

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 16 JUNE 2003

APPL NO: **UTT/1636/02/FUL**
PARISH: **LEADEN RODING**
DEVELOPMENT: Demolition of existing bungalow and erection of 4 detached dwellings and 1 bungalow with associated garaging and landscaping
APPLICANT: Chase End Developments Ltd
LOCATION: Elms Acre, Chalks Green
D.C. CTTE: 27 May 2003 (see copy attached)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Approval with conditions
Case Officer: Richard Aston 01799 510464
Expiry Date: 9 January 2003

APPL NO: **UTT/0016/03/OP**
PARISH: **TAKELEY**
DEVELOPMENT: Outline application (with all matters reserved except siting & means of access) for five units of A1 (retail), B1 (business/light industrial), B2 (general industrial) and B8 (storage & distribution) and associated car parking
APPLICANT: Messrs R & D McGowan
LOCATION: Former Hall Caravan Centre, Dunmow Road
D.C. CTTE: 27 May 2003 (see copy attached)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Approval with conditions
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 25 March 2003

APPL NO: **UTT/0319/03/FUL**
PARISH: **FELSTED**
DEVELOPMENT: Change of use of poultry farm to boarding kennels
APPLICANT: Mr & Mrs Brown
LOCATION: Gifford House, Stebbing Road
D.C. CTTE: 27 May 2003 (see copy attached)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Approval with conditions
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 16 May 2003

APPL NO: **UTT/0396/03/FUL**
PARISH: **CLAVERING**
DEVELOPMENT: Erection of 2 No detached outbuildings (studio, storage and garaging)
APPLICANT: Mr N Rouse
LOCATION: Thurrocks Farm
D.C. CTTE: 27 May 2003 (see copy attached)
REMARKS: Deferred for Members' Site Visit
RECOMMENDATION: Refusal
Case Officer: Geoff Lyon 01799 510458
Expiry Date: 19 May 2003

APPL NO: **UTT/0453/03/DFO, UTT/0455/03/DFO & UTT/0456/03/DFO**

PARISH: **TAKELEY**

DEVELOPMENT: 1) Construction of a petrol filling station inc. forecourts (including canopies, pumps and underground tanks), shop (class A1), ATM car and jet washes, other car care facilities, parking, landscaping and associated access.
2) Construction of hotel with associated parking, landscaping, servicing and ancillary works & operations.
3) Construction of access road plus landscaping, lighting and ancillary works & operations South Gate Stansted Airport.

APPLICANT: BAA Lynton

LOCATION: South Gate Site Stansted Airport

D.C. CTTE: 27 May 2003 (see copy attached)

REMARKS: Deferred for Members' Site Visit and negotiations to lower the height and improve the design of the hotel

RECOMMENDATION: **Approval with conditions**

Case Officer: *Jeremy Pine 01799 510460*

Expiry Date: 26 May 2003

UTT/1636/02/FUL - LEADEN RODING

Demolition of existing bungalow and erection of 4 detached dwellings and 1 bungalow with associated garaging and landscaping

Elms Acre, Chalks Green. GR/TL 597-134. Chase End Developments Ltd.

Case Officer: Richard Aston 01799 510464

Expiry Date: 09/01/2003

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

DESCRIPTION OF SITE: Elms Acre is a 3200 square metre existing residential plot, located within development limits, fronting onto Chalks Green in Leaden Roding. The site is bordered by Metropolitan Greenbelt to the north and south and existing residential properties to the east and west. To the west lies a modern development of detached 4/5 bedroom houses with detached and attached double garages and to the east the development is more sporadic consisting of a number of chalet bungalows and 1 ½ storey dwellings in fairly large grounds. There is an existing bungalow on the site with a number of associated outbuildings; this is located in the centre of the site with access along the eastern boundary.

DESCRIPTION OF PROPOSAL: The proposal details the demolition of the existing bungalow, its replacement with a new bungalow and the erection of 4 detached dwellings to the rear with associated garaging and landscaping.

APPLICANT'S CASE: The application has been discussed and revised in line with officers' recommendations.

CONSULTATIONS: Environment Agency - A private means of foul effluent disposal is required in the form of a private sewage treatment plant. Makes advisory comments in relation to works affecting a watercourse. A percolation test should be undertaken to ensure soakaways are adequate.

ECC Transportation – No objections.

Anglian Water – No objections in principle to the application, details of foul and surface water drainage must be approved by the LPA prior to the commencement of development. Details of foul and surface water drainage for the site must be submitted and approved.

PARISH COUNCIL COMMENTS: Concerns regarding overdevelopment of the site. If the application is to be granted then perhaps the developer could be encouraged to tarmac the unadopted part of this lane as a planning gain.

REPRESENTATIONS: This applications has been advertised and 7 representations have been received. Period expired 2 January 2003.

General Summary – No objections from the neighbouring property to the proposal if the existing Leylandii hedge is retained and adequate provision is made for drainage. Bungalows rather than detached dwellings may be more appropriate. Five objections have been received to the application, with concerns about surface water drainage, the amount of car parking on the site and where the sewage treatment plant will be located.

PLANNING CONSIDERATIONS: The main issues are whether the proposal is acceptable with regards to

- 1) ADP Policies S1 (Development Limits)
- 2) H10 (Backland Development) design and DC1 layout (and their DLP equivalents).

1. The site is located within development limits and Policy S1 of the ADP states that *'within development limits, development proposals that are not detrimental to any important environmental or visual characteristic of the locality and accord with other relevant policies of the plan will normally be granted'*. In conjunction with this, the proposal must be determined against this policy and policy H10 which states that *'development will normally be refused unless, there is significant underuse of the land, there is no material overlooking or overshadowing, the site is not of significant environmental value and significant road congestion would not be created'*. The proposal is limited to 5 dwellings and is designed and laid out in such a way that it would not create any material overlooking or overshadowing. The site is not of significant environmental value and the development of the rear of this plot is considered to be a development which would make good use of land within development limits.

2. Turning to the design of the development, the proposal would appear as a transitional site between the low density ribbon development of 4 houses to the east with the Greenbelt beyond and the fairly modern housing development which borders the site to the west. The retention of a bungalow on the front of the property would maintain the existing streetscene and would also partially obscure the two storey dwellings to the rear. Concerns have been raised by residents with regards to the car parking on the site and the density of the housing. The Adopted District Plan standard for such houses is 3 spaces per dwelling; the proposal details 1 garage space per dwelling and 1 parking space. However there is sufficient circulation space inside the site to allow for extra cars to be occasionally parked and accordingly it is considered acceptable. The design of the house types is vernacular and would be in keeping with the properties to the west, which are similar in height and appearance. Accordingly, the proposal complies with Policy DC1 of the Adopted District Plan and there are no valid reasons for refusal.

COMMENTS ON REPRESENTATIONS: It is the intention to retain the existing boundary screen around the site; this can be secured by landscaping condition. Concerns relating to the drainage of the site can be assessed, because if Members are minded to approve the application a drainage scheme would have to be submitted prior to commencement of development. Members are advised that any fewer dwellings as would be recommended for refusal as inefficient use of land.

CONCLUSIONS: The proposal is in accordance with relevant District Plan policies and the design and layout of the development would not detract from this attractive area of Leaden Roding and from the Metropolitan Greenbelt beyond. The proposal has been revised in line with officers' recommendations and is now considered to be acceptable.

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. C.4.4. Retention/replacement of trees
6. C.5.1. Samples of materials to be submitted, agreed & implemented
7. C.6.4. Excluding extensions without further permission
8. C.7.1. Slab levels to be submitted agreed & implemented
9. C.6.7. Excluding conversion of garages
10. Drainage details to be submitted, agreed & implemented.

Background papers: see application file.

UTT/0016/03/OP - TAKELEY

Outline application (with all matters reserved except siting & means of access) for five units of A1 (retail), B1 (business/light industrial), B2 (general industrial) and B8 (storage & distribution) and associated car parking

Former Hall Caravan Centre, Dunmow Road. GR/TL 564-211. Messrs R & D McGowan.

Case Officer: Michael Ovenden 01799 510476

Expiry Date: 25/03/2003

NOTATION: Within Development Limits and Settlement Boundary (ADP & DLP). Part of Development Opportunity Area in ADP for suitable small scale offices, workshops and housing (Takeley Local Policy 3 relates).

DESCRIPTION OF SITE: This 50x40m (0.2ha) site is located on the south side of the A120, approximately 220m east of the Four Ashes crossroads. A scrapyard lies to the west and Takeley Business Centre to the east. The land to the south of the site (and extending behind and beyond the Business Centre) has the benefit of a certificate of lawful use for storage or as a distribution centre. Opposite the site, on the north side of the A120, new houses are currently being constructed as an extension to St Valery.

DESCRIPTION OF PROPOSAL: This is an outline application, but with siting and means of access not reserved for subsequent approval. 5 commercial units would be erected adjacent to the southern boundary of the site, with the land at the front being used for car parking and access. The existing buildings and uses would be cleared from the site, and the existing access onto the A120 at the east of the site adjacent to the Business Centre would be retained. The total floorspace of the new buildings would be 775sqm, replacing the 408sqm that would be lost through demolition. In the application forms, the applicant indicates that a maximum of 495sqm of the new floorspace could be for A1 retail (units 1-3) and the rest (280sqm) for B1, B2 and B8, reflecting the former use of the site and the surrounding existing uses.

APPLICANT'S CASE: See agent's letter of 3/1/03 attached at end of report.

RELEVANT HISTORY: Permission for 4 light industrial units (684sqm) on land to the east granted in 1989.

CONSULTATIONS: Environment Agency: No objections subject to conditions.

Environmental Services: In view of the location opposite a new residential estate, conditions should be imposed controlling hours of use, vehicle deliveries and boundary noise levels.

PARISH COUNCIL COMMENTS: To be reported (due 13/5)

REPRESENTATIONS: Any representations received will be reported. Notification period expired 13/5.

PLANNING CONSIDERATIONS: The main issues are whether:

- 1) the proposed uses would be appropriate within the built up area of the village (ERSP Policy BIW4, ADP Policies S1 & E1 and DLP Policies S3 & E2)
- 2) design and layout would be appropriate (ADP Policy DC1 and DLP Policy GEN2),
- 3) neighbouring amenity would be protected (ADP Policy DC14 and DLP Policy GEN4), and
- 4) access and parking arrangements would be satisfactory (ERSP Policy T12, ADP Policies T1 & 2 and DLP Policies GEN1 & 9).

1) The redevelopment of the site as proposed would safeguard employment land as promoted under ERSP Policy BIW4 and DLP Policy E2. Whilst the mixed use allocation in the ADP has not been carried forward into the DLP, Takeley is one of the District's larger villages and, taking into account the proposed expansion of 825 houses, it is entirely appropriate and sustainable to retain employment land within the built up part of the village. The mix of uses including retail proposed would reflect either those of the former use of the site and/or the existing Business Centre.

2) The location of the new buildings at the rear of the site would help to minimise their impact in the street scene. The height and design of the buildings would be controlled at the reserved matters stage, but are expected to reflect those of the existing Business Centre. The use of the front part of the site for car parking and loading/unloading would be consistent with the existing Business Centre.

3) Unlike the existing Business Centre, the current application proposes A1, B2 and B8 uses as well as B1. Officers consider that all these uses would be acceptable in the particular circumstances of this case, bearing in mind the site history. Each of the 5 units would be relatively small, and subject to appropriate conditions to prevent outdoor working there ought to be sufficient separation from the new houses on the opposite side of the A120, even for B2 use, to avoid a material impact on amenity. At their last meeting, Members expressed concern about B8 storage and this could be omitted by condition if required.

4) There are no objections to the retention of the existing access onto the A120, which enjoys good visibility. Adequate land would be available to meet the Council's maximum parking standards, subject to provision for people with disabilities and non-car users.

CONCLUSION: This proposal would comply with the relevant policies contained in the ERSP, ADP and DLP.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1. Submission of reserved matter: 1
2. C.1.2. Submission of reserved matter: 2
3. C.1.3. Time limit for submission of reserved matters
4. C.2.1. Time limit for commencement of development
5. C.6.8. Excluding permitted development extensions or alterations to industrial/warehouse premises
6. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
7. C.8.3. No outdoor working
8. C.8.6. Insulation of plant and machinery
9. No development shall commence until a scheme for the means of disposal of surface water and foul sewage has been submitted to and approved in writing by the local planning authority. The scheme as approved shall be implemented in full prior to the first use of any of the buildings hereby permitted and thereafter retained in perpetuity.
REASON: To avoid pollution.
10. All the car parking space within the area edged red on drawing SK1 shall be made available for use prior to the first use of any building hereby permitted and shall thereafter retained for the parking of vehicles in association with use of those buildings. No vehicle shall be parked on the site unless it belongs to or was driven there by a person either employed on the site in connection with his or her business or as a customer of a business on the site.
REASON: To ensure adequate car parking space is provided to serve the buildings hereby permitted in the interests of highway safety and to protect the rural amenities of the area.

