would be alien to the established character of the immediate area. The proposal is contrary to the Development Plan and having considered the material considerations raised by the applicants, it is not considered that they have enough weight to justify such a fundamental departure. The degree of disturbance caused by the overwhelmingly acceptable re-use of this complex is not sufficient to warrant 4 new dwellings in the countryside, contrary to Policies S2, C5 and S7.

Background papers: see application file.

UTT/1707/02/DFO - GREAT DUNMOW

8 detached two-storey dwellings with garages.
22-24 Ongar Road. GR/TL 631-210. Hutton Homes Ltd.
Case Officer: Richard Aston 01799 510464
Expiry Date: 29/01/2003

NOTATION: ADP & DLP: Within Development Limits & Settlement Boundaries/Part of committed Residential Site

DESCRIPTION OF SITE: Site of 0.34ha fronting onto Ongar Road (B184), towards the southern edge of Great Dunmow. Two inter-war bungalows with gardens approximately 95m long currently occupy the site. The site abuts the entrance road to the Ongar Road Industrial Estate, which is located to the east and north of the site.

DESCRIPTION OF PROPOSAL: The proposal is a reserved matters application (following outline permission UTT/1316/02/OP) for the detailed siting, design and appearance of 6 two-storey dwellings plus the replacement of the two existing inter-war bungalows fronting Ongar Road. The 6 new dwellings would be accessed off a new private drive and the 2 replacements would have access of Ongar Road (as now).

APPLICANT'S CASE: Proposal has been negotiated several times with the local planning authority and the site is considered suitable for residential development in line with the Adopted District Plan.

RELEVANT HISTORY: Outline application for erection of 5 detached dwellings and garages, refused 1994. Outline application for three detached dwellings, approved 1994. Outline permission granted for 6 dwellings and replacement of two bungalows in 2002. Full permission granted on appeal for the erection of 6 dwellings, new access and the replacement of the two bungalows (see copy Inspectors' decision letter dated 22 January attached at end of report). None of the consents implemented.

CONSULTATIONS: Environmental Services – Sub-standard access road, at only 2.4m, would be inadequate for service vehicles, however, is as approved under UTT/1316/02/OP. There are no Contaminated Land issues.

ECC Transportation – No further comments to add to those given in recommendation for previous cases. No objections subject to visibility splay and treatment of access road to prevent tracking out of materials.

Environment Agency - Makes advisory comments relating to drainage and works affecting the flow of a watercourse.

TOWN COUNCIL COMMENTS: Due 16th January 2003. (Previous comments on all previous applications - considered the proposal to be overdevelopment).

REPRESENTATIONS: This application has been advertised and 5 representations have been received.

GENERAL SUMMARY – Concern regarding noise during and after construction. Properties would overlook, which result in a loss of privacy. Increased traffic onto the Ongar Road would have an impact on amenity. Plot 4 would create over looking. A new access onto Ongar Road would exacerbate current access and traffic flow problems.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the site is suitable for residential development (ERSP Policies BE1 & H3, ADP Policies S1 & H10 and DLP Policies S1, GEN1, H1 & H3),

- 2) **the proposal is acceptable with regard to Highway issues (ERSP Policy T8, ADP Policies T1 and DLP Policies T4 & GEN1) and**
- 3) **the design of the scheme would affect the character and appearance of the locality and be detrimental to the residential amenity of adjoining occupiers (ADP Policies DC1 & DC14 and DLP Policies GEN2 & GEN4).**

1) The site is within the Development Limits of Great Dunmow and is generally in line with advice given in National Planning Policy Guidance Note 3: Housing as the site is within an existing urban area and maximises the use of a previously developed site with good access to public transport and other facilities. The scale of the development has been reduced over time to overcome Highway's objections and to meet the requirements of the County Council in relation to access. This means that the recommended density is now reduced to 20 dwellings per hectare, much lower than Government guidance. However, other development along the Ongar Road is low density in character and therefore the proposal on balance is acceptable (similar to the Takeley Street case at the last meeting).

- 2) The current proposal would retain the existing access as approved pursuant to UTT/1316/02/OP. Although the comments relating to the problems that a new access on Ongar Road would cause, have been given due consideration, there are no objections from the County Council Highways Department for this type of access subject to no obstructions to visibility and the satisfactory surfacing of the access. It is considered that the traffic created as a result of residential development in this area would not have a detrimental impact on the residential amenity of adjoining occupiers and that the proposal conforms to both Structure and Local Plan Policy
- 3) The proposal details the erection of 6 new dwellings and the replacement of the existing two inter war bungalows with two storey-detached properties. The plots would be located off an access which runs directly adjacent the existing Ongar Road Industrial Estate access. This has been done to reduce any potential impacts on local residents from traffic generation and noise, whilst the layout also has regard to reducing the impact on the occupiers of Lukins Mead through the positioning and orientation of the plots. The proposed dwellings range quiet differently in there style and design, from the semi detached Plots 6 and 7 which have traditional gable end detailing and 'Catslide' dormer roof windows as advocated by the Essex Design Guide, to the frontage Plots of 1 and 8, the latter of which has a one sided Gable end, one side Hipped roof design, which complements the existing streetscene and reduces the massing of the property when viewed from adjoining properties and Ongar Road. The different styles of architectural detailing would give the development a sense of uniqueness and are considered to be appropriate in an area of the town, which has no uniform architectural style. It is worth noting that the current scheme is in relation to its architecture, more appropriate and suitable than the one allowed on appeal, which had a number of bland uniform features. The design, siting and appearance of the detached garages are also considered appropriate, as they would remain subservient at a height of 5m.

Turning to the impact on the residential amenity of adjoining occupiers, although it was considered by the Inspector that if the access road was located further to the west, this would be likely to give rise to more problems of overlooking, in this instance the layout of the dwellings would not give rise to a material loss of privacy or overlooking which would give rise to a sufficient reason for refusal. With the industrial estate to the east, there would be less harmful effect from its activities if the access road was also to be on that side of the site. Furthermore, to reduce the impact on residential amenity further still, a condition would be imposed requiring the removal of the first-floor side elevations in the western elevations of Plots 4 and 2, which are shown on the elevational drawings but not the floor plans. (This would not affect the internal layout as the drawings also indicate sufficient window openings in the front and rear first floor elevations). Internally, the layout of the plots would not give rise to a material amount of overshadowing, overlooking or loss of privacy.

COMMENTS ON REPRESENTATIONS: The plots would be located 14m from the back line of the development of Lukins Drive, with Plot 4 slightly closer at 11.5m. In a townscape, these distances are not considered inappropriate and there are relatively small gaps between many properties on the adjoining Lukins Mead development. It is considered that no material loss of amenity would occur, however to further safeguard this, a condition has been imposed requiring the removal of windows in the side elevations of Plots 4 and 2, whilst also preventing the insertion of windows at a future date in this elevation. Plot 5 is also located close to Orchard House, but the orientation of the properties would result in no material impact on residential amenity. Highways comments in relation to this application have not changed since previous applications. The impact of the development on highway safety has also been refuted in the recent appeal (see attached).

