

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 15 DECEMBER 2003

APPL NO: **UTT/1569/03/FUL**
PARISH: **FELSTED**
DEVELOPMENT: Erection of 3 x three-storey and 1 x two-storey blocks – a total of 24 flats
APPLICANT: Felsted School
LOCATION: Land to the north of Ingrams
D.C. CTTE: 3 November 2003 (see copy attached)
REMARKS: Deferred for English Heritage comments
RECOMMENDATION: **Approval subject to conditions**
Case Officer: Michael Ovenden 01799 510476
Expiry Date: 31 October 2003

APPL NO: **UTT/0814/03/FUL**
PARISH: **ELSENHAM**
DEVELOPMENT: Construction of new health facility, swimming pool, reception, café extension, 5 new bays, 40 car parking spaces and ancillary works
APPLICANT: Elsenham Golf Centre.
LOCATION: Elsenham Golf Centre Glebefield Road
D.C. CTTE: 24 November 2003 (see copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Approval subject to conditions**
Case Officer: Mr J Mitchell 01799 510450
Expiry Date: 1 August 2003

APPL NO: **UTT/1414/03/DFO**
PARISH: **STANSTED**
DEVELOPMENT: Erection of 3 blocks of residential accommodation with associated basement car parking to create 6 no. one-bed units, 34 no. two-bed units and 57 no. car parking spaces.
APPLICANT: H J Hagon
LOCATION: Land r/o 10-20 Silver Street
D.C. CTTE: 24 November 2003 (see copy attached)
REMARKS: Deferred for consideration of revised plans
RECOMMENDATION: **Revised report on Schedule**
Case Officer: Hilary Lock 01799 510486
Expiry Date: 7 October 2003

APPL NO:
PARISH:
DEVELOPMENT:

**1) UTT/1579/03/FUL & 2) UTT/1580/03/LB
MANUDEN**

1) Conversion of restaurant area to letting bedrooms.
Extension to toilets Extension to patio and decking area.
Entrance ramp to building. Construction of brick wall and posts.

2) Extension to toilets. Entrance ramp to building.
Alterations, including changes to internal partitions,
internal doors, external doors and windows. External
door lights.

APPLICANT:
LOCATION:
D.C. CTTE:
REMARKS:

Greene King Pub Partners Ltd.
The Yew Tree Inn 36 The Street
24 November 2003 (see copy attached)
Deferred for incorporation of late Environment Agency
comments and a Site Visit

Case Officer:
Expiry Date:

Mr G Lyons 01799 510458
14 November 2003

UTT/1569/03/FUL - FELSTED

Erection of 3 x three-storey and 1 x two-storey blocks - a total of 24 flats
Land to the north of Ingrams. GR/TL 677-204. Felsted School.
Contact Officer: Mr M Ovenden 01799 510476
Expiry Date: 31/10/2003

NOTATION: Within Village Development Limits & Settlement Boundaries, Conservation Area and curtilage of Listed Building (Ingrams House) / Tree Preservation Order.

DESCRIPTION OF SITE: The site is located within the grounds of Felsted School to the north of the village centre. The existing Music School is situated to the north of the listed Ingrams building and faces School Road. Further north is the listed School Chapel and to the west a landscaped open space and pond. On the opposite side of the road are two dwellings and a small UR Church. The site measures 0.4 ha (1 acre).

DESCRIPTION OF PROPOSAL: This revised proposal seeks to erect four blocks of flats as before, three of which would be 3-storeys and one 2-storeys also as previously. Blocks A & B would be 3-storeys and have 6x2 bed flats in each, Block C would also be 3-storeys and have 6x2 bed and 2x3 bed flats and Block D would be 2-storeys with 4x2 bed flats. However, there are two main changes, firstly the size of them has been reduced so that the total number of units would drop from 29 to 24 and secondly their location has been altered so that blocks C & D would not extend so far towards the Chapel. Block C to the northwest has been relocated 15m further from the Chapel than before, level with the cedar tree. Block D would now be a similar distance back, no closer than the footprint of the Music School. The gap between block C and the Chapel would now be 30m compared with 18m previously and the revised layout would increase this gap by 4m from the end of the existing single-storey outbuilding to be demolished. The designs are broadly as before. All existing trees would be retained. A 34 space car park would be constructed in the centre of the complex to serve the 24 flats.

APPLICANT'S CASE: See agent's letter dated 2 September attached at end of report.

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

29 flats in 4 blocks refused in July for reason of visual intrusion by blocks C & D into open gap between Music School and Chapel causing harm to the character and appearance of the Conservation Area, and adverse effect on cedar tree, contrary to Officers' advice following a Members' site visit. Demolition of Music School and outbuildings to rear of Ingrams and erection of replacement Music School opposite Lord Riche Hall approved in July.

CONSULTATIONS: ECC Transportation: No objections subject to conditions.

ECC Archaeology: No recommendation.

ECC Learning Services: Requests contribution of £41,472 towards educational infrastructure.

Environment Agency: No objections subject to conditions.

Anglian Water Authority: No objections subject to conditions.

Essex Wildlife Trust (re newts in the pond to the NW): To be reported (due 21 October).

UDC Specialist Design Advice: No objections subject to conditions.

UDC Specialist Landscape Advice: No objections subject to conditions.

UDC Specialist Local Plans Advice: No objections in principle. The development of sites like these make an important contribution to meeting the District's housing requirement. Density acceptable. Car parking provision not up to Council's standards.

UDC Environmental Services: Need to make provision for communal refuse and recycling facilities.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS: Landscape Advice:

There are a number of trees on the site, however, these are shown to be retained within the proposed development.

I recommend that any approval is subject to conditions requiring protective measures to be put in place in order to safeguard existing vegetation to be retained during the course of the construction period. In addition, a fully detailed scheme of both soft and landscaping that should be submitted for approval.

PARISH COUNCIL COMMENTS: No comments but would expect some consideration of on-street parking restrictions in Stebbing Road if scheme implemented. (*Officers' comment : this would be a matter for ECC Transportation*).

REPRESENTATIONS: This application has been advertised and 7 representations have been received. Period expired 9 October

1. Object as before. Inappropriate use of site in terms of scale and purpose in context of village environment. Likely to exacerbate a traffic/parking problem which is already severe at times. Urge refusal and suggest revised scheme for two-storey development.
2. Support. Sympathetic and appropriate design and choice of materials. Help maintain school.
3. Urge that new buildings do not encroach beyond footprint of existing Music School in order to maintain sight lines across open space. More reasonable than the earlier application. However, it still seems an inappropriate development for the centre of a village which, has "... a unique character distinct from any other village in Uttlesford ... ". Hardly the location for 4 blocks of flats, especially as 3 of the 4 will be 3-storey blocks, competing with the listed building and out of scale with adjacent 2-storey Stocks boarding house. Detrimental effect of the added traffic on what is already a problem area.
4. Add to the congestion problem. Force residents to yet again endure disruption. The appearance of the proposed flats is not in keeping with the location. The centre of the village should retain its unique character. It would be totally spoilt by the aesthetically displeasing proposed development.
5. Revised proposals are certainly an improvement on the 'horror' mooted previously, BUT still concerned by the prospect of even more cars in this vehicle-infested village.
6. Aesthetically the plan now submitted is a considerable advance on the previous plan since the siting of the blocks of flats causes significantly less impact on this beautifully landscaped area. In particular views of the School Chapel from the Stebbing Road and the vista from the road through to the Bury Pond and Garden suffer far less interruption. However, Block D – the 2-storey block is not, as claimed in this application, within the area at present occupied by the Music School. Roughly one third of it is outside that area on the east side which does affect the view of the Chapel and the impact on the house opposite. Still have some reservations with regard to change of use from academic/communal to residential/private and change of character from 'village' to 'suburban/urban'. However, I feel the architects and Felsted School have gone a very considerable way towards producing a good design that would have far less negative impact than the previous scheme. This still leaves the problem of the closeness of Block D to the Stebbing Road.
7. Increased number of cars will be very much more of a problem – a terrible accident waiting to happen.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS: 3 further letters received:

1) The proposed for development is more reasonable than the earlier application. However, it still seems an inappropriate development for the centre village. The distinct character of this Conservation Area would seem to be under threat. Our main objection to the plan is the detrimental effect of the added traffic on what is already a problem area.

2) The new plans place the two storey block adjacent to the road a few metres further forward than the present Music School. If permission is to be granted for this development, I would urge the Committee not to allow the flats to encroach beyond the limits of the present building. The extra height will, of course, have the effect of dominating the existing open space but at least the sight lines will not be substantially altered.

3) I am strongly opposed to the proposed development. The proposed development is completely unsuited to and out of keeping with this attractive area. The four proposed blocks of 4 flats are too tall, too close together and would hugely over fill and over dominate the area in a way that the present music school does not. Two of the blocks are too close to the road and would mar the view of the Chapel and the Bury garden from the road. The resultant change of use for this area, would greatly increase the noise pollution and disturbance levels. Traffic congestion and parking problems. There is insufficient parking for second cars of flat owners, cars of visitors to flats, visitors to Aubrey Cottage and White Gable, users of United Reform Church and its faculties not to mention the cars of those attending services, rehearsals and concerts in the school chapel. At pupil delivery and collection times there is already a logjam situation in the village and the Braintree and Stebbing roads. The flat occupants would have difficulty getting into and out of their car park at peak times. We really have reached saturation point.

PLANNING CONSIDERATIONS: The main issues are whether the revised proposal would overcome the previous reasons for refusal, i.e.

- 1) the loss of part of the attractive open space and its effect on the character and appearance of the Conservation Area (ADP Policies DC2 & DC8 and DLP Policies ENV1 & ENV8),**
- 2) the adverse effect on the health of the cedar tree (ADP Policy DC8 & DLP Policy ENV8) and**
- 3) whether there are any other material considerations to be taken into account.**

1) Blocks A & B closest to Ingrams were considered acceptable on the original scheme and remain largely unchanged, although block B would now be nearer to the listed building. It was agreed previously that they would create an attractive courtyard which would enhance the setting of Ingrams. Permission to demolish the existing Music School and outbuildings to Ingrams has already been granted and their replacement with a three-storey block of 18 apartments has already been granted and can still be implemented. Block C would be a 3-storey building, as was that approved, but of considerably higher design quality. Whilst it would extend the built form 13m further north compared with the scheme approved last year, it would be 15m further away from the Chapel compared with the refused scheme and 4m further from the Chapel than the existing outbuildings which will be demolished. Furthermore, by being a detached building from block B, unlike the approved scheme, a gap would be created through the development which would enhance the appearance of the Conservation Area from in front of the small UR Church in School Road.

The 2-storey block D has been significantly reduced in size and angled to the road, so that its effect on the open space has been lessened. It would have a frontage of 15m compared with 26m before and would now be mainly on the footprint of the Music School. (At its nearest corner would be 15m away from the front garden of the nearest dwelling opposite, compared with 14m and the proposed angle would also reduce its effect on the amenities of neighbours opposite. This is assisted by the relocation of living room windows away from the front elevation as previously negotiated).

On balance, therefore, it is considered that the revised proposal has more merit than the previously approved scheme and the first reason for refusal has been overcome.

2) Block C would now be 9m from the trunk of the cedar tree compared with 7m on the refused layout. This would be sufficient to avoid any material harm to its health, subject to a condition ensuring its protection during construction. It is, therefore, also considered that the second reason for refusal has been overcome.

3) The **setting of the listed Ingrams building** has been carefully assessed and it is considered that it would be enhanced by the revised proposal, particularly due to the improved layout and design compared with the previous approved development. It is also considered that the **setting of the listed Chapel** would be preserved by retaining sufficient distance between it and the new development and the retention of all the existing trees.

The issue of **car parking** should be considered in the light of Government advice on sustainability. 34 spaces to serve 24 flats (1.4 spaces per flat) is considered reasonable and bears favourable comparison with the previous scheme (36 for 29 or 1.25 spaces per flat) where it was not a reason for refusal.

The issue of **affordable housing** also needs to be considered. The applicant now proposes 24 new-build flats compared with 18 approved last year. Although this is just below the minimum required for affordable units to be needed, the scheme is an integral part of the conversion of Ingrams where six sheltered units and a warden's flat are to be provided. This would take the comprehensive redevelopment to 30 units and it is Government advice to look at such schemes as a whole rather than in isolated parts. In principle, therefore, affordable accommodation is still required and the approved conversion of Ingrams to sheltered accommodation (or key-worker teaching staff) would meet this requirement.

CONCLUSION: The revised proposal has been extensively renegotiated and is now considered acceptable, subject to conditions and a Section 106 Agreement.

RECOMMENDATION: APPROVAL WITH CONDITIONS & SECTION 106 AGREEMENT

1. C.2.1. Time Limit for commencement of development.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.4.4. Retention/replacement of trees.
6. C.4.6. Retention and protection of trees during development.
7. C.4.7. Detailed landscaping survey to be carried out.
8. C.4.8. Landscape management and maintenance plan to be submitted, agreed and implemented.
9. C.5.2. Details of materials to be submitted agreed and implemented.
10. C.5.5. Clay plain tiles.
11. C.7.1. Slab levels to be submitted, agreed and implemented.
12. C.8.26. Internal sound insulation to flats.
13. C.8.27. Drainage details to be submitted agreed and implemented.
14. C.11.6. Provision of car parking facilities.
15. C.15.1. Superseding previous permission.
16. C.25.3 No airport-related parking.

SECTION 106 AGREEMENT:

1. Educational infrastructure contribution

2. Inclusion of six affordable, sheltered or key worker units

Background papers: see application file.

UTT/0814/03/FUL - ELSENHAM

Construction of new health facility, swimming pool, reception, café extension, 5 new bays, 40 car parking spaces and ancillary works

Elsenham Golf Centre Glebefield Road. GR/TL 546-264. Elsenham Golf Centre.

Contact Officer: Mr J Mitchell 01799 510450

Expiry Date: 01/08/2003

NOTATION: Countryside Protection Zone.

DESCRIPTION OF SITE: The site adjoins the clubhouse of the Elsenham Golf Course. This is located between Elsenham and Molehill Green. Buildings on site comprise the clubhouse, pro shop and driving bays together with a green keepers store, and are located in the northwest corner of the course. There is parking for 94 cars. The premises provide for golf, golf tuition, keeping fit, changing rooms, beauty therapy, shop and café bar. The 9-hole golf course has been laid out on a restored former sand quarry and is being remodelled to provide 18 holes.

DESCRIPTION OF PROPOSAL: It is proposed to extend and remodel the clubhouse to provide a new swimming pool, dance area and gymnasium. The new floor area would be 930 sq m, and the extension would be low rise, having a height of 5m with a shallow curved roof. Materials would be a combination of aluminium panels and the roof, because of its wide span, would be raised seam sheeting. The car park would be extended to accommodate 138 vehicles.

APPLICANT'S CASE: See statement attached at the end of this report.

RELEVANT HISTORY: Permission was granted for the change of use of the restored land to a golf course in 1987, and amended subsequently.

CONSULTATIONS: Essex CC Highways: No objections.

Environment Agency: Require conditions relating to landfill gas and drainage.

Anglian Water: None received (due 19/07/03).

PARISH COUNCIL COMMENTS: None received (due 10/07/03).