11. No development shall commence until a plan has been submitted to and approved in writing by the local planning authority showing on-site provision of covered cycle spaces and parking for people with disabilities. The approved scheme shall be implemented prior to the first use of any building hereby permitted and shall thereafter be retained in perpetuity. The level of provision shall be in accordance with Appendix 1 of the Uttlesford Local Plan Revised Deposit Draft dated October 2002.
REASON: To promote mobility and sustainable development.
12. The uses hereby permitted shall be limited to a mixture of A1, B1, B2 and B8 uses as defined by the Town and Country Planning use Classes Order 1987 or as may be amended.
13. No more than 495 sqm of net floorspace shall be used for A1 retailing (as defined by the Town and Country Use Classes Order 1987 or as may be amended.)
REASON for 12+13: To ensure a mix of uses on the site in the interests of the economic well-being of the locality.
14. Hours of operation to be submitted, agreed and implemented
15. Hours of construction to be submitted, agreed and implemented
16. No outdoor storage
17. No airport-related car parking

Background papers: see application file.

UTT/0319/03/FUL – FELSTED

Change of use of poultry farm to boarding kennels
Gifford House, Stebbing Road. GR/TL 678-215. Mr & Mrs Brown.
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 16/05/2003

NOTATION: Outside Development Limits / Adjacent to the Flitch Way

DESCRIPTION OF SITE: The site is located approximately 1.2km to the north of Felsted village and forms a boundary with the Flitchway immediately to the south. It comprises a disused poultry farm and has four poultry sheds located on it. The building that the application relates to is the southern of the two larger sheds and has a length of approximately 63m. The maximum height of the shed is 4m excluding the roof vents. There is a grassed area to the south of the poultry sheds and a mature hedge forms the boundary to the Flitchway.

DESCRIPTION OF PROPOSAL: The proposal would involve the change of use of part of one of the disused poultry sheds for use as a boarding kennels. It is proposed that the exterior of the building would remain largely the same as it is in its present form. The only external alteration would be the removal of the existing ventilation boxes with glazing being inserted in their place.

It is proposed that the area of land to the south of the shed would be fenced for use as an exercise area. In addition, the area between the shed that the application relates to and the shed to the north would be fenced off for use as a holding area for dogs while their kennels are cleaned.

APPLICANT'S CASE: See letter accompanying the application and noise survey submitted by applicants attached at end of report.

CONSULTATIONS: Environment Agency: Copy of letter sent to applicants making advisory comments regarding the storage and disposal of animal wastes.
Environmental Services: No adverse comments.

PARISH COUNCIL COMMENTS: No comment.

REPRESENTATIONS: 10 objections plus 1 petition registering objections. Notification period expired 29 April.

Main points of letters and petition are that the proposal would:

1. result in an unacceptably high level of noise as a result of dogs barking.
2. generate a level of traffic which would not be suitable for the road.
3. generate unacceptable levels of smells and animal waste.
4. be in an unsuitable location adjacent to the Flitchway.

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

- 1) **Policy S2 of the Adopted District Plan – Countryside beyond the Green Belt and the Stansted Airport Countryside Protection Zone (C5 – Structure Plan, S7 – Deposit Draft Local Plan)**
- 2) **Policy C5 of the Adopted District Plan – The re-use of rural buildings (RE2 – Structure Plan, E4 – Deposit Draft Local Plan) and**
- 3) **Policy DC14 of the Adopted District Plan – General Amenity (GEN4 – Deposit Draft Local Plan)**

- 1) Policy S2 states that development will not normally be approved in the countryside beyond Development Limits unless it relates to agriculture, forestry, appropriate outdoor recreational uses or appropriate changes of use of suitable existing buildings. It is considered that the proposal would be an appropriate change of use of the vacant poultry shed and as it does not involve any new buildings it would comply with the above policy.

- 2) Policy C5 relating to the re-use of rural buildings specifies that the buildings should not require substantial reconstruction and must not impair the important characteristics of the surrounding countryside. In addition, the new use should respect the rural amenities of the area and have satisfactory accessibility and adequate space for associated activities. The existing poultry shed that the change of use relates to would require very little external alterations and the works would not amount to substantial reconstruction. There is adequate space within the application site for any associated activities and the access is considered to be satisfactory. It is not considered that the level of traffic generated by people using the kennels would be so great that it would significantly increase the overall traffic movements along this road in Felsted. There are no parking standards for a boarding kennels use, however there is sufficient area available to accommodate customer parking.

- 3) Policy DC14 of the Adopted District Plan states that development which would adversely affect the reasonable occupation and enjoyment of a residential property will not normally be permitted. Concerns have been raised that the proposed change of use would generate excessive noise and smells. The applicants have submitted a report from a company specialising in noise surveys and assessments which states that there are a number of measures that can be undertaken by the applicants in order to reduce any noise generated from the kennels. It is considered that these measures could be achieved through the use of conditions and would minimise the potential noise created by dogs barking. In addition, conditions could also be imposed to control the storage and disposal of animal waste which would reduce the likelihood of smells being generated.

COMMENTS ON REPRESENTATIONS: The issues raised in the representation letters and the petition have been noted, the noise and smell issues can be controlled by condition while the traffic generated would not be of a volume that would be significantly greater than that which already uses the road. The owners of the Flitch Way have been notified of the proposal and have not submitted any comments or objections.

CONCLUSION: It is considered that the building is suitable for re-use and that the change of use to boarding kennels would be an appropriate use subject to conditions being imposed to control noise issues and the storage and disposal of waste.

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. There shall be no more than 20 dogs housed in the building at any one time and there shall be only one dog housed in each unit comprised of one kennel and one run area.
REASON: To prevent implementation in the interests of residential amenity.
4. Dogs shall only be collected or left at the kennels between the hours 10.00 and 12.30 Mondays to Saturday and 16.00 and 18.00 Monday to Saturday. There shall be no collections or deliveries of dogs on Sundays or Bank and Public Holidays.
REASON: To protect the amenity of neighbouring properties.
5. Prior to the first use of the building for kennels, details of the boundary fencing for the exercise area to the south of the shed shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the exercise area shall be implemented in accordance with these details and shall not be altered without the prior written consent of the Local Planning Authority.

REASON: To protect the amenity of neighbouring properties and users of the Flich Way.

6. Prior to the first use of the building for kennels, details of the construction of the pen located immediately to the north of the shed and the solid barrier to the west for use while cleaning individual kennels, shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the pen shall be implemented in accordance with these details and shall not be altered without the prior written consent of the Local Planning Authority. No more than one dog shall be held in this pen at any one time.
7. Prior to the first use of the building for kennels, details of how the dogs will be visually impeded from each other when in the kennels and runs shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the kennels and runs shall be implemented in accordance with these details and shall not be altered without the prior written consent of the Local Planning Authority.
8. Prior to the first use of the building for kennels, details of the storage and disposal of waste materials shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the storage and disposal of waste shall be implemented in accordance with these details and shall not be altered without the prior written consent of the Local Planning Authority.
9. Prior to the first use of the building for kennels, details of the noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the noise attenuation measures shall be implemented in accordance with these details and shall not be altered without the prior written consent of the Local Planning Authority.
10. Prior to the first use of the building for kennels, details of the removal of the side air vents and their replacement with glazing shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the replacement of the air vents with glazing shall be implemented in accordance with these details and shall not be altered without the prior written consent of the Local Planning Authority.
REASON 6-10: In order to protect the amenity of neighbouring properties.
11. No lighting shall be erected within the application site unless details have previously been submitted to and approved in writing by the Local Planning Authority.
REASON: To protect the character of the open countryside.

Background papers: see application file.

UTT/0396/03/FUL – CLAVERING
(Referred at Officers' Discretion & Members' Interest)

Erection of 2 detached outbuildings (studio, storage and garaging)
Thurrocks Farm. GR/TL 458-337. Mr N Rouse.
Case Officer: Geoff Lyon 01799 510458
Expiry Date: 19/05/2003

NOTATION: Outside Settlement limits of Clavering, close to Grade II Listed building, Archaeological site.

DESCRIPTION OF SITE: The site, the subject of this application is located on land associated with Thurrocks Farmhouse, which is north east of Clavering between Roast Green and Bird Green. The application site has recently been separated from the main working farm buildings, which are under different ownership, and is generally in a poor state of repair. The site measures approximately 36 metres long and 26 metres wide and there is evidence of existing structures on site with some walls visible. The site is currently being cleared of the existing debris in relation to its previous agricultural use.

DESCRIPTION OF PROPOSAL: The applicant now seeks to erect two outbuildings to the south east of the existing Farmhouse. One large barn originally proposed has subsequently been omitted following Officer – level negotiations. Barn 1 measures 24.8 metres in length with a maximum width of 8 metres. The height to eaves is 3.2 metres with a height to ridge of 7.7 metres. The main section of the Barn 1 is clad using weatherboarding with a clay-tiled roof. There is a front gable projecting 1 metre from the front wall of the barn, which has a width of 6 metres. The gable provides the means of access into the barn through full height vertical boarded doors. Two large windows measuring 1.8 metres wide and 2.8 metres high are situated symmetrically either side of the gable and provide light into the building. The applicant indicates that Barn 1 will be used as a studio. Attached to the side of the barn would be an open cart bay.

Barn 2 measures 19 metres in length with a width of 7.5 metres. The height to eaves at the front is 3.7 metres with a height to ridge of 8 metres. At the rear of Barn 2 the roof slope continues down to an eaves height of 2.6 metres. Barn 2 is to be built on a brick plinth with rendered walls above. The roof is to be clad in slate and will have two small half-hipped ends. There are three openings into the barn, two of which have full length vertically boarded wooden doors, the other is an open log store. Barn 2 has no windows and the applicant has indicated that it shall be used for storage purposes.

APPLICANT'S CASE: The applicant has not provided a specific case for the proposed development but the application follows preliminary advice given at officer level and by the Historic Buildings Advisor following withdrawal of a previously submitted scheme. The applicant has roughly based the position of the barns on the historical positioning of previous structures on the site. Unfortunately records do not show the exact height or appearance of the structures prior to their demolition/dereliction.

RELEVANT HISTORY: Detached outbuilding for use as garage, stores, workshop and studio withdrawn by applicant (UTT/1749/02/FUL). Extensive number of applications in relation to Thurrocks Farm but none directly relating to the exact site in question.

CONSULTATIONS: Essex County Council Specialist Archaeological Advice – No Archaeological Recommendations are being made on this application.

PARISH COUNCIL COMMENTS: There were no objections to the above revised scheme for outbuildings at Thurrocks Farm, and it was felt that these would help to screen the

curtilage of a substantial and important listed property from some unsightly rambling old farm buildings belonging to neighbours. A condition should be imposed preventing residential use.

No objections to revised plans. Cllr Edgar Abrahams declared an interest as he owns the surrounding land and the applicant is his nephew.

REPRESENTATIONS: This application has been advertised with both press and site notices and one neighbour notification. Advertisement expires 14th May 2003. No letters of objection have been received.

PLANNING CONSIDERATIONS: The main issues to consider in relation to the proposed development are:

- 1. The policy context of the proposed development in relation to its countryside setting (ADP Policy S1, S2 and DLP Policy S7) and**
- 2. The impact on the setting of Grade II Listed Thurrocks Farm (ADP Policy DC1, DC5 and DLP Policy GEN2, ENV2).**

1. From a planning policy context the Adopted Local Plan considers the issue of development within the countryside under policies S1, S2 and, in respect of design and listed buildings, policies DC1 and DC5.

In terms of compliance with adopted local plan policy the proposed development would fail to comply with several key policy criteria. Firstly the development site lies outside of the defined development limits (ADP Policy S1) and secondly the proposed development does not relate to agriculture, forestry, appropriate outdoor recreational uses nor is it a change of use of an existing building (ADP Policy S2 and DLP Policy S7). The applicant would therefore need to demonstrate that there is an overriding need for such buildings to be located within the countryside, outside of an area where development is normally permitted, especially as they serve no agricultural purpose. The case for overriding need has not been put forward by the applicant and the proposed buildings are to be used in connection with the adjacent residential dwelling.

From a design standpoint the proposed development is of traditional appearance with steep pitched roofs and utilises vernacular materials such as weatherboarding and clay tiles, which are generally in keeping with its surroundings (ADP Policy DC1 DLP Policy GEN2). In terms of the setting of Grade II Listed Thurrocks Farm, the proposed development could potentially improve the approach to the farm and views of the Listed Building, which at present are harmed by the untidy adjacent site, by shielding the listed building from the adjoining farm.