CONCLUSION: The principle for residential development on this site is well established. The detailed siting and design of the current proposal is acceptable having regard to the previously approved scheme and the recently allowed appeal for the erection of 6 dwellings, access and replacement of the two bungalows. The details would represent an improvement on the latter scheme in terms of the style, design and detailing of the buildings and the site layout would result in no material loss of amenity on the occupiers of adjoining properties. Given the outcomes of the previous residential applications, there is no sound reason for refusal of this proposal for reserved matters.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.4. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
- 3+4.C.4.1+2. Scheme of landscaping to be submitted agreed & implemented
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 dwellinghouse without further permission
7. C.6.5. Excluding fences and walls without further permission
8. C.8.13. Restriction on hours of construction
9. C.6.7. Excluding conversion of garages
- 10.C.15.1. Superseding previous permission (UTT/0755/02/FUL)
- 11.C.12.1. Boundary Screening to be implemented
- 12.C.8.27. Drainage Details to be implemented
- 13.C.19.1 Avoidance of overlooking.
- 14.C.23.1. Demolition of existing dwellings
- 15.C.7.1. Slab levels to be submitted and agreed.

Background papers: see application file.

1) UTT/1703/02/FUL 2) UTT/1705/02/LB – QUENDON

1+2) Conversion and rebuilding of outbuildings/barn to form 5 residential units and garaging/stores. Extension to unit 3. Demolition and replacement of unit 4. Erection of walls North Hall Farm. GR/TL 522-302. Mr I Abrams.

Case Officer: Hilary Lock 01799 510486

NOTATION: ADP+DLP: Outside Development Limits & Settlement Boundaries/Within Area of Special Landscape Value (ADP Policy only) and complex of building Listed Grade II and associated ancillary buildings.

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

DESCRIPTION OF PROPOSAL: This revised proposal seeks to cease the existing stone cutting use and B+B and to convert the buildings so that including the already approved barn (unit 2), a total of five residential units would be formed, the existing farmhouse (unit 1) making six units in all. The range of buildings to the western side of the site would be converted into three units (5,6+7). The structure to the northern side of the courtyard is a modern metal-framed barn not considered to be of any aesthetic merit to justify its conversion and this would be demolished. To the western side of the site a building referred to as a mill is also proposed to be converted (unit 3). Within the courtyard some buildings would be demolished, leaving one block to serve as outbuildings to 2,3,6+7 units. Three garages and car parks would be erected to serve units 5, 6+7. The new dwelling originally proposed and withdrawn (unit 4) has now been reinstated (total 7 on site, one existing and 1 with permission = 5 new units).

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

RELEVANT HISTORY: The conversion of the main barn into a dwelling was first approved in 1988, but the current works being under taken are in accordance with a revised scheme approved in 2001. Commercial uses granted in 1990 + 1998. Enforcement action is currently being pursued against the unlawful use of the site for guest accommodation, which includes use of the farmhouse and some of the barns. This action would be withdrawn if PP + Usc are granted and implemented. Refusal of conversion to 4 units following Members' Site Visit in September 2002 for 2 reasons:

1. The residential conversion of these barns as proposed would result in a large proportion of the historic merit of the site being eroded by the subdivision of the farmyard and allocation between individual dwellings, the subdivision of the larger building into 2 units resulting in the need for excessive fenestration and the introduction of a long terrace of new-build garages and car parks with perimeter access, contrary to ERSP Policies RE2 and HC3, ADP Policies C6 & DC5 and DLP Policies H5 & ENV2.
2. The introduction of dwellings in such close proximity to the M11 motorway would result in harm to the amenities of future residents by virtue of the high ambient noise and pollution levels generated by traffic, notwithstanding the proposed mound, garages and car ports, contrary to ADP Policy N2 (a) and DLP Policy ENV10 (a).

CONSULTATIONS: Design Advice: see note dated 23 January attached at end of report.
Essex County Transportation: no objections.
Environmental Services raise no objections subject to conditions.
Environment Agency: raise no objections, but recommend the use of a separate treatment plant for each property. They request that a percolation test should be undertaken to ensure that soakaways would work adequately in adverse conditions.
Highways Agency: no objections subject to implementation of mound.

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

Revised Scheme: None received (due 4 Jan).

REPRESENTATIONS: These applications have been advertised and 1 representation has been received. Period expired 4 January.

PLANNING CONSIDERATIONS: The main issues are whether

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

1) The Development Plan policies allow the residential conversion of suitable rural buildings, subject to certain criteria being met. The buildings have to be of sound construction capable of conversion, their form should enhance the appearance of the area and the private gardens should be provided unobtrusively. Most of the buildings subject of this application are in sound condition and require minimum alterations to the original fabric to convert. The building requiring most work is the 'mill' which would have modern alterations removed to utilise the original fabric of the structure. However, two buildings, which are of no merit and are both to be demolished and one replaced by a new dwelling. Therefore the scheme does not meet the tests of these policies because it includes a new dwelling in the countryside.

2+3) The farmhouse and the main barn are listed in their own right and the other buildings provide an important context to these. The structures to be converted are all pre-1948 and are therefore ancillary to the main buildings. The works are considered to cause harm to the setting of this group by virtue of the 4 objections raised by the Design Advisor (see attached). The site is visible from the M11 & the form of the works is not considered to be compatible with its rural setting.

4) The units are located close to the motorway & it is proposed to secure sound attenuation measures to ensure the noise levels within the dwellings would be acceptable, in accordance with advice from Environmental Services. The external areas of the buildings would be subject to noise from traffic on the motorway. The applicant is proposing to construct an earth bund with planting to seek to improve the external environments of the units and to erect garage/carports on the eastern side of the complex to form a barrier to the motorway. These mitigation means are considered appropriate to safeguard the amenities of future residents.

5) The current authorised industrial use of the site includes large vehicles making deliveries to the site. The proposed alternative residential use would reduce this activity and

the adverse effects on the neighbours' amenities. Adequate on-site parking provision can be made.

CONCLUSIONS: This revised proposal would be even more harmful than the previous scheme since it introduces a new dwelling as well and it is not considered to meet the provisions of the Development Plan Policies.

RECOMMENDATIONS: 1) REFUSAL REASONS

1. The residential conversion of these barns as proposed would result in a large proportion of the historic merit of the site being eroded by the subdivision of the farmyard and allocation between individual dwellings, the subdivision of the larger building into 2 units resulting in the need for excessive fenestration and the introduction of a long terrace of new-build garages and car parks with perimeter access, contrary to ERSP Policies RE2 and HC3, ADP Policies C6 & DC5 and DLP Policies H5 & ENV2.

2. The introduction of dwellings in such close proximity to the M11 motorway would result in harm to the amenities of future residents by virtue of the high ambient noise and pollution levels generated by traffic, notwithstanding the proposed mound, garages and car ports, contrary to ADP Policy N2 (a) and DLP Policy ENV10 (a).

2) REFUSE LISTED BUILDING CONSENT REASON

The residential conversion of these barns as proposed would result in a large proportion of the historic merit of the site being eroded by the subdivision of the farmyard and allocation between individual dwellings, the subdivision of the larger building into 2 units resulting in the need for excessive fenestration and the introduction of a long terrace of new-build garages and car parks with perimeter access, contrary to ERSP Policies RE2 and HC3, ADP Policies C6 & DC5 and DLP Policies H5 & ENV2.