PLANNING CONSIDERATIONS: The main issues are

- 1) whether the proposed development is acceptable in the countryside protection zone (Policy S4 ADP, Policy S8 DLP, Policy C5 E&SRSP)
- 2) whether the proposed development complies with the Council's policies for leisure and cultural provision (Policy REC 6 ADP, Policies LC2 and LC4 DLP, Policy LRT 3 E&SRSP) and the aims of PPG17
- 3) parking and access.

1) The Council's policies seek to protect the countryside for its own sake. The purpose of the countryside protection zone (CPZ) is to maintain a local belt of countryside around the airport that will not be eroded by coalescing developments. Permission will only be granted for development that is required to be there or is appropriate to a rural area. The golf course is relatively isolated and while the proposed extension of the clubhouse would be substantial in relation to the existing buildings it is considered that it would not be out of place in the context of existing built development at the golf course. The proposed building would be low-rise and constructed of high quality materials. It could be argued that the development would strictly be contrary to the CPZ policies but given the existing uses on the site it is

considered, exceptionally, that the proposed development would not harm the objectives of planning policies.

2) The Council's policies encourage the provision of outdoor sport and recreational facilities, including club houses. The proposed development would extend the range of facilities provided at the Golf Club and the intention of the applicants is that these uses will be compatible with the facilities already available, thus enabling families to use different facilities on the site simultaneously. This would be compatible with the aims of the policies, PPG17 and the Council's own leisure strategy.

3) Car Parking and access would be adequate, and no changes would be required to the access. The number of trips would not increase significantly because the development would enable family use of the site, encouraging shared journeys.

CONCLUSIONS: The proposed development while strictly contrary to the policies applying in the CPZ would not harm their objectives. It would enhance the range of facilities on the site and be compatible with the aims of the Council's and national policies for sport and recreation.

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.4.8. Landscape management and maintenance plan.
6. C.8.22. Control of lighting.
7. C.9.1. No outdoor storage.
8. C.11.7. Standard vehicles parking facilities.
9. C.25.1. Airport related parking conditions.
10. No development approved by this permission shall be commenced until a landfill gas risk assessment has been submitted to and approved in writing by the Local Planning Authority. Where a risk from migrating gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority.
REASON: To protect people on or close to site from the risks associated with migrating landfill gas.
11. No soakaways shall be constructed in contaminated ground.
REASON: To prevent pollution of groundwater.
12. The construction of the surface and foul drainage system shall be carried out in accordance with details submitted to and approved in writing by the Planning Authority before the development commences.
REASON: To prevent pollution of the water environment.

Background papers: see application file.

UTT/1414/03/DFO - STANSTED

(Revised Report & Recommendation)

This application was deferred at the Development Control Committee Meeting on 24 November 2003 in order for officers to consider revised plans which had been submitted.

The revised plans show the following amendments:

- The mezzanine floors on the third floor are to be recessed from the western elevation to minimise overlooking of adjacent residents.
- The first and second floor balconies to units 6 & 11 would have a screen to the western boundary to prevent overlooking of the houses beyond. Their living room windows to that elevation would also be angled away from other properties.
- The first and second floor bedroom windows to units 7 & 12 would have deep reveals to minimise overlooking. The balconies to these units have been omitted.
- The living room windows to units 8 & 13 would be angled to minimise overlooking. The balconies would be screened on the western elevation.

Following further discussion with and clarification by the agent, it has now been demonstrated that the height of the proposed units would be acceptable in relation to surrounding properties. The frontage properties are either offices, or a dwelling whose aspect would be unaffected by the development behind. The amenity issues in relation to the properties on the frontage are therefore overcome, and the amenity of the flats to the north could be protected by obscure glazing to windows.

The relationship of the proposed buildings to the houses to the east would now be acceptable following the submitted amendments. The distance to the western boundary would be between 5.2m and 6.7m (landscaping in between), with minimum back-to-back distances of 26m. This is an improvement on the indicative plans considered acceptable at the grant of outline planning permission.

Although this would be an intensive development, the principle of forty flats on this site has already been accepted by the grant of outline consent. The development would have adequate amenity space and would meet the Council's parking standards. The design is considered appropriate in a Conservation Area and has the support of your Conservation Officer.

Although this is a Reserved Matters application, legal advice has been given that it is reasonable to require funding to meet the costs of providing the additional school places generated by the development. It is therefore recommended that this requirement be subject of a Section 106 legal agreement.

Neighbouring properties have been consulted on the revised plans, and the period expired on 8 December. No comments have been received.

REVISED RECOMMENDATION: APPROVAL OF RESERVED MATTERS SUBJECT TO CONDITIONS ATTACHED TO OUTLINE PLANNING PERMISSION UTT/0576/98/REN, AND A SECTION 106 LEGAL AGREEMENT TO SECURE A CONTRIBUTION OF £40, 800 FOR EDUCATION PLACES.

The previous report follows:

UTT/1414/03/DFO - STANSTED

Erection of 3 blocks of residential accommodation with associated basement car parking to create 6 no. one-bed units, 34 no. two-bed units and 57 no. car parking spaces.

Land r/o 10-20 Silver Street. GR/TL 509-250. H J Hagon.

Case Officer: *Hilary Lock 01799 510486*

Expiry Date: 07/10/2003

NOTATION: ADP: Within Development Limits/Conservation Area/Village Centre/adjacent to Listed Building

DLP: Within Settlement Boundary/Conservation Area/Residential Land (Policy SM2)

DESCRIPTION OF SITE: This is a 0.24ha site in the middle of Stansted, within the defined Village Centre in the Adopted District Plan. It is located on the western side of Silver Street approximately 70m south of the junction with Bentfield Road and Chapel Hill. The site slopes down from north to south, but also from the road back into the site. It contains a two-storey slate and rendered building used for offices. The building is of no architectural merit and consent for its demolition has been granted. To the south of the site is a public house and car park. The rear (western) section of the site is open and used for car parking, and there is a single-storey building in the southwestern corner. Along the back boundary is a rear access to properties in Cannons Mead. The northern boundary is defined by the rear wall of a residential block, and windows from these flats overlook the site.

DESCRIPTION OF PROPOSAL: This is a Reserved matters application in respect of UTT/0626/01/OP, for the erection of 40 flats comprising six one-bed units and thirty-four two-bed units. These will be in the form of three blocks, which would be three and four stories high. The proposal includes provision of sixty-one car parking spaces, all to be accommodated in a basement.

The frontage building would have three storeys and a height of 11m. It would accommodate six two-bedroom units. The second and third floor units would all have small balconies. A distance of 8.5m is proposed to 'Block B' behind, created by a communal amenity area.

The rear blocks ('B and C') would be four storeys, 14m high, and of the same design. Each unit would have a patio or balcony, slightly larger than the frontage block. Block B would be positioned between 3m and 4.8m from the boundary with the public house and its car park. The distance to the rear boundary would range from 5.2m to 7.2m. The two-storey houses beyond have rear garden depths in the region of 21m.

Block C would be set 6.5m – 7.8m from the rear boundary, but the closest house would be only 13.5m away. Distances to the frontage buildings would be 6.4m – 13.3m, and 3.2m from the northern boundary at the point closest to the windows of the adjacent flats. There would be habitable windows and/or balconies looking towards all of the adjacent properties.

Landscaped boundaries are indicated on the plans but little screening is afforded at present by planting.

APPLICANT'S CASE: Have made amendments following discussion with Officer earlier this year. See agent's letters dated 6 August 2003 and letter from Barker Parry dated 6 August 2003 attached at end of report.

RELEVANT HISTORY: Outline planning permission granted in 1995 for erection of 40 flats and alteration to access. This was renewed in 1998 and 2001. Conservation Area consent was granted in 1993 for demolition of 18 & 20 Silver street and building at rear. This was renewed in 1997, 2001 and 2003.

CONSULTATIONS: Environmental Services: Query provision for refuse storage. Refuse bin stores are to be no further than 20m from public highway.

ECC Schools Service: Based on latest School Organisation Plan November 2002, there will be sufficient primary places at a local school serving this development. In the case of secondary provision it is forecast that there will be a deficit of 274 places by January 2007 at the local school. Estimate the development would result in four additional secondary places being required. Request developer contribution of £40,800.

Thames Water: No objection with respect to sewerage. Advice regarding surface water disposal.

Environment Agency: No objection. Advice for applicant.

UDC Policy: Application falls within the criteria where affordable housing can be sought (i.e. over 25 units), but it was not a condition on the outline permission.

ECC Transportation: No objections.

Design Advice: Proposed design is likely to positively contribute to the character of the conservation area, subject to conditions.

Landscaping: To be reported.

PARISH COUNCIL COMMENTS: To be reported - Due 12/9/03.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 11/9/03.

PLANNING CONSIDERATIONS: The main issues are

- 1) **the effect on the character and appearance of the Conservation Area (ERSP Policy HC2, ADP Policy DC2 & DLP Policy ENV1).**
- 2) **the effect on residential amenity (ADP Policy DC14 & DLP Policy GEN4).**
- 3) **whether the operational layout of site meets standards for parking, amenity space and access and circulation. (ADP Policy DC1 & DLP Policy GEN2) and**
- 4) **whether there is any material reason why the proposal need not make provision for affordable housing and a contribution to school places in the area.**

1) The design of the proposed buildings is considered appropriate in this location and is likely to positively contribute to the character of the conservation area, subject to appropriate materials and details. These matters could be addressed by conditions.

2) The outline permission showed an indicative scheme for forty units with the buildings being no more than 2 ½ - three storeys, and 11m high. Although this proposal improves slightly the distances from the rear boundary, it provides a poorer relationship with the frontage buildings, and increases the impact on all adjacent properties due to the increased height of buildings and the introduction of balconies. The effect of Block A should not be unreasonably detrimental to residential amenity, but the proximity of Blocks B & C to the houses at the rear, the flats to the north east, and the single two storey house on the frontage would be unacceptably close. The proposals would give rise to significant levels of overlooking and overshadowing, and would generally have an unacceptably overbearing impact due to their excessive height.

3) ECC Transportation has no objection to the proposal. Most of the units have individual balconies or patios, and the development provides adequate communal amenity space. No space has been indicated for bin stores, but provision could be made within the communal areas.

The outline permission required the provision of eighty parking spaces. Since that time, government guidance has changed, resulting in lower parking requirements. The outline approval requiring 2 spaces per dwelling is considered to be excessive in light of current

guidance, considering the central location of the site and the proximity to public transport. The current parking requirement would be 1.5 spaces per dwelling resulting in a need for 60 spaces. The proposal would meet current parking requirements and this is considered to be adequate in this central location.

4) Although the original permission was granted in 1995, it was renewed in 1998 and 2001 without a requirement for affordable housing being sought, there being no policy in the adopted Plan to support such action at that time. It is not considered appropriate or reasonable to impose such a requirement on a Reserved Matters application. However, the requirement for a Developer Contribution to school places is considered reasonable, as it is the type of accommodation now proposed which has driven the need for such contribution.

COMMENTS ON REPRESENTATIONS: In order for affordable housing to form part of the development, it would need to have been sought at outline stage. This was not the case and as planning permission for open market housing has already been granted, a request for affordable housing cannot now be made.

CONCLUSIONS: Although the principle of the number of units has been accepted on this site, the size and positioning of the rear blocks could give rise to significant loss of amenity to surrounding residents. .

RECOMMENDATION: REFUSAL

The proposed construction of the two four-storey blocks of flats at the rear of the site could give rise to significant loss of amenity to surrounding residents, by virtue of overshadowing, overlooking and an unacceptably overbearing form. This dominant impact would be due to the excessive height combined with the unacceptably close positioning to site boundaries and the properties beyond. The loss of privacy would result from the position of windows serving habitable rooms, and the use of balconies throughout the development. The proposal is therefore considered contrary to ADP Policies DC1 and DC14 and DLP Policies GEN2 and GEN4.

The proposals fail to include provision of a Developer Contribution to secondary school places of £40,800, and as such would fail to meet the requirements for education services generated by the Development, contrary to Policy BE5 of the E&SRSP.

Background papers: see application file.

1) UTT/1579/03/FUL & 2) UTT/1580/03/LB – MANUDEN

(Referred at Member's Request)

- 1) Conversion of restaurant area to letting bedrooms. Extension to toilets Extension to patio and decking area. Entrance ramp to building. Constuction of brick wall and posts.
 - 2) Extension to toilets. Entrance ramp to building. Alterations, including changes to internal partitions, internal doors, external doors and windows. External door lights.
- The Yew Tree Inn 36 The Street. GR/TL 491-267. Greene King Pub Partners Ltd.
Case Officer: Mr G Lyons 01799 510458
Expiry Date: 14/11/2003

NOTATION: ADP and DLP: Listed Building within development limits, Conservation Area and within Area of Special Landscape Value. Within Floodplain

DESCRIPTION OF SITE: The site is located towards the centre of Manuden on the outside of a bend, opposite St Mary's Church. The character of the area is a mixture of residential buildings, most of which are listed, with the church and a garage opposite. The River Stort runs along the eastern side of the application site.

DESCRIPTION OF PROPOSAL: The applicant is seeking to make several alterations to the Grade II listed Yew Tree Inn. Externally these changes include a larger patio area with decking and ramps to the front and side of the building with new windows and doors. Internal changes include a change in use from restaurant to four letting bedrooms and an enlargement of toilets with a new internal ramp to meet the requirements of disability legislation.

RELEVANT HISTORY: Numerous applications submitted on this site with single-storey extension approved 1988. Garages opposite were converted to residential use in 1987.

CONSULTATIONS: Environment Agency - No comments received – (due 10 October)
UDC Design Advice – The proposed alteration relates mostly to the modern parts of this site and are acceptable in terms of design. No objections to the indicated brick wall and balustrading subject to conditions.

PARISH COUNCIL COMMENTS:

1. The extension to the patio and construction of a decking area are out of keeping with the Conservation Area.
2. The change of use from restaurant to small hotel would have a major impact on the village and create traffic and parking problems.
3. There is concern about potential for flooding, as storm water is now to be re-directed to enter the river just north of the Yew Tree Inn.
4. listed building consent is required.
5. New lighting should not be halogen lighting.
6. The council requests that a site visit be made by planning committee.

REPRESENTATIONS: The application has been advertised with press and site notices and five neighbour notifications. Advertisement expired 23 October 2003. No response has been received.

PLANNING CONSIDERATIONS: The main issues are:

- 1) whether the proposed development is appropriate in terms of its impact on the listed building and
- 2) whether it is an appropriate form of development in a Conservation Area, and in relation to residential amenity (ADP Policies DC2, DC5, DC14 and DLP Policies ENV1, ENV2, GEN4).

1) The proposed alterations relate mostly to the modern single-storey element of the listed building and, in view of this, are deemed to be acceptable in their scale, character and appearance subject to the use of appropriate materials, as guided by Listed Building advice. Essentially, the older two-storey element will have minimal alteration.

2) Concern has been expressed by Manuden Parish Council regarding the impact of the proposal on the Conservation Area, in particular the patio and decking area. There is already an outdoor seating area at the pub and provided quality materials are used, the proposal may actually improve the appearance of the front part of the pub in view of the current sporadic layout of seating and chain link fencing. The proposal will create a more formal outdoor seating area that is contained by fencing and walls.