2. The proposed development is situated close to the existing Grade II listed farmhouse and forms part of the approach to the property along with the adjacent pond. The impact of existing spaces and dilapidated farm buildings both on the application site and neighbouring land need to be considered in relation to the setting of the listed farmhouse. Planning Policy Guidance Note 15 - Planning and the Historic Environment discusses the issue of listed buildings and their settings. It states that the setting is often an essential part of a building's character and they can be robbed of much of their interest, and of the contribution they make to townscape or the countryside, if they become isolated from their surroundings.

In this particular instance there is a conflict between the separate ownership of the farmhouse and the farm buildings to the south east of the house. The farm buildings are not within the control of the applicant and are generally in a poor state of repair with a large amount of general farm clutter in the form of vehicles and equipment etc. These dilapidated buildings detract from the setting of the listed farmhouse, especially when approaching the

house from Valence Road. The exposed remaining brickwork of former outbuildings is visible also on approach to the property.

The positioning of the proposed barns is based approximately on the historical siting of former buildings that have since become derelict and have been partially demolished. These buildings are clearly shown on historical maps of the site, along with other former buildings.

CONCLUSION: From a policy perspective, the proposed development is outside defined development limits and is not related to agriculture, forestry, appropriate outdoor recreational uses nor is it a change of use of an existing building. From this perspective it should be refused. In design term, the proposed development is appropriately traditional in design and appearance and follows the historical footprint of former development at the site. The proposal would also contribute towards improving the setting of the Grade II Listed Thurrocks Farm, which currently is spoilt by the appearance of existing farm clutter on the adjacent property, outside the applicants control. Despite the omission of one barn, it is not concerned on balance, that the design considerations outweigh the presumption against inappropriate development in the countryside.

RECOMMENDATION: REFUSAL REASON

It is the Policy of the Adopted Uttlesford District Plan (Policies S1, S2, DC1 and DC5) and the Revised Deposit Draft (Policies S7, GEN2 and ENV2) to ensure that development in the countryside is related to agriculture, forestry, appropriate outdoor recreational uses, or appropriate changes of use of suitable existing buildings compatible with a rural area. In this instance, the proposed new build barns are not related to agriculture, forestry nor do they relate to appropriate outdoor recreational uses and are therefore contrary to the above stated policies. The buildings are ancillary to the residential use of the adjacent Thurrocks farmhouse property and the need for such buildings in the countryside cannot be justified in this instance.

Background papers: see application file.

1) UTT/0453/03/DFO, 2) UTT/0455/03/DFO & 3) UTT/0456/03/DFO – TAKELEY
(Joint Reports)

- 1) Construction of a petrol filling station inc. forecourts (including canopies, pumps and underground tanks), shop (class A1), ATM, car and jet washes, other car care facilities, parking, landscaping and associated access.
 - 2) Construction of hotel with associated parking, landscaping, servicing and ancillary works & operations.
 - 3) Construction of access road plus landscaping, lighting and ancillary works & operations South Gate Site, Stansted Airport. GR/TL 547-221. BAA Lynton.
- Case Officer: Jeremy Pine 01799 510460*
Expiry Date: 26/05/2003

NOTATION: Within Southern Ancillary Area in both ADP and DLP (Policy AIR3 relates).

DESCRIPTION OF SITE: The South Gate site is located to the south of Bassingbourn roundabout, immediately southwest of the mid stay car park. Thremhall Avenue lies to the northwest and the line of the new A120 (currently under construction) is to the south. To the east, feeding off the Bassingbourn roundabout is a local distributor roundabout which currently serves the mid stay car park, further spurs having already been constructed when the roundabout was built to serve the South Gate site and to provide a link (Trinity Bridge) into the airport road system from the new A120 for motorists coming from and going to the east. This link also serves the balancing pond.

The South Gate site is roughly triangular in shape, measuring approximately 470m along the boundary with the new A120 and 200m in depth from the same boundary towards Bassingbourn roundabout. The total site area is 5.6 hectares (13.85 acres). The site rises gently from south to north and is at a lower level than Thremhall Avenue, from which it is separated by a planted embankment established in 1990. The link road running to the east of the site between the two roundabouts is also set at a higher level. The new A120 is at the same level as the site, but there will be a bund and planting to the south of the road alignment approved as part of the A120 road improvements.

An ancient hedgerow runs SE-NW across the western part of the South Gate site and there is a major underground service corridor across part of the eastern side. Neither would be affected by any of these current proposals.

DESCRIPTION OF PROPOSALS: 1) UTT/0453/03/DFO (Petrol Filling Station

A petrol filling station would be erected on a 110m x 60m (0.66 ha) plot (known as Plot 2) roughly in the centre of the southern part of the South Gate site immediately north of the new A120 and behind a mixed native hedgerow approved as part of the A120 road improvements. The proposals would include separate car and HGV fuel forecourts (including curved 6m high canopies, underground tanks and pump islands), a single storey sales building measuring 24 x 15 x 4.2m, ATM machine, ancillary car parking, car and jet washes, other car care facilities and border planting. Access would be taken from the internal site road (see UTT/0456/03/DFO). The submitted drawings show indicative corporate signs for a BP franchise – these will be subject to a separate application for express advertisement consent.

The sales building would be located close to the northern boundary of the plot, as would the car fuel forecourt. The HGV fuel forecourt would be to the south, served by a dedicated entry lane and exit in the interests of safety.

The main finish of the structures would be grey with corporate green and yellow to the sales building and car wash fascias and the canopy edges. Amongst measures to achieve energy

efficiency, recycling and waste management, the canopies would incorporate solar technology, and use of recycled water would be made for the car wash and toilet flushing.

2) UTT/0455/03/DFO (Hotel)

A budget hotel would be erected on an irregularly shaped 1.2 ha plot (known as Plot 1) roughly in the centre of the northern part of the South Gate site immediately south of Bassingbourn roundabout and opposite Plot 2 (proposed petrol filling station). The hotel would contain 256 bedrooms (to be developed in two phases, but all applied for now) with 175 car parking spaces, cycle storage and landscaping. All access would be via the internal site road (see UTT/0456/03/DFO) with a barriered entrance/exit for staff and resident guests at the eastern end of the plot and a separate entrance to a service yard/turning head at the western end.

The hotel would be located at the western end of the plot and would consist of two wings extending in a “v” shape from a central atrium area, giving a broken appearance in distant views from the south and east. The building would be of 4 storeys, with the finished floor level cut into the ground by 1.5m, and with a roof of swept delta wing appearance with a monopitch over each wing. All mechanical and electrical plant would be contained within the roofspace. The height of the building would be 16m, all but the top 5m of which would currently be screened from Thremhall Avenue by the established bank and planting. External materials would match those on other airport buildings, consisting of masonry, glazing, render, cladding and louvres in shades of grey.

The 2nd phase of 80 bedrooms would be constructed as an extension to the northernmost wing of the hotel, giving an asymmetric appearance.

The proposed lighting to the car park would match that in the mid stay car park, consisting of 5m columns with a horizontal cut-off. All lighting would contain low energy fittings, controlled by time clocks and photocells. Other measures to achieve energy efficiency, recycling and waste management would include key card/central switching (to ensure bedroom lights and heating are turned off when the room is not in use) and a linen re-use programme.

3) UTT/0456/03/DFO (Infrastructure Works)

This application is for the infrastructure works that are required to service the individual plots. An internal site road from the roundabout spur would be constructed running E-W across the South Gate site, off which the hotel and petrol filling station (and other future plots) would be accessed. The road would be capable of future extension to the west to service the rest of the South Gate site as/when required. Perimeter planting would also be undertaken around both Plots 1 and 2, consisting of Hornbeam hedges and Ash and Field Maple to minimise the risk of bird strike. This perimeter planting would be in addition to the planting proposed within the individual plots. Finally, the established woodland planting along the northern boundary of the site adjacent to Thremhall Avenue would be extended around the northeastern side of the South Gate site to provide more screening of the hotel from the east.

The application drawing also shows Plots 3 and 4, these being located to the east of Plots 1 and 2 respectively. No proposals for Plots 3 and 4, through which the major underground service corridor runs, have currently been put forward.

APPLICANT'S CASE: 4 statements in A3 format have been submitted, copies of which can be inspected at the District Council's Saffron Walden and Great Dunmow offices. These are entitled *Development Overview and Strategic Guidance, Infrastructure Works Supporting Statement, Filling Station Supporting Statement and Hotel Supporting Statement.*

The main points relating to each of the applications are:

1) UTT/0453/03/DFO (Petrol Filling Station)

- Will negate the need for on-airport operators, such as taxi drivers and freight forwarders, to make unnecessary off-airport trips for fuel
- Will allow airport bound and returning passengers to meet their fuel and related needs without making dedicated off-line trips to seek alternative provision
- The provision of complementary on-site services, between the forecourt and sales building, maximises the opportunity for linked trips
- The provision of LPG, partial use of solar power, incorporation of the latest vapour recovery techniques and the use of grey water and passive heating/cooling will contribute to the principles of sustainable development

2) UTT/0455/03/DFO (Hotel)

- The provision of 175 car park spaces for a 256 bed hotel constrains car use and therefore contributes to the general BAA policy of encouraging journeys to the airport by modes other than the private car
- A comprehensive staff travel plan to encourage use of public transport
- The design of the building seeks to maintain the “airport in the countryside” and subsequent mitigation is proposed so that the development is in harmony with the visual setting
- 4 storeys provides an efficient plan for hotel operation, reducing circulation, the building footprint and mass to minimise construction and operation costs
- The location within the site reduces on site vehicular movements and emissions while maximising the area available for landscaping
- Additional on-airport provision, and the specific provision of a budget hotel will reduce the need for additional car journeys to hotels in the surrounding countryside
- Provision of employment opportunities during construction and operation
- Incorporation of “green” initiatives such as use of passive heat, low energy lighting and thermal insulation

3) UTT/0456/03/DFO (Infrastructure works)

- Proposals accord with the guidelines for development within the airport, particularly in respect of landscaping
- Proposals represent part of a co-ordinated lighting package for the whole site

RELEVANT HISTORY: Outline planning permission granted subject to conditions in 1985 by the Secretaries of State for the Environment and Transport for the expansion of Stansted Airport to about 15 million passengers per annum (mppa). The permission included a new passenger terminal, cargo handling and general aviation facilities, hotel accommodation, taxiways (including the widening of a proposed taxiway to be used as an emergency runway), associated facilities (including infrastructure for aircraft maintenance and other tenants’ developments) and related road access. A condition of the outline permission requires that the reserved matters be submitted within 20 years (i.e. by 5/6/05).

Further conditions of the outline planning permission require, *inter alia*, that the main internal road layout and the location of hotels within the site be agreed via general layout plans for 8 & about 15mppa phases (approved 9/4/86) and that the height of any hotels not within the terminal area not exceed 3 storeys in height except with the written agreement of the local planning authority.

Reserved matters submissions relating to phase 1 expansion to 8mppa were made and approved during the late 1980’s and early 1990’s. Phase 2 expansion from 8-about 15mppa was approved in April 1999.

Members resolved to grant outline planning permission for expansion of Stansted Airport from about 15mppa – 25mppa in September 2002 subject to conditions and a legal agreement (completion pending). In the Environmental Statement that accompanied that application, the development of the South Gate site was taken as being part of the Phase 2 expansion to about 15mppa and was, therefore, part of the cumulative impact at about 15mppa against which further expansion to 25mppa was assessed.

CONSULTATIONS: 1) UTT/0453/03/DFO (Petrol Filling Station)

ECC Transportation: No objections subject to conditions.

Thames Water: Drainage, pollution control and trade effluent discharge details (from car wash) require to be agreed.

Environment Agency: To be reported (due 23/4)

BAA Safeguarding: To be reported (due 23/4)

ECC Archaeology: No objections subject to investigative works.

2) UTT/0455/03/DFO (Hotel)

ECC Transportation: No objections subject to conditions.

Thames Water: Drainage and pollution control details require to be agreed.

Environment Agency: To be reported (due 23/4)

BAA Safeguarding: To be reported (due 23/4)

Essex Police Community Safety: No objections, but do have concerns regarding car park security. Request a condition requiring hotel and car park to be subject to “Secured by Design” and “Secured Car Park” certification respectively.

ECC Archaeology: No objections subject to investigative works.

3) UTT/0456/03/DFO (Infrastructure Works)

ECC Transportation: No objections.

Environment Agency: No comments

BAA Safeguarding: To be reported (due 23/4)

Essex Police Community Safety: No comments.

ECC Archaeology: No objections subject to investigative works.

PARISH COUNCIL COMMENTS: 1) UTT/0453/03/DFO (Petrol Filling Station): No objections subject to suitable low-level lighting to prevent an increase in light pollution.
UTT/0455/03/DFO (Hotel): Object. Only 175 car parking spaces shown for 256 bedroom hotel (risk of increased fly parking). Increase in light pollution. Concern re poor design.
UTT/0456/03/DFO (Infrastructure Works): No objections subject to lighting levels being kept as low as possible.

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 30/4/03.