Background papers: see application files.

UTT/0015/03/FUL – NEWPORT

Three terraced two-storey dwellings. Formation of two vehicular accesses
Site adjacent to Granta Cottage, Station Road. GR/TL 521-336. T Knight.
Case Officer: Michelle Guppy 01799 510477
Expiry Date: 04/03/2003

NOTATION: ADP and DLP: Within Development Limit & Settlement Boundary, Conservation Area and Area of Special Landscape Value (ADP only).

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

DESCRIPTION OF PROPOSAL: This revised proposal is to develop a large part of the garden with a terrace of 3 x 3 bedroom 2 x storey houses. A crossover would be retained at the High Street corner to serve the existing Grant a Cottage and two further access points would be created. One would serve unit 3, and the second would be to the west of unit 1, to provide rear parking for units 1 & 2. The dwellings would be of traditional design, and constructed of render and brick, with slate or plain tile roofs. Each house would have 2 parking spaces

Unit	Footprint	Height	Garden Size
House 1	77 sqm	7.8 m	153 sqm
House 2	76 sqm	7.8 m	149 sqm
House 3	76 sqm	8.7 m	213 sqm

A distance of 13 m would be retained between Unit 1 and Granta Cottage, and a minimum 7.4 m between Unit 3 and the River Cam. A garden area of approximately 300m would be retained by Granta Cottage.

APPLICANT'S CASE: see letter dated 24/12/02 attached at end of report.

RELEVANT HISTORY: Outline permission for one house, garage and new access granted 1986 and 1991 – expired unimplemented. Erection of 4 dwellings refused September 2002 on grounds of overbearing effect on the neighbouring properties, being detrimental to the character appearance and setting of the listed building and conservation area and resulting in a highway hazard by virtue of inadequate on-site car parking provision Revised scheme for 2 dwellings suggested. (Appeal decision pending)

CONSULTATIONS: Water Authority: No objections in principle. Request drainage condition be applied to consent.

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

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

Design Advice: Provided the proposal overcomes previous reasons for refusal and is in line with LPA advice during negotiations, then proposal would be acceptable.

County Archaeology: Recommend full archaeological evaluation.

PARISH COUNCIL COMMENTS: Concern that activities which take place at the village hall (i.e. late night functions) could cause conflict with residents of the new properties. Development would aggravate parking problems in Station Road. See no difficulty with reverse parking for plot 3.

REPRESENTATIONS: This application has been advertised and 3 representations have been received.

Period expired 31/1/03.

1. Objection on overdevelopment.
2. Would result in loss of on-street parking.
3. Cllr P Willcox: Parking provision does not meet accepted criteria for this type of development. Serious concern regarding siting of garages so close to the boundary. Three houses seem to be excessive to planning policy on this site, considering the setting of Granta and Mulrian to the development. Concerned by the over-development of this plot in relation to two properties in the conservation area.

PLANNING CONSIDERATIONS: The main issues are whether the proposed development would adversely affect

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

1) The site is within Development Limits and dwellings would be acceptable in principal subject to there being no detriment to any important environmental or visual characteristics. A previous application for 4 houses on this site has been refused and is now the subject of an appeal. The designs of the 3 buildings are traditional and all formed part of the earlier application. The revised arrangement differs from the previous refusal in that the largest of the 4 proposed houses has been deleted and the remaining terrace has been moved 6m further away from Granta Cottage. It is now considered that the proposal more closely respects the modest residential properties in this road. The proposal would meet the Council's standards in terms of garden standards, and it is not considered that the dwellings would be so close to other properties that there would be significant overshadowing, or overlooking beyond reasonable levels given the relatively tight-knit village setting.

2) The historic setting of Granta Cottage is defined by a relatively long curtilage in keeping with other historic dwellings fronting High Street, where rear boundaries have been defined by the river. However, as Granta Cottage fronts Station Road, the principle of some modest form of development which respects the characteristics of that street would be acceptable. The extent of the proposal has been reduced following the previous refusal. There would now be sufficient separation between them to protect the setting of nearby listed buildings. It is considered that the revised scheme would respect the character of the conservation area and other residential properties in Station Road. The proposal would enable the retention of most planting on the rear boundary, and as the existing frontage hedge is mostly dead or dying, replacement planting could be achieved. The loss of a sycamore on the site would not be unacceptable, as the tree has limited amenity value and is not considered to be worthy of retention.

3) The development includes 2 on-site parking spaces for each dwelling, which is considered adequate in this location especially as the development is close to the station.

There is evident pressure for parking on Station Road due to the close proximity to the railway and the number of local businesses. There would be some loss of on-street parking due to the creation of additional access. Government policy is to reduce on-site parking provision, and given the location close to a station it is considered that it would be difficult to justify a refusal on these grounds. There is limited off-street turning for one of the dwellings and for the existing dwelling. Although approaching vehicle speeds would be likely to be low, given the obstruction caused by vehicles parked on the roadside, reversing onto the road could prove hazardous to other road users.

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

COMMENTS ON REPRESENTATIONS: The purchasers of the proposed properties should be aware that a village hall is located opposite. The issue of on-street parking is currently being considered by the Leisure and Amenities Department.

CONCLUSIONS: The revised proposal overcomes the previous reason for refusal except for that relating to on-site turning facilities for unit 3, but it is considered that this is not enough to warrant refusal.

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.8.27. Drainage details to be submitted, agreed and implemented
4. C.4.1. Scheme of landscaping to be submitted and agreed
5. C.4.2. Implementation of landscaping
6. C.4.6. Retention and protection of trees and shrubs for the duration of development
7. Hedge planting on road frontage to be submitted, agreed and implemented
8. C.16.2. Full archaeological excavation and evaluation
9. C.7.1. Details of external ground and internal floor levels to be submitted, agreed and implemented
10. C.5.1. Samples of materials to be submitted agreed and implemented
11. C.11.6. Standard vehicle parking facilities to be implemented

Background papers: see application file.

UTT/1539/02/FUL – BROXTED

Erection of replacement dwelling and garage.
Tuijas Cottage, Pledgdon Green. GR/TL 564-264. Mr & Mrs M D Pancutt.
Case Officer: Richard Aston 01799 510464
Expiry Date: 19/12/2002

NOTATION: ADP & DLP: Outside Development Limits & Settlement Boundaries/Within Countryside Protection Zone & 35 NNI Leq Contour Zone/Outside 57 Leq Noise Contour re noise from aircraft using Standard Airport.

DESCRIPTION OF SITE: Tuijas Cottage forms part of a small loosely knit cluster of residential development, which lies midway between the settlements of Pledgdon Green and Brick End, west of Broxted. The site in question forms a large rectangular open field bordered by the boundary of Woodview, which is a large detached property to the northeast, and Pledgdon Green Road to the east. On all other sides lies open countryside and the whole property extends to approximately 3.78ha (9.3 acres). Tuijas Cottage is located abutting the northern boundary of the site and is a modest single-storey property.

DESCRIPTION OF PROPOSAL: This revised proposal involves the erection of a replacement detached 'Potton' style 1.5 storey house with a ridge height of 7.4m, about 1m higher than the existing bungalow. The proposal also details the erection of a cart-lodge style replacement detached garage.