Outdoor seating brings additional concerns about noise. This will only occur during the warmer months because patrons would not realistically sit outside in winter but it is considered that the impact on amenity would not be significantly greater than exists at present. Concern has also been expressed regarding external lighting with a request to prevent the use of halogen lighting. This can be controlled by condition.

The use of the former restaurant area for four letting bedrooms is similar in character to the three rooms already used for letting in the garage conversion opposite. Car parking is readily available on site to cater for more than 50 cars with an in/out driveway either side of the existing letting rooms.

CONCLUSIONS: The alterations to the Listed Building are in themselves acceptable as is the proposal for an outdoor seating area. It is something to be expected at a public house and is therefore not out of character nor indeed will it detract from the character and appearance of the conservation area.

RECOMMENDATIONS:

1) UTT/1579/03/FUL - APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. The four bedrooms hereby approved shall remain ancillary to the main premises as edged red on the location plan, and shall not at any time be sold away or occupied independently from the premises to which they relate.
REASON: To avoid over development of the site.
4. C.5.1. Samples of materials to be submitted and agreed.
5. C.5.8. Joinery details.
6. The new external wall around the patio area shall be constructed in hand made clay bricks samples of which shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.
REASON: To ensure that appropriate materials are used for the approved works in a Conservation Area.
7. No development shall take place until details of external lighting, including method of illumination, luminance levels, and means of directing and shielding light spillage, have been submitted to the local planning authority for approval in writing. The lighting shall be installed in accordance with the approved details, and shall not thereafter be altered without the prior written consent of the local planning authority.
REASON: In the interest of private amenity and to prevent light spillage into neighbouring properties.
8. C.13.6. Short stay holiday lets.

9. C.25.1. Airport related parking.

2) UTT/1580/03/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development – listed buildings.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.5.8. Joinery details.
5. The new external wall around the patio area shall be constructed in hand made clay bricks samples of which shall be submitted to and approved in writing by the local planning authority. The works shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.
REASON: To ensure that appropriate materials are used for the approved works in a Conservation Area.

Background papers: see application file.

UTT/0830/03/FUL - QUENDON & RICKLING

(Referred at Local Member's Request)

Erection of temporary marquee between the months of May and September for use associated with weddings, functions and conferences.

Land and premises at Quendon Park. GR/TL 515-318. Mr N Tabor.

Case Officer Consultant north 01799 510455

Expiry Date: 07/10/2003

NOTATION: Outside Village Development Limits/Within Area of Special Landscape Value (ADP only), Curtilage of Grade I Listed Building, Historic Parkland & Ancient Woodland.

DESCRIPTION OF SITE: The site is located in the Quendon Park estate to the north of the village and west of the B1383. It comprises about 40 ha of attractive undulating parkland with historic trees and woods set around Quendon Hall. The setting is of high architectural and environmental quality.

DESCRIPTION OF PROPOSAL: It is proposed to retain a large temporary marquee immediately to the north of the Hall for five months every year (May – September inclusive) for weddings, conferences and other social functions. The marquee measures 35m x 12.3m x 4.7m high.

APPLICANT'S CASE: See agent's letter dated 11 November attached at end of report.

RELEVANT HISTORY: Change of use of land and buildings to provide facilities for weddings, functions and conferencing approved in 2002.

CONSULTATIONS: English Heritage: Object - the marquee would have a significantly damaging visual impact on the setting of the listed Mansion and the appearance of the Park. There may be a case for approval of a marquee for specific functions, if the matter of servicing can be resolved.

UDC Specialist Design Advice: Object – the marquee would be an alien element within the Parkland. Its excessive size would form a prominent feature, jarring with the architectural and historic qualities of the country house, resulting in damage to the setting of this Listed Building.

PARISH COUNCIL COMMENTS: None received (due 12 September).

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

PLANNING CONSIDERATIONS: The main issues are whether the proposed marquee would harm the setting of –

- 1) this Listed Building (ADP Policy DC5 (a) & DLP Policy ENV2) and
- 2) this Parkland (ADP Policy C3 (b) & DLP Policy ENV8).
- 3) If so, it would also be necessary to consider whether there are any exceptional circumstances to justify over-riding these Policies.

1) *The relevant Policies require that development affecting a Listed Building should be in keeping with its scale, character and surroundings. Development proposals that would adversely affect the setting of a Listed Building will not be permitted.*

The visual impact of the proposed marquee on the setting of this Listed Building would be significant, primarily due to its proximity to the north face of the Hall. Although it would be

partly hidden by a brick wall immediately to the west, its roof form would be visible from the front of the Hall. Despite the temporary nature of the proposal, it is considered that five months out of twelve would be too long to accept its erection, even for a limited period of four years. Consequently, the proposal fails to comply with the Listed Building protection policies for the reason set out in the consultation replies.

2) *The relevant Policies state that development proposals likely to harm significant local historic landscapes, Parks and gardens will not be permitted unless the need for the development outweighs the historic significance of the site.*

The description of this Listed Building states that “On the north side there is an avenue of trees forming a vista with the axis of the Church of St Mary the Virgin, Newport, about 1.5 miles to the north.” The proposed marquee would intrude into this vista and damage the important relationship of the Hall with its surrounding Parkland. Consequently, the proposal also fails to comply with the Parkland protection policies for the reason set out in the consultation replies.

3) DLP Policy ENV2 does not allow any exceptions if the setting of a Listed Building would be adversely affected, so the applicant’s commercial case can be afforded little weight. No evidence has been submitted to explain why the existing accommodation within the Hall as approved last year is insufficient to meet the needs of the applicant’s clients, or that the marquee is essential to fund repairs to the Listed Building. Although DLP Policy ENV8 allows for exceptions where the need outweighs the historical significance of the site, in this case it is considered that the regional importance of this setting is so great as to prevent the applicant’s needs justifying permission being granted. The case of need is partly made on the basis that the marquee has already been used for such functions and should continue to do so. This is not considered sufficient to warrant an exception being made to the Policy in this case.

CONCLUSIONS: The architectural and environmental importance of this location is too great to allow the harm which would result from the retention of a large marquee for a total of 20 months over the next four years. Enforcement is also recommended to seek removal of the marquee should it be erected next summer.

RECOMMENDATION: REFUSAL FOR THE FOLLOWING REASONS AND ENFORCEMENT

1. The proposed erection of a large marquee in this sensitive location would harm the setting of this Grade I Listed Building by introducing a prominent alien modern element of excessive size which would have a damaging visual impact, contrary to ERSP Policy HC3, ADP Policy DC5 (a) and DLP Policy ENV2, and advice contained in PPG15.
2. The proposed erection of a large marquee in this sensitive location would harm the Parkland setting of this Grade I Listed Building and its vista to the north by introducing a prominent alien modern element of excessive size which would have a damaging visual impact, contrary to ADP Policy C3 and DLP Policy ENV8.
3. The commercial case put forward in support of this proposal is not considered to be of sufficient weight to warrant an exception to these Policies.

Background papers: see application file.

Residential conversion of barn to form two dwellings
Pye's Farm Mole Hill Green. GR/TL 711-203. Mr J Hunnabale.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 27/10/2003

NOTATION: Outside development limits S1, Affects the setting of a listed building DC5

DESCRIPTION OF SITE: The barn subject of this application lies within the curtilage of Pye's Farm located at Mole Hill Green near Felsted. The site fronts onto the corner of the road between Molehill Green and Bartholemew Green and is bounded by Pye's Farm Cottages and outbuildings to the south and west and agricultural land to the north and east.

DESCRIPTION OF PROPOSAL: The application details the conversion of an existing Grade II listed barn to form two dwellings with associated garden areas. The proposal would require the demolition of approximately 0.8 m of an existing extension to the south-east elevation. The building would provide 4 bedrooms with materials consisting of natural thatch to the roof, black stained weatherboarding to walls and black stained joinery.

APPLICANT'S CASE: "The barn is of little use at present. The conversion will preserve the original frame in its present form apart from one new opening, which requires the removal of two studs. The upgrading of the modern end section will enhance the barn".

RELEVANT HISTORY: Change of use of adjacent barn to office and store and erection of fence granted subject to conditions 17 June 2003.

CONSULTATIONS: UDC Specialist Design Advice: See planning considerations.
H & B services: None received. Due 25 September 2003.
Environment Agency: Standard Advisory letter.

PARISH COUNCIL COMMENTS: None received. Due 4 October 2003.

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 2 October 2003.

PLANNING CONSIDERATIONS: The main issues are:

- 1) **Whether the conversion of the barn conserves the characteristics of the building and would not involve substantial reconstruction or extension in accordance with Policy C6 of the ADP 1995 and Policy H5 of the RDDP 2002 and**
- 2) **Whether the conversion of the barn would involve alterations, which would not impair the special characteristics of the listed building and would preserve the buildings special architectural and historical characteristics in accordance with Policy DC5 of the ADP 1995 and Policy ENV2 of the RDDP 2002.**

1. The works subject of this application predominantly entail internal alterations with some external alterations. A new window is proposed to the gable of the south-west elevation as well as a new door on this aspect. The majority of the works proposed are restricted to the north-east street facing elevation where the doors of the central wing would be replaced by new windows and doors for access to the dining room.

It is considered that the works of conversion would adversely affect the characteristics of the building involving significant external alterations and would also involve the sub-division of the barn to create more than one dwelling. As such, the character of the building would be adversely altered through the partition of existing large areas of internal open space.

2. This L shaped barn is dated C17/E.18 Century. It is timber framed and weatherboarded under a thatched roof. It is Grade II listed for its group value. Specialist design advice shows that the conversion of this structure to form two dwellings would require the intensive subdivision of its internal volume as well as trimming of the historical rafters on the south west side of the barn to facilitate roof space in one of the units. The proposed works would not respect and conserve the fabric and character of the barn but would adversely damage it. It is considered that a conversion on a smaller scale, that would utilise more internal space and existing features without such fundamental change as those alterations required by this proposal may be acceptable, however, it is considered that such works could only result in one dwelling.

CONCLUSIONS: The alterations proposed subject of this application, necessary to facilitate the conversion of this existing barn into two residential units would require intensive internal and external alterations which would be overly detrimental to the internal fabric and character of this listed building.

RECOMMENDATIONS:

1) UTT/1270/03/FUL REFUSAL REASONS

The conversion and sub-division of this barn to form two residential dwellings would require significant internal alterations, which would be detrimental to the existing character and fabric of the listed building contrary to DC5 of the Adopted District Plan 1995 and Policy ENV2 of the Revised Deposit District Plan 2002.

2) UTT/1516/03/LB REFUSAL REASONS

The conversion and sub-division of this barn to form two residential dwellings would require significant external alterations and alteration of internal open spaces leading to a detrimental impact on the traditional character and appearance of this rural barn contrary to Policy C6 of the Adopted District Plan 1995 and Policy H5 of the Revised Deposit District Plan 2002.

Background papers: see application file.

UTT/1273/03/FUL - WENDENS AMBO

(Referred at Officer's Discretion)

Conversion of property into 13 one and two bedroom dwellings and reduction of parking area to provide landscaping

Courtlands, Royston Road. GR/TL 505-362. Thaxted Road Property 1 Ltd.

Case Officer: Mr G Lyon 01799 510458

Expiry Date: 18/11/2003

NOTATION: ADP and DLP: Outside Development Limits, within fluvial flood plain, adjacent to Grade II listed building.

DESCRIPTION OF SITE: The site is located approximately 500 metres west of the settlement limits of Wendens Ambo on the B1039 and nearly 200 metres west of the M11 motorway. The site area measures 4600 square metres and contains development in a U-shaped arrangement, which is a result of development in association with its present B1 office use. The main building is situated to the western end of the site and is adjacent to Oak Cottage, which is a Grade II Listed building. The central section of Courtlands is the oldest remaining element and was previously the original residential dwelling with western and eastern sections approved in 1987 and 1990, respectively following change of use to commercial purposes. The two extensions to the building are of totally contrasting styles, the later extension being in the form of a "barn-like" structure. Access to the property is from the north west corner of the site and approximately 34 car parking spaces are already available for use. To the east of the property, the site is extensively landscaped with trees around the southern and eastern boundaries and a large grassed area. There is a stream/ditch running along the rear boundary and the property falls within the floodplain of this watercourse. The property currently lies vacant.

DESCRIPTION OF PROPOSAL: The applicant is seeking approval to convert the existing property into 13 self-contained flats, of which 8 units will be two-bed and five units will be one-bed. The applicant is not proposing to extend the property but would insert 16 new windows and doors on the ground and first floor. There would be three main entrances into the property giving access to ground and first floor units and one of the units (No.6) would have it's own entrance. Amenity space would be provided to the east of the property as well as the rear and is already landscaped, to a certain degree. This amenity land is approximately 2000 square metres in size giving at least 150 square metres per unit.

APPLICANT'S CASE: The applicant has provided a supporting statement outlining the reasons why the proposal should be approved. This is available for inspection at the Council Offices, Saffron Walden. Documents have also been enclosed showing how the property has been marketed for commercial purposes by Mullucks Wells estate agents over the last six months. Also the applicant has provided a Flood Risk Assessment following advice from the Environment Agency.

RELEVANT HISTORY: The original residential property was changed to a design studio in 1987 with subsequent approvals for western extension approved in 1987 and the eastern extension approved in 1990. The property has remained in this same use since 1987. Consent was refused and dismissed at appeal for one bungalow and construction of new access in 1989. Consent was also refused for erection of two-storey linked extension and construction of a new access.

CONSULTATIONS: Environment Agency: The site lies within the High Risk Flood Zone and therefore the applicant is required to submit a Flood Risk Assessment. The applicant has submitted this statement and the Environment Agency has withdrawn its objection.

Recommend conditions regarding foul and surface water drainage.

UDC Environmental Health: No comments/objections in principle. However this is subject to the Fire Authority's approval of means of escape, fire detection equipment, protected routes etc. Concern about the lack of provision for refuse collection.

PARISH COUNCIL COMMENTS: Two Parish Councillors object to the proposals and four have no objection subject to appropriate conditions being imposed, especially regarding the developer providing a footpath from the site to the village centre.

REPRESENTATIONS: This application has been advertised with both press and site notices and 3 neighbour consultations. Advertisement expired 04 September 2003. Two letters have been received, one in favour, one against.

Summary of comments: - As owner of the adjacent property I am anxious about the proposed development. Ladies and gentlemen would not live in a small flat next to a widening motorway. Tenants can be noisy too. This site would much more appropriate as a nursing home.

This proposal would be a great start for a young professional lady or gentleman. We badly need this type of accommodation in this town for young people in employment.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) **The proposal meets with the criteria relating to the residential conversion of rural buildings outside development limits (PPG3, PPG7, ERSP POLICY RE2, ADP Policy C6, S2 and DLP Policy H5),**
- 2) **The impact of the development on the countryside would be acceptable (ERSP Policies CS2 & C5, ADP Policy C2 and DLP Policy S7),**
- 3) **The proposed conversion would affect the setting of Oak Cottage, which is a listed building (PPG15, ERSP POLICY HC3, ADP Policy DC5 and DLP Policy ENV2,**
- 4) **Other relevant issues.**

1) The dwelling is situated in the countryside well outside the defined settlement limits of Wendens Ambo. The applicant has stated that the site is brownfield land. Annex C of PPG3 provides the definition of previously developed land: -

"Previously-developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Previously-developed land may occur in both built-up and rural settings."