PLANNING CONSIDERATIONS: 1) UTT/0453/03/DFO (Petrol Filling Station)

The main issues are whether:

- 1) the provision of a petrol filling station would be an appropriate facility within the Southern Ancillary Area (ERSP Policy T14, ADP Policies AIR3 & T3(b), and DLP Policies AIR3 & T2),
- 2) the design and lighting would be appropriate and neighbourly (ADP Policies DC1 & 14 and DLP Policies GEN2, 4 & 5) and
- 3) the access would be convenient and safe (ERSP Policy T3, ADP Policies T1 & 2 and DLP Policy GEN1).

1) In BAA's supporting letter of 25/7/80 which accompanied the outline application for expansion to about 15mppa, a petrol filling station was included within the list of associated

facilities for the purposes of the application description. Evidence presented by BAA during the 1980's Airport Inquiry put forward a site for the petrol filling station between the M11 slip roads and the airport access road running from the Birchanger Interchange to Priory Wood roundabouts (now part of the Strategic Landscape Area following the approval of the 8-about 15mppa layout plans in 1986). It was intended that this facility would be complementary to the motorway service area to the southwest of the Birchanger Interchange. In his report following the Inquiry the Inspector additionally commented, *"The on-airport facility might, at some future date, operate as a second motorway service area to cater for the needs of the southbound motorist"*.

The relocation of the petrol filling station to the South Gate site would help retain the integrity of the Strategic Landscape Area as proposed in the 8 & about 15mppa layout plans, and would be consistent with both Policies AIR3. The wordings of both AIR3 Policies do not specifically refer to petrol filling stations within the Southern Ancillary Area, but the uses referred to in the policies are not exclusive and the principle of a petrol filling station was established during the Inquiry. Being within an area allocated for development, Officers do not consider that the petrol filling station would contravene either ADP Policy T3(b) or DLP Policy T2, the principal aims of which are to prevent development in the countryside unrelated to essential motoring need. A petrol filling station on the South Gate Site would be well positioned to meet airport-related needs and also to cater for any need that would exist on behalf of motorists travelling along the new A120 between Bishops Stortford and Braintree. Approval here would help to resist other similar greenfield proposals along the line of the new A120.

2) The design of the petrol filling station would be appropriate to the location and, in addition to the border planting proposed as part of the application, the perimeter planting proposed under UTT/0456/03/DFO and the proposed planting in association with the new A120 should assist in reducing its visual impact, including any spill of lighting. Details of forecourt lighting will be the subject of a condition.

3) There are no objections to the proposed access points off the estate road, which forms part of UTT/0456/03/DFO. Adequate on site parking and waiting facilities would be provided.

2) UTT/0455/03/DFO (Hotel)

The main issues are whether:

- 1) the provision of a hotel would be an appropriate facility within the Southern Ancillary Area (ERSP Policy LRT10, ADP Policies AIR3 & REC5, and DLP Policies AIR3 & LC6),**
- 2) the design and lighting would be appropriate and neighbourly (ADP Policies DC1 & 14 and DLP Policies GEN2, 4 & 5) and**
- 3) the access and parking would be convenient and safe (ERSP Policy T3, ADP Policies T1, 2 & 4 and DLP Policies GEN1 & 9).**

1) On the general layout plan for about 15mppa, which was approved in 1986 as a reserved matter, 3 sites for hotels within the airport development boundary were shown. The first was the Hilton adjacent to the long-term car park (now built), the second was to the northeast of the terminal (under construction for Radisson SAS) and the third was immediately to the east of Bassingbourn roundabout. The construction of the mid-stay car park on the land to the east of Bassingbourn roundabout has resulted in some revisions to the about 15mppa layout plan, one of which has been the relocation of the third hotel site to immediately to the south of the roundabout. The wordings of both AIR3 Policies do not specifically refer to hotels within the Southern Ancillary Area, but the uses referred to in the policies are not exclusive and the principle of a third hotel remains established via the about 15mppa layout plan,

notwithstanding the revised location, which is of no material consequence in land use terms. The provision of airport related hotels within the airport development boundary is, in any case, encouraged by the other ERSP, ADP and DLP policies referred to under main issue 1.

Evidence presented by BAA during the 1980's Airport Inquiry, and subsequently noted in the Inspector's report, indicated that some 850 bedrooms might be required within the airport development boundary to serve about 15mppa. If these reserved matters were granted, total provision would be 994 bedrooms within the boundary once all phases of all 3 hotels are completed. The increase in bedroom numbers is justified by changes in passenger traffic forecasting which has occurred since 1981, in particular:

- the catchment area being slightly larger than originally estimated, resulting in some passengers travelling further distances and requiring overnight accommodation,
- a higher proportion of scheduled traffic than originally estimated with relatively high business usage seeking overnight accommodation to maximise the business day, and
- the extensive growth of low cost carriers where passengers seek matching cost accommodation to utilise early/late flights.

Officers are of the view that it is in the public interest and is also more sustainable for extra bedrooms to be provided within the airport boundary on the allocated sites when this is possible, rather than in locations beyond the airport.

2) It is considered that the design of the hotel would be appropriate to this location, and its positioning within the South Gate site would enable the maximum screening benefit to be gained from the existing structural planting to the north as well as from the perimeter planting proposed under UTT/0456/03/DFO. Although the hotel would be of 4 storeys opposed to the 3 anticipated when outline planning permission was granted, the ground level would be lowered to minimise its impact and the additional storey would reduce the ground coverage of the building. Officers are satisfied that the "v" shaped plan form of the hotel would assist in reducing the visual impact of the building from the south. The detail of car park lighting will be the subject of a condition.

3) There are no objections to the proposed access points off the estate road, which forms part of UTT/0456/03/DFO. Adequate on site car parking for staff and resident guests would be provided, taking into account the applicant's commitment to reduce journeys by private car. Longer term parking for air passengers would be prohibited.

3) UTT/0456/03/DFO (Infrastructure Works)

The main issue is whether the layout of the site road and the proposed perimeter planting would be appropriate within the Southern Ancillary Area (ADP & DLP Policies AIR3).

As anticipated on the about 15mppa layout plan, the site road would feed into the link within the airport road system southeast of Bassingbourn roundabout, and would serve all the individual plots. The perimeter hedge planting around Plots 1 and 2 would be appropriate in terms of location and mix. The extension to the woodland edge planting around the northeastern edge of the South Gate site would also be appropriate and is welcomed in reducing the visual impact from the east.

CONCLUSIONS: These proposals begin the development of the South Gate site as an integral part of the Southern Ancillary Area. Officers are satisfied that the provision of a petrol filling station and a budget hotel are reasonably required, even if their timing has been delayed relative to the throughput of passengers at the airport.

RECOMMENDATIONS: APPROVALS WITH CONDITIONS

1) UTT/0453/03/DFO (Petrol Filling Station)

1. Except where Condition 2 is varied by Condition 3, the development hereby permitted shall be implemented in all respects strictly in accordance with the submitted plans contained in the application, unless agreed in writing by the local planning authority.

REASON: To ensure the development will be carried out as approved.

2. The landscaping works shown on drawing ref STANSTED.F.S.PLANTING Rev C, and any variation to them required by Condition 3, shall be carried out during the first planting season following the opening to the public of the petrol filling station hereby permitted. Any part of the landscaping works which within a period of 5 years following the opening to the public die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

REASON: The landscaping of this site is required to minimise the visual impact of the development hereby permitted.

3. No development shall commence until measures to prevent dazzle to motorists using the new A120 from vehicle headlights within the site have been submitted to and agreed in writing with the local planning authority. The agreed measures shall be in place prior to the opening to the public of the petrol filling station hereby permitted and thereafter retained, including any temporary measures required pending the carrying out and establishment of the landscaping works under Condition 2.

REASON: In the interests of highway safety.

4. The external materials to be used in the construction of the building and structures hereby permitted shall be those specified in the Filling Station Supporting Statement submitted as part of the application.

REASON: In the interests of the appearance of the site.

5. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.

REASON: To reduce the visual impact of the development hereby permitted.

6. No development shall commence until details of the means of disposal of surface water and foul drainage (including trade effluent) have been submitted to and agreed in writing with the local planning authority. The development shall subsequently be implemented in accordance with the approved details.

REASON: To prevent pollution.

7. Details of the positioning of all forecourt lighting (which shall be in accordance with the Filling Station Supporting Statement submitted as part of the application) shall be submitted to and approved in writing by the local planning authority prior to installation. Subsequently, the approved lighting shall not be altered without the written approval of the local planning authority.

REASON: To reduce glare and in the interests of aviation safety.

8. All the parking and waiting areas shown on drawing ref STANSTED/PLAN Rev C shall be provided and made available for use prior to the opening to the public of the petrol filling station hereby permitted, and subsequently retained in perpetuity.

REASON: To reduce off-site parking.

9. The development hereby permitted shall be implemented and subsequently managed in accordance with the measures to achieve energy efficiency, recycling and waste management and a reduction in the use of harmful chemicals set out in the Filling Station Supporting Statement submitted as part of the application.

10. No development shall commence until details of measures to encourage staff to travel to and from work by means other than the motor car have been submitted to and approved in writing by the local planning authority

REASON for 9 & 10: To promote sustainable development.

11. The detailing and positioning of any new signs facing the A120, and of any subsequent alterations to them shall be submitted to and approved in writing with the local planning authority prior to their erection or alteration.

REASON: In the interests of highway safety.

2) UTT/0455/03/DFO (Hotel)

1. C.3.1. To be implemented in accordance with approved plans

2. The landscaping works shown on drawing number 419/2/1 B shall be carried out during the first planting season following the opening to the public of the hotel hereby permitted.

Any part of the landscaping works which within a period of 5 years following the opening to the public die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

REASON: The landscaping of this site is required to minimise the visual impact of the development hereby permitted.

3. The external materials to be used in the construction of the hotel hereby permitted shall be those specified in the Hotel Development Supporting Statement submitted as part of the application.

REASON: In the interests of the appearance of the site.

4. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.

REASON: To reduce the visual impact of the development hereby permitted.

5. No development shall commence until details of the means of disposal of surface water and foul drainage have been submitted to and agreed in writing with the local planning authority. The development shall subsequently be implemented in accordance with the approved details.

REASON: To prevent pollution.

6. Details of the positioning of all car park lighting (which shall be in accordance with the Hotel Development Supporting Statement submitted as part of the application) shall be submitted to and approved in writing by the local planning authority prior to installation. Subsequently, the approved lighting shall not be altered without the written approval of the local planning authority.

REASON: To reduce glare and in the interests of aviation safety.

7. Unless otherwise agreed as part of a phased programme, all the car parking spaces and waiting areas shown on drawing number 01 R shall be provided and made available for use prior to the opening to the public of the hotel hereby permitted, and subsequently retained in perpetuity.

REASON: To reduce off-site parking.

8. The development hereby permitted shall be implemented and subsequently managed in accordance with the measures to achieve energy efficiency, recycling and waste management and a reduction in the use of harmful chemicals set out in the Hotel Development Supporting Statement submitted as part of the application.

9. No development shall commence until details of measures to encourage staff to travel to and from work by means other than the motor car have been submitted to and approved in writing by the local planning authority

REASON for 8 & 9: To promote sustainable development.

10. C.25.1. No airport related car parking other than for resident guests.

11. The footways shown on drawing 419/2/1/B shall be provided prior to the opening to the public of the hotel hereby permitted and thereafter retained in perpetuity.

REASON: In the interests of pedestrian safety.

12. The detailing and positioning of any new signs facing the A120, and of any subsequent alterations to them shall be submitted to and approved in writing with the local planning authority prior to their erection or alteration.

REASON: In the interests of highway safety.

13. No development shall commence until details of measures to improve public and staff safety and security on the site have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented prior to the opening to the public of the hotel hereby permitted and thereafter retained in perpetuity.

REASON: In the interests of public and staff safety and security.

3) UTT/0456/03/DFO (Infrastructure works)

1. C.3.1. To be implemented in accordance with approved plans

2. The structural and perimeter landscaping works shown on drawing number 419/1 D shall be carried out during the first planting season following the opening to the public of the hotel or petrol filling station, to whichever they relate. Any part of the landscaping works which within a period of 5 years following the opening to the public die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

REASON: The structural and perimeter landscaping is required to minimise the visual impact of development on the South Gate site.

Background papers: see application files.

1) UTT/1552/02/FUL 2) UTT/1569/02/LB – STANSTED
(Joint report)

1) Two-storey detached building to provide twelve bedrooms. Provision of 33 car parking spaces.

2) Two-storey bedroom extension.

The Three Colts Public House, 86 Cambridge Road. GR/TL 512-255. Top Dog Pub Co.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 23/12/2002

NOTATION: ADP & DLP: Within Development Limits and curtilage of Listed Building/Opposite environmentally important Open Space.