APPLICANTS' CASE: The existing dwelling is small and does not provide adequate living accommodation to modern day standards. The property is next to a surface water ditch and large mature Oak and Ash trees which are undermining the foundations. Whilst the replacement dwelling would be larger than the existing cottage, the one and a half storey design would allow for living accommodation in the roof whilst keeping the scale of the building modest. The dwelling has been re-sited to provide a better relation with the adjoining houses and to allow for the creation of easier access and parking. The new siting would have a less detrimental effect on the neighbouring properties, by way of overlooking, loss of privacy and outlook. The proposal has been negotiated with the planning department following previous refusals and appeals.

RELEVANT HISTORY: Proposed demolition of existing bungalow and erection of a dwelling house refused in 1985 for reasons of siting and size. Erection of a detached house including a swimming pool refused in 1990 at land to the rear of Woodview for Policy reasons. Erection of replacement dwelling refused 1990 for reasons of siting and size. Erection of replacement dwelling refused in 1999 for reasons of siting, size and design. Erection of replacement dwelling refused in 2000 & appeal dismissed on grounds of size, scale and sitings intruding into the open countryside & adversely affect the rural character & appearance of the area.

CONSULTATIONS:Environment Agency - Makes advisory comments relating to sewage treatment plant and watercourses.

PARISH COUNCIL COMMENTS: No objection.

REPRESENTATIONS: None. Notification period expired 13th November 2002

PLANNING CONSIDERATIONS: The main issues are whether:

- 1) the proposal qualifies as a replacement dwelling (ADP Policy H8, DLP Policy H6) and
- 2) the proposal would have a detrimental impact on the character and appearance of the open countryside and CPZ (ADP Policies H8 & S4, DLP Policies S8, GEN2 & GEN8).

- 1) Policy H8 of the Adopted District Plan states that *'proposals involving replacement dwellings will normally be approved providing such proposals are in scale with neighbouring properties and the siting of the replacement dwelling is in close proximity to the original structure'*.

The previous application for a replacement dwelling 70m to the south of the existing cottage was dismissed on appeal in May 2000, because of the visual intrusion such a property would have in the open countryside by reason of its size, scale and siting and because it was not in close proximity to the original structure. The current proposal details that the replacement dwelling would be 25m to the south west of the existing Tuijas Cottage. Whereas the previous proposals involved the erections of substantial dwellings in the middle of the open field, it is considered that the proposed dwelling would be in close proximity to the existing. With the existing access being utilised for the new dwelling, this would not give the impression of the unit being totally separated from the existing cottage, unlike the previous applications. The property would be of a distinctly different style to the surrounding properties of Marks Cottage and Woodview, which is a substantial detached bungalow. Because of the design with a 1 ½ storey height and traditional detailing, the replacement dwelling would not appear out of scale or keeping with the surrounding cluster of residential properties.

- 2) Policy H8 of the Adopted District Plan also states that proposals outside development limits for the replacement of existing dwellings by larger buildings which, *'through their size or appearance, impair the rural characteristics of the countryside will not be permitted'*.

The proposed replacement dwelling has been repositioned following the refusal and subsequent dismissal on appeal of previous applications which have been sited in the open field, some 70-100m to the south of Tuijas Cottage. The proposed replacement would be located to the rear of the small cluster of properties and sited closer to the northern boundary, which would significantly reduce the impact of the dwelling on the open countryside. Furthermore, the design of the dwelling, an off the peg 'Potton' style property, although undoubtedly modern is traditional in terms of its architectural detailing with its high-pitched roof, low eaves height and use of materials would also reduce its impact in the countryside. It is also taken into account that the surrounding properties of Woodview and West Oaks are very large, substantial modern properties and that the proposal is appropriate with regards to its design. In addition the detached double garage which would be located 5m to the north of the proposed replacement dwelling and because of its traditional detailing, it would not have a detrimental or 'suburbanising' effect on the character of this rural area. The proposal, because of its residential nature would not promote coalescence with the Airport and therefore complies with Policy S4 of the Adopted District Plan.

CONCLUSION: The proposal represents a significant improvement on past proposals. The replacement dwelling qualifies as a replacement under Policy H8 and would not have a material impact on the open characteristics and appearance of this rural area. The proposal would not promote coalescence with Stansted Airport or be materially detrimental to the openness of the Countryside Protection Zone.

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+4.C.4.1+2. Scheme of landscaping to be submitted, agreed & implemented
4. C.5.1. Samples of materials to be submitted, agreed & implemented
5. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
6. C.8.24. Sound insulation of dwellings

7. C.6.7. Excluding conversion dwelling of garages
8. C.23. Demolition of existing
9. C.7.1. Slab levels to be submitted and agreed.

Background papers: see application file.

UTT/1804/02/FUL - SAFFRON WALDEN

Two storey building for use as rehabilitation unit
Saffron Walden Community Hospital, Radwinter Road. GR/TL 550-386. Uttlesford NHS
Primary Care Trust.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 17/02/2003

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

DESCRIPTION OF SITE: Saffron Walden hospital is located on the northern side of Radwinter Road, comprising a range of single and two storey modern buildings. There is car parking to the front and west of the main building. There is an ambulance station and day centre within the grounds, and an area of grassland to the north east of the site.

DESCRIPTION OF PROPOSAL: The proposal is to construct a one-and-a-half storey extension for a patient rehabilitation centre at the rear of the main building. It would have a footprint of 21m x 13.8m (290sqm) plus 52 sqm link area, and height of 7.9m, with a roof design incorporating a well in the middle to ensure the height of the building would be below that of the existing building. The ground floor would have an office, physiotherapy room and store, occupational therapy workshops, waiting room, kitchen, bedroom/bathroom (for patients only) and staff facilities. The first floor is designated as a "non-patient" area for nursing staff, medical records, etc. It would be constructed from stock bricks and concrete roof tiles to match the existing building. No additional parking spaces are proposed to serve the facility, but the agent advises that the building will replace an existing facility in the hospital and will not result in an increase in staff or patients. It would not serve out-patients. The vacated accommodation in the main building would allow improvement of existing facilities rather than generating more visitors to the site.

APPLICANT'S CASE: See agent's letter dated 9 December 2002 attached.

RELEVANT HISTORY: Historical use as hospital. Extension to form physiotherapy unit granted 1996. Change of use of listed building and construction of additional buildings to form flats granted 1999. Outline application for 60 bed nursing home and 66 car parking spaces withdrawn by applicant 2001.

CONSULTATIONS: ECC Transportation: No objections, provided no material increase in traffic to be generated.

TOWN COUNCIL COMMENTS: No objection

REPRESENTATIONS: None. Notification period expired 23 January.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the proposed design would be in keeping with the existing hospital complex, and could be accommodated without any adverse impact on the setting and the amenity of adjacent residents (ADP Policies DC1 and DC14, and DLP Policies GEN2 & GEN4) and**
- 2) **the proposal would generate any additional traffic to the site which would adversely affect traffic levels on Radwinter Road, and the existing parking deficiencies at the hospital (ERSP Policy T12, ADP Policy T2, & DLP Policy GEN9)**

1) Since the separation and residential conversion of the listed buildings to the west, the remaining hospital buildings are of modern design and materials. The proposed building would not be out of keeping with the general form of the complex, and the design would ensure that heights are kept low so that the main building would largely screen the development. The proposal would be sufficient to screen the flats to the west to avoid

any loss of amenity from its use and first floor windows. The provision of an enhanced rehabilitation facility at the hospital would be of benefit to the community and is to be encouraged.