Using this definition, the site in question can be considered previously developed land, but only in the location of the current buildings and would not extend to the grassed area to the east of the property.

The applicant has stated that Central Government guidance through PPG3 and PPG7 would actively support the proposed residential development of existing previously developed land (See supporting statement). Although this is true to a certain degree, any proposals to develop previously developed land should be considered in conjunction with other policies, particularly when situated in a rural location.

Essex Replacement Structure Plan, Policy RE2 states clearly "the re-use of other rural buildings for residential use on isolated sites within the countryside located well away from existing settlements will not be permitted." The site in question is certainly isolated and is situated well away from Wendens Ambo.

Although ADP Policy C6 refers to barn conversions, it applies equally to other rural buildings. It states “The conversion for residential purposes of rural buildings in sound structural condition which through their historic, traditional or vernacular form enhance the character and appearance of rural areas will normally be permitted.” Although the property is in sound structural condition, it has no historic, traditional or vernacular form that would enhance the character and appearance of the rural area and therefore no basis for approval under this policy.

ADP Policy S2 refers to the countryside beyond development limits. It states “Permission will not normally be given for development in the countryside beyond Development Limits unless the proposals relate to agriculture, forestry, appropriate outdoor recreational uses, or appropriate changes of use of suitable existing buildings compatible with a rural area.” The proposal is not an appropriate change of use of an existing building in a rural area and therefore does not meet the requirements of the policy.

The fact that the property was once a residential dwelling is not a clear justification of an appropriate use in this instance. The original property has been significantly altered and extended to more than twice its original size. These extensions were only allowed in view of the exceptional circumstances of the B1 office use classification that the site currently has and it is unlikely that these would have been granted permission as residential extensions.

DLP Policy H5 refers to the conversion of rural buildings to residential use. It states that “The conversion of rural buildings to dwellings will be permitted if **ALL** the following criteria apply.

- a) It can be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses;
- b) They are in sound structural condition;
- c) Their historic, traditional or vernacular form enhances the character and appearance of the rural area;
- d) The conversion works respect and conserve the characteristics of the building; and
- e) Private garden areas can be provided unobtrusively.

Although the proposal meets the criteria of B, D and E, it fails to meet parts A and C. The applicant has provided some detail of proposed marketing of the property for commercial purposes but it is the view of the Council that this supply of evidence does not go far enough to show a lack of demand and fails to show adverts in press etc. The applicant has stated that offers have been received but does not justify why they were unacceptable. The applicant has also ruled out any other form of development without showing adequate evidence of marketing for other uses. The applicant has therefore pre-judged market need without the evidence to support their claims. For example, the property could be divided up into small units to suit small businesses, and other solutions such as a hotel, nursing home or tourist accommodation should be considered before residential development.

Part C) is similar to ADP Policy C6, for which this proposal did not meet with the criteria. The proposal does not therefore accord with DLP Policy H5.

2) The character of the countryside into which the proposal is set could be considered to be wooded in appearance with little or no long-distant views across open countryside. In summer the area is surrounded by substantial and mature deciduous and coniferous trees as well as native and non-native hedging, which creates a sense of enclosure from the countryside beyond. The high embankment of the M11 Motorway, which passes by some 150 metres to the east further enhances this sense of enclosure. Proposals have been put forward to widen the M11 this side of the motorway and this will bring with it additional noise and pollution over and above the existing levels as landscaping for such a scheme would take time to mature. The property is, however, outside of the 67-metre protection zone from the central reservation of the M11 (DLP Policy ENV12).

In winter, when leaf cover has fallen, there would be some permeation of views into the site, but existing brick and flint walling should hide any trappings of residential occupation. Officers are therefore of the opinion that the proposed development, in terms of built fabric, will not detrimentally affect the character and appearance of the countryside. However, the potential increase in vehicular traffic due to the lack of sustainable alternatives and the associated traffic movement to and from the site may have a detrimental impact on the rural tranquillity of the area. This issue is considered further in point 4).

3) The site is adjacent to Oak Cottage, formerly known as Hawley Bishops, which is a grade II listed property. The property fronts onto the B1039 but is separated from Courtlands by an existing garage and wall and substantial mature trees and hedges. Although the two properties form a distinct grouping, because of the proposed minimal alteration to the external appearance of Courtlands it would be difficult to argue that the proposal would affect the setting of the listed building. It is therefore considered that the proposal will not affect the setting of Oak Cottage.

4) One other relevant issue is the fact that the site is well away from the centre of Wendens Ambo and this raises questions about the long-term sustainability of the proposed development. There is no public footpath or cycleway towards the village centre and therefore potential users of the site would have little option but to use their car for most, if not all of their journeys (the applicant has not indicated the provision of cycle parking facilities). This will have obvious consequences of significantly increasing road traffic in the immediate vicinity of the site and may create increased trip generation over above that of the existing site.

The maximum number of people that could be accommodated within the property following conversion to 13 units, based on two-people sharing each bedroom, would be 42 (8 x 2-bed = 32 people + 5 x 1-bed = 10. Total 42). The existing commercial premises had approximately 45 staff consequently the number of people on the site could only decrease by 7% and if each person living on the site has their own car then this would not represent a significant decrease in the number of trips generated as suggested by the applicant.

When trips generated by visitors to the site are taken into account the figure may be even higher than the existing use. This is not in accordance with the principles of sustainable development. PPG3 talks about the ability to build communities through residential development. The detached nature of this particular site away from the village and the long walk or cycle to the centre would mean that future occupiers of the site would be unlikely to feel part of the community. The lack of public transport would mean that residents wishing to use the train at Audley End station would have to drive the 1300 metres because realistically it would be too far to walk and too dangerous to cycle under current road conditions.

CONCLUSIONS: The site is located on an isolated site well away from the existing settlement limits of Wendens Ambo. The proposal does not accord with policy requirements and the applicant has not provided any suitable material circumstances to warrant a departure from policy in this instance.

RECOMMENDATION: REFUSAL REASON

It is the policy of Central Government Guidance (Policies PPG3 and PPG7), the Essex Replacement Structure Plan (Policies CS2, C5, RE2, HC3) the Adopted Local Plan (Policies S2, C6, C2 and DC5) and the Draft Local Plan (Policies S7, H5 and ENV2) to ensure that applications for re-use of rural buildings for residential purposes are located in appropriate

locations and will not result in over development of the rural countryside leading to unsustainable development.

In this instance, the proposal to convert an existing B1 office premises outside of development limits, which has been extensively extended in line with its current use, into 13 residential units would lead to an intensification of activity on the site in an area where such development would not normally be permitted. The proposed development is located on an isolated site well away from existing settlement limits having poor means of access to services other than by the private motor vehicle. Such a use is considered inappropriate and contrary to the above stated policies.

Furthermore, the applicant has not adequately demonstrated how the site could be used for other purposes other than residential development and failed to demonstrate active marketing of the property for its current intended B1 office use.

Background papers: see application file.

UTT/1512/03/DFO - TAKELEY

Reserved matters application for erection of 72 dwellings with garaging, parking and access road (Phase II)

Land south of A120 and west of Hawthorn Close. GR/TL 558-211. David Wilson Homes.

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 27/10/2003

NOTATION: Within Development Limits/ADP Policy TAK1: Allocated for residential redevelopment for 100 dwellings.

DESCRIPTION OF SITE: The site is located some 160m west of the Four Ashes crossroads on the southern side of the A120. It covers about 2.7 (6.6 acres) and slopes gently down to the south-west. A public footpath runs along the western boundary between the road and the Flitch Way.

DESCRIPTION OF PROPOSAL: This is a revised scheme for approval of reserved matters relating to the second phase of the residential redevelopment granted outline permission. Seventy-two dwellings are now proposed by the new owners, on land where 73 were previously approved on the western side of the site. Together with the 28 dwellings on a revised phase one it would retain the number of dwellings on the whole site at 100 units. This scheme is for a mix of detached, semi-detached and terraced houses, some with two storeys others with three storeys. This phase would contain 14 x 2 bedroom, 20 x 3-bedroom, 28 x 4 bedroom, 6 x 5 bedroom and 4 x 6 bedroom dwellings, bringing the total for the whole development to 14, 32, 41, 9 and 4 respectively. Twenty of the units would be affordable units (14 x 2 bedroom and 6 x 3 bedroom) with a housing association. Their location and design is similar to those permitted last year for Countryside PLC on the site. The road layout and position of open space, play area and the dry balancing pond are similar to those in the extant permission. The main changes from the permitted scheme relate to house types and the omission of communal parking courts in favour of mostly on curtilage parking.

RELEVANT HISTORY: The site was allocated for residential redevelopment in 1991 and adopted as part of the ADP in 1995. The Master Plan was agreed in 2001. 100 dwellings were approved in 2002, subject to conditions and Section 106 Agreement re financial contributions to and provision of infrastructure, 20 affordable units and no more than 80 dwellings to be occupied before new A120 opens. Permission was granted earlier this year for the erection of 28 units forming phase one of the site which was a variation to last year's permission.

The **outline planning permission** (UTT/0786/00/OP) dated 20 December 2001 was subject to 20 conditions (copy available at The Council Offices, London Road, Saffron Walden). The accompanying **Section 106 Agreement** requires the developer to:

1. transfer amenity open space land to the Council before the 50th dwelling is occupied, then laid out and completed before the 80th dwelling is occupied, with a payment of £25K to the Council for future maintenance,
2. lay out and equip the Local Area for Play (LAP) in the SW corner in accordance with an agreed timetable,
3. make a payment of £45K to the Council towards infrastructure provision and community facilities and
4. replace or add to changing room facilities at the Gordon Austin Memorial Playing Field opposite the site or any other community facilities to be agreed (This has recently been revised in response to a request from the Parish Council to have more

flexibility in providing sports equipment and is triggered by the erection of the 25th house rather than 50th as originally agreed.)

The **detailed planning permission** for 100 dwellings dated 17 October 2002 was granted subject to 18 conditions (copy available at The Council Offices, London Road, Saffron Walden with the relevant Minute DCL63 ii).

CONSULTATIONS: ECC Transportation: Recommend 20 conditions relating to detailed matters of construction and layout of the internal road layout.)

ECC (Urban designer): The majority of these houses are detached and therefore do not present an attractive continuous street frontage. The three-storey terraces overlooking the balancing pond are badly proportioned. The corner houses do not form long enough blocks to function as a corner terrace and look odd detached from other houses.

Environment Agency: To be reported (due 3 October).

Thames Water: To be reported (due 3 October).

English Nature: Satisfied that the development is not likely to affect the SSSI.

Police Architectural Liaison: Acknowledgement letter received.

PARISH COUNCIL COMMENTS: Initial comments made reference to the application not containing drawings of all house types (since resolved).

REPRESENTATIONS: 29 local residents have been notified and 1 representation has been received. Period expired 1 October. The application has also been advertised as a major development.

High-density development should be positioned as far as possible from existing housing to prevent overlooking. There is no indication on David Wilson's plan of any intention to provide further screening. If the block of affordable units 81-86 is to remain in its proposed location it should be re-aligned through 90 degrees so that only the flank wall of one unit (with a condition requiring obscure glazing) overlooks adjoining properties. During the very wet winter of 2000/2001 when the water table was abnormally high there was frequent flooding in my garden.

PLANNING CONSIDERATIONS: **The main issue is whether this revised proposal is still in accordance with the approved Master Plan and outline permission.**

All the detailed requirements of the Master Plan and outline permission, with its accompanying legal agreement, continue to apply to this revised reserved matters application. The overall form of the layout, design and mix of units would be similar to that already granted. There have been some house-type changes, with overall beneficial results. The omission of communal parking courts is acceptable as is the slight move away from terraces in the centre of the scheme. The changes include the provision of two terraces of more formal three storey houses near the dry balancing pond which on balance seems acceptable as it introduces variation into the scheme and provides a focus in the site as well as greater observation over the play area. The scheme also involves utilising the roof space of about 20% of the dwellings in order to boost the number of bedrooms in some of the units, particularly the 10 dwellings having 5 or 6 bedrooms. This approach is not unreasonable and would not give rise to material overlooking. Members may recall that with the reserved matters application last year that all properties proposed were to have chimneys except the affordable units. A condition was attached requiring the affordable units to have chimneys as well. This scheme has just under half of the market housing without chimneys compared with half of the affordable units. This seems satisfactory as having a similar proportion of the two tenure types with features like chimneys aids integration.

Members should be aware that originally the junction to the site was to be controlled by traffic lights but the applicant and highways authority have reached agreement in principle

for this requirement to be waived to overcome practical problems arising from having a set of traffic lights so close to the Four Ashes crossroads. The applicant has negotiated improved visibility splays at the junction and the highways authority have agreed to this approach given that the traffic and the status of the original A120 (from 15 December when the new road open it will become the B1256) will be lower than previously experienced and to avoid a new set of lights on the main road.

CONCLUSION: The proposal represents an acceptable development of this allocated residential site.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.1. To be implemented in accordance with approved plans.
2. C.4.1. Scheme of landscaping to be submitted and agreed.
3. C.4.2. Implementation of landscaping.
4. C.4.5. Retention of hedges.
5. C.4.6. Retention and protection of trees and shrubs during development.
6. C.4.8. Landscape management and maintenance plan to be submitted, agreed and implemented.
7. C.5.2. Details of materials to be submitted agreed and implemented.
8. Excluding Permitted Development for alterations to the roofs of dwellings.
REASON: To avoid material overlooking of adjacent properties.
9. C.8.13. Restriction on hours of construction: Mondays – Fridays: 0730 – 1800; Saturdays: 0800 – 1300 and not at all on Sundays or Bank/Public Holidays.
10. C.8.27. Drainage details to be submitted agreed and implemented.
11. C.11.6. Car parking to be provided.
- 12 & 13. C.12.1 & 4. Boundary screening requirements.
14. C.15.1. Superseding previous permission UTT/0614/02/DFO.
15. C.16.2. Archaeological investigation to be carried out.
16. The ten units of house type SH21 shall all have chimneys (shown on the approved drawing SH21).
REASON: To aid integration of the design of the affordable housing units.
17. Nature conservation and management survey to be carried out, agreed and implemented.
18. Contaminated land survey to be carried out, agreed and implemented.
19. Submission and agreement of details of junction with A120 and internal traffic calming measures to be implemented.
20. A120 (B1256) road cleaning measures to be carried out during construction.
21. Scheme for protecting neighbours from noise during construction to be submitted, agreed and implemented.
22. Scheme for suppressing dust during construction to be submitted, agreed and implemented.
23. Details of footpath link to Flitch Way to be submitted agreed and implemented.
- 24 & 25. Submission of scheme to ensure provision of 20 affordable dwellings (details and implementation of scheme) prior to occupation of total of * units of the total of 80 open market dwellings approved on phases 1 & 2.

Background papers: see application file.

Location of civic amenity and recycling centre for waste disposal purposes, residential development and associated roads, footpaths and infrastructure, County Highways storage depot, District Council road sweeping facility.

Land at Thaxted Road. GR/TL 550-372. Granite Property Developments.

Case Officer: Ms H Lock 01799 510486

Expiry Date: 27/11/2003

NOTATION: ADP: Part of site within Development Limits, but proposed residential area is outside; part of application site is allocated as Employment Land (Policies SW7, E1 & E2). DLP: Part of site within Settlement Boundary, but proposed residential area is outside; Other parts of proposal allocated as Employment Land (Policy E1 & Local Policies SW3 & SW4) & Employment Land to be Safeguarded (Policy E2 & Local Policy SW5).

