

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 17 MARCH 2003

APPL NO: **UTT/0015/03/FUL**
PARISH: **NEWPORT**
DEVELOPMENT: Three terraced two-storey dwellings. Formation of two vehicular accesses
APPLICANT: T Knight
LOCATION: Site adjacent to Granta Cottage, Station Road
D.C. CTTE: 24 February 2003 (page 27)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Approval with conditions
Case Officer: Michelle Guppy 01799 510477
Expiry Date: 04 March 2003

APPL NO: **UTT/1826/02/FUL**
PARISH: **HATFIELD HEATH**
DEVELOPMENT: Erection of 25m monopole telecommunication mast with six antennae and four microwave dishes, equipment cabinet, 1.8m high security fencing with barbed wire above
APPLICANT: Orange Personal Communications
LOCATION: Greenways Farm Eggs, Camp Farm, Mill Road
D.C. CTTE: 24 February 2003 (page 52)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Approval with conditions
Case Officer: John Grayson 01799 510455
Expiry Date: 4 March 2003

APPL NO: **UTT/1724/02/FUL**
PARISH: **BIRCHANGER/STANSTED**
DEVELOPMENT: Erection of 2-m Cypress Tree Telecommunication Mast with 4 x antennae and 4 x 600m transmission dishes, equipment cabin 1.8metre security fence with fence with barbed wire on top
APPLICANT: Orange PCS
LOCATION: R & N Engineering, Stoney Common Road
D.C. CTTE: 24 February 2003 (page 49)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Approval with conditions
Case Officer: Geoff Lyon 01799 510458
Expiry Date: 10 February 2003

UTT/0007/03/FUL – STANSTED/BIRCHANGER

Installation of a temporary telecommunications base station comprising 18m lattice tower, 3 antennae, 2 dishes and 1 equipment tower
Parsonage Farm, Forest Hall Road. GR/TL 516-232. Airwave MMO2 Ltd
Case Officer: Geoff Lyon 01799 510458
Expiry Date: 04/03/2003

NOTATION: ADP and DLP: Outside Development Limits.

DESCRIPTION OF SITE: The application site is located on land to the south of Stansted Mountfitchet and north of Birchanger, associated with Parsonage Farm Trading Estate. It is close to existing trading premises which include industrial / car breakers and engineering units etc, adjacent to an existing traffic junction within the industrial estate on land that is currently grassed. There are trees to the north and east, but not as high as indicated on the plan. The site is visible from the M11 and a further two masts can be seen on land adjacent to the motorway.

DESCRIPTION OF PROPOSAL: It is proposed to erect a 20m high telecommunications mast, comprising an 18m triangular lattice tower supporting 3 antennae and 2 dishes. The size of the proposed compound would measure 15m x 8m and be enclosed by a temporary fence with barbed wire. All associated equipment would be located within the proposed compound. The mast would be constructed of painted grey steel.

APPLICANT'S CASE: The purpose of this proposed temporary 12-month installation is to offer coverage for the Police Force to the Stansted area until a permanent site-share solution becomes operational with O² Ltd on Stansted Airport. BAA, the owners of Stansted Airport are no longer allowing telecom operators to locate on their property due to security reasons. However, they are prepared to accommodate AIRWAVE mmO² as their network is supporting the Police Force, and the airport require coverage on their property. They are only currently prepared to accommodate Airwave on a site-share basis at a BT exchange in close proximity to the main terminal building. This is being progressed but is only in the early stages and is likely to take up to another year before it comes operational, hence the requirement for a temporary solution.

CONSULTATIONS: Civil Aviation Authority – The proposal does not conflict with the safeguarding criteria, accordingly there are no objections to this proposal.

PARISH COUNCIL COMMENTS: Stansted: Why is this only temporary and what does temporary mean, i.e. what is the time limit?
Birchanger: to be reported (due 17 March).

REPRESENTATIONS: This application has been advertised with 39 neighbour notifications. Advertisement expired 28th January 2003. No representations have been received.

PLANNING CONSIDERATIONS: The main issue is whether the proposed temporary mobile telecommunications base station is an acceptable form of development at the proposed location (ADP Policy DC11 & DLP Policy T4).

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; an*
- d) *There would be no material harm to the amenities of residential areas or community facilities.”*

The key considerations therefore are whether there are any practicable alternatives such as mast sharing and whether the technical requirement for the equipment outweighs its visual impact.

The proposed development is intended to provide radio coverage for the Police Force in and around Stansted Airport. The developers are currently involved with achieving a site sharing agreement within the airport itself but in the meantime, a temporary solution is required to provide coverage in this area until the permanent system is in place. It is envisaged that the development will only be required for a period of twelve months and will be removed afterwards.

The development meets the safety guidelines stipulated by ICNIRP (International Committee for Non-Ionising Radiation Pollution) and therefore would prove difficult to refuse on health grounds alone, especially as there are very few residents within the immediate locality.

From a visual perspective, the mast would be quite prominent within the immediate locality to people working at the industrial estate, however, landscaping schemes would seem inappropriate for a temporary structure and the general visual quality of the area could not justify an alternative to the design. Other masts have been approved in close proximity to employment areas within the district.

CONCLUSION: On balance, it is considered that, in view of the constraints regarding the provision of communications facilities at Stansted Airport to cater for the Police Force within the immediate timescale as well as the technical need for such facilities, such requirements should outweigh the potential visual impact of the proposed development. The temporary nature of the proposal could be confirmed with planning conditions to prevent long-term use of this site for other mainstream users. This site would not be appropriate for long-term use in view of its visual impact from the M11 and should be limited to a maximum of two years.

RECOMMENDATION: APPROVAL WITH CONDITIONS

- 1. C.3.1. To be implemented in accordance with approved plans
- 2. The development and uses hereby permitted shall cease operation on or before 30 April 2005 and any apparatus or structure provided in accordance with the permission shall be removed from the land within 28 days of the expiry of this permission or cessation of the use (whichever is the sooner) and the land shall be restored to its original condition before the development took place, unless agreed otherwise in writing with the local planning authority.
REASON: The application is approved on a temporary basis only in view of technical and operational requirements for the equipment and its intended use.
- 3. Extensions without further permission
- 4. Use only by the Emergency Services.

Background papers: see application file.

**P/TC/7/183 - CLAVERING
(Member's Interest)**

Erection of 15m monopole, 3 x antennae, 2 dishes, equipment cabin and ancillary development. Land at Thurrocks Farm. GR/TL 455-338. Airwave MM02 Ltd
Case Officer: Karen Hollitt 01799 510491
Expiry Date: 3/4/2003

IMPORTANT INFORMATION IN RELATION TO THE PROPOSED DEVELOPMENT: This application relates to works which are permitted development under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001. This Order replaced the original Schedule 2, Part 24, of the Town and Country Planning (General Permitted Development) Order 1995. Proposed developments under the above Order are subject, inter alia, the following condition: *"Before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required to the siting and appearance of the development."*

These are the only issues which can be considered in relation to this development. **It must be noted that a determination must be made within 56 days of the submission of the application, as the development is automatically permitted development on day 57.**

PROPOSAL: This application relates to the erection of a 15m monopole and associated equipment and is a revised submission following Member's decision to disapprove siting and design details for a similar proposal adjacent to a hay barn at Thurrocks Farm in December 2002. The revised location has been negotiated with the planning department and local objectors to the previous scheme. It is proposed to locate the mast to the west adjacent to the highway on an existing hardstanding, which is densely screened by existing mature vegetation, approximately 120m from the nearest dwelling. There is a public footpath adjacent to the site, located behind dense hedging. It is proposed to install an airwave antenna, a GPS antenna and a 300mm dish.

SUPPORTING INFORMATION: This application is for part of the Airwave network, nationwide coverage of which is required to be completed by 2005. Service within Essex is required to be completed by March 2003. This monopole is one of 77 required across the county as a whole, 7 of which are required to be based in Uttlesford, and its location is largely determined by the position of the other masts within the county. It is required to provide a modern, dedicated and fully integrated state of the art, national, digital, mobile radio communications service to serve the needs of the police and other public safety organisations. It has been commissioned by the Home Office for all the police forces in England, Wales and Scotland, and will enable police forces to communicate with each other, which is not possible with the current systems in use. It can be used both in-car and on the beat. Coverage is required all over Essex and the site has been considered alongside other sites. This site has been chosen as it requires the lowest possible mast for the greatest possible coverage.

REPRESENTATIONS: This application has been advertised and any representations will be reported. Advertisement expires 12 March 2003.

PLANNING CONSIDERATIONS: It is considered that the revised location of this monopole is acceptable and there are no issues raised in respect of the proposed design.

CONCLUSION: The mast is an acceptable development which can be carried out as permitted development.

RECOMMENDATION: Confirm PD.

Background papers: see application file.

UTT/1809/02/FUL - GREAT DUNMOW

Erection of 130 dwellings with garages and associated highway work
Plots 417- 546 inclusive, Woodlands Park. GR/TL 619-221. Wickford Development Co Ltd.
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 17/02/2003

NOTATION: Within Town Development Limit on Adopted Plan & Within Settlement Boundary on 2nd Deposit Plan/Area subject to Policies GD8 Buildings Farm & GD5 Woodlands Park in 2nd Draft Deposit Plan.

DESCRIPTION OF SITE: The application relates to four parcels of land arranged in a reverse L-shape to the north of Newton Green and to the west of Emblems off Godfrey Way. The parcels are adjacent to other land currently being residentially developed. The land is predominantly flat and largely without vegetation. The estate roads for these dwellings have already been constructed.

DESCRIPTION OF PROPOSAL: This is a detailed application relating to 130 dwellings on 3.6 ha (net). The sites would be developed at over 30 dwellings per hectare in accordance with PPG3. The application proposes 6 one-bedroom units, 18 two-bedroom units, 97 three-bedroom dwellings and 9 with four bedrooms or more. One of the parcels is on the land originally reserved for the new Primary School site and another for the Affordable Housing, both of which have since been relocated.

APPLICANT'S CASE: This application accords with your Council's emerging Local Plan, the recently submitted and approved site Master Plan, as well as the requirements of PPG3. Detailed landscaping and external works layouts and finishes schedules will be submitted to your Authority for approval in due course, as undoubtedly these items will be covered by a Planning Condition. See 2 letters dated 4 March attached at end of report.

RELEVANT HISTORY: Various permissions for residential development, totalling over 1300 dwellings.

CONSULTATIONS: Environment Agency: The Agency expects details of the surface water disposal to be submitted with the application, thereby ensuring compliance. If this information is not provided at the planning application stage then the Agency may feel it necessary to **object** (see applicant's case first letter).
Anglian Water: Condition: foul and surface water drainage.
ECC Transportation: to be reported. (due 17 March).

TOWN COUNCIL COMMENTS: No objections. Landscaping must be carried prior to the commencement of work to keep disruption and noise to a minimum particularly for the residents of Newton Green.

REPRESENTATIONS: These applications have been advertised and 3 representations have been received. Period expired 29 January 2003.