2) The proposal does not include provision for any additional car parking spaces. The agent advises that in-patients of the hospital rather than out-patients would use the facility, no additional traffic should be generated. A condition restricting out-patient attendance would be difficult to enforce, but as such use is not intended it is not considered reasonable to require more parking. An outline application for a nursing home on another part of the hospital site was favourably considered two years ago, but was withdrawn by the Health Trust prior to the signing of a 106 legal agreement requiring a financial contribution to road improvements in the Radwinter Road area. ECC Transportation has advised that, whereas the previous scheme would have generated traffic above the normal hospital use, in this case there is no requirement for a contribution as the use of the extension as proposed would not generate significant additional traffic.

CONCLUSION: The proposal would enhance the facilities provided at the hospital, and would be acceptable in terms of design and residential amenity. As the extension would replace cramped accommodation in the existing hospital and would serve in-patients only, it is not considered necessary to require the provision of additional car parking on site or a highways infrastructure contribution.

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.5.2. Details of materials to be submitted and agreed.

Background papers: see application file.

UTT/0037/03/CC – UGLEY
(County Council Consultation)

Installation of 2 x 1.0 MW Landfill Gas Powered Electricity Generators, associated equipment & compound, including a new Flare Stack. Retention of existing noise fences. Ugley LandFill Site. GR/TL 516-278. Essex County Council.
Case Officer: Miss M Guppy 01799 510477
Expiry Date: 11/02/2003

NOTATION: ADP+DLP: Outside Development Limits & Settlement Boundaries near to Site of Special Scientific Interest/County Wildlife Site.

DESCRIPTION OF SITE: The site is located to the west of the B.1383 approx 5km north of Stansted Mountfitchet. It is to the north-east of Ugley Green and is accessed from the Cambridge Road.

DESCRIPTION OF PROPOSAL: The proposal is for the installation of two 1.0 MW Landfill Gas Powered Electricity Generators housed within a 13m by 2.5m 3.5m high containers, plus associated equipment contained in a single-storey brick building. These would be accommodated within a 30m by 17m compound surrounded by a 2.4m high steel fence, forwards the northwestern corner of the site. A new 8m high Flare Stack, is included, and for the retention of existing noise fences. Power would be exported from the compound on pole mounted overhead lines. The compound and immediate access area would have security lighting. The application is for a temporary permission until 2020.

APPLICANT'S CASE: See attached summary of supporting statement. Full Noise and air quality statement available to view at Council Offices.

RELEVANT HISTORY: UTT/1084/95/CC – No objections to landfill gas extraction plant consisting of pumphouse and flare stack, 1995.

CONSULTATIONS: Environmental Services: To be reported (due 14 Feb).
Landscaping Advice: To be reported (due 14 Feb).

PARISH COUNCIL COMMENTS: Ugley: In principle appears to be given fullest support in view of safety factors and economical implications. Have deep concern as to the positioning of plant so close to dwellings in view of noise in particular.
Stansted Mountfitchet: No objection. Enquire whether existing noise fences are adequate.

REPRESENTATIONS: Any received will be reported. Notification period expired 12/2/03.

PLANNING CONSIDERATIONS: The main issues are the effect of the proposal on

- 1) neighbouring properties (ADP Policy DC14 & DLP Policy GEN4) and
- 2) the character and appearance of the countryside (ADP Policy S2, DC1 & DLP Policy S7, GEN8)

1) The flare stack would replace those currently on site which are located further from residential properties 150m to the west fronting Cambridge Road. The landfill produces gas that has to be tapped off and burnt to ensure it does not build up underground. At present the gas is burnt off. This proposal is to harness the energy created when it is burnt off to create electricity. In principle the increased impact on residential property should be limited, but concern is raised about the proximity to residential properties and the Country should be requested to ensure that no better location is possible to the east.

2) The whole operation is located at the bottom of the pit and although the proposal may have a greater visual impact due to the increase in associated structures in order to produce electricity, the burning of gas is an essential part of the landfill process. It is considered that the environmental gains of harnessing the energy rather than wasting it, outweigh the visual impact of the proposal on the countryside in this case.

CONCLUSION: This proposal is essentially required as part of the Country's refuse disposal operation and if this location is the only one practicable, then no objections are raised in principle to a temporary permission, subject to conditions.

RECOMMENDATION to Essex County Council: No Objection in Principle subject to:

1. Satisfying the County Council that no better site exists further from residential properties.
2. Limited to life of pit or 2020 (whichever is the sooner).
3. Screening requirements.
4. Superseding existing facility.

Background papers: see application file.

UTT/1724/02/FUL – BIRCHANGER/STANSTED

Erection of 20m Cypress Tree Telecommunication Mast with 4 x antennae and 4 x 600mm transmission dishes, equipment cabin 1.8metre security fence with barbed wire on top
R & N Engineering, Stoney Common Road. GR/TL 509-244. Orange PCS.

Case Officer: Geoff Lyon 01799 510458

Expiry Date: 10/02/2003

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

DESCRIPTION OF SITE: The site, the subject of this application is located on land to the south of Stansted Mountfitchet, which is adjacent to the railway line and accessed off Stoney Common Road. The site at present features a wood of mostly semi-mature coniferous trees with a border of deciduous species alongside the railway embankment. The existing vegetation on site does afford some screening to nearby properties being constructed on land to the north off Stoney Common Road, known as Old Bell Close.

DESCRIPTION OF PROPOSAL: This application initially sought permission to erect a 20m high monopole telecommunication mast with 4 x antennae and 4 x 600mm transmission dishes, equipment cabin, 1.8 metre high security fence with barbed wire on top. Following a site visit and to reduce the visual impact of the proposal from the opposite side of the railway line, the applicant has amended the design of the mast from a monopole to a 'Cypress Tree' design in view of the surrounding vegetation being predominantly of this nature.

APPLICANT'S CASE: Data traffic is increasing and is forecast to continue to grow, as technology is developed to facilitate this. In the future, services such as direct access to the Internet from a handset, downloading files from the office to a mobile laptop computer and video phones will be offered to subscribers. These data services are commonly known as third generation or 3G services. Orange has recently been licensed by the DTI, along with four other operators, to provide and maintain a UMTS telecommunications service to an area where at least 80% of the population of the UK live by 31 December 2007. These 3G Services will be provided using a combination of UMTS and new generation GSM equipment. UMTS will provide very fast data rates, however, for the network to work effectively we also need to provide an "umbrella" GSM network which is also capable of providing high-speed data albeit at slower rates than UMTS.

To implement this 3G network in the target areas requires both changes to our existing sites and new sites to be built to complement the existing network. This new site has been selected as part of the 3G coverage programme to satisfy our license requirements.

