

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 7 JUNE 2004

APPL NO: 1) UTT/1482/03/FUL & 2) UTT/1670/03/LB
PARISH: WICKEN BONHUNT
DEVELOPMENT: 1) Alteration and conversion of barns into two dwellings including extensions, replacement roofs, car parking and access 2) Alterations and link extensions and replacement roof to convert barn into two dwellings
APPLICANT: A J & S E Mullucks
LOCATION: Barns 1 and 2 Wicken Hall
D.C. CTTE: 23 February 2004 & 15 March 2004 (see report copy attached)
REMARKS: Deferred for awaiting revised plans
RECOMMENDATION: **Refusal**
Case Officer: Ms H Lock 01799 510486
Expiry Date: 23 October 2003

APPL NO: UTT/0103/04/FUL
PARISH: GREAT HALLINGBURY
DEVELOPMENT: Erection of eight guest bedrooms and parking
APPLICANT: Mr F P McGarrigan
LOCATION: Great Hallingbury Manor
D.C. CTTE: 17 May 2004 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Approval**
Case Officer: Mr N Ford 01799 510468
Expiry Date: 19 March 2004

UTT/1482/03/FUL & UTT/1670/03/LB – WICKEN BONHUNT

(Additional/Amended Report)

- 1) Alteration and conversion of barns into two dwellings including extensions, replacement roofs, car parking and access.
- 2) Alteration and link extensions and replacement roof to convert barn into two dwellings.
Barn 1 and 2 Wicken Hall. GR/TL 498-333. A J & S E Mullucks.
Case Officer: Ms H Lock 01799 510486
Expiry Date: 23 October 2003

These applications were deferred for negotiations following a Members site visit on 23 February.

The revised scheme has been prepared following discussions between the agent and the Council's Conservation Officer. The revisions are:

- The submission of an aerial photograph showing the roof form of the building at that time.
- The profile and height of the replacement roof is as previously proposed, but the 'dovecote' feature on House 2 has been omitted, the eight rooflights have been omitted from the front elevation, and twelve of the sixteen rooflights on the rear elevation have been omitted. The other fenestration would be as originally proposed.
- Internally, considerably more void area would be provided, with no first floor accommodation in House 2, and two rather than three first-floor bedrooms to House 1.
- The ground floor layout has also been amended to retain a more 'open' layout, and reduce the number of partitions.
- The attached building retained for Wicken Hall would be for storage and garaging rather than stables.

A revised public consultation period expired on 24 May and any responses received will be reported.

In view of Members request that a revised scheme be negotiated, the design has now been amended to overcome the first recommendation for refusal in terms of design and detailing, if not principle. The second reason for refusal relating to the inadequacy of the parking and turning arrangements has not been overcome, but Members previously indicated that a recommendation of refusal on this basis would not be supported.

If Members are minded to approve the revised plans, the following conditions are recommended:

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 hard landscaping only to be submitted and agreed
4. C.4.2. Implementation of hard landscaping
5. C.5.1. Samples of materials to be submitted and agreed
6. C.5.8. Joinery details
7. C.5.9. Black Stained/Painted wood & featheredge boarding
8. C.5.15 Side hung timber garage doors
9. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
10. C.6.7. Excluding conversion of garage
11. C.6.14. Restriction on rebuilding

12. C.11.6. Provision & retention of parking and turning areas
13. C.8.23. Environmental Standards – ground contamination and remediation measures
14. The building coloured blue on drawing no.2 shall be retained for the parking of vehicles and domestic storage for use by occupants of Wicken Hall, and shall not be used for stabling or any other use without the prior consent in writing of the local planning authority.
Reason: in the interest of the amenity of future residents of the attached dwelling.

The original report to this Committee is set out below:

1) UTT/1482/03/FUL & 2) UTT/1670/03/LB - WICKEN BONHUNT
(Referred at Officer's discretion)

- 1) Alteration and conversion of barns into two dwellings including extensions, replacement roofs, car parking and access.
2) Alterations and link extensions and replacement roof to convert barn into two dwellings.

Barns 1 and 2 Wicken Hall. GR/TL 498-333. A J & S E Mullucks.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 23/10/2003

NOTATION: Outside Development Limits/Settlement Boundary; in Area of Special Landscape Value (ADP only); main Wicken Hall is Grade II Listed.

DESCRIPTION OF SITE: The site is located to the north of the main road running through Wicken Bonhunt, behind The Coach & Horses Public House in the middle of the village. The application barns comprise multi-bay stable and storage buildings. The structure has lost its original roof and been replaced with a mono-pitch roof. The stables are within a cluster of barns, some of which have already been converted to dwellings. The attached building has permission for conversion to a dwelling but has not yet been implemented. Wicken Hall is located to the north of the group of barns, and St Margaret's church is opposite. This group of buildings is accessed via a private road of limited width.

DESCRIPTION OF PROPOSAL: The proposal is to extend and convert the two barns into two dwellings. The monopitch roof would be replaced with a traditional pitched roof, and accommodation would be provided in the new roofspace. Although some existing openings would be used, the proposal involves an additional five glazed openings on the front elevation, plus eight rooflights; and six windows on the rear elevation, plus sixteen rooflights. Both units would have four bedrooms. There are currently several storage buildings in the courtyard in front of the stables, and single storey extensions are proposed to link these to the main structure to form part of the accommodation. A dilapidated and open-fronted section on the rear of the building is to be demolished.

Two parking spaces would be provided for each unit. The plans have been revised so that a stables/store which were proposed to be retained to serve Wicken Hall would now be retained solely for storage and car parking purposes, to avoid nuisance arising from the keeping of horses in close proximity to the new residential units.

APPLICANT'S CASE: Application seeks conversion of two barns following recent approval of the adjoining barn. When Committee visited site in February 2003, it voiced its unanimous support for encouraging the owner of the barns to submit an application to "finish off the development".

Concerns over the worthiness of the barns and the proximity to stabling were addressed in the previous appeal decisions of the southern-most barn (attached Barn 3) and the planning approval UTT/0004/03/FUL. Barn 3 was approved within 43m of potential stables, although

these are mostly used for applicants' domestic storage. The use of the proposed stables on the plan now omitted.

A number of previous Inspectors have found the barns worthy of retention. These barns are so much more complete than Barn 3 recently approved.

Also agent's letter dated 5 February attached at end of report.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS (23 February 2004): (Verbally Reported) Also agent's letter dated 19 February attached at end of report.

RELEVANT HISTORY: There is none for these two barns, but the attached barn to the south (Barn 3) has a lengthy history. Residential conversion of Barn 3 was dismissed at appeal solely on access and amenity grounds, the Inspector not accepting that the building was of such poor quality that it did not warrant conversion. As a result, conversion was approved in 1991 and periodically renewed. Various appeal dismissals have related to unacceptable access, but the principle of the conversion of, and significant alterations to, Barn 3 were accepted in 1991.

CONSULTATIONS: Design Advice: **ON SUPPLEMENTARY LIST OF REPRESENTATIONS (23 February 2004):** (Verbally Reported) See memorandum dated 20 February attached at end of report.

ECC Archaeology: No archaeological recommendation.

Environment Agency: No response.

Landscape Advice: No protected trees affected by proposals. Recommend hard landscaping condition.

Environmental Services: Concerns regarding location of diesel/petrol pump and proximity to house. Also position of any underground tanks serving pump may be disrupted during building operations. Insufficient information on contaminated land type assessments (site survey, remediation strategies, etc).

Concerns over intention to keep horses and/or livestock close to residential property – need details of pest control measures, fly control, storage of foodstuffs, waste disposal methods, drainage away from dwellings (*NB this element omitted from revised plans*).

PARISH COUNCIL COMMENTS: No response received.

REPRESENTATIONS: These applications have been advertised and 4 representations have been received. Period expired 23 October 2003.

1. Previously objected strongly to conversion of adjacent barn on basis of congestion (already 5 dwellings served from private road) and proposal would alter character of a key site at the centre of the village; and increased risk to children from more vehicles accessing site. Committee narrowly approved scheme. The addition of 2 more substantial dwellings would add to congestion and risk, and would change character of area. However, have argued that if first scheme were approved, linking the two developments may ease some of the constraints, particularly by addressing traffic management and parking needs for both sites. The restricted access to the first could be significantly improved. If scheme is approved should include conditions covering concerns relating to this and the approved scheme.

2. Objection – plans inconsistent in relation to store/garage. Will adversely affect access and amenities of Wicken Hall Cottage. Addition of 2 more 4-bed houses served off private drive, and close to pub car park, is excessive and potentially dangerous. Inadequate parking for dwellings. The substantially raised roof will be very different from existing and will detract from neighbouring Grade II Listed Buildings. Overall style with many rooflights and clock tower/flagpole is inappropriate for setting. Loss of garaging to Wicken Hall would mean either further new building or restricted access on the driveway. Restricted access was concern for conversion of barn 3 to a 2-bed property. Negative impact on wider setting, and on access/traffic on main B1038. Not redundant as still used for stabling and storage.

3. Second letter from same address: As these are now considered to be listed as part of Wicken Hall, object to design as the proposed roof line would be out of character with style and form of original single storey barns. The second storey with rooflights throughout gives buildings a modern appearance totally out of keeping with Tudor origins. Rooflights have been refused on adjacent barn. These single storey barns had thatched roofs until 1960s. Proposed linking will substantially alter appearance of buildings out of keeping with surroundings. Proposals would affect character of building and not restore them to their original condition.