1. (Re parcel to north of Newton Green) The area of land is so narrow; the only reasonable use would be to have it as open space with planting. The level of our garden and that of our neighbours is considerably lower than that of the proposed building land behind us. No one appears to consider our loss of privacy, and the effect upon our quality of life and our health. We have had total disregard from Wickford Development for nearby residents, we have suffered of agree deal of nuisance from the present development, this has been reported to the Environmental Health department on many occasions. We also have concerns about a pipeline that runs though the land.
2. Why is yet more housing required in this overly populated Woodlands Park development? The erection of the 49 houses instead of the school would result in a dramatic difference in the local environment. The increase in and continual noise

associated with the close proximity extra housing and traffic on the highway would have a detrimental affect on the environment.

3. Would like it a condition that additional trees are added along the boundary. We are also concerned about the placement of streetlamps, giving too much light at night.

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

- 1) **ADP Policy H4 which requires development to be carried out in accordance with a Master Plan and with ADP Policy GD8 *BUILDINGS FARM* (DLP Policy GD5 *WOODLANDS PARK*),**
- 2) **ADP Policy DC1 on good design (DLP Policy GEN2) and ADP Policy T1 (& DLP Policy GEN1). Regarding highways.**

1) The principle of development for Sectors 1, 2 and 3 is established in the Adopted District Plan. A revised Master Plan was agreed last year following public consultation. ADP Policy GD8 has many similarities to H4 and it is considered that the proposal meets these policies. GD8 specifically refers to 1275 dwellings and covers Emblems and Woodlands Park. The DLP rephrases this policy in terms recognisable from PPG3, but refers to 1175 dwellings. The Master Plan allows up to 1375 dwellings. This difference in numbers is accounted for by the slightly smaller site area which now excludes the 200 dwellings already built, plus an extra 100 dwellings proposed on Sector 3 which form part of a more efficient use of land following PPG 3.

2) Policy DC1 requires good design and proposals to have regard to the Essex Design Guide. DLP Policy GEN2 goes further to state that development will not be permitted unless its design meets all of the 7 stated criteria, one of which is having regard to Essex Design Guide. The proposed development would be predominantly made up of detached and semi-detached dwellings, although there would be some terraces. The Design Guide advocates the linking of dwellings into terraces in order to archive a more traditional form of development characteristic of the County. As these parcels are part of a phase that has had permission for similar dwellings previously, it is considered that the arrangement of dwellings is satisfactory, except for 3 plots (517-519) in a backland location too close to dwellings in Newton Green. The Guide also gives advice on the design of dwellings including the provision of chimneys. This Council has recently refused the removal of a condition requiring chimneys on units within a large housing development at Takeley. This was required for reasons of design, in accordance with the Guide, rather than for functional reasons. In order to be consistent it is considered that chimneys should be required on more of these properties – only 24 of 130 dwellings are currently proposed to have them. A condition is therefore proposed to require the other 106 dwellings to be provided with chimneys. (see applicant's second letter).

3) The application drawings appear to show that it would be possible for vehicular traffic to pass from Emblems and Godfrey Way to Woodlands Park. This is being discussed with the applicant and will be reported at the meeting. Members may recall the issue of increased use of Godfrey Way by traffic coming from Emblems about ten years ago when that estate was being developed, due to the then inadequate nature of the junction of The Causeway and Godfrey Way. Since then improvements have been made to the junction and the comments of ECC Transportation will be reported.

COMMENTS ON REPRESENTATIONS: There is no great difference in levels between Newton Green and the parcel to the north. The existing fence would be retained and a slab level condition would be imposed. There would also be extra planting and 3 dwellings would be omitted the lighting details would be conditioned. The environment Agency's comments can be conditioned. The developers are aware of the pipeline.

CONCLUSION: The developments are in accordance with the Development Plan & Master Plan.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1 Standard time limit
2. C.3.1. In accordance with approved drawings
3. C.4.1 Submission of landscaping scheme (inc management)
4. C.4.2 Implementation of landscaping
5. C.7.1 Details of slab levels to be submitted and agreed
6. C.11. Highway requirements
7. C.8.27.Drainage requirements
8. C.18.13. Hours of construction to be restricted on parcel next Near to Newton Green –8am-6pm Mon-Fri 9am-1pm Sat, none on Sun or Bank and Public Holidays
9. The development hereby permitted shall not commence until revised drawings have been submitted showing certain plots with chimneys.
10. Parking requirements
11. Omission of plots 517-519.
12. Details of lighting to be submitted and agreed.

Background papers: see application file.

UTT/0146/03/CC - GREAT DUNMOW
(County Council Consultation)

Outline planning application for new 450 pupil primary school
Stortford Road. GR/TL 618-220. Essex County Council.
Case Officer: Mr John Grayson 01799 510455
Expiry Date: 05/03/2003

NOTATION: ADP: Mainly Within Town Development Limits. DLP: Within Settlement Boundaries / Plot A – Safeguarded Primary School Site, Plot B – Employment Land.

DESCRIPTION OF SITE: The site is located on the western edge of the town on the northern side of the Stortford Road A120. It lies between the Tesco store and the Newton Green housing estate. The site used to accommodate the former Carr, Day & Martin (Newton Works) factory which has been removed. The land totals 2.6 ha (6.4 acres) and is split into two plots: A – 1.9 ha (4.7 acres) to the west and north and B – 0.7 ha (1.7 acres) to the southeast. It has a frontage to the south onto Stortford Road and to the north onto Woodlands Park Drive which serves the new Wickford housing estate.

DESCRIPTION OF PROPOSAL: It is proposed to use Plot A for the new Primary School which would replace the existing Infants School in Rosemary Lane. Plot B would be retained either for future school expansion or for B1 offices. The consultation is in outline with no detailed or illustrative plans.

APPLICANT'S CASE: see agent's letter dated 15 January attached at end of report.

RELEVANT HISTORY: see agent's letter dated 15 January p2 attached at end of report. Permission granted for new Magistrates' Court and Police Station in 1999. School site transferred from Woodlands Park to this site as part of Revised Deposit Draft Local Plan. (Magistrates' Court proposal since dropped.)

TOWN COUNCIL COMMENTS: See letters dated 3 & 14 February attached at end of report.

CONSULTATIONS & REPRESENTATIONS: (Carried out by ECC).

PLANNING CONSIDERATIONS: The main issues are whether the proposal would

- 1) be an appropriate use of land and
- 2) have satisfactory access.

1) Para 13.12 of the Revised Deposit Draft of the Local Plan (DLP) states that

"Land 0.9 ha in extent is allocated for employment uses on the old Newton Works site adjacent to Tesco's (Plot B). The site will be appropriate for uses falling within Class B1 (a) office use. The balance of the site (1.9 ha) is safeguarded for a new school site. The means of access to the employment site will be determined by a traffic impact assessment. It is proposed that access to the school site will be from Woodlands Park Drive. Landscaping will be required as a buffer between the school and the employment site and to protect the amenity of surrounding residential uses. In the event that the school site does not come forward the entire site is proposed for employment uses."

DLP Policy GD* which deals with this site states that

"land at the former Newton Works is proposed for employment uses which will be within class B1 (a) office use. The balance of the site 1.9 ha is safeguarded for a primary school. Developers will be required to prepare a master plan to indicate how adjoining non-employment uses will be protected and how the site will be landscaped. Development will need to be implemented in accordance with such a master plan approved by the Council. A

traffic impact assessment will be required. In the event that land is not required for a school that part of the site that does not have planning permission for housing is proposed for additional Class B1 employment uses.”

There is a local need for more primary school places, despite the recent expansion of the facilities at St Mary’s in High Stile. The site allocated within the Woodlands Park estate would not have been available until 2006, so this alternative location was agreed by Members in principle last year. The DLP will not be adopted until next year and there is a growing need for more places to be ready by September 2004. The redevelopment of this derelict site is well overdue and a school would provide an attractive entrance to the town. It is considered, therefore, that Plot A would be appropriate in principle for use as a school site, which would meet the local need in the future. Whether Plot B should be safeguarded for future school expansion needs is a matter for the County Council.

2) The highway issues will be commented upon by ECC Transportation direct to County Planning. However, from the supporting information, there appears to be a possible conflict between the requirement of a Sec 106 Agreement between the ECC and Wickfords, which seems to prevent vehicular access from Stortford Road and the wish to see such access via Woodlands Park Drive as expressed in the Local Plan. Good planning would favour both vehicular and pedestrian access being from Woodlands Park Drive, in order to reduce dangers of turning and slowing traffic on Stortford Road. Even when the new A120 is open by the summer of next year, this existing stretch of road will continue to be the main feeder from the town to Stansted Airport and the M11. A school with 450 pupils would be likely to attract at least 200 parental vehicular movements both morning and afternoon. If right turns in or out were allowed, the dangers would be increased. Even with a ban on all right turns, vehicles travelling west from the town would increase the potential for conflict and danger because they would have to negotiate both roundabouts twice if they were carrying on to the airport or motorway. It is considered that all vehicular access should be from Woodlands Park Drive as indicated in the Local Plan. In view of Members’ concern in 2001 about access to the other Primary School in High Stile, if it were to expand, it is considered that it is even more important to ensure satisfactory access to the new school.

CONCLUSION: The use would be appropriate, subject to no vehicular access from the A.120/Stortford Road.

RECOMMENDATION: ADVISE THE ECC THAT THE SITE WOULD BE APPROPRIATE FOR A NEW PRIMARY SCHOOL, BUT THAT THERE SHOULD BE VEHICULAR ACCESS ONLY FROM WOODLANDS PARK DRIVE

Background papers: see application file.

UTT/1841/02/DFO - LITTLE DUNMOW/FELSTED

Erection of 120 X three to five bedroom dwellings with garages and associated ground works (Reserved matters following outline permission UTT/0302/96/OP)
Phase 4, Oakwood Park. GR/TL 663-206. Enodis Property Developments
Case Officer: Richard Aston 01799 510464
Expiry Date: 24/02/2003

NOTATION: ADP & DLP: Within Development Limits/Part of Oakwood Park Allocated Residential site (Felsted Local Policy 1 & Oakwood Park Local Policy 1).

DESCRIPTION OF SITE: The subject of this application forms Phase 4 of the overall development of the site for 650 dwellings, in accordance with the latest Masterplan for the site, revised in July 2002. The Phase 4 land is 4.05 ha (10 acres) in extent along the southwestern edge of the development, abutting agricultural land. A section of the principal estate road of the site runs north to south through the phase and into adjoining phases. The site abuts Phase 2a and 2b to the east where construction is currently under way for 130 dwellings. To the south lies land, which has yet to be sold.

DESCRIPTION OF PROPOSAL: The proposal seeks approval under reserved matters for the erection of 120 3-5 bedroom dwellings with garages and associated ground works, pursuant to outline planning permission ref: UTT/0302/96/OP. The developer is to be Wimpey Homes.