CONSULTATION: Civil Aviation Authority – No objections on public safety grounds.

PARISH COUNCILS' COMMENTS: Birchanger - The Parish Council is becoming disturbed at the number of new telecommunication masts in this general area that are being built too close to houses. The close proximity to Stansted Airport should also be of consideration and possible concern. We are not convinced that there are no other alternative sites for this kind of development in view of the prominent position on Pines Hill. If a mast is approved it should be a tree mast rather than a monopole.

Stansted: None (due 28 January).

REPRESENTATIONS: None. Notification Period expired 4/2.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the proposed 3G mobile telecommunications base station is an acceptable form of development within the proposed location. (ADP Policy DC11 & DLP Policy T4) &
- 2) health concerns should be considered.

1. The need for new infrastructure to provide mobile telecommunications facilities within the district is an issue that will continually arise due to changes in technology. The current Adopted Local Plan Policy DC11 part a) states that *'applications for small telecommunications apparatus requiring planning permission...will be favourably considered if such development is not prominent or intrusive'*.

Emerging Policy in the Deposit Draft Review Local Plan Policy T4 states that Telecommunications equipment will be permitted if the following criteria are met:

- a) There are no practical alternatives such as mast sharing;
- b) There is a technical requirement for the equipment that outweighs its visual impact;
- c) The equipment is located so as to reduce its impact as far as possible; and
- d) There would be no material harm to the amenities of residential areas or community facilities.

The key consideration therefore is the visual impact of the proposed development. The site is partially screened with semi-mature trees but the fact that the site is on a hill and visible to residents living in Brook View to the east means that careful consideration to the design of the development is required. The applicant has amended the original monopole scheme to take on board these concerns with a 'Cypress tree' design instead. This should afford some degree of reduction in the visual impact of the mast. The issue of sharing or use of an alternative site has been also raised by the Parish Council. The applicant has not indicated whether mast sharing is possible or whether they have examined alternative sites within the proposed 'Cell'.

2. Health concerns are a matter of debate that occurs frequently with such proposals. The mast conforms with and falls well below the maximum levels of exposure (measured in watts per metre squared) recommended by the International Commission on Non-Ionising Radiation Protection (ICNIRP). The beam of maximum intensity is 178m from the base of the apparatus. In light of the exposure levels falling below the maximum recommended by ICNIRP, the council should not make a judgement based solely on health grounds unless material circumstance indicate otherwise.

CONCLUSION: It would seem that through amending the appearance of the apparatus from a monopole to a tree mast should result in a far more acceptable form of development in visual terms. Additional landscaping could be requested to screen the equipment cabin at the base of the mast and further reduce the appearance of the development and blend it in with surrounding features.

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. No extension to mast without further permission.
- 4. C.4.1. Scheme of landscaping to be submitted and agreed
- 5. C.4.2. Implementation of landscaping

Background papers: see application file.

UTT/1826/02/FUL - HATFIELD HEATH

Erection of 25m monopole telecommunication mast with six antennae and four microwave dishes, equipment cabinet, 1.8m high security fencing with barbed wire above. Greenways Farm Eggs, Camp Farm, Mill Road. GR/TL 518-154. Orange Personal Communications.

Case Officer: John Grayson

Expiry Date: 4 March 2003

NOTATION: ADP: Within Area of Special Landscape Value & Metropolitan GreenBelt.
DLP: Metropolitan GreenBelt.

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

DESCRIPTION OF PROPOSAL: This revised proposal is to erect a 25m high telecommunications monopole tower with six mounted antennae, four microwave dishes with ten equipment cabins, within a 12 x 12 m compound surrounded by a 1.8m high security fence, on a different part of the site. It would now be located in NW corner, rather than the SW corner as previously approved.

APPLICANT'S CASE: Other sites that have been explored in the Hatfield Heath area were either unsuitable or unavailable, too close to housing, or too exposed. See supporting statement including technical justification on file at Council Office and letter dated 17 December 2002 attached at end of report.

RELEVANT HISTORY: Application for 25m mast approved in September 2002 in SW corner of site and subsequently agreed resiting 25m to east as minor amendment at neighbours' request (not confirmed by landowner).

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

Revised siting: This is not a suitable site for a mast. A site visit is suggested as the proposed site is adjacent to gardens and to a public footpath. The positioning will be obtrusively in sight of all houses in the Stortford Road. The Councillors objected to this application.

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

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

Revised siting: This application has been advertised and 4 representations have been received. Period expires 13 Feb. Any further comments will be reported.

We strongly reject this proposal for the following reasons.

- a) Being situated on the top of a hill and a height of 25 metres [82 feet] it would be totally out of proportion for the area and an eyesore for miles around.

- b) The location is too close to houses, gardens and the junior school considering it is unclear whether such equipments emits harmful radiation.
- c) The mast would not be screened by trees as it is 15m higher than those surrounding it.

We do understand that this equipment has to go somewhere, but surely there are more suitable positions on the site away from the houses on Stortford Rd. [in NE corner of site].

PLANNING CONSIDERATIONS: The main issues are whether:

- 1) the proposal is essential in terms of need, it would be appropriate in the countryside in terms of its visual impact on the Rural Area of Special Landscape Value and Metropolitan GreenBelt and if the location is essential for technical reasons, alternative sites have been considered and the appropriate measures have been taken to mitigate any potential adverse impacts on amenity (ERSP Policies BE8 & NR1, ADP Policies DC13 and C2 and DLP Policies T4 and GEN8),**
- 2) health considerations are relevant having regard to National Planning Policy Guidance (PPG8) and**
- 3) the revised siting would be preferable to the approved location.**

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

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

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

The nearest dwelling is 140m away located on the Stortford Road, but rear gardens approach closer to the site. The mast would close to an oak tree 10m high, and two others 6m and 4m high and would be partially screened by trees and hedging. Because of the relatively isolated location, coupled with the fact that there is an abundance of natural vegetation, the mast would be partially screened therefore

reducing its impact on the landscape and skyline. It is considered that the mast would have a minimal impact on the character and appearance of the Metropolitan Green/Belt and would not have sufficient adverse impact on visual amenity to warrant a refusal. Appropriate measures have been taken to mitigate the mast's impact on the open countryside by positioning it as far away from residential properties as possible and by using existing natural vegetation to reduce its visual impact and appearance. However, a tree mast may be preferable in this location.

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

3) Although the new site is less well screened than the one originally approved, it is further away from most dwellings in the vicinity (to the west and south). On balance, it is considered that either location would be acceptable.

COMMENTS ON REPRESENTATIONS: These are covered above. Regarding the Parish Council's original comments, it is a Government requirement that mast sharing be carried out and this mast would have that potential.

CONCLUSION: The proposal is necessary and sufficient justification has been given. The mast would be partially screened by a number of trees and hedge, which would help soften its visual impact. The proposal conforms to ADP Policies DC13, S3 and DLP Policy T4, whilst also satisfying ERSP Policy BE8 and the requirements of PPG8. Whichever Orange choose to implement (i.e. from the three alternatives approved if permission is granted in this latest case), the other two should be revoked. The applicant's comments on a possible tree mast will be reported at the meeting.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit
2. C.3.2. To be implemented in accordance with approved plans
3. C.21.1. No extensions to mast.
4. Retention of existing screening.
5. Revocation of two alternative sitings upon implementation of any of the three granted.