4. Site plan does not accurately reflect freehold arrangements. Object to noise nuisance from traffic using gravel driveway; pollution from fumes and dust generated by vehicles; congestion as inadequate parking for development and visitors; the vehicular access for plot 1 would compound existing hazards. Not opposed to re-use in principle, but development does not address concerns which largely arise from inadequate access and the style of dwellings proposed.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the proposal would meet the criteria of conversion Policies ERSP RE2, ADP Policy C6 & DLP Policy H5;**
- 2) the proposal would have acceptable access and parking arrangements (ADP Policies T1 & T2, and DLP Policies GEN1 & GEN9;**
- 3) there are any other material considerations to warrant approval of the conversion scheme.**

1) The buildings subject of this application are of relatively poor quality and retain no historic features which make them worthy of retention. Policy C6 requires buildings suitable for conversion to be in sound structural condition, and to have some historic, traditional or vernacular form which enhances the character and appearance of the rural area. Works of adaptation should respect and conserve the characteristics of the building, and substantial building reconstructions or extensions will not be permitted.

The buildings have no historic merit and make little contribution to their historic setting. The materials are poor quality and the internal framing is not worthy of retention. The buildings have lost their original roof and would require a whole new roof to make the buildings convertible in the manner proposed. Much of the accommodation is proposed in the roofspace, and hence dwellings of this size are only achievable through significant new construction.

In addition, the proposals include a significant amount of new openings, including rooflights, which create an unacceptably domestic appearance to the buildings.

2) The barns are served by a narrow and sub-standard private road which serves Wicken Hall, the church, three barns already converted and the fourth with permission for conversion. The proposal includes two parking spaces per unit, which is two short of the Council's standards. Given this rural location where access to public transport is limited, it is considered that the required 3 spaces per unit should be provided. The need to provide amenity space and vehicle manoeuvring space means that there is limited space available for additional parking, without obstructing the turning area in front of the units. It is considered that the addition of two more units with inadequate parking would significantly increase traffic on this restricted road, with potential harm to highway safety and other road users.

3) The attached Barn 3 has a lengthy planning history, and an extant planning permission for conversion. This permission stems from the original conversion dismissed at appeal in 1990, solely on the basis of unacceptable access and nuisance to adjacent residents. Although the appeal was dismissed, the Inspector considered the building

contributed to the historic courtyard setting which made it worthy of retention. He did not consider the extensive alterations required to accommodate the conversion unacceptable.

Were it not for this history, the conversion of Barn 3 would fail the Council's current policies on conversion, based on its poor quality and the extent of the alterations required. The history was therefore a material consideration in the determination of the latest application for its conversion last year. However, Barn 3 had the benefit of completing the courtyard with the existing converted units. The current proposal is outside the historic cluster and makes no such contribution. This, combined with the poor quality of the building, make it unacceptable in terms of Policy C6. The conversion of the adjacent barn, dictated by an appeal decision fourteen years ago, should not set a precedent for this application.

COMMENTS ON REPRESENTATIONS: These are addressed in the report. The freehold arrangements are a civil matter.

CONCLUSIONS: The building is not of sufficient quality to warrant conversion, and would require extensive alteration. The permission on the adjacent site is considered to be materially different and does not set a precedent for this proposal.

RECOMMENDATIONS: REFUSAL REASONS

1. The stables have little historic quality and merit, and make limited contribution to the setting of the group of listed buildings. Extensive works would be required to enable conversion, contrary to the requirements of ADP Policy C6 and DLP Policy H5. In addition, the proposal involves the introduction of numerous additional windows and rooflights which would introduce an unacceptably domestic appearance to this rural building, contrary to ADP Policy DC1 and DLP Policy GEN2. If permitted, the proposal would be tantamount to the construction of a new dwelling in the countryside, contrary to ERSP Policy C5, ADP Policy S2 & DLP Policy S7, to the detriment of the character and appearance of the countryside.
2. Access to this group of buildings is via a track of restricted width, and the introduction of two additional units would significantly increase traffic movements to the detriment of highway safety and the convenience of other users of the access, contrary to ADP Policies T1 and DC14 and DLP Policies GEN1 & GEN4. In addition, insufficient parking space is proposed to serve each unit, and given the rural location which has limited access to public transport, it is considered this shortfall could lead to obstruction of the communal access and turning areas, and traffic conflicts within the confines of the overall site. The provision of additional parking spaces would unacceptably reduce the area available for amenity space, which would already be relatively limited for dwellings of the proposed size, contrary to ADP Policy DC1 & DLP Policy GEN2.

Background papers: see application file.

UTT/0103/04/FUL - GREAT HALLINGBURY

Erection of eight guest bedrooms and parking.
Great Hallingbury Manor. GR/TL 522-210. Mr F P McGarrigan.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 19/03/2004

NOTATION: Outside development limits S2. Countryside Protection Zone S4. Outside Public Safety Zone AIR8.

DESCRIPTION OF SITE: This application relates to Great Hallingbury Manor located in Tilekiln Green south of the B1256. The area is predominantly rural with a scattering of dwellings to the north west of the Manor. The Manor is in L shape form located adjacent the road, to the rear lies landscaping and a high screen of trees with shingle parking to the rear. To the south lies a brick and timber barn type single storey structure in a poor state of repair with an associated fenced compound.

DESCRIPTION OF PROPOSAL: It is proposed to erect two storey and single storey extensions to the rear elevation of this existing hotel to provide a further eight bedrooms for additional accommodation requirements. The footprint of the proposed extension would be approximately 134 sqm. The ridge height would be 8.5m with an eaves height of 3.9m to the two storey element. The single storey extension would have a ridge height of 4.3m and an eaves height of 2.3m. Pitch dormer windows are proposed to serve first floor bedroom windows. Materials proposed consist of brick plinth with stained timber boarding to elevations and peg tiles to match the existing building to roofs. The ridge height of the existing building to the rear elevation is 7.2m; the extension therefore represents an increase in height of approximately 1.3m.

RELEVANT HISTORY: Extensions to hotel to provide ten additional bedrooms refused 2000 on grounds of impact on openness of the Countryside Protection Zone. Erection of block of eight guest bedrooms and car parking withdrawn 2003.

CONSULTATIONS: ECC Highway: No objections.

Water Authority: No objections.

Environment Agency: None received. (due 11 February 2004).

ECC Planning: The Essex Conservation Record shows the proposed development lies outside any area of known archaeological deposits. It does lie adjacent to the post medieval brickworks at Tile Kiln (EHCR 15631), but these would not be affected by the proposed development. On our current knowledge, therefore, no archaeological recommendations are being made on this application.

Three Valleys Water: None received. (due 11 February 2004).

Thames Water: No objection.

English Nature: The proposals are not likely to affect a Site of Special Scientific Interest.

Essex Wildlife Trust: None received. (due 11 February 2004).

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: None. Notification period expired 16 February 2004.

PLANNING CONSIDERATIONS: The main issue is whether the proposed development and additional parking requirements would adversely affect the open characteristics of the Countryside Protection Zone, forms acceptable development in terms of character and appearance in the countryside and whether the design is appropriate in accordance with ADP Policy S4, REC2, T1, DC1 and DC14 and RDDP Policy S8, GEN2 and GEN4:

This extension would represent a slight increase in floor area in comparison to a two storey extension permitted in 2003 (not implemented) for a dining room in a similar position to that now proposed. The ridge height of this previously permitted extension also matched that of the existing building. However, the increase in height is not considered overly significant and the similar footprint is considered appropriate. The buildings are situated in a valley and the curtilage of the hotel is well landscaped, it is not considered that there would be any detrimental affect on rural character or the Countryside Protection Zone.

An outbuilding located to the south of the Manor known as the Piggeries contains a low key vehicle servicing operation, which constitutes an unauthorised activity in the countryside. The applicant has stated that the use of this building for the repair and maintenance of vehicles will cease should permission be granted. Given that the use of the proposed extension would generate increased activity it would be appropriate to remove the vehicle activities.

This application is therefore recommended for approval subject to standard conditions and a S106 Agreement in respect of the discontinuance of the vehicle servicing operation.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND S106 AGREEMENT

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.8.25. Sound insulation requirements close to Stansted Airport.
6. C.25.3. Airport related parking conditions.

HEADS OF TERMS OF S106 AGREEMENT

The use of the building to the south of Great Hallingbury Manor known as the Piggeries for the repair and maintenance of vehicles shall cease.

Background papers: see application file.

UTT/0631/04/FUL - WENDENS AMBO

(Referred at officer's discretion)

Erection of two storey front extension.

Drayton Farm Cottage Royston Road. GR/TL 512-364. J Costen.

Case Officer: Consultant North 2 telephone 01799 510469/510478

Expiry Date: 03/06/2004

NOTATION: Within Development Limits/Settlement Boundary, Area of Special Landscape Value (ADP only) & Conservation Area.

DESCRIPTION OF SITE: The site comprises a two-storey house (formerly two cottages), with relatively large front and rear gardens. The building abuts the main road through Wendens Ambo, and is located centrally in the village, surrounded by other dwellings. The ground rises from north to south, following the gradient of Royston Road. There is a holly tree protected by a Tree Preservation Order close to the house and the road, set behind a double garage.

DESCRIPTION OF PROPOSAL: The application seeks a two-storey front extension 6m deep, and 5.8m wide (narrowing to 5.3m). It would be staggered in height, and no taller than the existing house. It would provide a large hall, playroom and staircase at ground floor, and two bedrooms above. Materials would be a mix of render to match the main house, and weatherboarding, with a clay tile roof.

The Preserved Holly is sited 500mm from the northwest corner of the proposed extension, which would require its removal.

APPLICANT'S CASE: See applicant's letter dated 6 April 2004 attached at end of report.

RELEVANT HISTORY: Recent approval of application to add a rear dormer window. Concurrent application to fell the Preserved Holly tree refused.

CONSULTATIONS: Design Advice: Although the plan form of the cottage appears to be historic, it is not listed, and therefore the extension is acceptable in principle. However, it would not be acceptable if the building were listed. Recommend approval subject to conditions.