DESCRIPTION OF SITE: The site is located on the eastern side of Cambridge Road to the north of the village centre. It comprises a listed two-storey public house with a beer garden to the rear and a car park. To the south is a petrol filling station and to the north and east are residential properties (The Champions to the rear). On the opposite side of the road is the wide verge fronting Croasdaile Road and Hargrave Close. The listed building dates from the 18th Century with the oldest part having a clay-tiled roof. It has been extended in the past.

DESCRIPTION OF PROPOSAL: The original proposal was for a 16-bedroomed linked extension to the public house with 28 car parking spaces. The revised plans now propose to erect a free-standing hotel extension to the north fronting the road, to accommodate 12 guest bedrooms. It would be operated in conjunction with the public house, which has a dining room on the ground floor and staff accommodation on the first floor. The building would have a frontage of 19m and a main depth of 6m with a rear wing. It would be of two-storeys with the upper floor in the roof space, measuring about 7m high, some 0.5m taller than the existing building. The materials would be of render and clay tiles and the building would resemble a pair of traditional cottages. The existing access would remain between the two buildings and lead to an extended car park capable of accommodating 33 vehicles. The beer garden would be reduced in size.

APPLICANT'S CASE: The amended scheme as negotiated with Officers now consists of a separate structure away from the main listed building, with additional parking. The number of rooms has been reduced from 18 last year to 16 and now to 12 as discussed with Officers. The number of car parking spaces has been increased from 22 last year to 28 and now 33 as discussed.

RELEVANT HISTORY: 18-bedroomed linked extension and 22 car parking spaces refused in August 2002 for reasons of shortage of on-site car parking facilities. (Listed building consent for same development granted.)

CONSULTATIONS: ECC Transportation: No objections.

Specialist Design Advice: No objections to the revised scheme following negotiations to improve the design.

Environmental Services: Suggest working hours restriction for construction due to proximity of residential properties (7.30am – 6pm Monday – Friday, 8am – 1pm Saturday and no noisy work audible outside site Sundays and Bank Holidays).

PARISH COUNCIL COMMENTS: Original Plans: Object – concerns about adequacy of car parking and spill-over into neighbouring residential areas, where will long-term parkers go? Overlooking and loss of privacy to properties in The Champions to the rear. Out of keeping in the street scene, not sympathetic with the listed building.

Revised Plans: None received (due 13 May).

REPRESENTATIONS: These applications have been advertised and 10 representations have been received regarding the Original Plans. Period expired 5 December 2002. Main points of concern were:

1. adverse effect on privacy, light and outlook from rear of dwellings in The Campions and Croasdaile Close
2. traffic dangers in busy Cambridge Road caused by increased use of hazardous access
3. no need for extra B&B or pub accommodation in this area
4. additional noise and disturbance from users of the car park, especially if pub licensing hours are abolished in the future
5. holidaymakers using Stansted Airport will leave their cars here after one night's stay causing pub customers' to park in Hargrave Close
6. there is no unemployment in this area
7. house prices would be affected
8. out of keeping with the attractive street scene frontage
9. new trees along rear boundary could reduce light into rear gardens of properties in The Campions if allowed to grow high in the future
10. there would be no crash barrier along the rear boundary fence
11. surface of car park should be tarmac not shingle to avoid stones being thrown everywhere
12. access to service yard would reduce car parking facilities
13. adverse effect on setting of listed building by replacing garden with car park
14. recent banner-style advertising is a visual intrusion.

Revised Plans: 6 letters received. Period expired 13 May. Still object for reasons listed above.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would

- 1) **comply with the requirements regarding the provision of hotel and B&B tourists-related overnight accommodation without harming the character and amenities of the surrounding area (ADP Policy REC2 and DLP Policy LC6),**
- 2) **be of high design quality sympathetic to the setting of the listed building (ADP Policies DC1 & DC5 and DLP Policies GEN2 & ENV2),**
- 3) **create sufficient car parking facilities to meet the future needs of the whole site (ADP Policy T2 and DLP Policy GEN9) and**
- 4) **avoid causing additional traffic dangers (ADP Policy T1 and DLP Policy GEN 1).**

1) The relevant Policies indicate that tourist-related accommodation within settlements will be approved provided that they would not harm the character or amenities of the area. In this case the character of the area is mixed commercial and residential. The two most important issues are the appearance of the area and the amenities of neighbours.

a) The site is currently an unkempt open space which allows views from the main road through to the backs of dwelling houses in The Campions. It is the biggest gap on this side of Cambridge Road. The proposed infilling would help to reinstate a frontage building in keeping with the street scene and help to screen the suburban development beyond. Officers consider that the character of the street scene would be enhanced by the proposal.

b) Those neighbours to the west on the opposite side of Cambridge Road (in Croasdaile Road and Hargrave Close) are sufficiently distant at a minimum of 40m, with trees in between, not to be unduly affected by overlooking, noise or disturbance

from either the units or the enlarged car park. Those to the east (rear in The Campions) would have suffered a degree of overlooking from the extension originally proposed. On the revised plans, the nearest part of the rear elevation of the new building would now be at least 18m away from the rear boundary (compared with 7m on the refused scheme) and there would be no windows in the rear elevation. The only possible overlooking would be from the stairs up to the five first-floor units and this could be overcome by enclosing this structure with obscured glazing. Similarly, there would be no windows in the northern side elevation abutting the neighbour in Cambridge Road. Officers consider that the amenities of neighbours would be protected sufficiently by design and the recommended conditions.

- 2) The design of the proposed building has been negotiated with the Council's Specialist Advisor. It would be of a traditional narrow-span form in keeping with the original part of the listed building and the dwelling to the north. The rendered walls would be smooth-finished with a wood float, all external joinery would be of painted timber, the weatherboarding parts would be feather-edged and painted and the roof tiles would be made of clay. The building would be set 3m from the back-edge of the pavement, similar to adjacent structures. There would be a 9.5m gap between the proposal and the listed building. Officers consider that the setting of the listed building would be enhanced by the proposal.
- 3) The car parking requirement for a public house of this size is 21 spaces and the 12-bedroomed units would need one each, totalling 33. The revised proposal would meet these standards.
- 4) The County Highways Authority has no objections to the proposal.

COMMENTS ON REPRESENTATIONS: These are taken in the order listed above-

1. See comments in 1b) above.
2. See comments in 4) above.
3. Lack of demonstrable need for this overnight accommodation is not a valid planning reason for refusal on a site within Development Limits.
4. This application does not propose increased use of the public house by applying for additional floorspace and licensing hours are not a material planning consideration when dealing with an existing public house.
5. A standard condition is suggested preventing Airport-related car parking.
6. There is still a need to encourage local employment within settlements throughout the District, despite the existence of Stansted Airport.
7. The value of property is not a material planning consideration.
8. See comments in 1a) and 2) above.
9. It is considered preferable to have a higher natural screen between this commercial development and the dwellings, as well as new fencing 2m tall.
10. A raised kerb would be required by condition to prevent damage to the fence.
11. The surfacing of the car park would be decided later.

12. It is agreed that the service yard entrance is too narrow and it is suggested that a condition is included requiring car parking spaces 6-8 to be relocated 1m to the south. This would not affect the total provision.
13. The open nature of the rear of the listed building would be retained and the back edge of spaces 6-8 would be hedged to emphasise the boundary of the car park and help to demark the curtilage of the building.
14. It is suggested that a note accompany any permissions reminding the owners and operators that listed building and advertisement consents may be required for the display of any banners.

CONCLUSION: This revised proposal would be an appropriate use of land at this point in the village and the character of the area would be enhanced. The amenities of neighbours would be protected as far as possible and the amount of car parking would meet Council's standards. The reason for refusing the previous application has been overcome by negotiation.

RECOMMENDATIONS:

1) UTT/1552/02/FUL - APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.4.1. Scheme of landscaping to be submitted and approved.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted, approved and implemented.
6. C.7.1. Slab levels to be submitted, approved and implemented.
7. C.8.13. Hours of construction (as DES comments above).
8. C.8.22. Details of any external lighting to be submitted, approved and implemented.
9. C.8.26. Details of internal sound insulation to units to be submitted, approved and implemented.
10. C.8.27. Drainage details to be submitted, approved and implemented.
11. C.10.11. Access junction and sight lines to be provided first.
12. C.11.2. Servicing areas to be provided.
13. C.11.7. Car parking facilities to be provided.
14. C.12.3. Boundary screening to be provided by 2m high close-boarded fencing along southern, eastern and northern boundaries.
15. C.14.4. Use only ancillary to Public House.
16. C.16.1. Watching archaeological brief.
17. C.17.1. Revised plans required to be submitted, approved and implemented regarding:
 - a) kerb upstand to back edge of all car parking spaces at least 0.5m from fence or nearest structure
 - b) relocation of spaces 6-8 1m to south
 - c) hedging to rear of spaces 6-8
 - d) car park surfacing details
 - e) enclosure of external rear staircase with obscure glazing.
18. C.25.3. Ban on airport-related car parking.
19. Access shall be retained to the Electricity sub-station.

Note to accompany Decision Notice: No banners to be displayed without consent.

2) UTT/1569/02/LB - LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.5.1. Samples of materials to be submitted and approved.
4. C.5.5. Clay plain tiles.
5. C.5.8. Joinery details.
6. C.5.9. Painted wood.
7. C.5.11. Smooth rendered walls.
8. C.5.17. Window and door details and sections to be submitted and approved.

Background papers: see application file.

UTT/0147/03/FUL - GREAT DUNMOW
(Revised report)

Erection of 156 affordable dwellings and associated garages, parking spaces and access roads

Sector 2, Housing Association Phase, Woodlands Park. GR/TL 622-223. Estuary Housing Association Ltd.

Case Officer: John Grayson 01799 510455

Expiry Date: 02/04/2003

NOTATION: Within Town Development Limits on Adopted Plan and Settlement Boundaries on Second Deposit Local Plan/Allocated for residential development (this site approved for affordable units.)

DESCRIPTION OF SITE: The site is located in the south-eastern corner of the Woodlands Park estate close to existing properties in Waldgroves, Rosemary Crescent, Downs Crescent and Godfrey Way. It measures 2.7 ha (6.7 acres).

DESCRIPTION OF PROPOSAL: It is proposed to erect 156 affordable units and the revised mix of units would be 43 flats, 63 maisonettes, 36 houses and 14 bungalows. The layout has been further revised to take account of local objections and Members' comments on the original and first amended schemes. The latest changes are set out in the agent's supporting statement received on 21 May attached at end of report. Estuary Housing is a Registered Social Landlord (RSL).

APPLICANT'S CASE: See applicant's letter dated 28 January and supporting statement dated 21 May attached at end of report.

RELEVANT HISTORY: Part of residential development site approved for over 1300 dwellings. This site agreed for affordable housing by E&T Committee in September 2002.

CONSULTATIONS: ECC Transportation: No objection subject to conditions.

Environment Agency: Advisory comments only.

Anglian Water: No objection subject to condition.

English Nature: pond close to SE boundary should be protected.

Essex Police Architectural Liaison: No objection in principle. Recommendations made to applicant regarding fences, drive ways, rear gates, etc. Suggests "Secured by Design" standard would be achieved if recommendations incorporated into scheme.

UDC Local Plan Policy Advice: Revised Master Plan approved by E&T Committee on 10 September 2002. 110 of the 156 units relate to Sectors 1 & 2 and 46 are associated with Sector 3. The provision of affordable housing in relation to Sectors 1 & 2 was seen by Officers and Members as an important aspect of the Master Plan which should be delivered as soon as possible, since development on these Sectors is already well advanced and beyond the threshold in the original Sec 106 Agreement. This proposal would enable some of the affordable housing required in association with Sector 3 to be provided earlier. (*The public consultation on the Master Plan raised concern from some residents in Downs Crescent regarding the visual impact of the development in this corner of the estate.*) See memo dated 11 April attached at end of report.

UDC Housing: There is an unfulfilled need for this type of accommodation in Great Dunmow. The proposed mix of tenure would be 90 for affordable rent, 19 for market rent and 47 for shared ownership.

TOWN COUNCIL COMMENTS: Original plans: support.

First revised plans: recommended amendments relating to additional landscaping, rerouting of footpath, more “rural” type houses rather than “urban” flats, better design, bungalows relocated to SE corner, provision of children’s play areas, reduction in loss of privacy from blocks 5, 6, 7 & 10 and affordable housing spread throughout the whole estate.

Further to the above at the meeting of the Planning Committee of Great Dunmow Town Council held on Wednesday 23rd April 2003, Members passed the following resolution: -

“ That the development of social housing at Woodlands Park, as proposed in the above planning application, constitutes over development of the site, and requires re-designing to make it more sympathetic to Godfrey, Downs Crescent and Buildings Farm House. Further to this it is in contravention of the revised Local Plan, dated October 2002, Policy GD5 paragraphs a, d and e in that:-

- a. “It provides for a mixed and balanced community;
- d. It provides for substantial landscaping with development boundaries to compliment the layout and arrangement of buildings and may be required, by legal agreement, to provide off site landscaping;
- e. It is designed to mitigate adverse effects upon existing residential and community interests and may be required, by legal agreement, to provide or contribute towards wider and longer term planning benefits reasonably.”