RELEVANT HISTORY: Outline application for reclamation of despoiled land and demolition of redundant structures approved 1996. Temporary storage of soil reclaimed from settlement lagoons, allowed on appeal 1999. Amendment to condition to allow 250 dwellings to be constructed prior to completion of A120 approved 2000. Erection of 80 dwellings and associated garaging approved 2000. Erection of 85 dwellings and associated roads approved 2000. Reserved matters for 69 dwellings approved 2000. Variation of Condition 12 of UTT/0302/96/OP to allow occupation of not more than 305 dwellings prior to opening of A120 approved 2002. Reserved matters for 130 dwellings approved 2002. Borrow pit approved 2002. Redevelopment up to 655 dwellings, being a net addition of 170, dismissed on appeal 2002 for reason of insufficient affordable units. Current revised proposal for net increase of 160 dwellings (to be determined)

CONSULTATIONS: ECC Transportation: to be reported (due 19th January 2003.)

Anglian Water: Makes advisory comments relating to foul and surface water drainage, no objections in principle.

Environment Agency: Makes advisory comments relating to foul drainage and sustainable drainage systems as advocated by PPG 25

Police Architectural Liaison Officer: No objections in principle, however some concern raised over layout of the site which could give rise to a perceived fear of crime. Request that planning permission be refused subject to the redesigning of the footpath/alleyway layout.

ECC Urban Design, Improvement and Action Group: The proposal does not accord with the Essex Design Guide or the Design Guide, which the Council has been working to for the past 7 months, The current scheme is far too urban in character and does not reflect its rural setting. Recommends refusal and negotiation of a more suitable scheme.

PARISH COUNCIL COMMENTS: Little Dunmow: to be reported. Felsted: to be reported (both due 2nd February 2003).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 6th January 2003.

PLANNING CONSIDERATIONS: The main issues are whether the proposed layout and design would be appropriate in accordance with the current Masterplan for the site, the Oakwood Park Design Guide and ADP Policy DC1 & DLP Oakwood Park Local Policy).

The proposal is in accordance with the approved Masterplan for the site, but that does not contain specific design and layout guidance. Accordingly the proposal has been judged against the criteria of the Policy DC1 of the ADP, which states that amongst other factors, *'Residential development should have regard to operative published standards of layout and design guidance'*. This theme is continued in Oakwood Park Local Policy of the Emerging District Plan. In determining this current proposal, the operative standards of guidance are the Essex Design Guide for Residential and Mixed Use Areas and the Oakwood Park Design Guide November 2002. In the pre text to the above Policy, Paragraphs 10.5 and 10.6 set out the argument as to why a good standard of Urban Design is a priority when dealing with large residential and mixed-use sites. It states that *'in the past, a few developments have been built which are not satisfactory and whose design and siting were not sensitive to their location'*.

Current Central Government Planning Policy guidance is that weight should be attached to the appearance of the proposed development and its relationship to its surroundings and that detailed design should not be controlled unless the sensitive nature of the setting justifies it.

This thread is continued in the Essex Design Guide of which the criteria for the layout of development at densities over 20 dwellings per hectare are applicable. Furthermore, because of the sensitive nature and prominent location of the site the Council has for the past 6-7 months been involved in the formulation of site specific design guidance for Oakwood Park, but the final version has yet to be officially adopted. However, the Design Guide is relevant to this application, as all pre-submission discussions with developers have been based on the principles of the Guide. The purpose of the Guide is to set the layout and design objectives against which detailed planning applications for the subsequent phases of development will be reviewed. Furthermore, the Guide seeks to create a development which is sympathetic to its setting and the environmental characteristics of the area whilst developing an environment which follows the established principles of good urban design.

The proposal has been designed in accordance with a layout, which was agreed in October 2002, for a total of 120 dwellings on 4.05 hectares, at a density of 29.7 dwellings per hectare. Within this context the site was separated into three areas, for high, medium and low density housing in accordance with the Masterplan. The three areas were to be developed in accordance with the Urban Design Strategy of the Design Guide, which allowed an area of low density housing, with buildings set within a heavily landscaped area, which would form a softer edge to the site and screen the development from the surrounding open countryside. The intended density of this area is to be approximately 20 dwellings per hectare (8 per acre), which would create the illusion of a rural environment with housing appearing at intervals among trees. The Design Guide also allows for the creation of higher density terraced style housing along the principal estate road to create a line of continuous frontage and a focal point to the north, which would transition area to achieve the desired change in character between the more developed areas of the centre of the site and the more rural edge.

The focal point has been removed from the current proposal and replaced with housing that would sit at right-angles to the crossroads, would not turn the corner very well and would create an unattractive appearance. The scheme proposes a mix of 3 and 5 bedroom houses, ranging from single 4 bedroom family dwellings to large 3 storey townhouse style dwellings, some with 11m ridge heights and an uncharacteristic expanse of hipped roofs and wide gable ends with minimal landscaping and a built frontage dominated style of layout. When viewed from the surrounding area the site would appear increasingly urban in character and, although it is recognised that the development will have a certain urban element, the current proposal would appear

incongruous when viewed from the surrounding area and would not respect the rural setting to the west.

In addition, the construction of Phase 2a and 2b is already under way and the scheme currently proposed would be too similar in character, layout, size and dwelling design. This would not create the change in character areas and good urban design that the Council is seeking to achieve. The layout in this respect does not accord with the principles of the Design Guide and the Essex Residential Design Guide. The house types proposed are more akin to townhouses in urban areas than this rural site and the elevational treatment emphasises this aspect with an expanse of wide gable ends, hipped roofs, inappropriate detailing and use of materials.

Turning to the landscaping of the site, apart from a small amount of on-street landscaping, this is infrequent and also would not reflect the rural setting to the west. Trees are indicated in the rear of back gardens and the frontages to the western part of the Phase are not landscape-dominated as advised by the Essex Design Guide. The lack of adequate and appropriate landscaping does little to change the predominantly urban character of the proposal. Accordingly, the proposed layout and design of the Phase do not accord with the provisions of the Essex Design Guide and the Oakwood Park Design Guide. Negotiations are currently ongoing to achieve a more appropriate design but in this instance it is recommended that planning permission is refused.

CONCLUSION: The proposal does not reflect pre-application discussions, which have been carried out in accordance with the Essex Design Guide for Residential and Mixed Use Areas and the Oakwood Park Design Guide, which the Council has been working to. The layout, design, landscaping of the site and the elevational treatment of some of the house types would be inappropriate in this Phase of the development and as a result is contrary to Policy DC1 of the Adopted District Policy DC1. (This phase will have to await the opening of the new A120 in any event).

RECOMMENDATION: REFUSAL REASON

Adopted District Plan Policy DC1 states that: *"The design of development proposals should respect the scale, proportions, appearance and materials of buildings in the locality, and the environmental characteristics of the setting. Permission will not be granted for development, which is detrimental to the visual interests of its surroundings. Residential development should have regard to operative published standards of layout and design guidance."* The proposed development would be unacceptable because the layout of the proposal, the style and design of the house types, hard and soft landscape detailing and surface treatments do not accord with the provisions of the Essex Design Guide for Residential and Mixed Use Areas, the Oakwood Park Design Guide & Policy DC1.

Background papers: see application file.

UTT/0912/02/FUL – THAXTED

Erection of 5 terraced and 3 detached houses. Creation of vehicular access and covered parking areas.

Hanchetts, Weaverhead Lane. GR/TL 612-310. Mr A Wright.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 02/09/2002

NOTATION: ADP: Within Development Limits & Area of Special Landscape Value/adjacent Committed Residential site (now developed). DLP: Within Settlement Boundary. ADP & DLP: Site outside 57 Leq Noise Contour re noise from aircraft using Stansted Airport /Opposite Conservation Area.

DESCRIPTION OF SITE: This 0.25 ha (0.62 acre) site is located on the eastern side of Weaverhead Lane, 25m north of the junction with Wedow Road, and is occupied by a bungalow. There is mixed mature planting on the frontage and side boundaries, but the site is more open to the rear, and there are bungalows beyond in Hanchetts Orchard. Vehicular access is towards the north of the frontage, and a telephone exchange building beyond. There is modern two-storey residential development to the south in Wedow Road, and new housing is under construction opposite.

DESCRIPTION OF PROPOSAL: The original proposal was for 9 dwellings, but it is now proposed to demolish the bungalow and construct eight houses on the site: a terrace of five on the frontage to Weaverhead Lane, with covered parking behind, and three detached houses at the rear off a private drive (instead of four). Four of the terraced houses would be 3-bed, one would be 2-bed, and at the rear there would be 2 x 3-bed and one 4-bed house. Most of the garden areas would be modest, and would range from 41sqm. to over 240sqm. The heights of the frontage terrace would be stepped to follow the slope of the road from north to south, and would range from 7.5m to 8.4m. The houses at the rear would be 7.9m to 8.5m high. A covered parking structure is proposed to serve rear Units 7 & 8. The closest dwelling to the bungalows in Hanchetts Orchard at the rear would be 4m from the eastern boundary. Unit 8 would be at 90° to the houses fronting Wedow Road to the south, and there would be between 8.8m – 11m retained between the new and existing buildings. There are no dwellings beyond the northern boundary. A covered parking structure 4.4m high would run parallel to the front terrace for units 1-6. It is proposed to remove a mature Hornbeam tree within the site to accommodate Unit 8, but a larger specimen which is next to it would be retained.

APPLICANT'S CASE: The scheme has been amended to meet requirements of ECC Transportation. The closest dwelling would be 4m away from boundary fence with bungalows in Hanchetts Orchard (instead of 1m). The covered parking structure to units 7 & 8 has been re-sited to provide 1m clearance from boundary with Hanchetts Orchard to reduce impact on neighbouring properties. Hope this structure may remain as it would give a useful sense of enclosure and completeness to the development.

RELEVANT HISTORY: The garden to 'Hanchetts' previously extended to Wedow Road to the south, but permission was granted for seven houses on 0.13 ha (0.32 acres) in 1999, and has since been developed in terrace form at a density of 50 dwellings per hectare (20 per acre).

CONSULTATIONS: ECC Transportation: no objection in principle subject to conditions.

Water Authority: no objection, but recommend drainage condition.

ECC Archaeology: recommend watching brief condition.

Landscape Advice: the two hornbeams are the most significant trees on site, but it would be best if only one were to be retained as they are so close together. Recommend conditions regarding detailed landscape scheme and protective measures for retained planting.

PARISH COUNCIL COMMENTS: Original Plans (9 dwellings): unanimous objection. No more building should take place north west of the site with the only access road being The

Tanyard. Any more building would also cause additional drainage/flooding problems and overlooking would be unacceptable. This is subject of a representation on the Draft District Plan.

Revised Plans (8 dwellings): unanimous objection. Parish Council requested a clause be included in the Local Plan to exclude any more development north-east of the village centre which would be accessed by the narrow unsuitable Tanyard bend. Insufficient drainage and sewage facilities in this area to allow any more development.