Landscape Advice: Members recently considered objections to the making of the Order on the Holly Tree and resolved that it be confirmed. The tree is a fine specimen considered to be of amenity value contributing to the quality and fabric of the Conservation Area and worthy of protection. At a distance of 0.5m from the proposed extension, retention of the tree would not be feasible. Recommend application be refused on the grounds of loss of the Holly tree which would be detrimental to the visual amenity and the fabric of the Conservation Area.

PARISH COUNCIL COMMENTS: Proposals were thought to be appropriate and in keeping with the existing building in terms of scale and finish, and were supported. The PC has recorded its support for the removal of the TPO on a previous occasion and confirms this decision.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 13 May.

PLANNING CONSIDERATIONS: The main issues are the design and impact on the character and appearance of the Conservation Area, including the loss of the Preserved Holly Tree (ERSP Policies NR9 & HC2, ADP Policies DC8 & DC2, and DLP Policies ENV3 & ENV1).

The application site is in the centre of the Conservation Area, and the building and Holly Tree are both visible in the street scene. The existing building has the form and proportions of a historic building, with a narrow span (5.3m) and linear form. As the building is not listed, the Conservation Officer has not raised objection to the extension. However, legislation requires developments in Conservation Areas to “preserve or enhance” the area. It is accepted that this requirement is generally fulfilled if a development only preserves the character or appearance of a Conservation Area in the sense that it does not do harm to it. Notwithstanding the Conservation advice, in this instance, there are reservations about the excessive depth relative to the existing building, the shallow pitch to the roof to the main part of the extension, and some of the detailing (particularly the further large dormer window). The additional visual impact this proposal would have on the area would not enhance it, and it is considered that the increased bulk of the extension could appear quite overbearing on the narrow span cottage when viewed from the road: the proposal would not therefore even preserve the character and appearance of the Conservation Area and would be unacceptable.

In addition, the size and positioning of the extension would necessitate the removal of a Preserved Holly Tree. Landscape Advice is that the tree is worthy of retention due to its contribution to the Conservation Area, and Members have endorsed this view by the recent confirmation of the Preservation Order. There would be no possibility of retaining the tree with these proposals. It is considered that the harm that would be done to the street scene and Conservation Area by the loss of the tree would be significant enough to warrant refusal of the application.

It is considered that the proposal is not the only feasible option for extension to the dwelling, and it would be possible to produce a shorter extension (to reduce the bulk and visual impact) and re-sited more centrally on the building. It is proposed to alter the internal layout to accommodate any extension, and an alternative could be created which would enable the retention of the tree and reduce the visual impact in the street scene, whilst still addressing the accommodation needs of the occupants. Given other options available, there are not considered to be material circumstances sufficient to warrant approval of this scheme given the harm it would have on the Conservation Area.

CONCLUSIONS: The proposal would result in the unacceptable removal of a Preserved Holly Tree, and would appear an unacceptably bulky addition in the street scene. For both reasons, the proposal would not preserve the character and appearance of the Conservation Area, but would in fact be harmful to it.

RECOMMENDATION: REFUSAL REASONS

1. The proposed extension would necessitate the unacceptable removal of a Holly Tree subject of a Tree Preservation Order. The tree is a fine specimen considered to be of amenity value contributing to the quality and fabric of the Conservation Area and worthy of protection. At a distance of 0.5m from the proposed extension, retention of the tree would not be feasible. The loss of the Holly tree would be detrimental to the visual amenity and the fabric of the Conservation Area, contrary to ERSP Policies NR9 & HC2, ADP Policies DC8 & DC2, and DLP Policies ENV3 & ENV1.
2. The existing dwelling has a narrow span and historic linear form, and the proposed extension, with its shallow pitched roof and large dormer window, would be an unacceptably bulky feature out of keeping with the more traditional form of the existing building. It is the excessive depth and siting of the proposed extension which would necessitate the unacceptable removal of the Preserved Tree. The proposal would have a significant increased visual impact on this part of the Conservation Area, and would neither enhance or preserve the character and appearance of the area, contrary to the requirements of Section 72 of the Planning Listed Buildings & Conservation Areas Act 1990, and ERSP Policy HC2, ADP Policy DC2 & DLP Policy ENV1.

Background papers: see application file. Page 10

UTT/0671/04/FUL - HATFIELD HEATH

Demolition of existing bungalows and construction of 6 x 1 bed flats and 2 x 2 bed flats with parking.

Ardley Crescent Matching Road. GR/TL 525-145. Hatfield Heath P/Council & English Villages Housing Association.

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 17/06/2004

NOTATION: Within Development Limits / Adjacent to Public Right of Way.

DESCRIPTION OF SITE: The site is located approximately 0.4km south of the A1060 in Hatfield Heath and covers an area of approximately 866m². There are currently two pairs of semi-detached bungalows on the site which have been vacant for some time. They are boarded up, the site is fenced off and there is an area opposite the site which is used for parking. Adjacent to the site is a post war estate consisting of pairs of semi-detached two-storey dwellings and an area of open space to the south.

DESCRIPTION OF PROPOSAL: The proposed development involves the demolition of the four existing bungalows and the erection of six 1-bedroom flats and two 2-bedroom flats with all proposed for shared ownership. The flats would be constructed in one 'U' shaped block which would have a maximum ridge height of 8.3m. It is also proposed to modify the existing parking opposite the site to provide 13 parking spaces for the proposed flats while the vehicular access to the site would remain unchanged. The proposal would also involve an area of amenity space to the east of the site and one to the north at the rear. This, in conjunction with the area of open space to the southwest of the site, would provide adequate amenity space for the occupiers of the flats.

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

RELEVANT HISTORY: None.

CONSULTATIONS: Thames Water: No objections.

English Nature: The application is not likely to affect a Site of Special Scientific Interest. The proposed development could include suitable habitat for protected species. Of particular concern are great crested newts as they are known to breed in the area and a pond is present close to the proposed development site. Great crested newts are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994.

PARISH COUNCIL COMMENTS: The Parish Council has no objections as long as the height of the new buildings is not above that of existing properties.

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

Period expired 27 May.

PLANNING CONSIDERATIONS: The main issues are whether the proposed development would comply with:

- 1) **ADP Policy DC1 – Design of Development (DLP Policy GEN2) and**
- 2) **ADP Policy DC14 – General Amenity (DLP Policy GEN4).**

1) The design of the proposed block of flats is considered to be sympathetic to the neighbouring properties with a similar scale and form as the surrounding dwellings. The plans show the building with a proposed ridge height of 8.3m which would be between 0.5m

and 1m higher than the existing dwellings. It is considered that a slightly lower ridge height i.e. at a similar height to the dwellings, would make the building less obtrusive, particularly when viewed from the south. This has been discussed with the agent who has indicated that the roof pitch could be reduced from 45° to 40° and would result in the ridge being lowered sufficiently. Receipt of revised plans is anticipated showing this revision.

In terms of the scale and proportions of the proposal, it is considered that the building would not be out of character with the adjacent dwellings. Although it would be a larger building, the surrounding properties are two-storey semi-detached dwellings and a number of these have been extended.

The proposal therefore complies with ADP Policy DC1 (DLP Policy GEN2).

2) The proposed flats have been designed in order to minimise the impact on neighbouring properties. In this respect the windows to the rear of the flats would be either high level for light to living areas or narrow for light to landing areas. This would prevent overlooking of the adjacent properties to the north of the site.

In addition, due to the site being located to the south and east of existing dwellings, it is considered that the 'U' shaped layout and the distance from the existing dwellings would prevent any material overshadowing from occurring contrary to ADP Policy DC14 (DLP Policy GEN4).

COMMENTS ON REPRESENTATIONS: None.

CONCLUSIONS: The proposal for 8 shared ownership flats is located on a site within Development Limits and complies with the relevant development plan policies relating to the design of development and general amenity.

RECOMMENDATION: APPROVAL WITH CONDITIONS TO SECURE AFFORDABLE HOUSING

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with approved plans (original & revised).
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.2. Details of materials to be submitted and agreed.
6. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.

Background papers: see application file.

UTT/0531/04/OP – STANSTED

Erection of 4 detached dwellings with garaging.
Almont House High Lane. GR/TL 514-253. Mr & Mrs A J Bishop.
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 20/05/2004

NOTATION: ADP and DLP: Within development limits of Stansted and within the Conservation Area. TPO on site boundary. Listed Building Adjacent.

DESCRIPTION OF SITE: The site the subject of this application is located off High Lane, Stansted on land currently associated with Almont House. The site consists of a brick pier entrance off High Lane with private drive leading to the existing detached property. To the north of the private drive is a belt of trees, which are the subject of a tree preservation order. The belt of trees include 7 oak, 3 poplar, 4 sycamore, 1 hornbeam, 6 chestnut, 15 fir and 2 beech. The trees act as a part natural screen between the application site and dwellings 1-7 Meadowcroft. Immediately to the front of the site, on High Lane, is grade II listed Mont Cottage. This dwelling sits lower than the application site due to the sloping nature of the land and is also screened by an established 2-metre high hedge, with only the roof element visible above. The eastern boundary consists of a mixture of tall hedging and coniferous trees with a large group immediately between Almont House and Bracken House, which is part of a group of residential dwellings off Brewery Lane. Although hedging and landscaping on the eastern boundary is significant, the first floor windows of Bracken House are visible from the western part of the application site. The western boundary again consists of established mature hedging 2-3 metres in height with a mixture of deciduous and coniferous trees. The side elevations of 50c St John's Road and 52 St John's Road are visible from within the centre of the site, but there are no major windows from these properties overlooking the site. To the north west of the site is the detached property known as West Winds. This is screened from the application site by a substantial mature hedge, approximately 3 metres in height. The roof element of this property is visible from within the centre of the site. Almont House itself is a 20th century red brick detached dwelling, which has been the subject of several extensions over time. The dwelling is surrounded by a large area of lawn to the east and west with numerous sheds, garages and outbuildings in the north western corner of the site. In terms of site area, the applicants indicate that the site is 0.26 hectares but the Council's figure indicate in the region of 0.389 hectares.