DESCRIPTION OF SITE: This application relates to parcels of land on the north-eastern side of Thaxted Road, some 350m southeast of the edge of the main settlement of Saffron Walden and the junction with Peaslands Road. The site comprises the existing Council waste and recycling depot, a disused former garden centre, and Veerman Lodge, a dwelling in the eastern corner of the site. The applicant also owns a commercial unit in the centre of the group, which has permission for Class B1, B2 & B8 industrial uses. The site is bordered to the north by an access road, with two dwellings beyond. To the south are new industrial units. The whole development is accessed from a service road, set back from the main B184 Thaxted Road. There is some frontage planting, but much of the land sits in an elevated position and is visible from the road.

DESCRIPTION OF PROPOSAL: This is an outline proposal with all matters except access reserved for later approval. The application comprises:

- The construction of 100 one- & two-bedroom dwellings on a 0.8-hectare site, currently in use as the waste depot. These dwellings would be affordable, rented and owned, and managed by a housing association. It is the intention that they would include key worker, disabled and lifetime homes (designed to be adaptable and accessible to meet the needs of occupants through various life stages and states). The development would be to a density of 75.2 dwellings per hectare.
- The relocation of the Civic amenity and recycling facility (CARC) to the south eastern corner (in place of the dwelling);
- The County Highways storage depot would be located on land to the north west of the new waste depot (0.184 hectares);
- The District Council road sweeping facility would be located to the south west of the new waste depot (0.184 hectares).
- Access improvements are proposed, including widening of the road in front of the site & the installation of traffic islands. Within the site a new access road and roundabout to serve the various residential, commercial & waste sites would be constructed. A bus stop would be included.

Two illustrative plans have been submitted, one (for the purposes of this report 'Scheme A') including one car parking space per dwelling (100 spaces), and the other (Scheme B) 1.5 spaces per dwelling (150). Both Schemes show the residential development set behind frontage planting and an existing access road, which would be enhanced to include a 3m wide cycle way/footpath. Access into the development would be from the rear, with buildings in a 'horseshoe' adjacent the roadways.

The two schemes differ within the development. Scheme A allows for the parking areas to be broken into 5 smaller groups surrounded by more landscaping than Scheme B, which shows 150 parking spaces in three large surfaced areas, and 31 spaces outside, beyond the access road. Both Schemes would include 88 motorcycle spaces, and seven covered cycle storage areas. Scheme B would have less green space. A small under-fives play area (to be

equipped by the developer and dedicated to the Town Council) would be within the centre of the development. Scheme A has a small under-fives play area outside the development, at the northeastern end of the site, next to the access road. Scheme B would provide it centrally. Although there are landscaped areas indicated on both plans there would be limited communal garden area, and no private space.

No details have been provided of the type of dwellings proposed other than to confirm that all would be one and two-bedroom. It is assumed that all would be flats to achieve such high density on this site.

APPLICANT'S CASE: A detailed supporting statement is available at the Council Offices. Also see agent's letters dated 28 October & 27 November, and letter from Hastoe Housing Association dated 3 November, attached at end of report.

RELEVANT HISTORY: Certificates of Lawfulness for use of site as Civic Amenity & Recycling Centre and as a Waste Transfer Station issued 1996. Permission granted for industrial units on Veerman's site 1999 & 2000. Erection of commercial buildings for B1, B2 & B8 uses on former garden centre approved 2002. Subdivision of ITT building to create B1, B2 & B8 units approved June 2003

CONSULTATIONS: ECC Transportation: No objection subject to numerous conditions and legal agreement, including:

- Provision of ghosted right turn lane into site from Thaxted Road (as shown on drawings)
- Landscaping to ameliorate the effects of road widening and right turn lane
- Financial contribution of £43,415 for measures arising from the Saffron Walden Traffic Study
- For a period of 5 years from first occupation, developer to provide bus service between 0600 – 2200 at hourly intervals to link with town centre
- Provision of bus stops & footpaths to them

ECC Education: Require financial contribution towards school places generated by development (for the two-bedroom units). Cannot specify figure at this stage until number of two-bedroom units known.

UDC Policy Advice: Attached to report. Following clarification from agent, also comment that if residential development would be 100% affordable, would meet requirements of Policy H5 and may be treated as an exception site, subject to normal planning considerations and suitable controls to ensure the affordable element is retained.

UDC Housing: Would need to be managed by a Registered Social Landlord who would retain interest in the development.

UDC Landscape Advice: Within the main body of site there are number of trees but none of significant amenity value beyond the site. Site boundaries are in part hedged and contain trees, of only fair condition due to lack of maintenance. Recommend landscaping condition, including native boundary planting and approval of final ground levels.

UDC Engineering: Request condition regarding surface water disposal, as the stated method of using soakaways is unlikely to be achievable.

ECC Archaeology: No recommendation.

Environmental Services: Require condition regarding contaminated land & remediation strategies. Concern at possible noise nuisance from vehicle movements to and from the recycling centre passing close to residential properties.

TOWN COUNCIL COMMENTS: Strongly object. Site is outside town's development limits and fails to meet at least three of four criteria for "Exception sites" listed in Policy H10. Also extremely concerned at effects development would have on town's infrastructure, particularly its schools and roads. Members are cognisant of the two large developments at Harris Yard and Bell College, which in addition to proposal would cause even further traffic tailbacks in Thaxted Road. Extremely concerned that this form of ribbon development would create a

situation where land between this site and Linton Close will be placed under pressure for further development.

REPRESENTATIONS: This application has been advertised and 7 representations have been received. Period expired 13 November.

1. Enclosed newspaper article about the development for information.
2. See letter from Andrew Martin Associates attached at end of report.
3. Acrokool seek reassurance that proposed road layout will accommodate deliveries by large lorries (up to 40' vehicles). Concerned at turning space around island in front of ITT building. Queuing of cars waiting to visit CARC would interfere with delivery vehicles for Acrokool. Subject to the above being satisfied, support application as it would provide much needed accommodation for area and would assist local economy.
4. Friends of the Earth: object as contrary to Policy SW2, which provides for 355 new homes to be achieved by proposals already identified plus small scale developments within settlement boundaries. No further major housing is put forward in RPG or Buchanan Report. Infrastructure provision has not been made for more housing. If CARC is moved to land allocated for employment, the existing facility should become employment land as replacement. Live-work units on adjacent plot not sufficient to warrant abandoning employment designation. Special case put forward is based on policies appropriate to villages (with less than 3000 persons), and do not apply to Saffron Walden. Not advisable on social grounds to create entirely affordable development on edge of town. Density would be way above government guidelines of 30–50 per hectare. High density may be appropriate in towns, but not outside settlement boundary, and would result in poor quality development. Should not destroy balanced provision of Draft Plan, and should be considered as part of review, not as piecemeal development.
5. Resident in Eastby Close for 12½ years and traffic has doubled. Pressure for infill to Linton Close and behind sports centre. Would need more doctors and schools. Object to change to public right of way.
6. CPREssex: Concerned at large scale proposal outside development limits and outside the Plan process.
7. Live within 200m of site and concerned at impact on amenity. Does not conform to Policy H5 or draft Plan policy, or S2. Right to Buy will apply and therefore cannot secure long-term affordable housing. Should not encourage people who have no choice in location of affordable housing to live near landfill site and its effects on health. Pressure to develop adjacent sites. Site is untidy but could be improved. Geographical and social isolation from town offers no integration.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the residential proposals would meet the criteria for consideration as an exception site for affordable housing (PPG 3, ADP Policies H5 & S2 & DLP Policies H10 & S7),**
- 2) **the location and layout of the proposed residential scheme would satisfactorily meet the Council's standards and produce acceptable living conditions for occupants (ERSP Policies CS1, C5 & H2, ADP Policies DC1, T2 & DC14 & DLP Policies GEN2, H9, GEN9 & GEN4, and advice contained in the Essex Design Guide),**
- 3) **the proposal would be acceptable in highway safety terms or have any significant impact on local traffic (ERSP Policy T3, ADP Policy T1 & DLP Policy GEN1)**
- 4) **the Council should consider a significant departure from its adopted and Deposit Draft Local Plans,**
- 5) **loss of safeguarded employment land would be detrimental to the Council's employment strategy (ERSP Policy BIW4, ADP Policies E1 & SW7 and DLP Policies E1, E2, SW4 & SW5), and**

6) there are other material considerations which should outweigh any policy objection to warrant approval of the scheme.

1) The residential part of these proposals is on land outside any Development Limit. Adopted Policy H5 exceptionally allows for affordable housing schemes provided four criteria are met:

(i) that the proposal would meet a particular local need that cannot be accommodated in any other way. The Council's records show that there is a high demand for affordable housing in the Saffron Walden area, primarily for smaller unit accommodation. It is accepted that the development opportunities within the town are limited, and of the larger schemes available only 25% can be secured as affordable housing. This would therefore meet only a small proportion of demand. It is therefore considered that this clause is met.

(ii) that the development provides for permanent controls which ensure that the original benefits of the scheme are secured for future occupiers. Hastoe housing association has confirmed that it would acquire the freehold of the site, would become the covenantor for the discounted open market housing, and would manage the entire scheme. However, it is now recognised that these properties could be subject to the occupiers Right to Buy legislation, and as such permanent controls could not be secured. Saffron Walden would not be classed as a rural village for the purposes of the legislation, and could not therefore be excluded from this option. In the long-term there could therefore be a proportion of the dwellings which could become general market housing. The proposal would therefore fail this clause.

(iii) the site is within or immediately adjacent to the built-up edge of a village, which will usually possess a reasonable range of services. Although there is a development limit drawn around this employment site, it is isolated from the main settlement of Saffron Walden, and this small TDL contains no services. Its purpose was solely to identify the extent of the employment zone. It is considered that although Saffron Walden has a good range of services, better than the surrounding villages, this site is too remote to be classed as adjacent the built-up edge. It is not considered the proposal would meet this clause.

(iv) Development of the site would not be detrimental to environmental and other planning considerations. In visual terms it is not possible to fully assess the impact at this outline stage, but it would impact upon other planning considerations, addressed later in this report.

Deposit Plan Policy H10 also requires the site to "adjoin the settlement", and for the development to be "of a scale appropriate to the size, facilities and character of the settlement". Given this site would be in isolation from the main town it would appear as a large development out of keeping with its immediate environs. The proposal is therefore considered to fail both adopted and deposit draft policies.

Government guidance contained in PPG3 and Circular 6/98 is clear that exception sites should adjoin settlements, and should provide a good mix of housing.

2) The scheme would involve a large housing scheme in an area allocated for employment uses. Not only would the scheme fail to produce the housing mix required by the Council's policies (DLP H9), but it would fail to integrate the affordable housing into a larger development, thereby preventing the creation of a mixed and balanced community. This development of small units would appear divorced from the main settlement, and would not achieve the sort of sustainable community promoted in national and local policy.

With regard to the location, not only would occupants have no immediate local facilities, but residential use would not be compatible with the surrounding land uses. The allocations and extant permissions for the surrounding land allow for Class B2 and B8 uses which are not appropriate neighbours to dwellings. In addition, the access road to the CARC and other commercial uses (which are served by large delivery vehicles) would pass directly adjacent the housing area. It is not uncommon for queuing traffic to occur at CARC sites, particularly

during peak weekend hours, which would coincide with the relaxation times of many residents. The agent has set out information relating to the low levels of pollution (dust, etc) and nuisance generated by CARCs, but the operational practices of the site cannot overcome the problem of high numbers of vehicles visiting the site. These numbers would hopefully increase given the intention that the new site would improve facilities for, and incidence of, recycling.

Within the scheme itself, both layouts would be dominated by parking spaces. Given this site is not immediately adjacent the settlement edge, it is not considered appropriate to relax the parking standard to only 1 space per unit. The result is that the majority of the centre of the development would be hard surfaced for vehicle parking, with little room for much more than basic landscaping. There would be inadequate communal or private amenity area to serve a development of the size proposed, and would be significantly below the space standards set out in the Essex Design Guide. The proposal would have a density in excess of 75 per hectare, which far exceeds the minimum requirements of government guidance. Although it is accepted that there is a need to make best use of land, in this instance the high density would create over development of the site, resulting in an unimaginative and car-dominated layout devoid of adequate amenity area.

No details are given of the likely building heights. However, in order to achieve the number of units proposed on the illustrative footprint, the buildings must inevitably be above two-storey. Given the elevated position of the site and its prominence on approach to Saffron Walden, the proposed buildings are considered likely to be unacceptably dominant in the street scene. Although the submitted plans are for illustration only, it is not considered feasible to achieve the number of units proposed without large buildings.

The cramped nature of the development combined with its proximity to inappropriate commercial and civic amenity uses would make this an unacceptable development scheme, contrary to the Council's policies.

3) The development would incorporate significant highway works, including footpath and cycle way links. It is considered that the development would have some highway benefits, although it would inevitably generate additional traffic from the introduction of a further 100 dwellings using Thaxted Road. The highway authority is satisfied that with the additional works proposed and a contribution towards other improvements in the vicinity that the local highway network would be capable of accommodating the extra traffic generated.

4) The Council is at an advanced stage in the review of the Local Plan. There is concern that a residential scheme of the size proposed should not be considered outside the development plan process, and allocation for residential use of this site should have been considered through representations to the Plan. Having established that this site does not meet the tests of an exception site, this cannot be regarded as an insignificant departure, and it is considered unacceptable for the Council to deviate from its review document before it has been adopted. Members are reminded that an alternative scheme for the provision of affordable housing at Little Walden Road has been put forward through the Local Plan process, and will form part of the Inspector's Report.

5) The proposed relocation of the Civic Amenity site and depots would be to land allocated for employment uses in the adopted and Deposit Draft Plans. It may be argued that the area vacated by the existing CARC would be better served by its allocation for employment purposes to ensure there would be no shortfall in employment land in the vicinity. The amount of employment land needed has been subject of very recent revaluation during the Plan review, and the loss of this parcel of land without its replacement elsewhere could damage the Council's employment strategy.

6) There are a number of benefits from this application: the provision of much needed affordable housing for the town (although this may not be securable in the long-term), the relocation of the CARC to provide a better facility for recycling, and highway improvements. However, as explained above, these proposals fundamentally fail the Council's policies, and it is not considered that these benefits are sufficient to warrant overriding the Council's policies. The provision of live-work units on an adjacent plot has not set a precedent for this development, these units being compatible with sustainable patterns of employment/living.

However, Members may consider the need for affordable housing to be so great that they would be willing to approve this large-scale scheme remote from the town and other mixed tenure housing, on the basis that it is a realistic option for meeting demand. In the event of Members being minded to approve the scheme, in addition to conditions, a section 106 agreement would also be required to require management and retention of the development by a Registered Social Landlord (Members are reminded of the Right to Buy option for occupants), financial contributions towards highway works (as set out in the report) and the provision of school places, the provision of the bus service as set out in the report, provision of the footpath and cycle way links, provision of the replacement CARC and depots prior to the occupation of the dwellings, and the equipping of the under-5s play area and a scheme for its management by Hastoe Housing Association.