REPRESENTATIONS: Seven on original plans (two from 1 address). (Original notification period expired 29 July). Original Plans: overdevelopment of site adding to traffic on dangerous turn into The Tanyard. Loss of one of last green spaces in Thaxted. Site is on slope adding to impact of roofline and overlooking of Hanchetts Orchard. Impact on local schools and community services. Impact on bungalow adjacent site from plots 7 & 8, as bungalow ground level is 1m below application site. Dominance from development. Single storey would be more appropriate for this site. Increased traffic onto road already congested by serving car park, doctor's surgery, businesses and numerous houses. Loss of privacy due to removal of trees. Further development would be detrimental to town. Pressure on infrastructure, which should be contributed to by developer. Excessive density. Four on revised plans (notification periods expired 4 November & 13 February) Revised Plans: extremely concerned about revisions, particularly regarding units 7 & 8. Will be overwhelmed by the height of the houses and loss of afternoon/evening light. Should be redeveloped with bungalows. Unacceptable increase in traffic. Reiterate previous objections. Request Members' site visit.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the redevelopment of this site would be of appropriate scale and density and would be in keeping with the surrounding development pattern (ADP Policies S1 & DC1, and DLP Policies S3 & GEN2);**
- 2) **the number of units proposed would unacceptably increase traffic in the vicinity to the detriment of highway safety (ERSP Policy T3 ADP Policy T1, & DLP Policy GEN1) and**
- 3) **the development would adversely affect residential & environmental amenity (ADP Policies DC14 & DC8 and DLP Policies GEN4 & ENV3).**

1) This is a relatively large site in an area of tightly-knit residential development. The proposal incorporates a mix of house types and sizes, and the density would be 32 dwellings per hectare (13 per acre). Seven units were approved on a smaller site to the south in 1999, and it is considered that the scale and density of the development would be in keeping with the surrounding pattern. The designs accord with the principles of the Essex Design Guide, and the terrace fronting Weaverhead Lane would make a positive contribution in the street scene. The size and type of dwellings would accord with others built in the vicinity in recent years, with the exception of the bungalow development to the rear. Although the garden areas would be small for the frontage units, they would not be significantly smaller than those of the development to the south where the density is much higher, and this would not be sufficient reason to warrant refusal.

2) The proposal would replace one bungalow with eight houses with between two and four bedrooms. There would inevitably be an increase in traffic in an area with a restricted highway network. There are also a public car park, doctors' surgery and other commercial uses in the vicinity. However, ECC Transportation advice is that, subject to the amendments to the access and the internal layout, there is no objection in principle to the redevelopment of this site. It is considered that the additional traffic to be generated by these eight dwellings would not be materially detrimental to local highway safety.

3) The application site rises to the east, and is on higher ground than the bungalows in Hanchetts Orchard to the rear. Revised plans have been received which remove one of the dwellings to the rear and this results in the relocation on of the closest house to 4m from the rear boundary of the site (previously only 1m) and reduces the proposed height to 7.9m

(from 8.2m). The siting and footprint also seek to minimise the impact on the properties adjacent that boundary. Conditions are recommended regarding slab level details and the removal of the proposed covered parking serving Units 7 & 8. It is considered that the overall result would not be of significant detriment to the adjacent occupants. Unit 8 is considered to be sufficiently distant from the houses fronting Wedow Road, subject to the omission of the covered parking structure which would have an over-bearing effect on the bungalows to the north-east. The remaining units would have an acceptable relationship with all surrounding dwellings. The redevelopment of the site would result in the loss of frontage planting, and a Hornbeam within the existing garden. Landscape advice is that the only planting worthy of retention on site are the Hornbeams, but that it would be preferable for the longer-term health of the larger one if the other were removed, without significant impact on the amenity value currently afforded.

COMMENTS ON REPRESENTATIONS: Issues regarding increased traffic, congestion, and detriment to highway safety are addressed in (2) above. Subject to conditions, it is not considered that the revised proposals would adversely affect the amenity of surrounding residents to a material degree. Redevelopment with two-storey housing would be in keeping with other developments in the area, and the presence of bungalows at the rear of the site is not justification to resist this scheme. The additional development would not place significant pressure on existing drainage systems or other infrastructure and services, but a condition is recommended regarding the submission of a scheme of drainage for approval.

CONCLUSION: The site is within Development Limits and would be appropriate re-use in terms of scale, house mix and density. Subject to conditions, it is not considered that the proposals would adversely affect residential amenity to a material degree.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.3. To be implemented in accordance with original and revised plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.4.4. Retention/replacement of trees
6. C.4.6. protection of trees and shrubs for the duration of development
7. C.5.2. Details of materials to be submitted and agreed
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
9. C.6.7. Excluding conversion of garages
10. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
11. Clear to ground level visibility splays of 2.4m x site maximum shall be provided at the junction of the Mews Court with Weaverhead Lane prior to their operational use and thereafter retained free of obstruction.
12. C.11.6. Provision and retention of car parking
13. C.12.1. Provision of Fencing (including 2m high on eastern boundary)
14. C.16.1. Watching archaeological brief
15. C.17.1. Revised plan re omission of covered parking structure rear eastern boundary
16. C.19.1. Avoidance of overlooking - 1
17. C.23. Demolition of existing dwelling prior to the occupation of any of the approved dwellings
18. C.8.27. Drainage Details to be submitted and agreed
19. C.90A The proposed junction with the county road, inclusive of cleared land necessary to provide the sight splays, must be formed and constructed prior to the commencement of other development.
20. C.90B For the first 8 metres, as measured from the back of the footway, the mews court should be restricted in width to 4.8 metres (except for the 1.5m x 1.5m sight splays) and contained by buildings or walls of a minimum height of 1.8 metres. The 1.5m vehicle/pedestrian sight splays shall be provided on both sides of the access and should be adopted as part of the highway.

- 21. C.90C There shall be no doors or other entrances onto the mews court with in the first 8 metres. No windows or doors shall open outwards or overflow or down pipes etc. Project over the net adoptable area of the court or over other areas where the public have unrestrained access.
- 22. C.90D Where mews and mews courts and are concerned, details of the proposed finished surfaces shall be submitted to and approved in writing by the Local Planning Authority, and thereafter constructed in accordance with such approved details, prior to the erection of any of the dwelling units proposed to take access therefrom. All statutory undertakers equipment and services shall be laid prior to the commencement of any works within the shared surface roads and thereafter the access ways shall be constructed up to and including base course surfacing in order to ensure that prior to occupation each dwelling has a property consolidated and surfaced carriageway between the dwellings and an existing highway which shall thereafter be maintained in good repair until the final surface is laid. The final finished surfaces of the shared surface roads shall be laid between the dwellings and an existing highway within three months of the completion of all the dwelling units intended to take access therefrom or within any such extended period that may be agreed by the Local Planning Authority.
- 23. C.90E A 1.5 metre x 1.5 metre pedestrian visibility sight splay, relative to the back of the footway/overhang margin, shall be provided on both sides of all vehicular accesses prior to their operational use. There shall be no obstruction above a height of 600mm (from the finished surface of the access) within the area of the pedestrian visibility sight splays and which shall be retained thereafter in this form.
- 24. C.90F The first six metres of any private access at as measured from the proposed highway boundary, shall be treated with a bound surface dressing as approved by the Local Planning Authority and thereafter retained in that form
REASON for: C.90A-F in the interests of highway safety.

Background papers: see application file.

UTT/1801/02/OP – TAKELEY

Outline application for three detached dwellings with garages. Creation of new vehicular access

Twin Ash, The Street. GR/TL 541-522. Mr L J Hedges.

Case Officer: Anthony Betros 01799 510471

Expiry Date: 10/02/2003

NOTATION: Within Development Limits (TAK 1 of the UDP) and Settlement Boundaries (Revised DLP 2002)/ Adjacent Hatfield Forest

DESCRIPTION OF SITE: The site is located on the southern side of the A120 between Takeley and the M11. It has a frontage of 55m depth of 30m and an approximate site area of 0.165ha (0.4 acres). A mobile home is currently located on the western side of the site, which has existing vehicular access to the A120, and the remainder is vacant.

DESCRIPTION OF PROPOSAL: Outline planning permission is proposed to remove the mobile home from the site and erect 3 detached dwellings and associated garages. No details of the size of the dwellings or garages are provided at this stage. A new vehicular access is proposed to service two dwellings at the eastern end of the site to provide access to the A120 while the existing access would serve the western dwelling. Each dwelling site would have a frontage of approximately 17-18m.

APPLICANT'S CASE: See letter dated 12 December 2002 attached at end of report.

RELEVANT HISTORY: No relevant recent history on subject site although approval for 2 new dwellings has been granted on appeal on the neighbouring site to the east of Thorncroft. A new driveway access was permitted to service the 2 new dwellings.

CONSULTATIONS: ECC Transportation: No objections subject to the provision of a turning space to enable forward entry and exit.

Policy: The site lies within the settlement boundary and therefore the principle of housing development is acceptable. It is unlikely that residential development would have an adverse impact.

Landscaping: No objections.

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: None. Notification period expired 31 January 2003.

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

- 1) consistent with Policy S1 of the UDP and S3 of the Draft DLP 2002 regarding appropriate development,
 - 2) acceptable under Policy T1- New Development and General Highway Considerations and AIR10-Development at Takeley Street regarding development before the new A120 opens and
 - 3) likely to conform with Policy DC14- General Amenity regarding impact on neighbours.
-
- 1) This outline proposal for 3 dwellings with garages on the site is considered satisfactory in principle under Policies S1 and S3. The dwellings would be consistent with the frontage pattern of development along this southern side of the A120 and would not be detrimental to the visual or environmental characteristics of the locality.
 - 2) The proposed additional driveway access would be shared by two of the new dwellings, in addition to the existing driveway access at the western end of the site to serve the dwelling to replace the mobile home. There would be adequate spacing between the driveways while satisfactory sight distances are available to the east

and west along the A120. ECC transportation has no objection to the proposal subject to the provision of a turning area within the site to enable vehicles able to enter and leave in a forward direction. Therefore, the proposal is considered to satisfy Policies T1 and AIR10 of the UDP. This part of the new A120 will be open by the end of this year and in view of the appeal Inspectors' comments on a similar case last year on a nearby plot, it is not considered that a delay in implementation for only 2 new dwellings could now be justified.

- 3) The subject site is considered suitable to accommodate 3 average sized dwellings with single garages similar to the 2 on the site to the east at Thorncroft). Development of the site can be carried out without creating overshadowing, privacy or any other amenity concerns. Adequate landscaping of the site can protect the visual characteristics of the locality which includes the Fritch Way to the rear. Therefore, the proposal is considered to satisfy the provisions of Policy DC14.