DESCRIPTION OF PROPOSAL: The applicant is seeking outline consent to erect four dwellings with garages. All matters are reserved for subsequent approval, except for the means of access.

The proposed development would utilise the existing entrance from High Lane with access to two of the proposed dwellings east of Almont House. This entrance/exit to the site has good visibility in both directions. The existing access to Almont House would be amended with the removal of all existing outbuildings currently on site north of the property. The applicants have indicated a revised entrance and a new detached garage serving Almont House. A new access track would continue past the entrance to Almont House with a 4.5 metre radius "roundabout" leading to a narrow and blind entrance to the two further dwellings proposed west of the existing property.

All other matters are reserved for subsequent approval and therefore any details submitted are indicative only and are not part of any approval or refusal.

APPLICANT'S CASE: The applicant has not provided any supporting information. However, the application is similar to two previously submitted outline applications, the first

of which was approved in 1996 and the second approved in 1999. Both were similar to the scheme submitted now.

RELEVANT HISTORY: Outline consent was granted on 05 July 1996 for the erection of four dwellings (UTT/0477/96/OP). This was renewed on 19 May 1999 (UTT/0264/04/FUL) but has now expired.

CONSULTATIONS: Essex County Council Highways and Transportation: No objections subject to i) No adverse affect or obstruction of the public right of way; ii) The existing access should be widened to 4.8 metres for the first 10 metres within the site (in the interests of highway safety; iii) Space shall be provided within the site to accommodate the parking and turning of all vehicles regularly visiting the site, clear of the highway and properly laid out and iv) the first 6m of private access from the highway shall be finished using an approved bound material to prevent any loose material from entering the highway (in the interest of highway safety)

PARISH COUNCIL COMMENTS: No comments received (due 28 April 2004 - any received to be verbally reported).

REPRESENTATIONS: This application has been advertised with both a press and site notice and 15 neighbour notifications. Advertisement expires 29 April 2004. Five letters have been received to date. Summary of comments: - No trees or hedges should be felled or removed as they generally acts as a good screen, without being too overpowering. Concern about the proposed property on the south west corner, which is close to the boundary (indicative form only). Need to ensure that there are no second storey windows overlooking adjacent properties. Retain existing laurel hedging on the southern boundary in perpetuity at its current height of approximately 3 metres. No properties should overlook adjacent properties. Concern about possible flooding of Mont Cottage due to the sloping nature of the site.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) **residential use on this site is considered acceptable (PPG3, ERSP POLICY BE1, H3, ADP Policy S1, H1 and DLP Policy S1, H1, H2),**
- 2) **the scale of the development is acceptable (ERSP Policies H3, ADP Policy DC1, DC14 and DLP Policy GEN2, GEN4),**
- 3) **the impact of the development on adjoining neighbours would be acceptable (ERSP Policies H3, ADP Policy DC1, DC14 and DLP Policy GEN2, GEN4),**
- 4) **the highway access arrangements are acceptable (ERSP Policies T3, T12, ADP Policy T2 and DLP Policy GEN9 and**
- 5) **Other Issues.**

1) The site lies within the development limits of Stansted Mountfitchet and, as such, is considered to be an appropriate location for residential development. However, development for residential purposes would be subject to meeting other policy criteria. The principle of constructing four dwellings on the site has been accepted by previous planning permissions.

2) The applicant has applied to erect four dwellings on a site area of approximately 0.389 hectares. Central government guidance contained in PPG3: Housing, points towards achieving densities in urban locations of no less than 30 dwellings per hectare. In this instance, the erection of four dwellings on the application site would achieve an overall density of slightly over 10 dwellings per hectare. This is obviously some way below the net density targets but can be explained partly by the complexity of the access arrangements and the pre-existence of Almont House within the centre of the site. Twelve dwellings would be needed to reach a net density of 30 dwellings per hectare. This would inevitably create

other problems or consequences, especially in terms of access, traffic, parking and impact on surrounding neighbours. 10 dwellings per hectare is more in keeping with the suburban feel of the site but could not be considered the best use of urban land within the development limits.

3) The application site is surrounded by no fewer than 16 dwellings (including Almont House itself). The success of the proposed development is highly dependent on the arrangement of the dwellings on the site. Even though this application is in outline form and the arrangement of the dwellings is only indicative, it is clear to see from the submitted plan that it is possible to arrange four large dwellings on site with garaging. However, the impact of any development on neighbours will be dependent on the actual ground levels of each dwelling, the orientation of windows and the amount of landscaping to be retained and/or inserted. The site benefits from substantial and mature landscaping. It is considered imperative that this feature/asset is retained and incorporated into the landscaping scheme of any development. The existing planting, especially during the summer months would afford a great deal of protection to surrounding neighbours from overlooking, whilst providing an attractive environment. Many neighbours have commented on their desire to see all existing landscaping retained, which aids privacy. The issue of siting, design, landscaping and external appearance are all reserved for subsequent approval and the impact of these issues on neighbours will be considered in depth at that the reserved matters stage.

4) In terms of highway access, the increase in the number of vehicles entering and leaving the site onto High Lane may have some impact on Nos 1-4 Meadowcroft and Mont Cottage, with the possibility of some noise infiltration. However, it is considered that such noise would not be sufficient to warrant a refusal and in fact no neighbours have raised concerns about this matter. Essex County Council Highways have requested some amendments to the proposed access arrangements with a request to widen the entrance track to 4.8 metres for the first ten metres. It would be possible to achieve this requirement with a slight modification to the entrance wall.

The access to dwellings 3 and 4 is a little tight at 2.4 metres and visibility could be restricted. However, given the fact that the access only serves two dwellings, this is considered acceptable.

5) The neighbour at Mont Cottage has raised concerns about the potential of flooding, due to the level changes between the application site and their own property. This issue could be addressed at the reserved matters stage, along with the approval of drainage details, once the actual position of the dwellings is determined.

CONCLUSIONS: Officers are of the opinion that, although the number of dwellings proposed falls somewhat short of the required net density targets set by central government, four large dwellings with associated garaging could be accommodated on the application site without detriment to the residential amenity of neighbouring properties whilst still generally retaining the overall character of the area. The use of the existing access into the site from High Lane will be acceptable from a highway safety perspective, subject to minor changes, without detriment to neighbouring amenity.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS

1. C.1.1. Submission of reserved matters: 1.
2. C.1.2. Submission of reserved matters 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. The layout of the plots indicated on submitted plan Ref: 04/018/02, dated March 04, received 25 March 2004, do not form part of this permission.
REASON: The application is in outline with all matters reserved, except for means of access.
6. C.5.1. Samples of materials to be submitted and agreed.

7. C.4.1. Scheme of landscaping to be submitted and agreed.
8. C.4.2. Implementation of landscaping.
9. C.4.7. Detailed landscaping survey to be submitted (outline permissions).
10. C.4.6. Retention and protection of trees and shrubs for the duration of development.
11. All existing trees, shrubs and hedges indicated in the conditions above shall be protected by suitable fences to a height of not less than 1.5 m for the duration of the construction period of the development hereby permitted at a distance equivalent to not less than the spread of the branches from the trunk. No materials shall be stored, no rubbish dumped, no fires lit, no buildings erected inside such fences, nor any changes in ground levels be made unless the local planning authority gives written consent.
REASON: In the interests of the appearance of the site and the surrounding area.
12. C.19.1. Avoidance of overlooking – 1.
Other than where approved as part of the reserved matters, no windows shall be inserted into the first floor elevations without the prior written consent of the local planning authority.
REASON: To avoid overlooking of the adjacent property in the interests of residential amenity.
13. C.7.1. Slab levels.

Background papers: see application file.

UTT/0606/04/FUL – STEBBING
(Referred at Members request)

Erection of detached dwelling and garage, widen existing vehicular access.
4 Bran End Fields. GR/TL 655-251. Executors of Mr R G Martin.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 08/06/2004

NOTATION: Development Limits S1.

DESCRIPTION OF SITE: This application relates to an existing two storey semi detached dwelling located on the corner of Brick Kiln Lane and Bran End Fields, Bran End, Stebbing.

Bran End Fields leads off Brick Kiln Lane and is a post war housing estate terminating in a large cul-de-sac. 4 Bran End Fields is a semi detached dwelling located at the corner of Brick Kiln Lane and Bran End Fields. This property has a detached garage to the rear and a larger garden compared to dwellings to the west. Opposite the site is 32A Bran End Fields, which is a two bedroom infill dwelling to the rear of 33 Bran End Fields, granted planning permission in 1992.

DESCRIPTION OF PROPOSAL: The proposal relates to the erection of a two bedroom dwelling, providing a footprint of approximately 55 sqm with a detached single garage with a footprint of approximately 12 sqm. This would allow an amenity area of approximately 76 sqm to be provided. The dwelling would be 7m to ridge height and 3m to eaves to provide two bedrooms in the roof space. This would leave No. 4 Bran End Fields with a rear garden amenity area of approximately 132 sqm. Two pitch roof dormer windows would be set in the front roof elevation with a single rooflight over the stairs. One rooflight would be set in the rear roof plane over the bathroom.

APPLICANT'S CASE: None.

RELEVANT HISTORY: None.

CONSULTATIONS: Water Authority: To be reported.

PARISH COUNCIL COMMENTS: Objection. The Parish Council is not averse to the nature of the development proposed but considers that current problems of access and parking in Bran End Fields are so severe that no development exacerbating these issues can be approved.

REPRESENTATIONS: Six. Notification period expired 6 May 2004.

Insufficient room for a property, Manoeuvring difficulties, loss of amenity and overlooking, Parking difficulties, Cramped development, Narrow road with difficult access, Over development.