Second revised plans: to be reported (due 13 June).

REPRESENTATIONS: *(Members are reminded that full copies of all these letters can be inspected at the Council Offices.)*

This application has been advertised.

Original plans: 90 individual letters of objection were received, together with a petition containing 315 signatures. See report to meeting on 28 April for summaries.

First revised plans: 49 individual letters of objection were received, together with a petition containing 495 signatures. See letter from Jon Durbin dated 17 April attached at end of report which sets out all the main points.

Second revised plans: to be reported (due 13 June). The advertisement period expires on 19 June.

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

- 1) **ADP Policy H4 which requires Airport-related development to be carried out in accordance with a Master Plan,**
- 2) **ADP Policy GD8 regarding the five principles of residential development at BUILDINGS FARM (DLP Policy GD5 WOODLANDS PARK),**
- 3) **ADP Policies DC1 & DC14 regarding good design and neighbourliness (DLP Policies GEN2 & GEN4) and**
- 4) **ADP Policy T1 regarding highways (DLP Policy GEN1).**

1) The principle of airport-related residential development for Sectors 1, 2 & 3 was established in the Adopted District Plan. The current proposal complies with the requirements of Policy H4. Regarding the general location of development.

2) A revised Master Plan for Woodlands Park was agreed last year following public consultation (see Local Plan comments under Consultations above). The current proposal complies with the five principles of development on this site:

- a) *a mixed and balanced community* – this would be achieved by the first provision of affordable housing on this estate to help to redress the current imbalance. There will be another site of affordable housing to the north-west in Sector 3.
- b) *Primary school, community facilities and open space* – all these are allocated on other parts of the development.
- c) *NW bypass* – this is under construction.
- d) *Substantial landscaping* – this has already been agreed along the southern and eastern boundaries of the estate.
- e) *Mitigate adverse effects on existing residential and community interests* – these were all agreed last year as part of the revised Master Plan.

3) Policy GD1 requires good design with regard to the Essex Design Guide. DLP Policy GEN2 states that residential development will not be permitted unless its design meets all the 7 criteria. Policies DC14 & GEN4 require development to avoid loss of privacy or daylight and overbearing impact or overshadowing. The proposed housing would be to a density of 58 dwellings per ha (23 per acre), in line with Government targets for such development and similar to other schemes approved recently on the Eastern Sector site in the town centre and in Thaxted Road and Radwinter Road, Saffron Walden. This would contrast with the lower densities throughout the rest of the estate and again help to redress the imbalance.

The Design Guide advocates the linking of dwellings into terraces in order to achieve a more traditional form of development characteristic of Essex. The proposed layout shows good use of terraced and linked dwellings, together with an interesting variety of forms created by the flats. The original layout showed three-storey flats on the edge of the development, where they would have caused harm to the attractive setting and amenities of adjacent residents.

Following negotiations with Officers, further revised plans have now been submitted to help overcome issues raised by local residents and Members at the meeting on 28 April. These are detailed in the agent's supporting statement attached. The main improvements relate to the relocation of the three-storey flats mostly to the centre of the site, the erection of two-storey houses in the SE corner next to Downs Crescent, the provision of an alternative footpath access to Downs Crescent, the inclusion of two children's play areas and the relocation of proposed dwellings further away from the listed Buildings Farmhouse. The only three-storey dwellings on the edge of the site would now be two small blocks part of two-storey buildings on the southern edge where the site abuts existing three-storey flats in Waldgroves. The layout and design of the proposed dwellings would be sympathetic to the setting of this large estate development on the edge of the town. It is considered that these further amendments go a long way to meeting the concerns regarding the previous plans and are now acceptable.

4) The parking provision for the flats has been reduced to 100% to allow for more planting and amenity areas. This is in line with Government advice on sustainable developments and the need to encourage the reduction in car usage. The site is only 10 minutes walk from the town centre and 5 minutes from Tesco and the local Primary Schools. The Highways Authority raises no objections.

COMMENTS ON REPRESENTATIONS: Most of the objections related to the original proposal to site 3-storey flats in close proximity to existing dwellings. This situation has now been resolved. The landscaping will be significantly improved, both along the site boundaries and within the development. The footpath which runs through the site will be

retained and diverted along the estate road. There would be no vehicular access via Downs Crescent. The Environment Agency is satisfied with the proposed drainage arrangements.

CONCLUSION: This revised proposal now meets all the Development and Master Plan Policies. The negotiated improvements to the scheme have addressed most of the issues raised previously and should ensure that the amenities of local residents are not materially harmed. A Section 106 Agreement will be required to ensure permanent control of occupancy by an RSL. Go-East are being consulted regarding whether the Council needs to refer the application to the ODPM under the Greenfield Regulations.

RECOMMENDATION: APPROVAL WITH CONDITIONS and SECTION 106 AGREEMENT (SUBJECT TO CONSULTATION WITH GO-EAST if required) SUBJECT TO AUTHORITY TO HEAD OF PLANNING TO ISSUE NOTICE AFTER 19 JUNE

1. C.2.1. Standard time limit
2. C.3.2. To be implemented in accordance with revised plans
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
6. C.11.5. Standard vehicle parking facilities to be provided
7. C.8.27. Drainage details to be submitted, agreed and implemented
8. C.8.13 Restriction on hours of construction: - 08:30-17:30 Mon-Fri & 09:00-17:00 Sat, none on Sun or Bank/Public Holidays
9. The development hereby permitted shall not commence until revised drawings have been submitted showing at least 20% of plots with chimneys.
10. Parking requirements
11. Details of lighting to be submitted and agreed.
12. C.6.4. Excluding PD Rights of extension without further permission
13. C.16.1. Archaeological watching brief.

Notes to accompany decision notice

1. Energy efficiency, recycling and waste
2. Protection of wildlife

Background papers: see application file.

1) UTT/1440/02/FUL 2) UTT/1441/02/LB – DEBDEN

Conversion of redundant barns into single dwelling. Covered 4 berth parking structure. Wigmore Farm Barns, Wigmore Farm, Debden Green. GR/TL 574-320. Ms T Magness.
Case Officer: Hilary Lock 01799 510486
Expiry Date: 09/12/2002

NOTATION: ADP – Outside Development Limits/Area of Special Landscape Value
DLP – Outside Settlement Boundary Both: Within curtilage of Listed Building

DESCRIPTION OF SITE: The site is in open countryside to the north of the road leading from Debden Green to the east to Hamperden End to the south. It is part of a farmstead comprising a listed dwelling, and modern and historic agricultural buildings, surrounded by fields.

DESCRIPTION OF PROPOSAL: The proposal is to convert an 'L' shaped range of timber outbuildings behind the farmhouse to a four-bedroom dwelling, and to construct an open-fronted parking cart lodge to provide two parking spaces each for the existing and proposed dwellings. The existing vehicular access would serve both dwellings. A large modern grain store at the rear of the site would be demolished. Garden area in excess of the Council's standards would be retained for both properties. The conversion would mostly utilise existing window and door openings, and would avoid windows in the elevations facing the existing dwelling.

PLANNING HISTORY: conversion of this building to form a self-contained holiday unit approved 1993 but not implemented.

CONSULTATIONS: Design Advice: This small three bay barn appears to be a structure of pre-nineteenth century origins and judging by its roof pitch was probably thatched originally. The single storey range to the southeast is probably later but together with the listed farmhouse the ranges form a pleasant historical farmstead. The submitted structural report suggests the building could be converted without substantial rebuilding. The building therefore fulfils the aims of relevant policies. In terms of design the proposal seeks to retain as much as possible of the existing character of these farm buildings and is acceptable. Recommend approval subject to conditions.

Building Surveying: the access road and turning head will need to be suitable for Fire Service appliances. The windows from bedrooms 1 – 4 and the study are to be of a means of escape type and size.

NATS: no safeguarding objections

PARISH COUNCIL COMMENTS: none received – due 19 March.

REPRESENTATIONS: This application has been advertised and no representations have been received. Original notification period expired 18 November 2002 and revised period expired 19 March.

PLANNING CONSIDERATIONS: **The main issue is whether the proposal meets the criteria relating to the residential conversion of rural buildings (ADP Policy C6 and DLP Policy H5, and ERSP Policy RE2)**

The Policies require that the buildings are sound and enhance the character and appearance of the rural area through their historic, traditional or historic form. This range of structures satisfies these criteria, subject to certain detailed design matters which can be covered by condition. The conversion could be undertaken without any adverse impact on residential amenity.

Although in a relatively remote rural area, the site is located in a scattering of dwellings some half mile from the hamlet of Debden Green, which itself is 2 miles from Thaxted. This is not considered to be an isolated site, and would satisfy the policy requirements.

CONCLUSION: The proposal would enhance the setting of the adjacent listed building and the rural character of the area.

RECOMMENDATIONS:

1) UTT/1440/02/FUL: 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.5.1. Samples of materials to be submitted, agreed and implemented.
6. C.5.4. Natural Slate.
7. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
8. C.6.14. Restriction on rebuilding.
9. C.11.6. Provision of Parking Spaces.
10. Notwithstanding the provisions of Part 1, Class F and Part 2, Class B of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, all vehicular access to the existing and proposed dwelling subject of this permission shall be via the existing access point and driveway coloured green on revised drawing no. P212 - 1 Rev B. No additional means of access and internal driveways shall be constructed without the prior permission in writing of the local planning authority.
REASON: In the interests of highway safety.
11. C.23. Demolition of existing Grain Store.
12. At no time shall any wall or fence be erected between the barns and the listed farmhouse. All other boundary treatment shall be post and rail fencing indigenous hedging, details of which shall be submitted to and approved in writing by the Local Planning Authority pursuant to condition C.4.1 of this permission.
REASON: In order to preserve the historic courtyard.

2) UTT/1441/02/LB - LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development – listed building
2. C.3.3. To be implemented in accordance with original and revised plans
3. C.5.1. Samples of materials to be submitted, agreed and implemented
4. The roof to the main barn subject of this permission shall be clad with handmade clay plain tiles. All other roofs shall be clad with natural slate and clay pantiles as indicated on the approved drawings.
REASON: In the interests of the appearance of the site
5. C.5.8. Joinery details – Black Painted Timber
6. C.5.9. Painted wood and Featheredged Boarding
7. C.5.16. No historic timber to be cut

Background papers: see application file.

UTT/0404/03/FUL – WIMBISH

Removal of condition 6.10 attached to planning permission UTT/1018/01/FUL (removing restriction on use of barn to residential annex only).

Highams Farm, Thaxted Road. GR/TL 607-335. L Moss.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 19/05/2003

NOTATION: Curtilage listed buildings outside Development Limits/Within Area of Special Landscape Value

DESCRIPTION OF SITE: Highams Farm is located 600m along an access lane, off Thaxted Road approximately 2km (1.5m) north of Thaxted village. The application relates to a former stable building, located in a courtyard with a second formerly agricultural building. The buildings are curtilage listed because of their age and historical relationship with the main farmhouse, a Grade II listed building. Its construction is that of timber, brick and render under a corrugated roof. To the north and east lie the farmhouse and its associated outbuildings, and west and south agricultural farmland. Access is via an existing vehicular access to the south of the application site, shared with the farmhouse.

DESCRIPTION OF PROPOSAL: Permission was granted to convert the larger of the two buildings to a dwelling in 2001, and the building subject of this application to an in annex only. The proposal is now to remove the condition which restricts this building to an annex, to enable its conversion as a separate one-bedroom dwelling. The conversion works have already been approved. Two parking spaces would be provided, and ample garden area would be retained to serve both new dwellings.

APPLICANT'S CASE: See agent's letter dated 3 February 2003 attached.

RELEVANT HISTORY: Permission granted for conversion to residential annex in 2001.

CONSULTATIONS: Design Advice: no objections in design terms. Merits of building would meet requirements of Policy C6, but concerned that barn is too small to be converted to separate dwelling, and further extension would be unacceptable in terms of impact on the historic character and appearance. Use as separate dwelling would increase domestic paraphernalia to the detriment of the rural character of the area.

PARISH COUNCIL COMMENTS: object to removal of condition which restricts use of barn to annex only. Original condition should remain. It is important that Highams Farm remains as one unit, especially as the barns are in the grounds of a listed building.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 18 May 2003.

PLANNING CONSIDERATIONS: the main issues are whether the proposal

- 1) Would meet the criteria relating to the residential conversion of rural buildings (ADP Policy C6 and DLP Policy H5, and ERSP Policy RE2) and
- 2) to use the barn as a separate dwelling rather than an annex would materially harm the setting of the listed building or the amenities of the countryside (ADP Policy DC5 and DLP Policy ENV2).