CONCLUSION: The proposed outline application is considered reasonable as the proposal would satisfy the relevant Plan Policies. It is considered that the erection of 3 dwellings with garaging can be accommodated on the site without detriment to the traffic conditions along the A120 or to neighbouring properties.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1 Submission of reserved matter: 1
2. C.1.2 Submission of reserved matters: 2
3. C1.3 Time limit for submission of reserved matters
4. C.1.4 Time limit for commencement of development
5. Removal of mobile home
6. C.4.1. Landscaping scheme
7. C.4.2. Implementation of landscaping
8. C.5.2. Details of materials
9. C.7.1. Slab levels
10. C.11.6. Car parking requirements
11. Turning space to be provided
12. C.8.27. Drainage requirements

Background papers: see application file.

1) UTT/1753/02/FUL & 2) UTT/1755/02/CA – ARKESDEN
(Joint Report)

1) 3 x two storey detached dwellings with double garages. Creation of two vehicular accesses to highway.

2) Demolition of dwelling and garage

Merrydowns. GR/TL 483-344. Trustees of the Harding-Cole Settlement.

Case Officer: Karen Hollitt 01799 510495

Expiry Date: 13/02/2003

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

DESCRIPTION OF SITE: This site is located within the centre of the village, to the northeast of Wicken Water, almost opposite the 'Axe + Compasses' PH. It is accessed by an existing vehicular bridge over Wicken Water. The front boundary is densely screened by Leylandii hedging and the remaining boundaries are a mix of seasonal vegetation and close-boarded fencing. There is an existing chalet bungalow on the site together with a large outbuilding. The site has a variety of tree species within its grounds, but these are hidden by the existing Leylandii hedging to the front boundary. It has a frontage of 42m and a depth of 35m, totalling about 0.15 ha (0.37 acres).

DESCRIPTION OF PROPOSAL: The application relates to the demolition of the existing dwelling and garage outbuilding and their replacement with three two-storey dwellings with double garages in front. In addition, it is proposed to create two new vehicular accesses over Wicken Water.

APPLICANT'S CASE: The site consists of an empty and derelict 1 ½ storey dwelling with substantial garage/outbuilding to the rear. It is well screened from the road by a dense cover of Leylandii. The Environment Agency confirm that a clear-span bridge would be preferable and would not require their consent. The Highways Department has no objections to the introduction of new access arrangements over Wicken Water.

CONSULTATIONS: ECC Transportation: No objections.

Design Advice: The quality of this Conservation Area's built environment is especially high here. One of the charms of this village is the unique range of vernacular building types, which evolved gradually and are not unduly repetitive. Proposed scheme is unacceptable. The houses would be identical and because of their size and proximity to each other, would create a uniformed and monotonous mass more akin to a housing estate than a historic rural village. Such arrangement would not enhance the wide-ranging character of the existing built environment. The principal aspect would be dominated by parked cars and the visual amenity of the stream ditch further damaged by two additional bridges. Recommend refusal.

Landscaping Advice: Whilst the predominantly conifer screen to the site frontage is not of particular visual quality, punching through two new accesses and creation of new bridging points over Wicken Water would detrimentally affect the spatial characteristics harmful to the existing rural character.

Environment Agency: Insufficient details regarding surface water drainage. Site overlies major aquifer with soils of intermediate leaching potential, therefore vulnerable to pollution.

UDC Engineer: No details of drainage. Surface water disposal should be agreed in writing before work starts on site.

PARISH COUNCIL COMMENTS: Proposals neither preserves nor enhances the character or appearance of the Arkesden Conservation Area. Existing bridge is the only one in the village that causes flooding of the road. Access problems occur with the other bridges in the village because of an increasing number of cars parked opposite them which prevent occupiers from turning on/off their bridge. Additional bridges would aggravate this problem. Proposed plot 3 would impose a loss of privacy and daylight and would have an overbearing impact on the existing house known as Waterlaide. Express concern at the inaccuracies in the drawing of the plans and the omission of existing trees on site layout. Main character of

Arkesden's architectural beauty is that it comprises individual houses of different historical periods. Merrydowns requires repairs, but can in no way be considered derelict. It was designed by a professional architect in the late 1950's so cannot be described as of "no architectural merit". A large beech tree at the centre-front of the property must also be retained.

REPRESENTATIONS: These applications have been advertised and 11 representations have been received. Period expired 29 January 2003.

1. Object – fails to meet the more exacting criteria for development within Conservation Areas. We consider that the pleasing variety of the housing and irregularity of plot size behind the river with its grass verges and hedges to the banks is also a key feature of this part of the Conservation Area. Detrimental to this setting rather than an enhancement. View would be dominated by the garages set to the front of the plots with doors facing the street.
2. The charm of a village can easily be destroyed with inappropriate development and the appearance in the centre of the village of a mini estate of identical houses, with three crammed cheek by jowl onto a plot suited for the present single house would represent a major dent in the villages' charm.
3. Proposal would create a row of five modern houses uncomfortably close to each other, in a style wholly inappropriate in a very old, very attractive village in a conservation area. A row of three identical houses would not blend into the village scene. Economy has taken priority over careful preparation and design. To replace Merrydowns with these houses would detract significantly from the village's visual amenities.
4. Object, strongly – Scheme neither preserves nor enhances the Area design will present a distinctly 'suburban' aspect. Yet more driveways existing onto the narrow busy section of Main Road will increase the hazardous nature of this section. The existing bridge access to 'Merrydowns' is too low causing flooding onto the road with increasing frequency.

5-11. Comments as above.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the site is suitable for residential development (ADP Policy S1, DLP Policy S1),**
- 2) **the proposals would be acceptable on design grounds in this Conservation Area location (ERSP Policy HC2, ADP Policy DC2, DLP Policy ENV1),**
- 3) **the access would be acceptable with regard to highway issues (ERSP Policy T8, ADP Policy T1 and DLP Policy GEN1) and**
- 4) **sufficient information has been submitted to determine whether the foul drainage and surface water disposal arrangements would be satisfactory (ADP Policies W1-4 & DLP Policies GEN6, GEN3 & GEN 11).**

1) The site is located within the Development Limits of Arkesden and currently has a chalet style bungalow and large detached garage on it. The proposed demolition of the existing property and its replacement with new dwellings would be acceptable in principle. However, with the application in its current form, it is considered that 3 dwellings would be overdevelopment of the site, and 2 would be more acceptable.

2) The site is located within the Arkesden Conservation Area, in the heart of the village, which has a unique character, particularly with its diverse range of properties. This is particularly the case in this part of the Conservation Area. The demolition of the existing property and its replacement with three identical houses of poor design would result in a sub-urban development, detrimental to the character and setting of the Conservation Area. In addition, the erection of three detached double garages fronting the highway would be harmful to the character of the street scene. The creation of two additional access points across Wicken Water would result in the removal of large portions of the Leylandii hedging to the frontage of the site which, whilst it is not of particularly special character, would result in a fundamental change to the character of the Conservation Area. A tree survey has also been submitted and the proposed development would necessitate the removal of a large

number of trees, which would have an adverse visual impact on the character of the Conservation Area.

3) The creation of two additional access points across Wicken Water would be likely to result in increased traffic hazards, particularly at this narrow point in the village, but the Highways Department has raised no objections to the proposal. However, their visual impact would be harmful to the rural character of the village street scene and could result in potentially greater flood risk.

4) There is insufficient information to assess the likely risk of pollution and flooding to determine the current proposal.

CONCLUSIONS: The redevelopment of the site with three identical dwellings and garages would be detrimental to the special characteristics of this Conservation Area. In addition, the creation of additional bridges would have an adverse impact on the spatial characteristics of the area, result in the loss of tree cover, have a detrimental impact on the character of the Conservation Area. And may exacerbate flood risk. Furthermore, the amount of information about drainage may lead to pollution of underground water supplies. However, there would be no objection to the demolition of the existing dwelling, providing it did not occur more than one month prior to rebuilding.

RECOMMENDATIONS:

1) UTT/1753/02/FUL REFUSAL REASONS

1. The character of Arkesden village, and in particular the conservation area, is of a range of properties, all of different characteristics. The development of this site with three identical dwellings would result in a sub-urban development which would be detrimental to the character of the village street scene and Conservation Area. In addition, the proposals would result in the substantial loss of tree cover in this location. It is also proposed to locate three double garages with parking to the front along the frontage of this site, which would be visually intrusive to the character of the Conservation Area. Overall, the proposals would have a severe detrimental impact on the character and appearance of the Conservation Area, contrary to ERSP Policy HC2, ADP Policy DC2 and DLP Policy ENV1.
2. The proposed introduction of two additional bridges for vehicular access points across Wicken Water would be visual intrusive and detrimental to the character and appearance of the Conservation Area, particularly as it would alter the spatial characteristics of the area and would result in the loss of substantial tree cover, be contrary to ERSP Policy HC2, ADP Policy DC2 and DLP Policy ENV1.
3. Insufficient detail of surface water and foul drainage have been submitted to determine whether ground water pollution would result, contrary to ADP Policies W1, W2 and W4, or whether flooding would be exacerbated contrary to Policy W3.

2) UTT/1755/02/CA APPROVAL WITH CONDITIONS

1. C.2.2. Time limit for commencement of development
2. No works of demolition shall commence until a scheme for the replacement of the existing dwelling have been approved. Subsequently, the works of demolition shall commence no earlier than 1 month prior to the implementation of any such approved scheme.
Reason: The demolition of the dwelling without its replacement within a limited period would be detrimental to the character of the Conservation Area.

Background papers: see application file.

UTT/1573/02/FUL – LITTLE HALLINGBURY
(Member's Interest)

Formation of Fishing Lake with 25 parking spaces and creation of vehicular access.
Land west of Port Lane, Latchmore Bank. GR/TL 493-186. Bishops' Stortford and District
Angling Society
Case Officer Richard Aston 01799 510464
Expiry Date: 30/12/02

NOTATION: ADP: Within Metropolitan Green Belt. DLP: Outside Settlement
Boundaries/Within Metropolitan Green Belt

DESCRIPTION OF SITE: The site lies in open countryside on the border with East Herts. It consists of a 1.2 ha (acre) southwestern corner of an agricultural field, between the A1060 through Little Hallingbury and the River Stort Navigational Canal. The field slopes north-east to south-west and lies in an undulating valley, which is landscaped along the former route of the River Stort. The site has an existing entrance onto Port Lane, which is a private access leading onto the A1060.

DESCRIPTION OF PROPOSAL: The proposal details the formation of a 750sqm fishing lake, the creation of a new car parking area for up to 25 vehicles and the formation of a new access road. The access road originally led from Port Lane into an existing field under the same ownership, however, following negotiations with residents of Port Lane and the applicant, the access road has been relocated to run alongside Port Lane to the north.

APPLICANT'S CASE: See agents' supporting letters dated 22 October 2002 & 8 January 2003 attached at end of report.

RELEVANT HISTORY: Extraction of gravel, construction of fishing lakes and landscaping/planting: objections to Essex County Council proposal, September 1998, for reasons of disturbance to local residents caused by traffic (lorries taking out minerals off-site).

CONSULTATIONS: ECC Transportation: No objections on the clear understanding that all materials excavated are retained on site and that adequate car parking and turning facilities are provided within the site.