PLANNING CONSIDERATIONS: The main issues are

- 1) **Whether the infill of a dwelling in this location would have any adverse effect on the character and appearance of the settlement and its setting on the edge of a settlement adjacent the countryside (ADP Policy S1 and DC1, DLP Policy H2 and GEN2).**
- 2) **Whether there would be any detrimental affect upon residential amenity of adjacent dwellings or the volume of traffic likely to be created would create a traffic hazard (ADP Policy DC14 and T1, DLP Policy GEN1 and GEN4).**

1) This site has a road frontage to Barn End Fields and can therefore be regarded as infill development. Infill dwellings are normally permitted in Stebbing subject to compatibility with the character of the settlement. A dwelling should accord with the scale, proportions, materials and environmental characteristics of its surroundings.

The dwelling proposed would have two bedrooms with a low eaves height to facilitate room in the roof space, the ridge height of which would be consistent with adjacent dwellings. There is no particular uniform character to this area and it is considered that such a modest dwelling would not appear unduly prominent in the street scene. The dwelling would be sited close to the front of the site and would provide adequate amenity space for its own occupiers' enjoyment with a sufficient amount remaining for no. 4 Bran End Fields.

Members may wish to note that the dwelling opposite the site (no. 32A) was permitted in the early 1990's in a similar manner to that now proposed. Given the above, it is considered that this dwelling would accord with policy relating to infill development.

2) In relation to residential amenity, this dwelling has been designed in a manner that provides no requirement for windows to the rear or side elevations. There is one rooflight shown on the rear roof slope in order to provide light for a stair well, however, this window is not to a habitable room and would be set in at an oblique angle. Therefore, there would be no overlooking into the garden to the rear of the proposed dwelling or to side elevations. It is also considered that the dwelling is set back sufficiently from surrounding dwellings so as not to give rise to any overshadowing. In relation to the windows to the front elevation opposite 32A Bran End Fields, it is considered that a 13m separation distance would not give rise to material mutual overlooking between habitable rooms.

The scheme provides for a garage located to the south west of the dwelling to provide for one vehicle with further hard standing available between the garage and the road in order to provide parking for two further vehicles. This level of off street parking provision is in accordance with standards and provides more than adequate parking for a two bedroom dwelling. It is considered that therefore that there would be no on street parking difficulties created by the proposal that would be likely to lead to a traffic hazard.

COMMENTS ON REPRESENTATIONS: Concerns relating to the size of the dwelling, potential impact on amenity and parking stress are noted but as discussed above, it is considered that the proposal complies with policy and these issues do not justify refusal.

CONCLUSIONS: It is considered that the erection of a dwelling in this location would accord with the character and appearance of the locality and would not give rise to any significant detrimental traffic impact or detrimental affect to residential amenity and this proposal is therefore recommended for approval subject to conditions.

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.4.5. Retention of hedges.
6. C.5.2. Details of materials to be submitted and agreed.
7. C.5.19. Details of garages.
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
9. C.11.6. Standard vehicles parking facilities.
10. C.12.2. Boundary screening requirements.
11. C.19.1. Avoidance of overlooking – 1.
12. C.7.1. Slab levels.

Background papers: see application file.

UTT/0532/04/FUL - STANSTED

Conversion of dwelling to three self-contained flats.
27 Silver Street. GR/TL 509-249. Mr C Salmon.
Case Officer: Ms H Lock 01799 510486
Expiry Date: 08/06/2004

NOTATION: Village Development Limits; Conservation Area; Class B road.

DESCRIPTION OF SITE: This is an end-terrace Victorian house on the eastern side of Silver Street, approximately 130m south of the junction with Chapel Hill, and 60m north of Sanders Close. It is flanked by housing and the new Sanders Close development is to the rear. There is no vehicular access to the site.

DESCRIPTION OF PROPOSAL: This is a retrospective application to regularise the works already carried out to convert a 3-bedroom end-terrace house to three one-bedroom flats, one each at basement, ground and first floors. There is no on-site parking, but the applicant has secured two parking spaces to the rear of 43 Silver Street. There is no rear access to these spaces, and via Silver Street the spaces are approximately 170m away on foot.

APPLICANT'S CASE: A previous scheme to convert the basement to one flat was refused in 2002 on the basis of lack of parking. Neither the original house or the previous scheme had the benefit of on-site or nearby parking, but the current proposal is an improvement on the original and refused situation, eliminating the previous objection.

RELEVANT HISTORY: Conversion of basement into self-contained bedsit refused March 2002.

CONSULTATIONS: TOPS: to be reported.
Environmental Services: to be reported

PARISH COUNCIL COMMENTS: Members do not consider that two parking spaces are sufficient for this proposal. Seek confirmation in writing that the two spaces shown at the rear of The Cedars are genuinely allocated to this property.

REPRESENTATIONS: One. Notification period expired 5 May.
Do not understand why we have been consulted as the conversion works have already been done.

PLANNING CONSIDERATIONS: The main issues are whether the conversion would be an appropriate form of development in the settlement, without any adverse impact on (1) residential amenity and the character of the area (ADP Policies S1, H9, & DC14 & DLP Policies H4 & GEN4) and (2) highway safety (ERSP Policy T12, ADP Policies T1 & T2 & DLP Policies GEN1 & GEN9); and (3) whether there are any other material considerations to outweigh the Policy issues.

1) This is a retrospective application and although it has not generated any objections from local residents, all three flats are not yet occupied. The principle of best use of existing housing stock is supported by Council policy, but conversion to flats must be compatible with the locality and accord with the characteristics of the area (Policies H9 & H4). There are a number of flat schemes either built or with planning permission along this stretch of Silver Street, but each provides basic parking and amenity space to serve occupants. In this case, the dwelling has a modest amenity space to the rear of the site, but no parking. Given the general lack of parking in the immediate area, it is not considered that the contribution to be added by this development would materially affect the amenity of adjacent residents.

However, there are concerns about the transmission of noise through to the house next door, due to the location of habitable rooms. The proposed layout could cause nuisance to adjacent residents due to the proximity of living rooms and bedrooms, and conflicting uses.

2) Planning permission was refused for the conversion of this building to two flats in 2002 due to lack of on-site parking. Since that time the applicant has acquired access to two off-site parking spaces, although these are required by planning condition to serve the occupants of the six flats in The Cedars (43 Silver Street). The breach of that condition is a separate matter to the consideration of this application, but even if the spaces could be acquired, there is concern that they are too remote, and occupants will not always use them. There is already evidence of residents in Silver Street parking on the footway in front of this stretch of houses. Given the distance to the parking spaces, it is not considered that they would overcome the problems identified with the previously refused scheme. It is accepted that the original house did not benefit from any parking but that was a historic situation beyond the control of the Council. The level of traffic generated by 3 flats is considered likely to be greater than a single dwellinghouse, and in any event only 2 parking spaces are proposed to serve the three units, below the Council's standards.

Silver Street is a busy route through Stansted and any obstruction would be hazardous. It is considered that the lack of on-site parking would have potential to cause residents to park in front of the building, and even if for short periods this would be unacceptably hazardous to other road users and the free-flow of traffic.

3) The conversion would provide three small residential units which would contribute to providing more affordable, smaller unit accommodation in the District. Although PPG3 would encourage the provision of smaller units and without parking, it is not considered that this would be wholly appropriate in this rural District. Although there is access to a railway line and buses, much of the District is not accessible by public transport, and it is not considered that more intensive use of the this dwelling devoid of any on-site parking would be acceptable in this area.

CONCLUSIONS: The lack of on-site parking would lead to potential for obstruction of Silver Street, and would cause unacceptable highway hazards. The proposed parking spaces are too far from the application site to be usable, and are already required by condition to serve an alternative development. As the proposal is retrospective, action would be required to return the building to a single dwelling. The juxtaposition of living rooms and bedrooms in the flats and adjacent house could cause unacceptable nuisance.

RECOMMENDATIONS: REFUSAL REASONS & AUTHORISATION FOR ENFORCEMENT ACTION TO SECURE RETURN OF BUILDING TO SINGLE DWELLING

1. The conversion of a single dwelling to three flats would be detrimental to highway safety as no on-site parking or waiting facilities can be provided. The allocation of two parking spaces to the rear of 43 Silver Street are considered to be too remote from the site to ensure residents use them, and are indeed spaces already required by planning condition to serve the six flats in The Cedars, 43 Silver Street. Advice in PPG3 has been taken into account, but it is considered the lack of on-site parking or waiting facilities would encourage on-street parking elsewhere or indiscriminate kerbside parking along Silver Street. The provision of two spaces some 170m walk from the building is not considered sufficiently close to rely on to serve the flats, and would not prevent short-term parking and stopping on the public highway, including the footway. For this reason the retention of the flats would be detrimental to ERSP Policy T12, ADP Policies H9, T1 & T2 and DLP Policies GEN1, GEN9 & H4.
2. The location of habitable rooms relative to bedrooms in the attached house could cause unacceptable noise nuisance in terms of conflicting level and type of activity. The transmission of noise would be detrimental to residential amenity, contrary to ADP Policies DC1 and DC14 and DLP Policies GEN2 and GEN4.

Background papers: see application file.

UTT/2130/03/OP - GREAT DUNMOW

Replacement dwelling to include garaging.
Hill View Braintree Road. GR/TL 642-221. Mr J Perry.
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 05/02/2004

NOTATION: Outside Development Limits.

DESCRIPTION OF SITE: The site is located on the A120 approximately 0.7km east of Great Dunmow. The site covers an area of approximately 0.48ha and has one bungalow located on it 35m from the road frontage. The site slopes up to the bungalow away from the A120 and then slopes back down slightly to the rear of the dwelling. There are a number of outbuildings to the rear of the property which are in various states of disrepair. Adjacent to the site are some former nursery buildings that are within the applicants' ownership.

DESCRIPTION OF PROPOSAL: This outline application with all matters reserved for subsequent approval relates to the erection of one replacement dwelling with garaging. No details other than a site plan have been submitted with the application.