1) The Council's Policies require that the buildings to be considered for separate residential conversion are sound and enhance the character and appearance of the rural area through their historic, traditional or historic form. Design Advice is that this structure

satisfies these criteria, but there is concern that due to the small size of the barn it would be unable to offer an acceptable range of accommodation. Planning permission in the future would be unlikely to be forthcoming for further extensions to the building, as this would destroy its historic character. Such advice was given to the applicant by officers prior to the submission of this application.

However, although re-use of the building could be achieved by conversion to an annex, it is not considered reasonable to refuse the application solely on the size of the resultant dwelling. Other District Plan policies encourage the provision of smaller units of accommodation in the countryside, and the Council would need to consider any future proposals for extension on their merits.

2) The access arrangements and external layout around the building would be unaltered from the previously approved scheme, and it is not considered the additional activity resulting from independent occupation of this unit would be sufficiently harmful to the setting of the listed building or the countryside to warrant refusal. The conversion could be undertaken without any adverse impact on residential amenity.

It is recommended that a note be added to the decision notice advising that planning permission would be unlikely to be forthcoming for any extension or outbuildings to serve the new dwelling because of their effect on its character.

COMMENTS ON REPRESENTATIONS: The comments of the Parish Council are addressed above.

CONCLUSION: The removal of the condition restricting use to an annex is considered acceptable, as the harm which would result from independent use would not be sufficient to warrant refusal. Further extension and outbuildings would need to be considered on their merits, but could be resited if detrimental to the historic character, appearance and setting of the curtilage listed building.

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.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
6. C.11.7. Standard vehicle parking facilities.
7. C.19.1. Avoidance of overlooking –1.

Note to accompany decision notice: re no extensions likely to be granted

Background papers: see application file.

UTT/0511/03/OP - LITTLE CANFIELD

Outline application for the erection of two dwellings
Land adj. 3 Hamilton Road . GR/TL 575-213. Mrs M Gatsky.
Case Officer: Katherine Benjafield 01799 510494
Expiry Date: 03/06/2003

NOTATION: Within Takeley Local Policy 1 Area in Adopted District Plan (ADP) and within Takeley / Little Canfield Local Policy 3 – Prior’s Green Site in the Deposit Draft Local Plan (DLP). The site is also within the area subject to Supplementary Planning Guidance (SPG) for existing small areas within Prior’s Green, Takeley/Little Canfield approved by the Environment and Transport Committee on 11th March 2003.

DESCRIPTION OF SITE: This 48m long and 26m wide site is located approximately 1.5km east of the Four Ashes junction in Takeley, on the northern side of the A120. Hamilton Road is an unmade private lane serving a mixture of detached bungalows and semi-detached two-storey dwellings. The site was formerly the side garden to No. 3 Hamilton Road, a two-storey semi-detached house to the south. It has now been fenced off and appears to now be a separate area of land. The site is bordered by hedging and fencing of various heights along all four boundaries. A single garage is located in the centre of the site which would be demolished.

The site is one of several “island sites” within the Prior’s Green site which lie outside the outline planning application site for 650 dwellings but within the Takeley/Little Canfield policy area.

DESCRIPTION OF PROPOSAL: The outline application is for the erection of two detached dwellings. The siting, design, landscaping, external appearance and means of access would all be determined at the reserved matters stage.

RELEVANT HISTORY: Outline application for the erection of one dwelling refused 1981. Outline application for the erection of two semi-detached dwellings refused 2000 and dismissed at appeal 2001.

CONSULTATIONS: ECC Archaeology: No archaeological recommendations are being made on this application.

ECC Transportation: No objections.

Thames Water: No objections.

UDC Local Plan Policy Advice: SPG for island sites approved March 2003. New development within island sites acceptable in principle. New development will gain access from the approved internal road network however, it makes more sense that a small development of two houses faces onto and gets access from Hamilton Road. Financial contributions will be required and secured through S106 agreement - £5,969 per dwelling. Recommendation – either hold application, refuse on grounds of prematurity or look at options for legal agreement to link development of this site with Countryside land.

PARISH COUNCIL COMMENTS: While we have no specific objections to make to this particular development, we presume the site comes within that area for which no applications can be granted until the plan for the overall development of the whole area has been determined.

REPRESENTATIONS: Two letters. Notification period expired 1 May.
Main points:

1. There are concerns that two-storey dwellings would overlook bungalows to the eastern side of Hamilton Road. In addition, Hamilton Road is unmade and full of wildlife.
2. No objections to two houses however the application states that there are no trees or hedges on the boundary, which is incorrect. It also stated that there would not be any access for pedestrians or vehicles to Hamilton Road. If this is the case, why are the proposed houses in the same positions on the plot of ground as the existing properties?

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the development would be compatible with the Master Plan and the Council's Supplementary Planning Guidance (PPG3, ADP Takeley Local Policy 1 and DLP Local Policy 3) and**
- 2) **social, amenity and infrastructure contributions are required (DLP Policy GEN6).**

1) The Development Plan policies do not permit development of this site in isolation. Development of this site is however acceptable in principle provided it is contiguous with the development of the Prior's Green site overall.

The SPG emphasises that the principle of development of this and the other "island sites" is acceptable; that new development should gain access from the approved internal road network; that financial contributions should be made towards education, transport, sports, community and landscaping facilities; that affordable housing should be provided; and that no permissions should be granted on the island sites until UTT/0816/00/OP has outline planning permission.

Given the location of this site, which is adjacent to other dwellings that would remain serviced by Hamilton Road, it is considered that access to the site should be from Hamilton Road. Access for two dwellings would not result in a significant increase in the volume of traffic along the road to the detriment of the existing residents, nor harm to the overall aims of the Master Plan.

2) SPG requires that all the island sites other than the land adjacent to Takeley Nurseries should make appropriate and proportionate contributions to social, amenity and infrastructure requirements. These are based on an assessment of the costs of primary and secondary education, a contribution to transport enhancement and a contribution to the enhancement of local sports and/or community facilities, a contribution to fitting out, equipping and furnishing the on-site community centre and a financial contribution to structural landscaping and a 15-year landscape sum for its proper maintenance. The total basic financial contribution for wider and longer-term benefits excluding affordable housing and any associated additional educational payments and landscape contributions totals £5,969 per dwelling at current prices. Because this site is outside the Master Plan area these contributions will need to be made in full.

COMMENTS ON REPRESENTATIONS: At this outline stage, the application to be determined is for two dwellings with all matters reserved. The issue of overlooking and other amenity impacts will need to be addressed at the reserved matters stage. The SPG relating to this and similar sites states that access should be via the internal road network for the main development. This site is an exception in that it is more appropriate for the access to be obtained via Hamilton Road in line with the existing properties.

CONCLUSIONS: The development of this site is acceptable in principle provided it is developed contiguously with planning permission UTT/0816/00/OP and not in isolation. A Section 106 agreement will be necessary to ensure contributions to social, amenity and

infrastructure requirements as set out above and to link this site with the larger development, preventing its development in isolation.

RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO A SECTION 106 OBLIGATION REQUIRING CONTRIBUTIONS IN ACCORDANCE WITH THE TAKELEY/LITTLE CANFIELD SPG AND ALSO COVERING THE ISSUES DETAILED ABOVE (especially regarding timing of implementation).

1. C.1.1. Submission of reserved matter: 1
2. C.1.2. Submission of reserved matters: 2
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. The land the subject of this planning permission shall not be developed other than contiguous with planning permission UTT/0816/00/OP. The site shall be included within the approval of phasing and development densities set out in condition 7 of planning permission UTT/0816/00/OP.
REASON: To secure appropriate phasing and densities in a comprehensive manner.
6. The development hereby permitted shall be carried out in accordance with the Master Plan, drawing no. 1071/MP/6 Rev A dated 10.08.00 unless otherwise agreed in writing by the local planning authority.
REASON: To ensure development proceeds in broad accordance with the principles set out in the approved Master Plan.
- 7 C.5.2. Details of materials to be submitted, approved and implemented.
8. C.4.1. Scheme of landscaping.
9. C.4.2. Implementation of landscaping.
10. C.4.6. Retention of trees and shrubs.
11. C.16.2. Full archaeological excavation and evaluation.
12. Noise construction levels/hours to be submitted, approved and implemented.
13. No development shall take place until the new A120 has been completed and open to traffic between the M11 and Great Dunmow.
REASON: In the interests of highway safety.
14. No development/works shall take place until a programme of works for the provision of foul and surface water drainage has been submitted to and approved in writing by the local planning authority, following consultation with Thames water. Subsequently the works shall be implemented as approved, including any phasing in relation to the occupation of buildings.
REASON: To ensure there adequate surface and foul drainage systems are provided for the development and there are no adverse effects on the wider community.

Background papers: see application file.

1) UTT/0523/03/FUL, 2) UTT/0525/03/FUL & 3) UTT/0604/03/CA – FELSTED
(Joint Report)

- 1) Erection of 4 x three-storey blocks - a total of 33 flats
 - 2) Erection of music block
 - 3) Demolition of music school and two other structures
- Land to the North of Ingrams and rear of main school. GR/TL 677-204. Felsted School.
Case Officer: John Grayson 01799 510455
Expiry Date: 20/06/2003

NOTATION: Within Village Development Limits, Conservation Area and curtilage of listed school and Ingrams buildings/Tree Preservation Orders.

DESCRIPTION OF SITES: The two sites are located within the grounds of Felsted School. The existing Music School building is situated to the north of Ingrams and faces School Road. On the opposite side of the road to the east are two dwellings and a small church. To the north is the School Chapel and to the west landscaped open space. The proposed replacement Music School would be located to the rear of the main listed building opposite the modern Lord Riche Hall.

DESCRIPTION OF PROPOSALS: It is proposed to demolish the existing Music School building and replace it with four blocks of 3-storey flats totalling 33 units. Eight of those would be for members of staff at the school as affordable units for key workers. This would replace the 3-storey building approved in 2002 which would not now be implemented. It is also proposed to erect a new two-storey music school building on the site of two existing structures which would also be demolished.

APPLICANT'S CASE: I write to confirm that 25% of the proposed new development will have to fulfil the affordable quota required. I confirm that we have discussed that a provision of eight flats, in the first courtyard immediately behind "Ingrams", will be dedicated to fulfil this requirement. I also confirm that we discussed and agreed that the School could retain these units with a view to using them specifically for housing members of staff. There is a particular need for these facilities in Felsted. I understand that you will wish to apply a condition to our planning consent and I confirm that we are happy to deal with this matter on the basis of such a condition.

The proposals involve the removal of the flat roofed Music School, which no longer satisfies the requirements for the School, together with some brick outbuildings. The proposed development would arrange 33 units in a series of four separate blocks. The two smaller blocks (A) and (B) would form a courtyard to enhance the setting of the existing listed building, 'Ingrams' is set back from the proposed brick boundary wall facing on to the churchyard grounds.

The other two blocks would be arranged to provide views in and out of the site and to be set back from the existing School Chapel, carefully avoiding the destruction of trees that exist on the site. A detailed landscaping scheme will be prepared and we assume that this would form a condition on any planning approval. Similarly, details of all materials would be the subject of a condition on the approval.

RELEVANT HISTORY: Change of use of Ingrams (to south) from educational to sheltered housing, conversion of listed building to six 2-bed apartments and warden's accommodation, erection of 3-storey building for 18 apartments, single-storey rear extension, glazed link and sun room with car parking approved in 2002 following a Members' site visit.

CONSULTATIONS: ECC Transportation: no objections subject to conditions.

ECC Archaeology: no recommendation on this disturbed land.

ECC Learning Services: request contribution of £89,968 towards educational infrastructure.

Environment Agency: no objections subject to conditions.

Anglian Water Authority: no objections subject to conditions.

Specialist Design Advice: to be reported (due 16 May).

Specialist Landscape Advice: No objections.

PARISH COUNCIL COMMENTS: 1 & 2. Gross over development. The view of the Chapel from School Road would be ruined. Design appears out of keeping with the area, especially adjacent to a listed building
3. Concerned about car parking provision.

REPRESENTATIONS: These applications have been advertised and 1 representation has been received. Period expired 29 May.

See letter dated 10 May attached at end of report.

PLANNING CONSIDERATIONS: The main issues are whether the proposals would

- 1) **affect the character and appearance of the Conservation Area and the setting of the listed school building (ADP Policies DC 2 & 5 and DLP Policies ENV 1 & 2),**
- 2) **retain sufficient space around the preserved trees to ensure their retention and to ensure that the open character of the area is not adversely affected (ADP Policy DC8 and DLP Policy ENV8),**
- 3) **affect the residential amenities of neighbouring residents (ADP Policy DC14 and DLP Policy GEN4) and**
- 4) **create sufficient amenity open space and car parking facilities to meet the needs of their occupants and users (ADP Policies DC1 & T2 and DLP Policies GEN 2 & 9).**

1) The relevant Policies require that the appearance and character of Conservation Areas and the setting of listed buildings should be protected by any new development which may be approved. In relation to the site north of Ingrams, it is important to bear in mind what has already been granted, i.e. a large 3-storey block of apartments running from the rear of Ingrams to the back of the existing music school. This would now be replaced by three separate buildings (A, B & C), which would have less impact on the attractive open character of this area. The fourth building (D) would replace the music school structure, which is of a modern flat-roofed construction out of keeping with the area. The design of the new buildings is more sympathetic to those adjacent than the apartment block already approved. It is considered that these proposals would protect the appearance of the Conservation Area.