Environment Agency: No objections in principle, providing that conditions relating to the retention of trees and shrubs along the western boundary, details of the final landform to be submitted and agreed with the local planning authority.

East Herts. DC: No objections providing that there is adequate landscaping and the car park surfacing is sympathetic to the rural character of the area.

ECC Archaeology: The site lies in a perfect position for a prehistoric settlement. Recommends that a detailed monitoring condition be imposed.

British Waterways: none received Due 28th November 2002.

PARISH COUNCIL COMMENTS: Original Plans: object on the grounds that there was insufficient information relating to the disposal of spoil, the car parking would be an intrusion in the landscape, that Port Lane would be used as an access to the site and there is no local need for the development.

Revised Plans: most of the concerns have been met, but one remaining concern however is the access point onto the A1060.

REPRESENTATIONS: Original Plans: Four representations have been received. Period expired 3rd December 2002.

General Summary: The proposal is not in accordance with the development plan. There is no need for another fishing lake. The proposal would have a detrimental impact on highway safety. Noise during construction of the lake, floodlights used during the winter months would be obnoxious. The car parking would be obtrusive. Port Lane is not suitable for heavy vehicles.

Revised Plans: One representation. Period expired 18/2.

Three adjacent entrances to the main road in such a short space is not a good idea. Access would be better from Pig Lane to the west.

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

- 1) have a detrimental impact on the open character of the Metropolitan Green Belt (ADP Policy S3, DLP Policy S6)**
- 2) affect the amenities of occupiers of nearby residential properties (ADP Policy DC14 & DLP Policy GEN4) and**
- 3) have an impact on highway safety (ADP Policy T1, DLP Policy GEN1).**

- 1) Policy S3 of the Adopted District Plan supports small-scale facilities for outdoor participatory sport and recreation, providing that they are open in character and do not adversely affect the open characteristics of the Green Belt. This is continued in Policy S6 of the emerging Local Plan, which emphasises that development must be compatible with the character of the settlement and the area's setting. In principle Policy S3 supports such a use, as it is relatively small scale, open in nature and an outdoor participatory sport.

The main issue is the proposal's visual impact on the area. The lake would be formed in the southwestern corner of an agricultural field, which has the River Stort Navigation running along its western boundary. The field slopes down to a heavily wooded area along the river and with appropriate landscaping and screening would form an extension of this area, reducing the visual impact of the development. The predominantly open characteristics of this area of the Green Belt, which is interspersed with woodland along the river, would be retained. The lake, if sensitively and appropriately landscaped, would blend into the existing landscape and would not have a detrimental impact on visual amenity when viewed from the surrounding area. This can be achieved through the use of restrictive conditions.

- 2) The original scheme proposed that Port Lane would be the access road leading to an existing gate access to the adjoining field to the south of the development. Given the irregular nature of traffic movements to and from the site and that due to the nature of the sport, early morning starts and late evening finishes are not uncommon, this would have had an impact on the residential amenity of the occupiers of Port Lane. However, following consultations and negotiations with both the residents of Port Lane and the applicant, it was considered that an access track still using the main entrance to Port Lane, but then diverting through land in the applicants' control and running parallel to Port Lane would reduce this impact. The total numbers of traffic movements is difficult to estimate, but if all 25 stands were used, this would be least 50 per day. In addition the impact on the residents' amenity would be further reduced because fishing has a closed season from March 30th to June 16th, coupled with the fact that during the months of October-March the lake would only be used during the daylight hours. Assurances have also been attained regarding the removal of spoil, which potentially could have a severe impact on the amenity of residents and the surfacing of Port Lane, would be used in the construction of the access road, the car park and to raise the field level by no more than 400mm over the immediate area surrounding the lake. None would leave the site.

- 3) Concerns have been raised by local residents regarding the impact of the proposal on highway safety and on the surfacing of the lane through the potential use of heavy plant machinery used to construct the lake. Following discussions with Essex County Council Highway Department, no objections have been raised with regard to the use of the existing access onto the A1060 or the use of the proposed access track running parallel to Port Lane. It is considered that because of the sporadic nature of potential traffic movements, the use of the existing access onto Port Lane would not have a detrimental impact on highway safety. Furthermore, because the spoil from the lake will not leave the site, which is one of the main reasons this Council objected to a similar application by Essex County Council for the formation of two lakes and removal of gravel in 1998, traffic generation would be significantly reduced and the need for a number of additional heavy vehicular movements along Port Lane during the construction of the lake would be removed.

COMMENTS ON REPRESENTATIONS: The application has been revised in accordance with consultations and negotiations that have taken place on site with the residents of Port Lane and the applicant. The revisions that have now been incorporated into the application are considered appropriate measures to mitigate the impacts of the development on the residents of Port Lane and the Metropolitan Green Belt. The development is considered appropriate having regard to the relevant Adopted District Plan Policies and no adverse comments have been received from ECC Highways.

CONCLUSION: The proposal represents an appropriate use in the Green Belt and would not have an adverse impact on the rural characteristics of the area. Through negotiation and consultation with local residents the impacts of the lake on residential amenity have been reduced to an acceptable level and no objections from the Highways department have been received. Accordingly, subject to the use of restrictive conditions it is recommended that planning permission be granted.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.2. To be implemented in accordance with revised plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. Unless otherwise agreed in writing by the local planning authority, the use of the fishing lake hereby permitted shall only operate between the hours of 6:00am and 9:00pm June-September and only during daylight hours October-March
REASON: To protect the amenities of the occupiers of the adjoining properties.
6. No spoil or any other material formed as a result of the development shall be removed from the site, unless agreed in writing by the local planning authority.
REASON: To protect the amenities of the occupiers of the adjoining properties.
7. C.16.2. Full archaeological excavation and evaluation
8. C.7.1. Details of external ground levels to be submitted and agreed
9. Hours of construction: 8am-6pm-Fri, 9am-1pm Sat, not at all on Suns or Bank/Public Holidays.

Background papers: see application file.

UTT/0124/02/FUL & UTT/0125/02/LB – HIGH RODING
(Joint Report)

1) Erection of indoor ménage, cart store and kennels.
2) Demolition of redundant farm buildings
Attridges Farm, Rands Road, High Roding. GR/TL 612-172. Mr.P.D. Truman.
Case Officer: Richard Aston 01799 510464
Expiry Date: 03/04/2002

NOTATION: ADP/DLP: Outside Development Limits & Settlement Boundaries

DESCRIPTION OF SITE: Attridges Farm is located in open countryside between Onslow Green and High Roding. The site consists of a listed farmhouse & a residential barn conversion known as Attridges Farm Barn. To the rear of the two dwellings, there is a number of existing corrugated-iron steel & framed farm buildings partly enclosing an yard on one side with countryside beyond. The applicant claims that the buildings are currently used as part of an established haulage business and for livery purposes. The timber outbuildings, which are to be demolished, are located to the rear of the main farmhouse, abutting the residential curtilage of the farmhouse. The nearest residential properties are Broadgates to the north east (125m), Andrews to the east (200m) and Lilley Green which is 190m to the south.

DESCRIPTION OF PROPOSAL: The proposal details the erection of an indoor horse training school ménage 19 x 34m with an internal floor area of 594 square metres to a height of 7.2m to be used for commercial indoor training school purposes in conjunction with the existing livery on the site. (The applicant has stated that the site is an established haulage yard, however no Goods Vehicle Operating Licence exists for the site, which would have supported the applicants claim, in the absence of any further information little weight can be attributed to this claim that the removal of this use would be a planning gain.) The proposal also seeks retrospective listed building consent for the demolition of two outbuildings (pre 1948) and their replacement with a timber cart lodge and kennels for 8 dogs for private use. The cart lodge would have a floor area of 84sqm and the kennel compound an area of 136sqm including an exercise area for private use.

APPLICANT'S CASE: The two buildings to be demolished are derelict and the farm is currently under used. The intention is to upgrade the farm to provide an indoor horse training school, which would negate the need to continue the use of the site for industrial purposes.

RELEVANT HISTORY: Change of use from agricultural to domestic and conversion of barn to residential and associated works, approved February 2001.

CONSULTATIONS: Specialist Design Advice – No objections in principle to a form of outbuildings on the site. The design of the buildings has been negotiated and is now considered to be acceptable. The character or setting of the listed building would not be materially affected.

Environmental Services – Adequate arrangements for the off site of disposal shall be made and stable waste shall not be burnt on site.

Environment Agency – Advises on pollution prevention measures. No waste to be stored or disposed of which may lead to contamination of a water source.

PARISH COUNCIL COMMENTS: None received (Due 18th March 2002 Revised plan comments due 11th November 2002.)

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

General Summary – The applicant has told us that the facilities are for their own use as a training school and are not for commercial purposes. We have been advised that there would be only 4 liveries and 1 member of staff. In my experience lessons can go on until 10pm at night. Additional traffic will be dangerous.

Re-advertised period expired 28th November 2002: none received

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

- 1) the character and appearance of the countryside (ADP Policies S2 (Development Beyond Greenbelt and Airport Countryside Protection Zone) [ERSP Policy C5], DC1 (Design of Development), C3 (The Protection of the Natural Environment) and DC14 (General Amenity) [DLP Policies S7, GEN2, ENV6 & GEN4]),**
- 2) traffic along country lanes (ADP Policy T1 (Highways Considerations), ERSP Policy T3 and DLP Policy GEN1) and**
- 3) the character and setting of the adjacent listed building (ADP Policy DC5 (Development Affecting Listed Buildings) and DLP Policy ENV2).**

1) Policy S2 states that permission will not normally be given for development in the countryside beyond development limits unless the proposal relates to agriculture, forestry and appropriate outdoor recreational uses. The proposed building would accommodate indoor practice training and exercise facilities, which would be available for use in conjunction with the existing livery for 4 horses on the site. It is considered that such a training school is an appropriate rural activity and PPG 7 supports such applications provided that there is no adverse impact on the countryside. Similar proposals have been approved in the District. In addition, the erection of such a building, although not strictly 'outdoor' is appropriate within the restrictions detailed in Essex Structure Plan Policy C5 and ADP Policy S2, so long as the scale, siting and appearance of the building is sympathetic to the surrounding area. This has been confirmed in a recent appeal decision at Broomshawbury, Hatfield Broad Oak in which the Inspector concluded that *'Whilst in principle the provision of a building for the indoor training of horses would not be contrary to these policies, the building is large and would be sited in an open area at a distance from other buildings'*.

The principle of such buildings in the countryside is therefore accepted and the main issue turns to whether or not the design, scale and siting of the building is appropriate. The building which would have a floor area of 594 square metres and a ridge height of 7.2m. It would be sited in close proximity to the existing farm buildings, one of which is an 8m high corrugated iron barn and would therefore relate well to the yard and would not appear incongruous. As a result the building would not have the appearance of a stand-alone new structure in the open countryside and would not be detrimental to visual amenity. Furthermore, the design of the building has been revised following consultations with the Council's Listed Building and Conservation Officer and is now considered to be appropriate.