APPLICANT'S CASE: None.

RELEVANT HISTORY: Kitchen addition to existing dwelling conditionally approved 1981. Outline application for erection of a dwelling refused 1982 and dismissed at appeal. Outline application for erection of a dwelling refused 1998.

CONSULTATIONS: ECC Highways & Transportation: No objections subject to the following: 1. Adequate car parking and turning facilities to be provided within the curtilage of the site.

2. Full detailed plans to be submitted upon receipt of which further highway requirements considered necessary will be made known.

Environment Agency: Makes advisory comments relating to drainage.

Highways Agency: No objection.

Anglian Water: (due 28 December).

TOWN COUNCIL COMMENTS: Support.

REPRESENTATIONS: None. Notification period expired 2 January.

PLANNING CONSIDERATIONS: The main issue is whether the proposal would comply with ADP Policy H8 (DLP Policy H6) relating to replacement dwellings.

ADP Policy H8 states that replacement dwellings will normally be approved providing proposals are in scale with neighbouring properties and the siting of the replacement dwelling is in proximity to the original structure. Where replacement dwellings are proposed outside development limits, these will be permitted if they do not impair the rural characteristics of the countryside.

There is no objection in principle to the erection of a replacement dwelling on this site and the application site has been revised to exclude land that was used as part of the former nursery use. The site now relates to land to the front and rear of the existing dwelling which forms the residential curtilage of the existing dwelling.

COMMENTS ON REPRESENTATIONS: None.

CONCLUSIONS: The proposal has been submitted as an outline application with all matters reserved for subsequent approval. It is evident that a replacement dwelling could be erected in scale with neighbouring properties and which would not impair the rural character of the countryside at this stage. The local plan policies do make provision for the replacement of existing dwellings and there is no objection to the principle of a replacement dwelling on this site.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1. Submission of reserved matters: 1.
2. C.1.2. Submission of reserved matters: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. The dwelling hereby permitted shall not be occupied until provision has been made within the site for a vehicle to enter and leave the curtilage of that dwelling in forward gear. Thereafter the turning space shall be available for use at all times.
REASON: To ensure that the development does not prejudice highway safety.

Background papers: see application file.

1) UTT/0296/04/FUL & 2) UTT/0297/04/CA - SAFFRON WALDEN

(Referred at Member's request)

Erection of pair of semi-detached dwellings.
20 King Street. GR/TL 537-384. Coalhouse Properties Ltd.
Case Officer: Mrs K Hollitt 01799 510495
Expiry Date: 16/04/2004

NOTATION: Within Development Limits (Settlement Boundary)/Within Conservation Area/Town Centre/Adjacent to Listed Buildings.

DESCRIPTION OF SITE: The application site is a backland site, lying to the rear of 20-22 King Street, with access via an existing gateway between 22 and 26 King Street. The site is rectangular in shape measuring approximately 27m in depth and 15m in width. At present there is a large, modern, flat roofed storage building on the site, which was formerly used by Threshers Wine Merchants when they occupied the retail unit at 20 King Street. The site is largely hardstanding, which is in a poor state of upkeep at the present time. To the west of the access is an office building and to the east the side elevation of 22 King Street, which is retail at ground floor and offices above. To the rear of the office and to the west of the existing building on the site is the development known as Barnards Court, which is accessed via Church Street. To the north of the application site are the rear gardens to properties located in Church Street, which are, for the most part, located behind a high brick wall, which also appears to form the rear wall to outbuildings to these properties. The properties in Church Street are located on significantly higher ground than the application site (approximately 2.5m). The western boundary of the site is a flint and brick wall which appears to be older than the building which has been constructed onto the side of it. The eastern boundary is currently a fence dividing this site from the rear amenity area to 18 King Street. The site measures 16m in width and 27.5m in depth. At the rear of the site there are two small trees, which will need to be removed as a result of the proposed development. There are also several trees to the east of the application site, but these do not appear to be within the applicant's control.

DESCRIPTION OF PROPOSAL: These proposals relate to the demolition of the existing single storey storage building and the erection of a pair of semi-detached, three bedroom cottages. There would be 6 parking spaces to serve the development, but two of these spaces will be to serve the flats in 20 King Street (subject to a separate planning application). The dwellings would be orientated east-west, fronting onto the development in Barnards Court. The properties would have a frontage of 12m and a depth of 10m at their deepest point. Plot 1 would have a ridge height of 7.2m and have the appearance of a 1 ½ storey dwelling and plot 2 would have a ridge height of 8.5m and have the appearance of a full two storey dwelling. It is proposed to construct the dwellings using painted render over a brick plinth, with clay plain tiled roofs. It is also proposed to construct a new boundary wall to the eastern boundary, to replace the existing fencing.

APPLICANT'S CASE: See attached letter dated 16 February 2004 attached at end of report. Please note that this case refers to the erection of garages as part of the proposed scheme. These garages have subsequently been removed from the scheme as the case officer considered that the siting of the garages compromised the ability to use some of the parking spaces.

RELEVANT HISTORY: No relevant planning history on this part of the site.

CONSULTATIONS: Water Authority: None received. Expired 10 March 2004.
Environment Agency: None received. Expired 10 March 2004.
ECC Archaeology: Recommend full excavation condition.

English Nature: Proposed development land could include suitable habitat for protected species. An ecological survey should be carried out.

Essex Wildlife Trust: None received. Expired 10 March 2004.

Building Control: Fire Brigade access is restricted, but compensatory measures of domestic sprinkler systems may be acceptable.

Design Advice: No objections to the demolition of the modern storage building.

ECC Highways: To be reported. (due 27 May 2004).

Landscaping: To be reported. (due 25 May 2004).

Environmental Services: To be reported. (due 25 May 2004).

TOWN COUNCIL COMMENTS: Original Plans: Object. Overdevelopment. Lack of amenity space; dangerous access onto the narrow road; increased and more traffic and insufficient room for large vehicles to manoeuvre.

Revised Plans: To be reported. Expired 25 May 2004.

REPRESENTATIONS: These applications have been advertised and 12 representations have been received in respect of the original plans. Revised plan notification period expired 25 May 2004.

In principle it would seem a good thing to use any spare brownfield sites for housing. Concern regarding plot 2 having a much higher roof elevation than no 1, which means more visual impact. Could lead to windows in the roof at a later date. Properties are too close to balcony of 13 Church Street, affecting privacy. Rear aspect would be heavily in shade from sycamore trees which, together with the closeness of our wall, would provide a very dismal outlook. In the rear of the outbuilding next to no 2 is an electricity substation. This is less than 3m from the bedroom.

Two houses are cramped, gardenless and looked down on. A single building could have its frontage south, rather than facing a high wall.

Object. Too little amenity space. Commercial sites in town centre should be preserved. Invasion of privacy. My house will be directly opposite new buildings which will have a clear view into my property. Imperative doorway in boundary wall between courtyard and new site is removed and blocked permanently. Important boundary wall running alongside no 4 is maintained in its present form.

This is a heavily polluted, busy commercial area. Warehouse to be demolished shares its back wall with 4 Barnard Court's garden. No fire engine could use access. Strongly object to increase in noise and pollution.

Existing boundary wall must be retained. Gate in existing wall should be removed. Ridge height of plot 2 is excessive and would be more aesthetically pleasing if reduced to match no 1. This would make it the same height as mono pitched roof to listed barn at rear of Sparrows, Church Street. Would stop an inevitable loft conversion in the future. Height of boundary walls to Barnards Court need to be retained in order to maintain privacy.

Windows should be the same size as Barnards Court. These could not be normal size due to overlooking properties in High Street.

Object. Backland development. Density of existing dwellings in this part of town is above permitted limit. Air quality is poor and two additional houses will make it even worse. Access road did not historically generate a considerable amount of traffic.

Object. Inaccuracies in plans. Access from King Street is not heavily used. Concerns regarding security issues. Existing boundaries to Barnards Court must remain same height as existing. Occupants of proposed houses would have poor living environment from overlooking. Height of house on plot 2 would enclose space to east of 4 Barnards Court to unacceptable degree. No vehicular access between 9am and 4pm on Market days. Houses so close to shops do not require 2 parking spaces. Parking spaces 4 & 5 are too close to

private gardens of 4 and 5 Barnards Court and would cause disturbance from noise of vehicle movements and exhaust fumes.

Plans show houses within 1m of my client's holding, with windows looking directly onto his raised terrace and rear rooms of the property creating an unacceptable intrusion and loss of privacy. Little amenity space and scheme represents overdevelopment of small parcel of land.

Would block out daylight to Barnards Court. Buildings not in keeping with others in area.

Revised Plans – Set 1: 5 letters received.

Objections still stand. Request site visit.

Revised Plans – Set 2: To be reported. Expired 25 May 2004.

PLANNING CONSIDERATIONS: The main issues are whether the proposed dwellings

- 1) are appropriate development for this town centre location (ADP Policies S1, SW2, DLP Policies S1, SW2)**
- 2) are of appropriate design for this conservation area location and whether the amenity of adjoining properties will be adversely affected (ERSP Policy HC2, ADP Policy DC2, DC14, DLP Policy ENV1, GEN4)**
- 3) have appropriate access and parking facilities in this town centre location (ADP Policy T1, DLP Policy GEN1).**

1) The proposed dwellings would replace an existing, unused storage building. The site is located within the development limits where there is a presumption in favour of new development. The creation of new dwellings within the town centre add to the viability and vitality of the town centres. Draft PPS6 states "*A diversity of uses in centres makes an important contribution to their vitality and viability*". Similarly, PPG3 states: "*The Government is committed to maximising the re-use of previously developed land and empty properties and the conversion of non-residential buildings for housing, in order both to promote regeneration and minimise the amount of greenfield land being taken for development.*"

Whilst the existing building is not suitable for residential conversion, it is considered that its demolition and replacement with new dwellings satisfies the government's requirements under PPG3 and PPS6. The development of the site meets the requirements of ADP Policy SW2 and DLP Policy SW2.