The proposed relocation of the music school to the rear of the listed school would replace two modern classroom structures with a well-designed building in keeping with the main structure and complementary to the modern Lord Riche Hall opposite. It is also considered that these proposals would be sympathetic to- the setting of the listed building.

2) The open character of the area north of Ingrams with its group of preserved trees is particularly attractive and forms an important part of the setting of the school complex. The relevant Policies require that this character is protected. The plans show all the preserved trees to be retained, but block D should be relocated 2m to the south to ensure that none of the trees to the north are affected. As stated above, the splitting up of the approved block into three separate buildings would help to retain this open character.

3) There are two dwellings on the opposite side of School Road, the occupants of which would be affected by the proposed replacement of the music school with block D. This would be a three-storey building over 11m high, located just 2m back from the road. It would accommodate four flats on each floor (the plan is misleading as it only refers to two floors, but the elevations show three). As three of the four flats would have living rooms on the front elevation, this would total nine living rooms facing the front (east) towards the dwellings opposite only about 14m away across the road. It is considered that this would result in a material loss of light and privacy to their occupants, exacerbated by small balconies to three of the flats.

Officers consider that this block needs to be redesigned to avoid this degree of overshadowing and overlooking. It is recommended that one floor be omitted, that no living rooms face the front and that the building be set back 3m (in addition to the 2m relocation to the south suggested in 2) above). This would reduce the total number of flats on the site by four to 29 and the affordable units by one to seven. If these amendments were incorporated into a revised scheme, it is considered that the adverse effects on the neighbours would be reduced to an acceptable degree.

4) The residential part of the proposal indicates 37 spaces to serve 33 flats, sufficient to meet Council and Government standards for this type of accommodation. If four flats are omitted, however, it is considered that the number of parking spaces should not reduce accordingly. The plans for the proposed new music school show no new parking provision to cater for events which would attract visitors from outside the school. Such a building would need to provide at least 50 spaces and it is suggested that these be located on the opposite side of School Road next to Lord Riche Hall.

CONCLUSIONS: The proposals have merit, but revised plans are required to reduce the adverse effects on preserved trees, neighbours' amenities and off-street car parking facilities. In the circumstances, it is suggested that, if Members are minded to agree that there is scope for further negotiations in these cases, Members may wish to visit the site whilst negotiations are taking place to improve the proposals and revised plans are submitted.

RECOMMENDATION: REFUSAL REASONS

1. The erection of block D as proposed would result in excessive overlooking and overshadowing of the two properties to the north-east, by virtue of its height, proximity to the road and location of living rooms, exacerbated by balconies, contrary to ADP Policy DC14 and DLP Policy GEN4. It would also harm the life of one of the preserved trees, contrary to ADP Policy DC8 and DLP Policy GEN4.

2. The erection of a new music block without additional dedicated off-road car parking facilities would add to congestion and danger to road users, contrary to ADP Policy T2 and DLP Policy GEN9.

Background papers: see application file.

1) UTT/0290/03/FUL, 2) UTT/0292/03/LB & 3) UTT/0294/03/CA – NEWPORT

- 1) Single and two-storey rear extensions to dwelling. Replace barn with two-storey dwelling.
- 2) Single and two-storey rear extensions. Internal alterations to partitions and openings. Insertion of two first floor rear windows. Demolition of outbuilding.
- 3) Demolition of outbuilding.

Belmont, Belmont Hill. GR/TL 521-342. Exec. Estate of A K Skingley.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 29/04/2003

NOTATION: Within Development Limits, Conservation Area and Curtilage of Listed Building

DESCRIPTION OF SITE: The site is located in a prominent location to the north of the village centre on the western side of the main road. It comprises a listed white-rendered and slated-roofed two-storey listed building with a separate wooden barn, both on the frontage. There is a large rear garden. Access is via a shared private drive which serves five properties. The site slopes gently down to the north. The dwelling to the north is also white-rendered with a slate roof.

DESCRIPTION OF PROPOSALS: It is proposed to demolish and replace the barn with a new separate 4-bed dwelling, extend the listed building to the rear with a part two and part single-storey structure with slate and clay tiles and demolish its lean-to. The dwelling would be constructed with timber-boarding with plain clay tiles. The existing access would continue to be used.

APPLICANT'S CASE: see statement attached at end of report.

CONSULTATIONS: ECC Transportation: no objections.

ECC Archaeology: recommend watching brief.

Environment Agency: no objections.

Specialist Design Advice: this proposal has been negotiated. No objections subject to detailed conditions.

PARISH COUNCIL COMMENTS: Concerned that the frontal windows are out of keeping with the locality and would prefer a design compatible with the surrounding cottages. Access to the proposed parking is along an extended stretch of a pavement and the status of that access needs to be resolved with the Highways Authority before any application is granted. The pavement in question is a major route for schoolchildren and elderly residents from nearby Reynolds Court.

REPRESENTATIONS: These applications have been advertised and six representations have been received. Period expired 16 April. See letter dated 21 March attached at end of report (sent in by 3 of the objectors) which covers the points raised by all six.

PLANNING CONSIDERATIONS: The main issues are whether the proposals would

- 1) enhance the character and appearance of the Conservation Area and the setting of the Listed Building (ADP Policies DC2 & 5 and DLP Policies ENV1 & 2),
- 2) respect the amenities of neighbouring properties (ADP Policy DC14 & DLP Policy GEN4)
- 3) provide sufficient amenity open space and car parking facilities to meet Council standards (ADP Policies DC1 & T2 and DLP Policies GEN2 & 9) and
- 4) be acceptable in terms of highway safety (ADP Policy T1 and DLP Policy GEN1).

1) The relevant Policies require that any development permitted within Conservation Areas or curtilages of Listed Buildings should protect the character, appearance and setting of the locality. The existing barn is an ordinary timber-clad building with a slate roof. It is not listed in its own right, but it contributes to the character of the street scene. Its demolition would only be acceptable if it were to be replaced with a building of architectural quality. The proposed new dwelling would occupy the identical footprint of the existing barn, with a single-storey extension to the rear. It would be 8m high at its northern end compared with 6.7m as existing. This would be 1.5m higher than the listed house and 0.7m higher than the adjacent property to the north (Thriftwood). The new dwelling would, therefore, appear as a more dominant element in the street scene than the existing barn. Its character would also change with the insertion of the proposed four windows in the front elevation.

The issue is whether these changes would protect and enhance the appearance of the area. The existing character of this part of the street scene is low-key and predominantly residential. The new house would retain the general pattern of frontage buildings and reflect the materials of the existing barn. The change from slate to clay tiles would be sympathetic with the roofing materials used on other buildings in the vicinity, notably the house immediately south of the site and would be more appropriate to the steeper pitch of the roof. The brick plinth would be harmonious with the existing barn. In all the circumstances, and following design negotiations, it is considered that the proposed house would enhance the appearance of the site. Similarly, there are no objections to the demolition of the barn or the outbuildings to the rear of the listed building, or to its extension as proposed.

2) The dwelling would be close to the common boundary with the property to the north and 1.5m higher. There would also be a single-storey extension to the rear. No windows are proposed along this side elevation, apart from two roof-lights. It is considered that there would be a marginal increase in overshadowing of the neighbour, but not materially significant to warrant refusal.

3) There would be adequate rear garden, parking and turning facilities for the new occupants of the dwelling.

4) The use of the private drive serving five dwellings would be increased by 20%, which is not considered significant. The barn could be occupied as an annexe without permission, which could generate a similar number of additional vehicles. The Highways Authority raises no objections.

COMMENTS ON REPRESENTATIONS: See above.

CONCLUSIONS: The proposals would be appropriate and would meet all the Policy requirements.

RECOMMENDATIONS: 1) APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.6.4. Excluding extensions without further permission.
4. C.7.1. Slab levels to be submitted, approved and implemented.
5. C.8.13. Restriction on hours of construction.
REASON: to reduce disturbance to neighbours due to the restricted access.

2) LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development

2. C.3.1. To be implemented in accordance with approved plans
3. C.5.1. Samples of materials to be submitted, approved and implemented
4. C.5.4 & 5. Natural slate, hand-made clay plain tiles and feather-edged painted boarding
5. C.5.8. Painted timber window frames
6. C.5.16. No elements of historic timber frame shall be cut or removed
Reason: to protect the fabric of the listed building

3) UNCONDITIONAL CONSERVATION AREA CONSENT

Background papers: see application file.

UTT/0368/03/FUL – LITTLEBURY
(Officer's interest)

Change of use of highway land to domestic garden. Erection of 1m high fencing and landscaping.

Land south side of Rectory Close, High Street. GR/TL 516-397. Mr & Mrs Dennis.

Case Officer: Karen Hollitt 01799 510495

Expiry Date: 12/05/2003

NOTATION: ADP & ULP: Within Development Limits/adjacent to Conservation Area & Listed Building.

DESCRIPTION OF SITE: The site is located at the northern end of Littlebury, on the B1383 road to Stump Cross. The site forms an area of green open space at the entrance to Rectory Close.

DESCRIPTION OF PROPOSAL: It is proposed to change the use of the land from highway land to residential curtilage for a property known as Parrishes Barn. It is also proposed to erect a 1m high post and rail fence with a hedge planted around it.

APPLICANT'S CASE: The land has not been maintained and has become unsightly. We are applying for permission to erect a fence and plant a Quercus Ilex hedge, enabling us to maintain the land, whilst enhancing the general appearance of the village.

RELEVANT HISTORY: Application for change of use of land and erection of 2m high fence withdrawn 2002. Application for new dwelling refused and dismissed on appeal 1996. Application for new dwelling refused 1997.

CONSULTATIONS: ECC Transportation: No objections.

Public Rights of Way: No objections.

Design Advice: No objections.

Landscaping: No objections, subject to native screen hedge being planted to the boundary with the highway.

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised and three representations have been received. Period expired 11 April 2003.

1. Feel that the area of land to be enclosed is one of the few remaining open green spaces in Littlebury and would prefer that this remains the case. Hedge should not exceed 1m in height. If hedge did exceed 1m in height it would obscure client's line of view from his driveway looking back towards the bend in the High Street. Hedge would also obscure view of cars sitting at exit of Rectory Close turning right into the main road.
2. Landscaping and growth of hedging, trees, plants, should not block an already restricted view south when turning right out of Rectory Close. Sheds and greenhouses should not be allowed on area to be fenced. Concern 1m is insufficient to restrict animals such as large dogs. Land has been "open" for the past 20 years at least.
3. Previous decisions have referred to area as being an important feature of the village. Any development or enclosure of the site would be detrimental to the immediate area and to our village.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would have an adverse effect on the appearance of the area and the character and setting of

the adjacent Conservation Area (ADP Policies DC1 and DC2, DLP Policies GEN2 and ENV1 & ESRP Policy HC2).

The southern and eastern boundaries of the site are on the edges of the Conservation Area. The site is a prominent feature at the entrance to the village, and the Conservation Area, and is considered to be an important feature in this locality. The Inspector considering an application for a new dwelling on the application site and part of the garden of Parrishes Barn in 1996 stated:

“The appeal site is very prominently located at the edge of the village centre. The rural green appearance of the site ... is an important feature of the village... It seems to me that in its present undeveloped form the site makes a positive contribution to the amenity of the village and the attractive character of the Conservation Area. I am also satisfied that the positive contribution made by the existing green open space to the character of the village would be effectively lost (if development was allowed).”

It is considered that the green space provides an attractive feature at the approach to the village and makes a positive contribution to the setting and character of the Conservation Area. It is accepted that the and has not been well maintained, but it does not form an integral part of the estate. It is more in the nature of a remnant of land left over from previous developments, for which a use should be found. To tidy up the site and enhance the Conservation Area it is considered that it use as ancillary garden would be justified. It is considered that this is a sufficient reason to grant planning permission for development, which would not be detrimental to the character and setting of the area.

The comments raised by the objectors in relation to highway issues are noted, but the Highways and the Rights of Way Authority raise no objections to the proposals, and it must be assumed that they are satisfied with the sight splays which would be provided by the proposed development. Therefore, no objections can be raised on these matters.

CONCLUSION: The enclosure of this open space would enhance the appearance of the existing pleasant village street scene and be a preferable option to the previous dwelling proposal dismissed on appeal.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.6.3. Excluding Permitted Development extensions and erection of freestanding buildings without further permission.
6. C.6.5. Excluding fences and walls without further permission.

Background papers: see application file.