2) In the absence of further information regarding the established use of the site, little weight can be attributed to the benefits of ceasing the haulage use, as claimed by the applicant. However, livery is already provided on the site and the accompanying application forms state that the horses to be used in connection with the indoor training school are already stabled on site. It is estimated that the vehicular flow per hour to the site would be two vehicles, which would not cause undue damage to verges or cause material dangers to road users. It is therefore considered that a restrictive condition limiting the use of the indoor training school to horses currently stabled on the site would reduce any potential impacts that extra traffic generation in the form of horseboxes coming to and from the site.

3) The application details the demolition of two derelict farm buildings, which were pre 1948, but of no special architectural merit. The buildings have been removed and replaced with the cart store and kennels. Although the removal of these two buildings was unlawful, there have been no objections from the Council's Listed Buildings and Conservation Officer and it is not considered expedient to take enforcement action. The buildings were located outside the established garden curtilage of Attridges farmhouse and their removal and subsequent replacement has not adversely affected the setting or character of the building. Turning to the impact of the proposed ménage building on the character and setting of the adjacent listed farmhouse, subject to conditions relating to materials, no objections have been raised by the Council's Listed Building and Conservation Officer. Given the location of the existing barn and farm buildings and the design of the new ménage, it is considered that the character and setting of the listed farmhouse would be maintained.

COMMENTS ON REPRESENTATIONS: Restrictive conditions regarding the use, hours of operation and lighting would be imposed to protect rural and residential amenity.

CONCLUSIONS: The demolition of two existing derelict farm buildings and the erection of an indoor training school, cart shed and kennels in this location is in principle an appropriate use in the countryside and would not have a detrimental impact on the character or setting of the listed farmhouse. Subject to appropriate restrictive conditions, rural amenity and the residential amenity of adjoining occupiers would not be materially affected.

RECOMMENDATIONS: 1) UTT/0124/02/FUL - APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development
2. C.3.2. To be implemented in accordance with revised plans
3. C.5.1. Samples of materials to be submitted and agreed
4. C.7.1. Slab levels to be submitted and agreed
5. The buildings hereby permitted shall not be used other than as an indoor training school and for no other purpose (including any other purpose in Class D of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification.
REASON: For the avoidance of doubt and in order that the local planning authority can control any potential future development of the site in the interests of the appearance and character of the countryside.
6. C.4.1. Scheme of landscaping to be submitted and agreed
7. C.4.2. Implementation of landscaping
8. No animal/vegetable waste created as a result of the indoor training school hereby permitted shall be burnt on site and a programme of disposal shall be agreed in writing with the Local Planning Authority prior to the commencement of the development and carried out thereafter in accordance with the approved scheme.
9. C.6.9. No riding school or livery use
10. The indoor training school hereby permitted shall not be used other than by horses that are normally stabled within the site outlined in red on the approved site location plan, dated, received unless agreed in writing by the Local Planning Authority.
11. There shall be no external illumination within the site, without the prior written consent of the Local Planning Authority.
REASON 8, 9, 10+11: In the interests of rural amenity
12. C.90A The existing haulage business operation from the site known as Attridges shall cease within a period of one month following the commencement of the development hereby approved.
REASON: To able the Local Planning Authority to retain control over the use of the land in the interests of rural and residential amenities.

2) UTT/0125/02/LB – UNCONDITIONAL LISTED BUILDING CONSENT

Background papers: see application file.

UTT/0034/03/FUL – CLAVERING
(Referred at Members' Request: Cllr Abrahams)

Two-storey side/rear extension. Raise original roof of dwelling. Insertion of side dormer windows.

High Elms, Stickling Green. GR/TL 474-328. Mr & Mrs K Jones.

Case Officer: Michelle Guppy 01799 510477

Expiry Date: 11/03/2003

NOTATION: ADP: Outside Development Limits/Within Area of Special Landscape Value
DLP: Outside Settlement Boundary/Adjacent to County Wildlife Site.

DESCRIPTION OF SITE: The hamlet is located to the north-west of Clavering. The site lies on the northern side of the road, adjacent to the green. To the western side the plot abuts a public footpath, with the driveway being used for the beginning section of the path. The site is currently occupied by a chalet bungalow which has its principal elevation facing west over the green and a gable end onto the road. The rear garden abuts a copse of trees and is well screened from any of the adjacent properties.

DESCRIPTION OF PROPOSAL: The application seeks to extend the existing two bedroomed house to form a four bedroomed house. It would be extended to the north and the roof would be raised by 1.5m. The approx. footprint of the dwelling as extended would be 130 sqm. The garage at the north edge of the dwelling would be removed.

RELEVANT HISTORY: Replacement dwelling approved with conditions in 2001. Two-storey side extension and additional windows withdrawn by applicant in 2002.

PARISH COUNCIL COMMENTS: Object. Proposed extended dwelling would be too large for the site. Would constitute over-development. A very large house would be overbearing in its setting. Cuts off any access for vehicles past the proposed house. Garage is removed. Parking inadequate as the driveway is half village green. Proposal should not be allowed to result in parking on narrow lane. Concerned about visual impact on village green. The northern side of the green is well-preserved.

REPRESENTATIONS: This application has been advertised and 3 representations have been received. Advertisement expired 13/2/03.

1. Has overcome concerns we had over UTT/1497/02/FUL except it would still result in loss of privacy to our rear garden. A 2m high close boarded fence along the eastern boundary would overcome some of this privacy loss. Extension is of a reasonable size and in keeping with the area.
2. Once extended the property would dominate its neighbours. Concerned dormers will be added which would be even more out of keeping with area. Extension would be out of character with surrounding properties. Lack of garaging would create an eyesore and potentially a new building line.
3. Object. Overlooks our property. The proposal would be out of scale and keeping with surroundings. An application for a new dwelling between nearby Monks and Shovellers Cottage, was dismissed on appeal. Inspector cited it would be 'intrusive to the view to the northern boundary of the green, breaking into the extensive rural scene'. The first-floor north-facing windows and door would result in significant reduction in privacy. Style of proposal would be out of keeping with adjacent properties. Any increase in the number of vehicles using the dwelling must increase the risk of accidents due to the proximity to a blind bend.

PLANNING CONSIDERATIONS: The main issues are whether the proposal:

- 1) would be an acceptable design within the context of the adjacent properties and village green setting (UDP Policies DC1, C2 & DC5 and DLP Policies GEN2 & ENV2),

- 2) would have a detrimental impact on the residential amenity of neighbouring properties UDC Policy DC14 & DLP Policy GEN4) and
- 3) would impact on the public footpath or county wildlife site.

1) The dwelling as extended would be in approximately the same location within the site and the roof as raised would be to the same height as the replacement dwelling approved in November 2001. The approximate footprint of the dwelling as extended would be 16 sqm more than the footprint of the replacement dwelling approved in November 2001. The site is already prominent in village street scene and the proposal would not have a greater effect on the setting of the adjacent listed building than the existing dwelling. The resultant design of the extended dwelling is considered to be no worse than that of the existing building. Parking the front garden would increase the hard standing in this location, however this area could be hard surfaced under Permitted Development Rights and screening could be retained and enhanced by condition.

2) The proposed development should not be unreasonably detrimental to the residential amenity of the property to the north east due to the distance between the properties. The first floor windows facing the property to the east would be obscure glazed. There is existing mature screening along the eastern boundary of the site & the extension should not result in an unreasonable level of overshadowing of the neighbouring property due to the orientation of the buildings.

3) The public footpath currently runs up the driveway leading to the property and this situation will be retained. Adequate space for the parking of vehicles would be retained, clear of the footpath. The County Wildlife Site would not be adversely affected as the proposal is for an extension to an existing dwelling which would not be any nearer the Wildlife Site than the existing dwelling. The issue of the Green is private matter between the applicant and the PC.

COMMENTS ON REPRESENTATIONS: These have all been covered above. The appeal referred to the third representation letter was in 1989 and related to a new dwelling on open site with on extensive frontage to the garden.

CONCLUSION: Although the previously approved replacement dwelling would look better on this site, on balance, given the planning history of development on this site, it is considered that the current proposal is acceptable.

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.19.1. Avoidance of overlooking
- 4. C.15.1. Superseding previous permission
- 5. C.4.1. Scheme of landscaping to be submitted and agreed
- 6. C.4.2. Implementation of landscaping
- 7. C.5.1. Sample of materials to be submitted and agreed
- 8. C.12.1. Boundary screening requirements including 2m fence along E. boundary
- 9. Protection of footpath
- 10. Car Parking requirements.

Background papers: see application file.

UTT/1653/02/FUL – STANSTED
(Referred at Officers' Discretion)

Two-storey dwelling with double garage
Rear of 22 Park Road. GR/TL 513-246. J A Young.
Case Officer: Geoff Lyon 01799 510458
Expiry Date: 13/01/2003

NOTATION: ADP+DLP: Within Development + Settlement Limits.

DESCRIPTION OF SITE: The site is surrounded on three sides by existing residential development and opposite approved chalet dwelling yet to be constructed, which shares the same access from Park Road. Boundaries around the site are a mixture of native and non-native vegetation along with close-boarded fencing. This planting provides some degree of screening to properties along Park Road and also with 'Old Lane.' However, the vegetation to the north is not within the control of the applicants and could therefore be removed at any time. The site aspect is such that the properties on Park Road are higher-up than the proposed dwelling. In turn the land in question is slightly higher than the adjacent property 'Hartshorn'.

DESCRIPTION OF PROPOSAL: This revised scheme is for one 2-storey dwelling house and double garage. The proposed development, the subject of this application is a detached two-bedroom dwelling house with integral double garage and associated turning area. The house and garage would have a footprint of approximately 100sqm with a height to eaves of 4.3m and to ridge of 8.3m. The property would be approximately 2m from the boundary with 'Hartshorn', which is to the north of the proposed dwelling. The garden for the proposed dwelling would have an area of approximately 140sqm.

APPLICANTS' CASE: See letter dated 10 Nov 02 attached at end of report.

RELEVANT HISTORY: The site has been the subject of several planning applications. An application was approved for a house and a garage in 1989 under subject to the property only being single-storey. In 1995 a revised chalet dwelling and construction of access to highway was allowed on appeal. Most recently, in May 2002 Members refused an application for a second detached dwelling for reasons extensive disturbance by traffic, overlooking from balcony, over-shadowing neighbouring property to north & backland development.

PARISH COUNCIL COMMENTS: No comment.

REPRESENTATIONS: This application has been advertised locally with fifteen neighbour notifications. Notification expired 13 December 2002.

Nine objection letters have been received, two of which were from the same address. Most letters raise concerns regarding the impact of the proposal in terms of the loss of amenity. This loss includes overshadowing of the property to the north 'Hartshorn' and the impact of a large dwelling close to the boundary. Concern has been expressed from residents in Park Road about the increase in traffic passing both along Park Road and between numbers 22 & 24 and the cramped nature of this proposal, especially in view of the additional dwelling on the site already approved, as well as the potential for overlooking of neighbouring properties.