COMMENTS ON REPRESENTATIONS: The points raised are addressed in the report. The infilling of the land between the site and Linton Close would be contrary to policy at the current time, and the impact of such a development would have to be considered on its merits.

CONCLUSIONS: Although a need for affordable housing in the area has been identified, in order to create balanced and sustainable communities this should be integrated into general market housing schemes, which contain a mix of tenures and house types/size. This is not an exception site, but would in any event fail the tests of the Council's affordable housing policies. This large, high density, overdeveloped and car-dominated scheme would be incompatible with surrounding commercial and civic amenity uses. The relocation of an improved CARC would be beneficial, but would displace allocated employment land, and if alternative land is not made available this could be damaging to the Council's employment strategy. This would be a major departure from the Council's up-to-date policies even before the review document has been adopted. The benefits of the scheme are insufficient to outweigh the harm which would arise from approving this scheme contrary to fundamental planning policies.

RECOMMENDATION: REFUSAL REASONS

1. The proposed residential site is outside any development limit/settlement boundary as defined in the adopted and Deposit Draft Local Plans. The site does not adjoin the main settlement of Saffron Walden, but instead is next to a small development limit for employment development. As such the proposal would fail the tests of advice contained in PPG3, ADP Policy H5 and DLP Policy H10, and would instead represent an unacceptable form of development beyond the settlement, contrary to ADP Policy S2 & DLP Policy S7. The scheme would be remote from the remainder of the settlement, and would fail to be integrated into a balanced and sustainable community, which would comprise a mix of housing tenures, types and sizes. Notwithstanding that the scheme would be managed by a Registered Social Landlord, there is concern that other legislation beyond the control, of the local planning authority could prevent the housing being retained to meet affordable housing needs in perpetuity.
2. The location of the residential scheme would be incompatible with existing and proposed surrounding land uses, these being uses within Classes B2 & B8 of the Use Classes Order and the Civic Amenity, Recycling Centre and other Council

- depots. Such uses are divorced from the main settlement to ensure this type of activity can take place without adversely affecting the amenity of residents, and the introduction of 100 residential units could give rise to unacceptable living conditions of future occupants, contrary to ADP Policies DC14 & DLP Policy GEN4.
3. The proposed residential development would have an unacceptably high density, considerably above central government guidelines. The illustrative plans do not indicate that the number of units proposed can be satisfactorily accommodated on the site without appearing a cramped form of over development, devoid of usable and adequate amenity area for use of the occupants, and with a scheme dominated by parking areas. Some dwellings would be unacceptably close to the new access road, which could give rise to significant nuisance given the number of large commercial vehicles and private cars that would be visiting the site, particularly at weekends when residents could reasonably expect activity levels to be low. In addition, the submission gives no indication of likely building heights, but given the indicative footprints these must necessarily be high to accommodate the number of units proposed. In view of the land levels and the prominence of the site on approach to Saffron Walden, the proposed development is likely to appear unacceptably dominant in the street scene. The proposal would be contrary to ERSP Policies CS1, C5 & H2, ADP Policies DC1 & T2, & DLP Policies GEN2, H9, & GEN9, and advice contained in the Essex Design Guide.
 4. The relocation of the CARC and other depots would be onto land allocated for employment uses in the Adopted and Deposit Draft Local Plans. The requirement for employment land in the District has recently been revaluated as part of the review of the District Plan, and without alternative provision being made, the loss of this area could be damaging to the Council's employment strategy, contrary to ERSP Policy BIW4, ADP Policies E1 & SW7 and DLP Policies E1, E2, SW4 & SW5.
 5. The proposals would represent a significant departure to the Council's up-to-date policies, and such significant development schemes should be considered as part of a comprehensive review of the Council's housing and employment requirements, rather than as piecemeal development. The release of this site for alternative uses should be considered as part of the Development Plan process and it would be premature to allow this development given the review document has not even yet been adopted. Such a departure could fundamentally affect the Council's planning strategies, contrary to Policy S1 of the DLP and C5 of the ESP.
 6. The application fails to confirm provision of funds to meet the contributions of Essex County Council Transportation department with regard to necessary highway improvements, and the Essex County Council Education Department, regarding the funding for school places generated by the development. The proposals would therefore fail to provide the necessary infrastructure to meet the demands generated by it, contrary to DLP Policy GEN6 and ESP Policy BE5.

Background papers: see application file.

UTT/1515/03/FUL - GREAT HALLINGBURY

Erection of warehousing (use class B8)
 Stansted Distribution Centre Start Hill. GR/TL 519-212. Mantle Estates Ltd.
Case Officer: Mr M Ovenden 01799 510476
 Expiry Date: 03/11/2003

NOTATION: Mostly outside the development limit and AIR9 policy area (general acceptance of development) in adopted plan/Within settlement limit & Start Hill Local Policy 1 Area (employment site for B1 and B8 use) in Second draft deposit local plan.

DESCRIPTION OF SITE: The site lies to the west of the previously development part of the Stansted Distribution Centre and to the east of the development of the former Elliot's yard near Tile Kiln Lane that was permitted in the summer. To the north is a steep decline in levels down to the rear garden of the ribbons of dwellings from the original A120 (now B1256). At this point the road and the dwellings facing it are slightly further away from the Distribution Centre than at the easterly end of the ribbon development. Within the site and adjacent to the northern site boundary are some fine Oak trees that are protected by TPO's. To the south of the site is the Flich Way (former railway line) that is on an embankment. A number of years ago the site was disturbed by development plant relating to adjacent developments.

DESCRIPTION OF PROPOSAL: The application proposes the erection of three warehouse (B8) buildings of rectangular plan form, each split into between 4 and 7 units ranging from 125 square metres to 570 square metres of floorspace (in total the 17 units provide 4440 sq metres according to the drawings). The building closest to the existing unit would have a gable end facing north, leaving a gap of 26 metres to the boundary with the two other units running east-west facing each other separated by a revised route of the internal access road terminating in the recently approved building on the site of the former Elliot's Yard. The buildings would be conventional modern commercial buildings having an eaves height of 7 metres topped by a shallow roof terminating at 8 metres (units 1-4 & 11-17) and 8.5 metres (units 5-10). The buildings would be clad with profiled metal sheets above a low brick plinth, similar to adjacent buildings. Parking and turning facilities would be provided adjacent to the buildings contained within the courtyard they create, broken up by some planting. Additional planting is proposed to the north of the units.

APPLICANT'S CASE: The land was the subject of representations to the review of the Local Plan, which resulted in proposed alterations to the Plan to include the site area within the settlement boundary to provide for the development of the land for employment purposes. Consequently, in policy terms, the proposal accords with the Development Plan, and should therefore receive your support. You will note that the scheme provides for the extension of the existing estate road to adoptable standards and the provision of adequate parking, turning and manoeuvring facilities within the site. In addition, the layout enables the retention of a minimum distance of twenty metres (increasing to 34 metres maximum) between the rear of the warehouse buildings and the northern boundary of the site common to the residential properties beyond. This wide expanse of land will contain an earth bund and landscaping in accordance with a scheme prepared by the landscape architect. The topography of the site, as illustrated on the site section, ensures that the new buildings have no impact on the existing residential properties to the north, particularly in respect of loss of light or visual amenity. The landscaped strip and earth bund provides a suitable green buffer between those properties and the development. Accordingly, we trust that the proposal is in a form, layout and of a design which you will find acceptable.

In addition the applicant has submitted a landscape visual assessment of the site and its surroundings and concludes that the proposal including its landscaping scheme would not be detrimental to the character of the area.

RELEVANT HISTORY: Redevelopment of Higgs and Hills concrete production yard to create Stansted Distribution Centre 1990's. Outline application for industrial buildings withdrawn 1999. Permission for erection of industrial building on land to west Summer 2003.

CONSULTATIONS: Essex County Council Highways: Request a S106 Agreement making a £10,000 contribution to public transport infrastructure, cycling and walking improvements in the vicinity and the contemporaneous closure onto Tile Kiln Lane.

National Air Traffic Services: No safeguarding objections.

English Nature: Satisfied that the proposed development is not likely to affect the SSSI.

Environmental Services: Request condition requiring contaminated land survey.

PARISH COUNCIL COMMENTS: Subject to every care and consideration being taken to enforce the proposed maximum protection of nearby dwellings, my Council have no objections to this application.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expires 19 December 2003.

No objections. We propose that no work is undertaken Monday to Saturday 7pm – 7am or on a Sunday either during construction or after completion.

PLANNING CONSIDERATIONS: The main issues are

- 1) **whether the proposal complies with Structure Plan policy C5 or Uttlesford District Plan S2**
- 2) **whether there are material consideration that justify a decision contrary to the development plan**
- 3) **whether the details of the proposal are acceptable with regard to character of the area, amenity of neighbours and provision of car parking (in accordance with policies DC1, DC14 and T2)**

1) The site lies outside of the development limit and in the context of the Development Plan is considered to be countryside. The development is not of the type permitted outside of development limits on the grounds of being appropriate to the countryside and therefore a strict interpretation of the Development would indicate a refusal.

2) However the emerging second draft deposit plan is a material consideration in determining planning applications and is gaining weight in the decision making process as it gets closer to adoption. Representations were made on behalf of the applicant during the first deposit period to have the line of the settlement boundary amended to include this site. This was agreed by Officers and Members and formed part of the revisions which were subject to public consultation in the second draft deposit period. It is understood that no objections were made during the second deposit period and therefore this revision will survive in the plan once it has been adopted. Part of the reason for agreeing to put this site within the settlement limit was that it related well to the existing development, being contained to the east and west commercial development and to the north by other developments and the Fritch Way to the south. It is also understood that it was previously a commercial site. Given the above it is considered that the deposit local plan has considered weight and that it supercedes the current development plan in this respect. Therefore the proposal can be considered to be acceptable in principle.

3) The details of the proposal are considered satisfactory; it is of conventional modern design; it would not materially affect the amenity of neighbours and parking and turning facilities would be adequate.

COMMENTS ON REPRESENTATIONS: It is a matter of judgement whether hours of use would be appropriate for this site given the distance between the buildings and neighbours and the proposed warehouse use rather than industrial processes. On balance however officers are not recommending restrictions to hours of construction or use.

CONCLUSIONS: As outlined above the proposal is considered to be acceptable subject to conditions.

RECOMMENDATION: PENDING THE EXPIRY OF THE NEIGHBOUR NOTIFICATION PERIOD DELEGATE AUTHORITY TO THE HEAD OF PLANNING AND BUILDING SURVEYING TO GRANT APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit.
2. C.3.1. In accordance with approved drawings.
3. C.4.2. Implementation of landscaping scheme that was submitted as part of the application.
REASON: To protect the character and appearance of the area.
4. C.4.6. Retention and protection of trees.
REASON: To protect the character and appearance of the area.
5. C.6.8. Withdrawal of permitted development rights of extension.
REASON:
6. The development hereby permitted shall not commence until details of the colour of the cladding have been submitted to and approved in writing by the local planning authority. The cladding shall thereafter be coloured in accordance with the approved details. REASON: To protect the character of the area.
7. No street lighting shall be erected within the site nor on the north elevation of unit's 4, 5-10 or southern elevation of units 12-17 unless it has previously been agreed in writing by the local planning authority and erected in accordance with those agreed details.
REASON: In the interests of aircraft safety and the amenity of neighbours or users of the Flich Way.
8. Other than shown on the approved drawings there shall be no doors or windows inserted into the northern elevations of unit's 4- 10 and those that have been permitted shall remain closed when there are activities occurring within the buildings.
REASON: To protect the amenities of neighbours.
9. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 or any Order replacing, amending or re-enacting that Order, the units hereby permitted shall not be used for any purpose in class B1 (Business Use).
REASON: The use of these units for B1 purposes would require a level of car parking provision that could not be accommodated within the site.
10. C.25.1. Airport parking.

Background papers: see application file.

1) UTT/1765/03/FUL & 2) UTT/1866/03/FUL WIMBISH
(Joint Report on cases Referred at Local Member's Request)

- 1) Construction of barn for storage of hay and straw.
 - 2) Erection of stables with storage and tack room.
- Land in the centre of Wimbish Green Village Opposite Villa Clemilla. GR/TL 606-352. Mr L R Eyers.
Case Officer: Consultant North telephone 01799 510469/510478
Expiry Date: 11/12/2003

NOTATION: Outside Village Development Limits & Settlement Boundaries.

DESCRIPTION OF SITE: The site is located in open countryside between Wimbish Green and Radwinter. It comprises a fenced paddock some 2 ha (5 acres) in extent with boundary screening to the north-east where it adjoins Warners Farm.

DESCRIPTION OF PROPOSALS: These are both revised applications following previous refusals. It is now proposed to erect a barn for the storage of hay & straw, and a block of 3 stables with storage, tack room, etc in the north-east corner of the site using the existing access via Top Road. The barn would be 11.1m x 5.6m x 5.25m high and be constructed of weatherboarding with a clay-tiled roof. The stable block would be L-shaped comprising the 3 stables 11.4m x 4.2m x 5.1m high, with ancillary facilities (foaling box, bath, sitting-up area, feed room & tack room) accommodated in the rest of the building 12.4m x 6.8m x 5.1m high, with a connecting toolroom.

APPLICANT'S CASE: 1) See applicant's letter dated 15 September attached at end of report. 2) See agent's letter dated 20 October attached at end of report.

RELEVANT HISTORY: Erection of stable block refused and dismissed on appeal in 2002 for reason of over-elaborate and bulky design of the stables, but the Inspector allowed a change of use of the land from agricultural to recreational grazing. Revised stable block refused after a Members' site visit and dismissed on appeal in 2003 for same reason. Barn for storage of hay & straw refused in 2003 for reasons of size and materials.

CONSULTATIONS: Environmental Services: Suggest conditions to prevent loss of amenity to neighbours regarding no storage of waste within 10m of boundary and no burning of waste on site.

Environment Agency: Advice to applicant.

PARISH COUNCIL COMMENTS: See letter dated 18 November attached at end of report.

REPRESENTATIONS: Cllr D Corke: Request both applications be considered by the DC Committee if they are to be recommended for approval. Concerned that the proposals are to carry out a stud farm business which may lead to a future application for a house which would be difficult to resist. Recommend both be refused.

- 1) **Storage barn:** 15 letters of objection. Notification period expired 17 November.

1. Object most strongly. Its height will be obtrusive as it will block natural light to adjacent trees and appear overly large relative to near-by buildings. Why is this required? Grazing by definition does not require storage. The proposed barn appears to be within five metres of an existing ditch and hedgerow. This foundation would subsequently change the water table in this area. It is mostly likely that the rainwater will be channeled to the adjacent ditch with further impact on the flood situation that already exists here. The additional traffic of hay and straw wagons would be unbearable on such a narrow lane as Top Road. Very

concerned about the proposal site of this barn and the lack of a hydrant in the vicinity. This is yet another attempt to start the building process in this predominately agricultural area. He has in the past stated that he will build a house on this field and I feel strongly that this application is the thin end of the wedge.

2. Barn should be smaller and less permanent. This would be only the first phase of the applicant's development.

3. See letter no 3 under **Stables** below.

4. Building would be too large in absence of stables. Clear intention to use barn for domestic purposes

5. Too large, elaborate and permanent in appearance and construction. A simple non-permanent structure would be sufficient.