Background papers: see application file.

1) UTT/1726/02/DC, 2) UTT/1757/02/DC & 3) UTT/0014/03/LB - SAFFRON WALDEN

(Joint Report on District Council Proposals)

1) Engineering works to act as defensive ditch to restrict entry to Bridge End Gardens and to provide occasional storage for flood water. 2+3) Erection of railings and disabled access to dutch gardens.

Borough Meadow, Bridge End Gardens. GR/TL 535-387. Uttlesford District Council.

Case Officer: Karen Hollitt 01799 510495

Expiry Date: 30/01/2003

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

DESCRIPTION OF SITE: These applications relate to two areas within Bridge End Gardens to the northwest of the town centre. The first application relates to ground in close proximity to the Ha-Ha wall within the gardens. The other two applications relate to the listed Eagle Gates, which are in close proximity to the entrance at the southern end of the Gardens.

DESCRIPTION OF PROPOSALS: 1) UTT/1726/02/DC – This application relates to the formation of a ditch in close proximity to the Ha-Ha wall which would restrict entry to the gardens in an area where additional security cannot be installed. In addition, it is proposed that the ditch would act as a storage reservoir for flood water (balancing pond), helping to alleviate the flooding problems in the area in recent years.

2+3) UTT/1757/02/DC & UTT/0014/03/LB – These applications relate to the erection of a wall to be located between the existing wall and the listed Eagle Gates, which are currently an isolated structure. In addition access for people with disabilities would be created.

APPLICANT'S CASE: 1) UTT/1726/02/DC – Will assist in securing the most vulnerable boundary wall and has been designed to act as a small balancing pond that will provide some occasional storage of floodwater from the Slade.

2+3) UTT/1757/02/DC & UTT/0014/03/LB – Examination of the Eagle Gates and the wall adjacent to Borough Meadow indicates that boundary, probably railings, once existed. Supported by evidence from a spot excavation that revealed brickwork, likely to have been the remains of previous foundations. Additionally the 1877 OS map clearly delineates the line of a boundary in this location. See memo dated 6 December 2002 attached at end of report.

RELEVANT HISTORY: Various applications in relation to restoration works at Bridge End Gardens granted over the years.

CONSULTATIONS – 1) UTT/1726/02/DC:

Environment Agency: No objection.

Archaeology: No archaeological recommendations being made.

English Heritage: See letter dated 6 January attached at end of report.

Historic Parks Society: None received. (due 21 December 2002).

Design Advice: No objections Engineering Advice: flooding problems should be reduced.

CONSULTATIONS – 2) UTT/1757/02/DC & 3) UTT/0014/03/LB

Water Authority: None received (due 21 Dec 02).

Environment Agency: It is not felt that it would be a problem during flood flows, as it would tend to slow down the rapidity of the flow and hold it up to fill the new proposed flood storage area at the Dutch Garden. Would also deflect surface water away from previously flood damaged area directly downstream.

English Heritage: Happy to support this application in respect of its impact on the Registered garden.

Archaeology: No archaeological recommendations.

Historic Gardens Society: No comment.

Design Advice: No objections.

TOWN COUNCIL COMMENTS: No objection to all applications.

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 27 January 2003.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the proposals are acceptable in design terms, particularly in relation to the listed structures (ADP Policy DC5 and DC1, DLP Policy ENV2 and GEN2, ESRP Policy HC3), and
- 2) the proposals would be detrimental to the character and setting of the conservation area (ADP Policy DC2, DLP Policy ENV1, ESRP Policy HC2).

1) The proposals have been extensively negotiated with all the relevant parties prior to submission and are considered acceptable in design terms. They would provide additional security measures for the Gardens, whilst being in keeping with and sympathetic to the historical character of the area. In addition, flood damage should be reduced.

2) The proposals are considered to be an enhancement to the character and setting of the listed structure & conservation area.

CONCLUSIONS: These are well designed and carefully considered proposals in relation to the restoration of an Historic Garden and would enhance the character and setting of this historic area.

RECOMMENDATIONS:

1) UTT/1726/02/DC - 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

2) UTT/1757/02/DC – 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) UTT/0014/03/LB – (RECOMMEND TO GO EAST) 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.

Background papers: see application file.

UTT/1847/02/OP – STANSTED
(Referred at Officer's Discretion)

Outline application for erection of chalet bungalow
The Rose & Crown Public House, Bentfield Green. GR/TL 506-255. Mrs Wayman.
Case Officer: Michael Guppy 01799 510477
Expiry Date: 24/02/2003

NOTATION: UDP and DLP: Within Development Limits and Settlement Boundaries /
Opposite Protected Open Space of Environmental Value.

DESCRIPTION OF SITE: The site is located to the southwest of Bentfield Green on the western edge of the village. To the northwest of the site is the Rose and Crown Public House, to the north is Bentfield Green, to the east and south are houses in Wetherfield. The site comprises part of the pub garden and land which currently appears to be laid out as car park.

DESCRIPTION OF PROPOSAL: This revised proposal is for outline permission for erection of one house and garage, with siting, design and access to be considered at this time.

RELEVANT HISTORY: Refusal of outline permission for one house in 2002 on grounds of loss of car parking resulting in a detrimental effect on residential amenity and design. Dismissed on appeal in 2002 by reason of the detrimental effect on the distinctive character of the locality.

APPLICANT'S CASE: See letter dated 20/12/02 attached at end of report.

CONSULTATIONS: Design Advice: The site subject of this application is a considerable distance away from the boundary of the conservation area nor is it in close proximity to listed buildings. The proposed design is of typical modern cottage and although it represents a lost opportunity to create something special, I see no justification to refuse it on design grounds.

PARISH COUNCIL COMMENTS: Concerns as to whether proposed design will blend with street scene. Request application determined by committee.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Advertisement expired 31/1/03.
Reiterates comments made in April 2002 re. UTT/0342/02/OP. Concern regarding loss of pub car park. If the pub had a different landlord as it will one day, then it could be very popular and therefore require adequate parking.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would have a material impact on:

- 1) **parking availability for the public house (ADP Policy T2A & DLP Policy GEN9) and**
- 2) **residential amenity and the character & appearance of the area (DLP Policies DC1 & DC14 and DLP Policies GEN2 & GEN4).**

1) The site is currently laid out to parking and within the ownership of the pub. The parking requirement for the pub is 10 spaces for the bar area and 2 for the flat above, making a total of 12. The forecourt for the pub as currently laid out could accommodate 7 cars. The applicant proposes that the parking area to the front could be extended to the east to accommodate a total of 12 spaces (including one space within the existing garage and 2 tandem parking spaces which could be for the flat). The Appeal Inspector deemed that this level of parking provision was adequate.

2) The proposed location for the dwelling has been moved further back into the site than the proposal subject to the earlier refusal. It is therefore considered that concerns regarding the effect of the siting on the setting of the listed structure/buildings and the character and

appearance of the area would be overcome. The design of the new dwelling would be a typical modern cottage. The plot is sandwiched between the modern estate and the older part of Bentfield Green. Although the design of the proposal is not to a particularly high standard, it would fit in well in this location.