PLANNING CONSIDERATIONS: The main issue is whether the revised proposal would overcome the three previous reasons for refusal (see Relevant History).

The previous application was refused for several reasons. The first issue was the balcony and the overlooking implications that this and other windows would create, secondly there was the issue of overshadowing of neighbouring properties and thirdly the noise created by additional vehicles travelling up and down the access road off Park Road.

- 1) The applicant has changed the design of the house and has omitted the first floor accommodation above the double garage along with the balcony. This therefore addresses one of the reasons for the previous refusal. The applicant has also ensured that there are no windows along the side boundaries and any windows that are required are obscure glazed. This addresses most of the concerns regarding overlooking.
- 2) The main concern in this instance, however, is the issue of overshadowing. This would be exaggerated because the land is higher on the application site. Unfortunately, the highest part of the proposed dwelling is proposed on the boundary adjacent to 'Hartshorn.' This means that shadow would cover a large part of the front garden of this property. Therefore, the bulk, siting and design of the proposed dwelling are not suitable for this particular plot in view of the overshadowing issue. A proposed design was put forward to the applicants, which addressed the issue of shadowing, but was not deemed to meet the living requirements of the applicants.
- 3) The issue of traffic noise from vehicles travelling up and down the access road still remains.

CONCLUSION: The proposed dwelling would still result in detrimental impacts on the residential amenities of adjacent properties. Most particularly affected will be the residents of 'Hartshorn' as a result of the bulk and mass of the proposed dwelling being located along their side boundary. This would lead to significant shadowing of their garden area, contrary to Local Plan Policies relating to design of development. Intensification of the use of the access to the site would result in disturbance to neighbours through additional traffic. It is considered that the reasons for the previous decision of refusal have not been satisfactory overcome.

RECOMMENDATION: REFUSAL REASONS

It is the Policy of the Adopted Uttlesford District Plan (Policies H10 and DC1) and the Revised Deposit Draft (Policies H3 and GEN2) to ensure that proposed development on backland sites will not result in material overlooking or overshadowing of nearby properties nor have an overbearing effect on neighbouring properties. Additionally, such development should not cause disturbance to nearby properties as a result of traffic regularly visiting the site. In this instance the proposed residential development, by way of its bulk and siting close to the side boundary, would result in material overshadowing of adjacent properties, contrary to the above stated policies. Furthermore, the intensification of traffic entering and leaving this site would result in further disturbance to nearby properties, also contrary to the above stated Policies.

Background papers: see application file.

UTT/1857/02/FUL – STANSTED
(Referred at Member's request: Cllr. A. Dean)

Two-storey side extension and single-storey rear extension
37 St John's Crescent. GR/TL 512-253. Lisa Marie Lally.
Case Officer: Geoff Lyon 01799 510458
Expiry Date: 04/03/2003

NOTATION: ADP and DLP: Within Development Limits.

DESCRIPTION OF SITE: The site is located to the north of the main centre of the village within the residential street of St John's Crescent. There are distinctly different styles of properties along this road, with most on the western side being semi-detached (like this site) and those on the eastern side being detached dwellings. The property subject of this application is a semi-detached two-storey brick-built dwelling house with a peg-tiled roof and most of the original metal-framed windows. There is an existing detached single-storey garage and associated parking to the front of the property. To the north at No.39 is a detached bungalow, which is located approximately 1m from the common boundary, which is a mixture of 1m and 1.6 m high fencing, the taller of which has trelliswork above. No. 39 has a patio door and two windows on the side, one of which is obscure glazed.

DESCRIPTION OF PROPOSAL: This is a revised application following an initial decision of refusal for an earlier scheme last year for reasons of overshadowing of & overbearing impact on the neighbouring single-storey property to the north. That proposal was for a 2-storey extension up to 1m from the side boundary, which measured 3.6m wide x 7.4m deep and 4.7m to the eaves. There was also a lean-to single-storey rear extension. The amended design proposes a two-storey side extension 8.5m deep and of the same width and height, i.e. 1.1m longer along the northern side, but stepped-back by 2m at the front, in view of previous comments received from the neighbour at No. 39 to the south. Materials for the proposed extension include matching red/orange brickwork and tiles to match with the existing property. The proposed development would have an integral garage with one space in front. This can be increased, if required, as there is additional space in front to park another car.

RELEVANT HISTORY: Two-storey side extension and single-storey rear extension was refused in December 2002 for reasons of overshadowing & overbearing impact on no. 39.

PARISH COUNCIL COMMENTS: Object on grounds of loss of amenity to neighbours.

REPRESENTATIONS: This application has been publicised with 5 neighbour consultations. Advertisement expired 30 January 2003. One letter of objection has been received from the neighbour at 39 St John's Crescent. Concern has been raised about the possibility of overshadowing the sitting room/study area.

PLANNING CONSIDERATIONS: The main issues are:

- 1) the effect on the street scene and
- 2) whether the extension would overshadow & overlook the neighbour (ADP Policies DC1 & H7 and DLP Policies GEN2 & H7).

1) The proposed set back would help to reduce the visual impact on the street scene, compared with the previous proposal, and this is considered acceptable.

2) The first application was refused on the grounds of the overshadowing impact on the adjacent residents at No. 39 St John's Crescent. The neighbour was concerned that the original plans would result in a loss of sun through the side windows, especially the patio doors. The revised scheme should allow sun to reach this room in the morning. With the front stepped-back, the applicant has increased the two-storey element at the rear by three metres. This may result in a marginal increase in overshadowing to a small part of the rear of

No.39. The applicant has taken this into consideration and has submitted an amended scheme to which this application relates with a set back frontage and revised rear elevations. The aspect of the site means that early morning sun is to the front of the properties along St John's Crescent moving round to the rear in the afternoon/evening. The degree of overshadowing is determined by the angle of sun and hence the time of year with greater levels of shadowing in the winter when the sun is low in the sky. On balance, it is considered that there would be a marginal improvement for the neighbour, but this would be partly offset by the extra length of side extension at 2-storey height, projecting 3.1m behind the existing rear elevations of both properties. The degree to which the Council should put weight on the issue of light entering the neighbours' side elevation is limited and in this case the revised plans are considered acceptable. The proposal would have no adverse impacts on the residents of No.35.

COMMENTS ON REPRESENTATIONS: The residents at No.39 expressed concern in the first application about the loss of light to their front/side living room. With the front of the proposed development set back from the existing property at first-floor level, sunlight should still reach the side patio doors for the first part of the day. The revised proposal projects back at the rear at first-floor level and would create some shadowing in the afternoon, but not of significance to affect the residential amenity of the neighbours.

CONCLUSION: The applicant has amended the plans to overcome the concerns raised by the neighbour in terms of the loss of light at the front of the property. However, there would be additional shadowing impact at the rear, but this is not considered significant enough to justify a 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.5.2. Details of materials to be submitted and agreed
- 4. C.19.1. Avoidance of overlooking
- 5. C.90A No extra windows to be inserted in flank elevation.
- 6. C.90B Retention of garage for parking of vehicle.

Background papers: see application file.

UTT/0054/03/FUL – BARNSTON
(Referred at Officers' Discretion – Officer's Relative)

Two-storey side extension
Fairview, The Chase. GR/TL 645-198. Miss N Ridler
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 18/03/2003

NOTATION: Within Development Limits

DESCRIPTION OF SITE: The site is located in the centre of Barnston approximately 65m to the north east of the Chelmsford Road. The existing dwelling is an inter-war semi-detached chalet bungalow and there is a detached single garage to the rear of the property.

DESCRIPTION OF PROPOSAL: This revised proposal would consist of a two-storey side extension covering an area of approximately 30.4m² rising to a maximum ridge height of 7m where the extension joins the existing roof. The height of the existing ridge is approximately 7m. The height of the main ridge on the extension would be approximately 0.3m lower than the existing at a height of 6.7m. It is proposed to insert a small window into the side elevation, a larger window in the front elevation and two smaller windows in the rear elevation of the extension, all at first floor level. In addition, it is also proposed to relocate the existing single garage to the rear to a location approximately 6m to the southeast. The extension would be rendered and tiled to match the existing house.

APPLICANT'S CASE: I enclose a revised application reflecting your requirements reducing the overall height of extension there are negotiations between my clients and the highway authority to resolve agreed position of the site side boundary. However I understand that any possible adjustment will not affect the proposed extension footprint. I trust that the revisions are to your satisfaction. Extension section has been reduced in height all as discussed.

RELEVANT HISTORY: Application for a two-storey extension withdrawn December 2002 for revised plans.

PARISH COUNCIL COMMENTS: To be reported - due 1 March.

REPRESENTATIONS: Two letters. Notification period expired 28 February.

Main points of the letters being: Concerns over the ownership of the southwestern boundary of the site.

There is a lack of adequate parking for the site, and the proposed increase through the extension, would result in difficulties for the other residents of The Chase.

The Council's refuse and recycling trucks cannot gain access to the rest of The Chase as a result of the current parking situation at Fairview. There are concerns that the increase in the size of the property would increase the problem. Requests that any approval should have a condition added requiring adequate parking to be made available within the curtilage of the dwelling.

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

- 1) Policy H7 – Extensions to dwellings,
- 2) Policy DC1 – Design of development,
- 3) Policy DC14 – General amenity and
- 4) Policy T2 – Parking Provision.

1) Policy H7 states that proposals involving proportionate extensions to dwellings will normally be approved provided the amenity of neighbouring properties are not adversely affected. It is considered that this proposal is an improvement on the previously withdrawn

scheme and is now in proportion with the existing dwelling. In addition, the reduction in the height of the proposal would prevent any adverse impact on the neighbouring properties.

2) The design of the proposed extension would be in keeping with the existing dwelling in terms of scale, proportions, appearance and materials in accordance with Policy DC1.

3) The proposal should not result in any overshadowing, loss of privacy or loss of daylight to neighbouring properties and would therefore be in accordance with Policy DC14 – General Amenity.

4) The proposed extension would have provision for two extra bedrooms at the dwelling, increasing the number of bedrooms from two to four. In accordance with adopted car parking standards it is necessary for there to be 3 parking spaces or a single garage and two parking spaces. The proposal to retain but relocate the existing single garage would mean that two further parking spaces should be set out within the curtilage of the dwelling.

COMMENTS ON REPRESENTATIONS: An increase in the number of bedrooms at the dwelling would result in two extra parking spaces within the curtilage of the dwelling being required in order to meet adopted parking standards. These extra spaces should address the current parking problems mentioned in the representation letters. The issue of the ownership of the boundary has been raised with the agent, however it is not a material consideration when determining this application.

CONCLUSION: The proposals comply with Adopted District Plan policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit
2. C.3.1. To be implemented in accordance with approved plans
3. C.11.1. Standard vehicle parking facilities: two extra spaces to be provided on site.

Background papers: see application file.