6. Excessive in size and out of keeping with the area. An ordinary field shelter and hay store would be more appropriate.

7. See letter no 6 under **Stables** below.

8. Totally out of keeping with the surrounding open countryside.

9. Too permanent: at odds with other structures in area serving a similar purpose.

Precedent for similar inappropriate developments. Too large for expected number of horses supported on this small field.

10. Too large.

11. Wholly out of keeping with the character of the site.

12-15. As above.

2) **Stables:** This application has been advertised and 14 representations have been received. Period expired 27 November

1. No agreement has been reached in principle that stables can be erected on this land. Site is too small to breed horses. Regular/continuous supervision required for any use other than recreational grazing. Concerned about precedent for future house.

Permanently damaging effect on open rural feel of the area. Excessive size and permanence.

2. The previous Inspector did not agree that there is a need for stabling on this land.

3. Overall size of building has been reduced, but the area of land would still be insufficient for grazing more than 2 horses or having a stud. Site is not suitable for breeding purposes. Stallion would be a dangerous distraction to other horses and riders passing the site. Concerned about welfare of horses. Local roads not designed for heavy traffic, e.g. to take away the manure.

4. Intention to build house on this field. Past appeals have not recognised the need for stabling. Boundary with property unclear. Existing planting on neighbouring land to be removed. Increased traffic, disposal of waste, flooding, change of water table, discharge of sewage not satisfactorily addressed.

5+6. As above. Overall objective is a commercial stud, but field too small. Wimbish Green is a tiny rural hamlet which should not be spoilt.

7. As above. The submission refers to a previous building on the site – this was an old pole barn which was of a temporary nature and pulled down many years ago.

8. As above. Over-utilisation of this small field would impact on the local environment in respect of traffic, drainage, lighting and pollution.

9-14. As above.

PLANNING CONSIDERATIONS: The main issues are whether these proposals would

- A) be in keeping with this rural area and overcome the previous reasons for refusal (ADP Policies S2, C4 & DC1 and DLP Policies S7, GEN2 & GEN8) and**
- B) affect the amenities of neighbours (ADP Policy DC14 & DLP Policy GEN4).**

A) *The relevant Policies state that permission will only be given for development that needs to take place in the countryside or is appropriate to a rural area. There will be strict*

control on new building. The design should respect the scale, form, layout, appearance and materials of surrounding buildings. Development in the countryside will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set.

1) **Storage barn:** The only changes made to this proposal are the omission of the external staircase and opposite end first-floor window. The upper floor area remains and there has been no reduction in the size, height, design or materials. The location has been amended to accommodate the proposed stables and it is now proposed to erect the barn a further 28m south into the site away from Top Road. No evidence has been submitted to justify the essential need for this building to be erected on this site in the countryside where no horses are kept.

The barn would still be inappropriate in this area because it would not respect the scale, form, layout, appearance and materials of rural buildings in this vicinity. The proposed changes would not alter the appearance of this building in the landscape. Indeed, its resiting would make it more prominent from Top Road. In addition, there would inevitably be pressure in the future to allow access to the first floor. Therefore, it is considered that the revised proposal fails the Policy requirements and does not overcome the previous reason for refusal. If additional storage is essentially required, then the layout of the stable building should be revisited to meet this need.

2) **Stables:** The revised scheme for the stables, however, shows that a genuine attempt has now been made to meet the reasons for dismissal of the two previous appeal decisions. The scale of the building has been reduced significantly and the design would now be more sympathetic to this rural area (see agent's letter for details). The revised siting from the south-eastern corner to the north-eastern would help to screen the building in the landscape, although this would be achieved by reliance on existing planting outside the site in the garden to Warners Farm. As a result, it is suggested that additional space be left between the building and the boundary to thicken up the planting and to secure its long-term retention. The use of the existing access via Top Road would maximise the area available for the horses and reduce the need for hardstandings. Therefore, it is considered that the revised stable block is now acceptable, subject to further resiting and other conditions.

B) *The relevant Policies state that development will not be permitted if it would adversely affect the reasonable occupation and enjoyment of a residential property as a result of exposure smell or other pollutants.*

1) **Storage barn:** The building would be located 21m beyond the garden to Warners Farm from where it is considered that harm from smell or other pollutants would not be significant and could be controlled by conditions.

2) **Stables:** The building would be located only 3.1m from the common boundary with Warners Farm. The farmhouse itself is 34m from the nearest part of the site, but its garden runs for 50m along the boundary. Furthermore, the stables would be south-west of that property, making it more likely that any smells would be carried towards the house on the prevailing wind. Whilst it is to be expected that stables would create certain odours, it is considered that they are, in principle, appropriate in a rural area. With further relocation away from the boundary to allow implementation of a heavy planting belt between the building and the boundary, as set out in A2 above, it is considered that this revised scheme would not cause sufficient harm to the amenities of neighbours to warrant refusal.

COMMENTS ON REPRESENTATIONS: Most of the neighbour's concerns about the barn could be overcome by imposing conditions. However, in the light of the Officers' recommendation below, this would not be appropriate at this time. Concerns about the size

of the grazing area, number of horses and possible commercial uses could be overcome by conditions (see nos 8 & 9 below).

CONCLUSIONS: The changes to the proposed barn are insufficient to overcome the previous reasons for refusal. However, it is considered that the changes to the proposed stables have now produced an acceptable scheme, subject to conditions.

RECOMMENDATIONS:

1) UTT/1765/03/FUL (STORAGE BARN) – REFUSAL REASON

The proposed storage building would be excessive in size for the storage of hay, straw and other equipment in connection with the recreational grazing of horses on the site. No evidence has been submitted to prove that the building needs to be located in a rural area. Its revised location would make the barn more prominent from Top Road, which would be damaging to the open character and appearance of this rural setting. The proposed design and materials would be out of keeping with the more utilitarian appearance of similar functional buildings in the vicinity and would exacerbate its visual impact. In addition, the provision of a first floor would unacceptably increase the height of the resultant building and it is considered that any storage needs could be accommodated in a much more modest and less visually intrusive structure, or within the stable building. The provision of a storage building on this land is not considered essential and necessary in the countryside, given the absence of any associated uses on the site. The proposal is, therefore, contrary to ADP Policies S2, C4 & DC1 and DLP Policies S7, GEN2 & GEN8.

2) UTT/1866/03/FUL – APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.17.1. Revised plan required – relocation of building to enable additional planting to northern and eastern boundary (A-B-C).
4. C.4.1. Scheme of landscaping to be submitted and agreed.
5. C.4.2. Implementation of landscaping.
6. C.4.8. Landscape management and maintenance plan.
7. C.5.5. Clay plain tiles.
8. C.5.9. Stained wood.
9. C.6.9. No riding school or livery use.
10. There shall be no storage of waste produced as a result of this development within 20m of any boundary of the site and no burning of waste anywhere on the site.
REASON: In order to protect the amenities of neighbours.
11. C.8.27. Drainage Details.
12. C.9.1. No outdoor storage.
13. No floodlighting or other means of illumination shall be erected within the application site, and on or around the building hereby permitted or its perimeter, unless details have first been submitted to and approved in writing by the local planning authority. Any lighting scheme which may be agreed shall be implemented and retained in accordance with the approved scheme.
REASON: In order to ensure that the amenities of this rural area are preserved.

Background papers: see application file.

UTT/1848/03/FUL - TAKELEY

Installation of 9 telecommunication antennae on existing mast and erection of an equipment cabin.

Euromast Fanns Wood Bambers Green. GR/TL 572-225. Hutchinson 3G UK Ltd.

Case Officer Mr N Ford 01799 510468

Expiry Date: 19/12/2003

NOTATION: Outside development limits S2, Countryside Protection Zone S4, Area of Special Landscape Value C2.

DESCRIPTION OF SITE: The site lies in the countryside between Smiths Green and Bambers Green located off Warish Hall Road and to the west of Fanns Wood. The existing mast lies approximately 100 metres from a Grade II listed farm dwelling named Fanns. An existing building to the west, south and Fanns Wood to the east screen the application site from view at ground level. The site has open views across agricultural land to the north towards Bambers Green. The site compound measures approximately 20 x 20 metres and is enclosed by an approximately 2 metre high metal fence.

DESCRIPTION OF PROPOSAL: This proposal relates to the erection of nine telecommunication antennae on an existing 51.5 m high lattice mast and the erection of an equipment cabin at ground level. 6 No. 0.6 m transmission dishes would be erected near the pinnacle of the tower, approximately 50 metres above ground level. 3 No. 1.7 metre antennae would be erected at a height of approximately 35.5 m above ground level. It is also proposed to erect an associated equipment cabin with a floor space of approximately 6 sqm and a height of approximately 2 m within the site curtilage.

APPLICANT'S CASE: "The applicant has endeavored to minimise the impact on the countryside protection area and adjacent special landscape area. Given the height of the existing structure it is considered that the installation of an additional 6 dishes and 3 antennas will have little, if any impact upon the openness of the 'Countryside Protection Area' or the visual quality of the adjacent 'Special Landscape Area'. The height of the proposed antennas is the lowest which can ensure adequate coverage of the surrounding area. The proposed design of the installation and associated cabinet is such that the visual impact on the landscape would be minimal".

RELEVANT HISTORY: 30 metre self supporting lattice mast and 2 No. 6m x 3.6m equipment buildings approved 1992, increase in height of mast to 37.5m and use of alternative access to site approved 1993, increase in height of mast from 37.5m to 43.4m approved 1995. Minor amendment to increase height to 45.8m permitted 1994. Prior approval for the siting and appearance of two antennae and a dish located on a 6m extension (GPDO) not required 1995.

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 27 November 2003.

PLANNING CONSIDERATIONS: The main issues to consider are whether the proposed antennae would:

- 1) accord with the open characteristics of the Countryside Protection Zone and be well designed and in scale with the characteristics of the Area of Special Landscape Value;
- 2) be exceptionally required for technical reasons, mitigate adverse effects on rural amenity and utilise an existing mast.

1) The primary aims of the Countryside Protection Zone is to protect the open rural characteristics of the area surrounding Stansted Airport that consists of many farmsteads and hamlets. New buildings or uses which adversely affect this character are resisted. This proposal relates to the addition of antennae (approximately 35.5 m above ground level) and dishes (approximately 50m above ground level) to an existing 51.5 m mast. It is considered that the utilisation of an existing telecommunication structure is the most efficient way of managing the demand for equipment of this nature while mitigating any possible adverse effects on the characteristics of the countryside. In this case it is considered that the additional installation of antennae and dishes on the existing mast will not adversely affect this rural character due to their modest size and backdrop on an existing lattice mast, which it is considered, would not significantly detract from existing views.

The design of the telecommunication equipment is utilitarian. It is considered that its design will not detract from the particular feature of the area of special landscape character and its countryside setting. The proposed equipment cabin will be screened by an existing building to the west, Fanns Wood to the east and the existing mast and equipment cabin within the site compound. Therefore its visual impact is considered to be limited. It is also considered that the antennae and dishes, in view of their smaller size than existing dishes and antennae, and considered against the backdrop upon the existing lattice mast would not detract from the character of the area of special landscape value.

2) This structure currently supports two mobile phone operators. Vodafone and Orange have 6 No. 1.7m antennas and 2 No. 1.8m transmission dishes respectively. This includes two equipment cabinets at ground level of similar size to the equipment cabinet proposed and an associated electrical cabinet. The applicant, in opting for the Euromast site as a location for these proposals has considered five alternative locations for the equipment proposed, all of which have been discounted due to poor coverage, which is considered a valid technical constraint in accordance with PPG8 – Telecommunications. The applicant deems this particular site an appropriate location as the height of the mast ensures full cell coverage and a continuous coverage to residential areas surrounding Takeley.

It is considered that there would be limited effect to residential amenity associated with the proposal. The application site is isolated from residential properties. The nearest property to the application site is Fanns farmhouse and it is considered that there would be no cumulative detrimental impact to the amenity of this property or rural amenity.

CONCLUSIONS: Given the limited impact that the addition of the antennae to an existing mast would have on the countryside protection zone and area of special landscape value, and in addition, no detrimental impact on residential or rural amenity; it is considered that the proposal should be approved subject to conditions.

RECOMMENDATION: APPROVAL WITH CONDITIONS

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

Background papers: see application file.

UTT/1782/03/FUL - SAFFRON WALDEN
(Application by Council Employee)

Single-storey rear extension.
54 Beeches Close. GR/TL 533-372. Mr S Markins.
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 09/12/2003

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

DESCRIPTION OF SITE: The site is located on the southwest fringe of Saffron Walden on Beeches Close, which is a residential close with a majority of semi-detached dwellings. No.54 occupies a corner plot, which is almost triangular in shape and the property is adjoined with No.56. The property is two-storey brick and render with some alterations to the original property, including a rear conservatory and a first floor side extension above the garage, which had first floor doors and balustrading at the rear.

DESCRIPTION OF PROPOSAL: Planning permission is sought for a single-storey rear extension to provide a kitchen extension and sunroom. The extension would project 3.5 metres from the back wall of the house for the entire width of the existing house. There would be a central gabled section with a large window and doors. The extension would be close to the boundary with No.56. There would be some alteration to the middle first floor window (bathroom). Materials are proposed to match with the existing property, using brickwork and render. The original scheme featured a first floor balcony, but following consultation it was considered inappropriate and has since been removed from the plans but still retains an element of flat roofing to allow the existing balcony doors to open.

APPLICANT'S CASE: No specific case put forward other than submitted plans.

RELEVANT HISTORY: First floor side extension approved 2001.

TOWN COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised with 3 neighbour consultations. Advertisement expired 6 November 2003. No objections have been received.

PLANNING CONSIDERATIONS: The proposed development is considered fairly minor and would have a satisfactory relationship with adjoining properties, particularly following removal of the proposed balcony. The property has a large garden and adequate parking.

CONCLUSIONS: The scheme represents minor development to provide additional ground floor accommodation and as such will have no detrimental effects on the amenity of the occupiers of neighbouring properties.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.5.3. Matching materials.
4. C.19.2. Avoidance of overlooking.

Background papers: see application file.

UTT/1625/03/REN - GREAT DUNMOW

Renewal of planning permission UTT/0056/96/OP - outline application for the development of business premises for use within class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access (Application made under Article 3 of Town & Country (Applications) Regulations 1988)

Smiths Farm, Chelmsford Road. GR/TL 634-207. Mantle Estates Ltd.

Case Officer: Mr J Pine 01799 510460

Expiry Date: 11/11/2003

NOTATION: Site subject to Policy GD6 in DLP and GD7 in UDP (Great Dunmow Business Park). The respective inset maps allocate land for development within the town development limit, and land beyond the limit as a landscape buffer south of Ongar Road and west of Clapton Hall Lane.

DESCRIPTION OF SITE: This sloping site of approximately 15.5ha is located on the south-western side of Chelmsford Road in the southern part of the town. The site is bordered to the north and west by housing, and to the east and south by industrial buildings. The line of the new A120 runs beyond the site's southern boundary, south of Hoblong's Brook.

DESCRIPTION OF PROPOSAL: This application seeks to renew outline planning permission for this business park, with all matters reserved for subsequent approval. As per the original outline planning permission, total floorspace would be 45,000 sq.m, the northern and western parts (those closest to nearby dwellings in Ongar Road and Clapton Hall Lane) being limited to B1 (27,000 sq.m). The southern and eastern parts of the site would accommodate up to 18,000 sq.m of mixed B1, B2 and B8 uses. The extreme northern and western parts of the site outside the development limits have already been laid out with a landscaped mound, beyond which is an amenity buffer area together totalling some 6ha. Development of the business park would be integrated with this amenity space provision.