The application states there would be 118 sqm of rear garden area which would be acceptable in this location. The proposed is to use the existing access to the site & no objections are raised. There should be no unreasonable level of overlooking of neighbouring properties, or any unreasonable level of overshadowing of neighbouring residential properties.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1. Submission of reserved matters: 1
2. C.1.2. Submission of reserved matters: 2
3. C.1.3. Time limit for submission of reserved matters
4. C.1.4. Time limit for commencement of development
5. C.3.3. To be implemented in accordance with original and revised plans
6. C.4.1. Scheme of landscaping to be submitted and agreed
7. C.4.2. Implementation of landscaping
8. C.5.1. Samples of materials to be submitted and agreed
9. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
- 10 C.7.1. Details of external ground and internal floor levels to be submitted and agreed
11. C.11.6. Standard vehicle parking facilities - residential
12. C.11.7. Standard vehicle parking facilities – public house
- 13 C.17.1. Revised plan required re reduction in size of one dormer window
- 14 C.19.1. Avoidance of overlooking - 1

Background papers: see application file.

UTT/1701/02/AV - GREAT DUNMOW

(Referred at Officers' Discretion)

Retention of internally illuminated ATM signage
14 High Street. GR/TL 627-219. Barclays Bank PLC.
Case Officer: Mr Anthony Betros 01799 510471
Expiry Date: 23/01/2003

NOTATION: Listed Building/ Within Town Centre & Conservation Area.

DESCRIPTION OF SITE: The site lies within the town centre and is occupied by Barclays Bank.

DESCRIPTION OF PROPOSAL: The proposal involves the retention of signage associated with the ATM on the façade of the Barclays Bank building.

RELEVANT HISTORY: Approval of restoration of listed building fronting High Street to form a new branch bank in 1980, approval of two wrought iron, spot-lighted hanging signs in 1984, refusal of erection of projecting signs in 2000, refusal of erection of illuminated fascia sign and erection of projecting sign in 2000, approval of internally illuminated fascia sign in 2000 and approval of non-illuminated projection sign and externally illuminated fascia sign in 2000.

CONSULTATIONS: Specialist Design Advice: The listed building is a timber framed and plaster structure of C15 and C19 origins under a slate and clay tiled roof. The principal elevation has all the characteristics of a well-balanced C19 façade. The front has parapet and painted timber modillioned cornice with a pediment in the centre, symmetrically arranged vertically sliding sash windows and a central door case. A relatively discrete ATM unit is at present located on the right of the door case.

The unauthorised, new ATM arrangement forms a larger element, which is far more visually intrusive and because of its harsh internally illuminated design detracts from the historical characteristics of the listed building and conservation area. In addition, the solid flat panel below the unit extends onto the black band of the plinth, visually disrupting its flow. This is damaging to the general characteristics of the Conservation Area and the special interest and character of the Listed Building. It is clear the its retention also requires listed building consent which as yet has not been applied for, but due to above reasons should not be forthcoming.

TOWN COUNCIL COMMENTS: No comment.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 19 December 2002.

PLANNING CONSIDERATIONS: The main issues are whether the proposal

- 1) detrimentally affects public amenity or safety,
- 2) would be compatible with the character of the Listed Building and Conservation Area (ADP Policy DC3 and DLP Policy ENV1 Shop fronts affecting Listed Buildings and in Conservation Areas) and
- 3) would satisfy the requirements regarding the design of advertisements (ADP Policy DC9 Advertisements).

- 1) There is no issue regarding public safety. Amenity is considered below.
- 2) The proposed signage is considered to adversely affect the appearance of the Listed Building and the Conservation Area as it is considered visually intrusive. The Council's Conservation Officer has provided specialist advice (see above) in relation to this Policy which recommends refusal.

3) Policy DC9 states that internally illuminated signs (such as that proposed) in Conservation Areas and on listed buildings will normally not be permitted. The property (currently occupied by Barclays Bank) has received previous approvals for various signs on the façade and it is considered that the signage associated with the new ATM is excessive.

CONCLUSION: The retention of this illuminated signage associated with the ATM is considered unacceptable on the Listed Building and within the Conservation Area. The application is therefore recommended for refusal and enforcement action to remove the signage as detrimental to amenity.

RECOMMENDATION: REFUSAL REASON AND ENFORCEMENT ACTION

According to the Town and Country Planning (Control of Advertisements) Regulation 1992, express advertisement consent can be withheld in the interests of amenity and public safety. Adopted District Plan Policy DC9 states that: *“In considering applications for the display of advertisements the Council will have regard to the interests of public safety and amenity, in the context of the general characteristics of the locality and any feature of historic, architectural, cultural or similar interest. The display of internally illuminated signs in the countryside and Conservation Areas and on Listed Buildings will not normally be permitted.”* The proposed development would be unacceptable because damaging to the general characteristics of the conservation area and the special interest and character of the listed building. The unauthorised, new ATM arrangement forms a larger element, which is far more visually intrusive and because of its harsh internally illuminated design detracts from the historical characteristics of the listed building and conservation area. In addition, the solid flat panel below the unit extends onto the black band of the plinth, visually disrupting its flow, contrary to Policies DC9, DC3 and ENV1.

Background papers: see application file.

UTT/0064/03/FUL – THAXTED

(Members' Application)

Single-storey side and rear extensions
20 Guelphs Lane. GR/TL 612-314. R D Little
Case Officer: Geoff Lyon 01799 510458
Expiry Date: 19/03/2003

NOTATION: ADP and DLP: Within Development Limits.

DESCRIPTION OF SITE: The site is located to the northeast of the main centre of the village within the residential street of Guelphs Lane. Houses within the immediate locality are predominantly semi-detached and the property in question is situated at the end of the residential street adjacent to open fields. The property has buff brickwork with concrete interlocking tiles, white upvc windows and doors. There is an existing conservatory/porch at the side of the property behind the garage along with a flat-roofed rear extension to the lounge.

DESCRIPTION OF PROPOSAL: The proposal seeks to add a single-storey rear addition to extend the existing kitchen and provide a new conservatory. The kitchen section would be part brickwork to match with the existing property with a mineral chip felt flat roof. The conservatory would be constructed using white upvc on a dwarf brick wall along with new upvc windows and doors. The extension would be 0.6m higher than the existing garage.

PARISH COUNCIL COMMENTS: To be reported (due 2 Feb).

REPRESENTATIONS: Any received will be reported. Period expires 12 February 2003.

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

- 1) be in accordance with design and extension advice (ADP Policies DC1 & H7 and DLP Policies GEN2 & H7) and
- 2) detrimentally affect the neighbours' amenities (ADP Policy DC14 & DLP Policy GEN4).

The proposed development is fairly minor and as such would have no detrimental impact on neighbours. Although flat roofed development is generally discouraged, in the context of existing such development within the site, it would seem a more appropriate design than the use of a pitched roof. The conservatory would have some degree of pitch, but would be hidden from public view.

CONCLUSION: The scheme represents small scale development to provide additional ground floor accommodation and as such would have no detrimental impacts on neighbours.

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

Background papers: see application file.