2) The existing flat roof storage building does not contribute to the character and setting of the conservation area. However, the development of the site with two new dwellings, respecting the local vernacular, will make a positive contribution to the conservation area. The dwellings have been located within the site in order to maintain the uninterrupted view of St Mary's Church, particularly in view of the positive contribution this building makes to the character of Saffron Walden.

The dwellings would be located 5.2m from the side elevation of 4 Barnards Court, which has a window in the side elevation. This window serves a landing and it is not considered that any adverse overlooking issues should arise. Concerns have been expressed by the occupiers of 9 Barnards Court with regard to overlooking. However, this property is located 25m from the proposed dwelling, and this satisfies the requirements as laid out in the Essex Design Guide.

It is accepted that there is an issue of overlooking with regard to the relationship of the new dwellings with the rear of Archway House, a guest house located in Church Street. Archway House has a decking area to the rear of the property and is located in an elevated position in relation to the application site. Therefore, the conflict would be between the bedroom window on the rear elevation of Plot 2, and the decking area at Archway House. There would be a 3m separation distance between these two aspects and the window would be at

an angle of approximately 45° to the decking area. However, there is an existing dense screen of mature vegetation provided by trees on land outside of the applicant's control. Should the relationship not be considered acceptable, the window to this bedroom could be substituted for rooflights.

Whilst the position with regard to the bedroom window may be overcome, the issue of the existing Archway House decking area overlooking the proposed terrace to plot 2 would remain an issue. However, as the proposed development does not impinge on the amenity of the existing property (Archway House), it is considered that this issue is not sufficient to warrant a refusal of the scheme. Therefore, on balance, it is considered that the proposals satisfy the requirements of the relevant policies.

3) The applicant's claim that 9 vehicles a day were using the existing access, all of which were unauthorised. Representations have been made that this may not be the case. During visits to the site, it was noted that at least 4 vehicles had been parked to the rear of 18 King Street, together with several vehicles to the rear of 20. This parking appears to have now ceased following legal action by the new owners of 20 King Street. However, the existing storage building is an authorised use and has the potential to generate a large number of vehicle movements, which would not be within the local authority's control. It is considered that the replacement of the storage building use with residential development has the ability to reduce the impact on the local highway and the numbers of vehicle movements. It is considered that the proposals satisfy the requirements of the relevant policies.

COMMENTS ON REPRESENTATIONS: Concerns have been raised with regard to the height of the boundary wall to Barnards Court. It is the applicant's intention that the existing boundary wall remain and that the remaining three walls to the storage building be demolished. With regard to the gate in the wall between the application site and Barnards Court, this is shown to be removed in the revised plans. Other issues have been raised in the report above.

CONCLUSIONS: The redevelopment of the site would ensure the best use of land within the town centre. The development is in line with government advice contained in PPG3 and draft PPS6 and should add to the vitality and viability of the town centre. It is considered the development complies with the relevant development plan policies.

RECOMMENDATIONS:

1) UTT/0296/04/FUL - APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.4.1. Scheme of landscaping to be submitted and agreed.
5. C.4.2. Implementation of landscaping.
6. C.16.2. Full archaeological excavation and evaluation.
7. C.5.7. Window detail.
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
9. C.11.7. Standard vehicle parking facilities.
10. Parking spaces 5 and 6, as shown on approved drawing no. 2076 P1B, shall be retained for the use by occupiers of the flats in building known as 20 King Street, Saffron Walden, and for no other purpose. Parking spaces 1-4 shall be retained for the parking of vehicles in respect of the dwellings hereby approved and for no other purpose.
REASON: To ensure sufficient off-road parking is available in the interests of highway safety.
11. C.19.1. Avoidance of overlooking – 1.

- 12. C.20.2. Protection of other species.
- 13. C.23. Demolition of existing building.
- 14. C.7.1. Slab levels.

2) **UTT/0297/04/CA – CONSERVATION AREA CONSENT WITH CONDITIONS**

- 1. C.2.2. Time limit for commencement of works – conservation area consent.

Background papers: see application file.

UTT/0221/04/FUL - GREAT DUNMOW

Erection of replacement detached two storey dwelling with garage.
Heather Lodge Ongar Road. GR/TL 625-207. Mr & Mrs R C Curtis.
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 22/04/2004

NOTATION: Outside Development Limits / Within Area of Special Landscape Value.

DESCRIPTION OF SITE: The site is located 0.7km to the west of the junction of Chelmsford Road and Ongar Road in Great Dunmow, adjacent to the new A120 bridge. It covers an area of approximately 0.44ha and there is currently one detached bungalow with integral garage on the site. The dwelling is located on the northeast corner of the site and is screened by mature vegetation on the site boundaries. The bungalow has a maximum ridge height of 4m and covers an area of 165m².

DESCRIPTION OF PROPOSAL: The proposed development would involve the demolition of the existing bungalow and integral garage and the erection of a replacement two-storey dwelling with detached garage. It is proposed that the site of the replacement dwelling would be rotated and relocated approximately 15m away from the location of the existing dwelling.

The proposed dwelling would have a footprint of 136m² and a total floor area of 248m². In total this would constitute an increase of 83m² from the existing dwelling. The ridge height of the new dwelling would be at a height of 7.9m.

It is proposed that the detached garage would have a ridge height of 5.1m and would cover an area of 32m². The garage would be located 7m to the southeast of the new dwelling along the eastern boundary of the site. It is also proposed to create a replacement access to the site 20m south of the existing site access which would be sealed.

APPLICANT'S CASE: See letter dated 5 February attached at end of report.

RELEVANT HISTORY: Two applications for proposed extensions conditionally approved 1984 and 1986. Application for conversion and alteration of bungalow to form one and a half storey dwelling and erection of detached garage/accommodation refused 2003.

CONSULTATIONS: Water Authority: (due 13 March)

Environment Agency: Makes advisory comments relating to drainage.

English Nature: The development is not likely to affect a Site of Special Scientific Interest. If protected species are suspected or present on a proposed development site then information should be provided by the applicant.

Essex Wildlife Trust: (due 13 March)

Building Control: No comments.

TOWN COUNCIL COMMENTS: Support.

REPRESENTATIONS: None. Notification period expired 18 March.

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

- 1) **ADP Policy H8 – Replacement Dwellings (DLP Policy H6) and**
- 2) **ADP Policy DC14 – General Amenity (DLP Policy GEN4).**

1) ADP Policy H8 requires proposals for replacement dwellings to be in scale with neighbouring dwellings and be sited in proximity to the original structure. In addition, outside

Development Limits larger dwellings must not impair the rural characteristics of the countryside.

The existing dwelling has been extended previously but remains an unobtrusive building with a low ridge height and is screened by mature vegetation on the site. The other dwellings adjacent to the property are generally larger in size and are more visible. It is not considered that the proposed dwelling would be out of keeping with the neighbouring properties in terms of scale and size.

It is proposed to relocate the dwelling on the site however it would remain in the northeast part of the site. In addition, the existing dwelling is crammed into the corner of the site and access is very poor. The site slopes down to the south and it is considered that the relocation of the proposed dwelling further into the site would result in less of the dwelling being visible when travelling from Great Dunmow on the Ongar Road. The relocation would also reduce the impact on the open character of the countryside from the increase in ridge height.

2) The proposed dwelling would be rotated from the orientation of the existing dwelling which would result in the first floor windows facing northeast and southwest. This would prevent any overlooking of adjacent properties. The creation of a new access would result in a greater separation between the drive for Shingle Hall to the northwest and the site reducing the potential for conflict between the users of the two accesses.

COMMENTS ON REPRESENTATIONS: None

CONCLUSIONS: The proposed dwelling would have an increased total floor area from the existing dwelling but would have a smaller ground floor area. It is considered that the proposal complies with the requirements of ADP Policy H8 and would not result in any detrimental impact to the amenity of adjacent properties.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
6. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
7. C.23. Demolition of existing dwelling.

Background papers: see application file.

1) UTT/2240/03/FUL, 2) UTT/2241/03/LB & 3) UTT/2242/03/CA – ELMDON

- 1) Conversion of farm buildings into three residential units together with annexe and garaging. Erection of 1m high post and rail fencing. Creation of access drives.
 - 2) Conversion of farm buildings into three residential units with annexe. Demolition of cart shed and outbuilding.
 - 3) Demolition of outbuilding and cart shed.
- Elmdon Bury Farm. GR/TL 461-399. Mr & Mrs N Pearson.
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 24/02/2004

NOTATION: ADP: Outside development limits, Listed buildings, Within Conservation Area, Area of Special Landscape Value. DLP: Outside development limits, Listed buildings, Within Conservation Area.

DESCRIPTION OF SITE: The site is located approximately 200 metres north of the centre of Elmdon on land associated with Elmdonbury. The site can be accessed from two directions, one via Bury Lane to the south west and one from a private road off Ickleton Road to the south east. "Elmdonbury" comprises the principle farmhouse, which is not actually listed with numerous associated outbuildings, two of which are grade II listed. The buildings, subject of this application, are located approximately 20 metres to the east of the principle farmhouse and consist of timber framed barns with black stained weather boarded walls and thatch roofs as well as more modern brick and weatherboard ranges. There are numerous ponds to the east of the buildings and gravelled access roads leading to Ickleton Road, past a residential property known as "Great Harvesters."

DESCRIPTION OF PROPOSAL: The applicant is seeking approval to convert four existing barns and outbuildings into three separate residential dwellings. This includes the demolition of existing garage/workshop building and replacement with new garaging to serve the proposed dwellings. A new access from Ickleton Road is proposed, which is designed to be used by farm vehicles only as well as a new track from Elmdonbury house itself to the silos to the north east. The existing track from Ickleton Road would be resurfaced and passing places will be inserted. This track would serve domestic traffic only. The junction at Ickleton Road is proposed to be widened to improve access and visibility.