APPLICANT'S CASE: Has been preparing thoughts for the development of the land to be available when the new A120 bypass is ready. Work towards this end has been progressing, albeit more slowly than anticipated. The delays have been due to a number of factors, including extensive discussions with the Essex Police Authority concerning the location of a new Police Station for Great Dunmow. There have been no relevant changes in planning policy since the original outline planning permission was granted.

RELEVANT HISTORY: Outline planning permission for the development of a Class B1 business park and creation of public open space with associated roads and landscaping and construction of new access granted in 1989 and renewed in 1993. Earthworks and planting to eastern boundary of amenity area approved in 1990. Revised outline planning permission granted in 1998 for a business park (incorporating a mix of B1, B2, B8 uses) with associated roads, parking, planting, public open space and a new vehicular access. The permission was subject to a Section 106 Agreement requiring, inter alia, the provision and maintenance of the public open space and associated highways. In 2001, planning permission was granted to omit the 3-year time limit for the submission of reserved matters, allowing the reserved matters to be submitted up until 10/11/03.

Planning permission resolved to be granted in 2001 for the construction of a roundabout to serve the business park, subject to an appropriate legal agreement.

Representations regarding DLP Policy GD6 are being considered by the Inspector following the recent Local Plan Inquiry. A summary of these representations, with the Council's comments, is attached to this report.

CONSULTATIONS: ECC Highways: No objections subject to the following:

1. No development to take place until a roundabout with associated highway works has been provided at the site entrance and a contribution paid to the Highway Authority for highway improvements in the vicinity of the site at the A130/Chelmsford Road junction and for public transport infrastructure. *Note: ECC Highways has confirmed that the contribution would be partly for new public transport infrastructure and towards highway works on the A130 Chelmsford Road junction. A scheme has been worked up in response to the level of development in the area as well as safety concerns at the junction. A similar contribution has been agreed with the developer of Hoblongs. The agreed figures are based upon predicted traffic flows being generated.*
2. No occupation until the provision and implementation of a travel plan has been secured, which shall include the provision of a bus service for 5 years in line with ECC's passenger transport strategy. *Note: With regard to the bus service, there may be a number of opportunities to expand an existing service or for a shuttle bus type facility.*
3. Provision of secure parking for powered two wheeler vehicles and cycles.

Anglian Water: Details of surface water and foul drainage to be submitted and approved before development commences.

Environment Agency: Guidance only given.

HSE (re pipeline): May advise against the granting of planning permission for certain sensitive developments within 14m of the pipeline. This needs to be taken into account at the reserved matters stage.

Police Architectural Liaison Officer: To be reported.

ECC Archaeology: All the archaeological conditions attached to the original outline planning permission should be retained.

Landscaping Advice: Previous conditions should be re-imposed.

TOWN COUNCIL COMMENTS: Support

REPRESENTATIONS: This application has been advertised and 5 representations have been received. Period expired 27/10/03.

Original plans show incorrect site boundaries (*Note: corrected revised plans have been submitted*).

Wants confirmation that the original constraints will be re-imposed, especially the retention of the now mature band of landscape mounding protecting Ongar Road and Clapton Hall Lane. Also query the area of land between the mounding and existing dwellings, which was designated to be maintained as an area of public recreation on extended lease to UDC once development is completed.

PLANNING CONSIDERATIONS: **The main issue is whether there have been any material changes in circumstances since outline planning permission was last granted to warrant a different decision now being made.**

The emerging DLP retains the site for employment purposes under Policy GD6, and it makes a significant contribution to the Structure Plan requirement for employment land within the District. The policy requires development to proceed in accordance with the Master Plan, providing for peripheral landscaping and open space adjoining houses in Ongar Road and Clapton Hall Lane, which is regulated in the Section 106 Agreement. The Master Plan states that no more than 10ha is to be developed and contains an illustrative plan showing the disposition of land uses proposed. The Plan recognises the need for low-rise high quality buildings in a landscaped setting on plots of varying size. The access and highway works would be integrated into the landscaped concept, and entry from Chelmsford Road would be via the new roundabout. An informal footpath network would link separate

parts of the site extending into the landscaped area and connect with the public footpath.

Some concerns have been expressed because the application site as edged red includes the landscaped / amenity areas. This does not mean that this part of the site will be developed, as there is control over this in the Master Plan and via conditions and the Section 106 Agreement.

One representation heard at the Local Plan Inquiry seeks deletion of the business park allocation, as the land is not of adequate quality. Officers disagree with this view, as the site has been allocated in accordance with Government advice in PPG4 and Structure Plan Policy BIW2.

The requirement by ECC Transportation for a travel plan, bus service and a contribution towards public transport infrastructure arise from Government advice in PPG13 (Transport), the Structure Plan and the Essex Local Transport Plan 2000-05. The contribution towards junction improvements follows from changed highway priorities and issues within the area since the original outline planning permission was granted. The level of contribution will be agreed between the applicant and the Highways Authority.

CONCLUSIONS: Since the original grant of outline planning permission, there have been no material changes in circumstances that now warrant refusal, but an amended agreement and conditions are required.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND SECTION 106/278 AGREEMENT

1. C.1.1. Submission of reserved matters.
2. C.1.2. Submission of reserved matters.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of agreed landscaping.
7. C.4.3. Details of earthworks to be submitted, agreed and implemented.
8. C.4.6. Tree survey to be submitted.
9. C.4.5. Protection/replacement of retained trees.
10. C.5.1. Samples of materials to be submitted.
11. C.6.8. Excluding permitted development rights of extension.
12. C.7.1. Slab levels to be submitted and agreed.
13. Other than the use of portable hand tools, there shall be no outdoor working of plant or machinery on the site at any time on Saturdays, Sundays or Bank/public Holidays or between 1900 – 0700 hours during the week without the prior written approval of the local planning authority.
REASON: To protect the amenities of nearby houses and the surrounding area.
14. C.9.1. No outdoor storage.
15. C.11.8. Standard vehicle parking facilities.
16. Any facilities for the storage of oils, fuels or chemicals shall be site on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

17. No development shall take place until a detailed scheme of foul and surface water drainage has been submitted to and approved in writing by the local planning authority. The scheme as submitted shall include a programme of phasing which takes into account the capacity of the public drainage system. The development shall subsequently be carried out in accordance with the approved scheme and programme. No building shall be occupied until the approved foul and surface water drainage works relating to it have been completed.
18. Surface water from HGV or mechanical plant parking/fuelling areas shall be passed through a suitably sized oil separator prior to being discharged into a watercourse, surface water sewer or soakaway.
19. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.
20. All foul sewage or trade effluent, including cooling water containing chemical additives or vehicle washing water including steam cleaning effluent, shall be discharged to the foul sewer.
REASON for 16-20: To prevent pollution of the water environment.
21. No development shall commence until a scheme for the provision and implementation of a surface water regulation system has been constructed and completed in accordance with the approved plans.
REASON: To prevent an increased risk of flooding.
22. The gross area of the development excluding the balancing lake and amenity space shall not exceed 10 hectares. The boundary between the development and the amenity space shall be set out on the ground and its location agreed in writing with the local planning authority before any construction work commences.
REASON: To protect the amenity of the residents of the adjoining houses.
23. No development shall take place on the site until at least 48 hours notice (with as much advance warning as possible) has been given to the Essex County Council Archaeology Section, or any other agreed agency, of the start of works, so that any ground disturbance can be inspected for archaeological remains and records made.
REASON: To allow for excavation and recording of this site of archaeological importance in advance of and during development as advised in PPG16.
24. No building shall be occupied until provision of secure parking for powered two wheeler vehicles and cycles in accordance with the Essex Planning Officers Association Vehicle Parking Standards (August 2001) has been made. Thereafter, the parking facilities shall be retained in perpetuity.
25. No building shall be occupied until a staff travel plan has been submitted to and agreed in writing by the local planning authority. The plan shall include the provision of a bus service for a period of 5 years from the occupation of the first building on the site, running between the hours of 0700 – 1900 Monday – Friday at half hourly intervals.
REASON for 24 & 25: In the interests of accessibility and sustainability.

Heads of Agreement

Development to be carried out in accordance with the Master Plan.

Restrictions on floor areas.

Highway improvements and maintenance, with contributions towards highway infrastructure and public transport.

Community payment.

Phasing requirements.

Ownership, use and maintenance of the amenity land.

Background papers: see application file.

UTT/1916/03/FUL – WIDDINGTON

Demolish bungalow and construct one chalet bungalow. Alterations to vehicular access. Replacement double garage.
Bluebells Cornells Lane. GR/TL 544-311. P Hawkins.
Case Officer: Ms H Lock 01799 510486
Expiry Date: 17/09/2003

NOTATION: Outside Development Limits/Settlement Boundary in Area of Special Landscape Value (ADP only).

DESCRIPTION OF SITE: This 0.4 hectare (one acre) site is located on Cornells Lane, 100m west of the junction with Mole Hall Lane. It is one of a small group of dwellings, development being sporadic along this road. It comprises an extended bungalow with shallow pitched roof, and a flat roofed double garage in front. Although it sides onto woodland to the east, the site is open to the front.

DESCRIPTION OF PROPOSAL: The proposal is to demolish the existing bungalow and garage and replace it with a detached chalet and garage. The footprint of the existing bungalow and proposed dwelling is 400 sqm, but the proposal would include a first floor over the main section of the dwelling (with four front and two rear dormer windows, and a rear gable). A single storey section would be provided at the rear, as currently (the existing houses a swimming pool). The main height of the building would increase from 4.9m to 7.5m, with lower sections to the side and rear.

The flat roofed double garage would be demolished and a pitched roofed replacement would be constructed on the opposite side of the property, to reduce the impact on adjacent residents.

RELEVANT HISTORY: Original bungalow approved 1950, and extended 1970, 1974 & 1976. Demolition of dwelling and replacement with two houses withdrawn January 2003 following adverse comments of case officer. Demolition and replacement with one chalet refused September 2003, on basis of unacceptable size and scale of dwelling and its impact on its setting.

CONSULTATIONS: Environment Agency: To be reported (due 28 November).

PARISH COUNCIL COMMENTS: To be reported (due 12 December).

REPRESENTATIONS: None received. Notification period expired 4 December 2003. Consultation on the garage details expires 12 December.

PLANNING CONSIDERATIONS: **The main issues are whether the size of the replacement dwelling would be acceptable in relation to residential amenity and the rural setting (ADP Policies H8, DC14, S2 & C2; and DLP Policies H6, GEN4, S7 & GEN8).**

The existing bungalow is large in footprint but has limited impact on its rural setting due to its shallow pitched roof and 'L' shaped layout. However, the closest dwelling is a taller chalet and the proposed increase in height and change in form would be in keeping with other properties in the vicinity. Although this would be a wide property (26m), it would be no greater than the existing bungalow. The impact would be minimised by the change in roof ridge heights. Although the site is currently open to the front following the removal of a conifer screen, the impact could be further reduced by a condition requiring replacement native planting. The siting of the proposed dwelling would be sufficiently distant (minimum 5m to the side boundary) from the adjacent dwelling to avoid any significant loss of amenity.

CONCLUSIONS: This is a large plot capable of accommodating the enlarged dwelling without any adverse impact on the rural setting or residential amenity. The proposal accords with the Council's replacement dwellings policies.

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.23. Demolition of existing dwelling and double garage
4. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
5. C.4.1. Scheme of landscaping to be submitted and agreed, including native planting to front boundary.
6. C.4.2. Implementation of landscaping
7. C.5.2. Details of materials to be submitted and agreed.
8. C.6.11. One dwelling unit only
9. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
10. C.8.27. Drainage Details
11. C.19.1. Avoidance of overlooking – no addition windows, roof lights or other form of opening
12. No first floor or accommodation shall be provided in the roofspace of the area edged green on drawing no PRB-WID-2003-03, and this area shall be retained in single storey form.
REASON: The dwelling hereby permitted is considered to be the maximum appropriate for this site.

Background papers: see application file.

UTT/1919/03/DFO – NEWPORT

Erection of agriculturally-tied dwelling.
Whiteditch Farm. GR/TL 511-350. D & M A Hill.
Case Officer: Ms H Lock 01799 510486
Expiry Date: 02/01/2004

NOTATION: Outside Development Limits/Settlement Boundary; in Area of Special Landscape Value (ADP only).

DESCRIPTION OF SITE: The site is located between the settlements of Wendens Ambo and Newport, some 850m south of Norton End/Rookery Lane, and between the M11 to the west and railway line to the east. The farm consists of 283 hectares (700 acres) of arable land, without farmhouse, it having been demolished in the 1970s. There are a number of farm buildings on land adjacent to the application site.

DESCRIPTION OF PROPOSAL: This is a reserved matters application for an agriculturally-tied dwelling. The proposal is a two-storey house with single storey range. The footprint would be 171.4 sqm., with the two-storey element being 70% of this area (109 sqm). It would have a main height of 9.85m (plus chimneys), and would be set well into the site away from any boundary. The dwelling would have three first floor bedrooms, and a fourth at ground floor for use by the applicant's mother. A farm office is also included. A double garage is proposed (6.1m x 8.1m x 5.7m in height). Materials would be clay plain tiles and bricks.

APPLICANT'S CASE: See Agent's supporting statement dated 31 October 2003 attached at end of report.

RELEVANT HISTORY: Outline planning permission granted for agriculturally tied dwelling March 2002. Detailed application for dwelling withdrawn by applicant following officer recommendation of refusal due to excessive size and impact on rural setting.

CONSULTATIONS: Environment Agency: To be reported (due 28 November).

PARISH COUNCIL COMMENTS: Newport: To be reported (due 12 December).
Wendens Ambo: To be reported (due 12 December).

REPRESENTATIONS: None received. Notification period expired 4 December.

PLANNING CONSIDERATIONS: **The main issues are whether the size of the proposed dwelling would be acceptable in relation to the functional needs of the agricultural holding, and would have an acceptable impact on its rural setting (ADP Policies S2, C8 & C2, and DLP Policies S7, H11 & GEN8)**

Following a Members site visit, outline planning permission was granted for a dwelling to serve the holding known as Whiteditch Farm in March 2002. The need for the dwelling was considered in the grant of outline permission and is not for review at this stage. The previous report stated that the dwelling would provide accommodation for three family members employed full-time on the farm, and the supporting statement confirmed that the applicant's mother would also be resident. It was accepted in granting the outline permission that any dwelling would need to be large enough to accommodate the four adults and that it was reasonable to permit one farmhouse to service all of the land forming Whiteditch Farm.

Although the proposed dwelling may appear large, it is of traditional design, and its size would be considered reasonable given it is to be the farmhouse serving an agricultural

holding of 283 hectares (700 acres). It would be an appropriate form of development in this rural area.

The dwelling is distant from any other property and would not have any impact on residential amenity.

CONCLUSIONS: The size and design of the proposed dwelling would accord with the outline planning permission and would not adversely affect its rural setting.

RECOMMENDATION: APPROVAL OF RESERVED MATTERS

Background papers: see application file.