Unit 1, which is located adjacent to the principle farmhouse, would be served by a new gravel access. An existing outbuilding and open fronted carport are to be demolished to make way for a proposed replacement car port (full details of which have not been submitted with the application). The barn to be converted is fully aisled and of timber five-bay box frame construction. The existing barn appears to have been extended and altered over time but appears to be in sound structural condition. The barn is clad with black stained weatherboarding and has its principle roof covered with thatch. Some of the later roofs have been covered with tiles.

The proposed works to barn 1 would consist of the insertion of an internal floor with subdivisions at ground and first floor level to create smaller rooms. The property would have six bedrooms, three bathrooms, two w.c., utility room, kitchen and dining area and a sitting area. There would be a large garden to the south of the barn, which would be surrounded by post and rail fencing as well as native hedges.

Unit 2 consists of two buildings arranged around a courtyard. Building 2 is a timber four-bay box frame barn, similar to that of Unit 1 but smaller in size. It has a front porch and again is clad with black stained weatherboarding with a thatch roof. The "Annexe" is a single storey range of brick and weather-boarded construction with a clay tile roof. Part of the building includes an open fronted carport. There are six existing doors on the courtyard side elevation.

The proposed works to barn 2 and the annexe would consist of the insertion of a new internal floor into the barn with subdivisions at ground and first floor level to create smaller rooms. This particular barn would have four bedrooms, three of which would have en-suite facilities. Two bedrooms are located on the ground floor and two on the first floor. The property would also have a kitchen/diner under bedroom 4 and a large full height drawing room.

The proposed works to the annexe would consist of a carport, office, study/games room and sitting room and two further bedrooms with a bathroom and w.c.

In terms of boundary treatment around Unit 2, there would be the introduction of a new 1 metre high post and rail fence and, between the carport and the corner with Unit 1, a mixed native species hedge.

Unit 3 is of later construction with a two-storey white painted brick and black painted weatherboard finish with a natural slate roof. The building would appear to be currently used for general storage purposes in connection with the house and farm.

The proposed works to Unit 3 consist mainly of new internal subdivisions and the insertion of new windows. A new floor would be inserted above bedroom 1 to provide a kitchen/utility room. The property would have four bedrooms and a study with four bathrooms, two of which are en-suite. The building would be arranged in quite an unusual way with the bedrooms on the ground floor and the living area, dining area and kitchen/utility on the first floor. This may partly be explained by the pre-existence of windows at first floor level. It is proposed to insert 14 new windows, skylights and doors in total, most of which will be inserted on the ground floor elevation. Eight windows will be inserted on the ground floor north elevation and the existing garage doors on the southern elevation would be replaced by fully glazed windows and doors. A new detached double cart lodge is proposed adjacent to the barn, effectively blocking off an existing track from through traffic.

APPLICANT'S CASE: The applicant has not provided a supporting statement other than the submitted plans. A letter confirming the purpose of the access road was received dated 04 May 2004. (Copy attached at end of report).

RELEVANT HISTORY: Pre-application discussions have taken place with the Specialist Buildings Advisor prior to submission. No other relevant history relating to these particular barns.

CONSULTATIONS: English County Council Highways: No objections as deminimus.

Water Authority: No comments received (due 22 January 2004).

Essex County Council Specialist Archaeological Advice: The proposed conversion lies in a highly sensitive area of archaeological deposits adjacent to the Scheduled Ancient Monument of Elmdon Castle Grove. It is recommended that the barn should be fully recorded and all groundworks monitored by archaeologists, with area excavation undertaken on any reduction of barn floors and any new buildings. Recommend condition.

Environment Agency: Advisory comments regarding the private means of foul effluent disposal.

UDC Building Control: No adverse Comments.

UDC Specialist Buildings Advisor: The buildings subject of this application are part of a listed historical farmstead. In principle and because of their architectural and historical merit it is important to find a new and economically viable future for them. The proposal in terms of design is exemplary. Its low-key characteristics are likely to preserve as much as possible of the buildings original character. The scheme has been negotiated and recommend approval subject to the conditions.

No objection to the proposed demolition of the C20 structures.

UDC Environmental Services: No comments.

PARISH COUNCIL COMMENTS: *First letter dated 22 January 2004* – Agree that redundant farm buildings should be converted to alternative use but would like to see some element of affordability, which may be possible in the annexe to Unit 2 or Unit 3. The access arrangements are somewhat ambiguous. Recommend alternative access route for farm vehicles and the insertion of passing bays on the existing track. The proposed barns for Units 1 and 2 are sympathetic and will enhance the Conservation Area.

Second letter dated 22 April 2004 – The access arrangements are still ambiguous, especially regarding the “alternative farm access road”. What is access this an alternative to? Does this alternative include access past Bury Lodge? It is also not clear what is the purpose of the new link between the proposed new road and the existing road. There is no mention of any loss of trees; we presume that this is to be the case? We are concerned about safety aspects, especially at Ickleton Road and there should be a clear unobstructed view for both traffic using the access and traffic using Ickleton road.

REPRESENTATIONS: This application has been advertised with both press and site notices. Two neighbours were originally consulted and were consulted again following revised plans. An additional neighbour was consulted on 21 January 2004. Neighbours were re-consulted on 06 April 2004 following the submission of revised access details and an additional neighbour was also notified by email of the revised access arrangements. Advertisement expired 20 April 2004.

Summary of comments: - The proposal development would inevitably result in an increase in vehicular traffic movement (estimate to be 48 vehicle movements per day) past our house. This would have serious consequences on our amenity and a serious intrusion upon our privacy. The existing track is inadequate from Ickleton Road. It is narrow, steep in places, in a poor condition and cannot accommodate the proposed additional vehicles and farm traffic. This proposal would be a threat to both vehicular and pedestrian safety and will increase the potential for accidents. There are surely other possible access routes to use for the farm vehicles and until such time as this ambiguous situation is resolved, the application should be refused.

Revised plans: Our major concerns remain safety and amenity. There is still a lack of clarification regarding the alternative farm access and the actual vehicles that will use this track. Until this issue is resolved, our strong objections still remain. We would prefer not to see the creation of new accesses in the countryside and would reiterate our suggestion to reuse an existing lane heading towards Royston Lane thus taking farm traffic out of Elmdon. The impact on amenity will still remain, as the garden area will become an island site with roads either side.

(email 14 May 2004) Still concerned about the lack of details and clarification regarding the alternative access road.

Other Comments: - Concerned about the impact on Bury Lane if the new dwellings use this access and if agricultural vehicles use this track. This would be unacceptable and significantly increase the amount of traffic whilst detrimentally affecting the amenity of existing residents. The best option would be to create a new farm entrance. Plans for affordable housing off the eastern access serving Great Harvesters and Elmdonbury were stopped due to highway safety concerns voiced by the current applicant. How is this application any different? The subdivision of the holding at Elmdonbury would be a sad loss. (Bidwells have now confirmed that no farm traffic will use Bury Lane) The extra traffic will raise issues of safety and will increase noise and light pollution. The frequent presence of parked cars at the bottom of the hill on Ickleton Road will have a serious impact on road safety when additional vehicles try to enter and leave the access road. The presence of snow or ice on the track makes it very difficult to stop when coming down the hill and can make the uphill journey virtually impossible. This presents a danger to the dwelling immediately opposite the entrance.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) **the proposal meets with the environmental, historic and architectural quality criteria relating to the residential conversion of rural buildings (PPG7, PPG15 ERSP POLICY RE2 HC3, ADP Policy C6, HC3 and DLP Policy H5, ENV2),**
- 2) **the impact of the development on the countryside and the Conservation Area would be acceptable (ERSP Policies CS2, C5 and HC2, ADP Policy S2, C2 and DC2 and DLP Policy S7 and ENV1),**
- 3) **the proposed conversions would affect the residential occupation of adjacent neighbours (ERSP Policy H3, ADP Policy DC14, and DLP Policy, GEN4),**
- 4) **the access arrangements are acceptable in terms of highway safety implications (ERSP Policies T3, T6, T7, T12, ADP Policy T1, DLP Policy GEN1, GEN4 and GEN9) and**
- 5) **other relevant issues.**

1) Deposit Plan Policy H5 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 use, 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;
- e) Private garden areas can be provided unobtrusively.

These are addressed below:

a) When considering the conversion of rural buildings for other uses it is normally desirable to first seek a suitable commercial use such as B1 office and light industry before pursuing residential conversion. In this instance it is considered that such a use would create far more traffic on the rural road network than the current existing use of the site. Tourist accommodation or community use could be possible but given the amount of work needed to bring the buildings into use and the associated expense, such use would not be viable.

b) It is evident that the existing buildings are generally in sound condition and will not require substantial reconstruction.

c) Officers are of the opinion that the works to convert the listed buildings and associated outbuildings into residential use would enhance the character and appearance of the rural area through the buildings, historic traditional and vernacular form. The proposal in terms of design is exemplary. Its low-key characteristics are likely to preserve as much as possible of the buildings original character.

d) The proposed works would generally respect and conserve the characteristics of the barn. Barns are generally by character fairly dark inside with full height space to provide ample storage in connection with the now defunct farming use. The insertion of a first floor will unfortunately break up this sense of space, but there would be sections that would remain floor to ceiling in height. With any conversion works, it is the detailing that really contributes towards the quality and character of the finished building. In this instance officers are more than satisfied with the submitted details relating to the buildings.

e) The three new dwellings would all have reasonable sized garden areas with Unit 2 having the smallest area, still well above minimum amenity space requirements. The insertion of post and rail fencing and the planting of mixed native species hedging would define boundaries for each dwelling. This would provide an unobtrusive feature with minimal impact to the character of the rural area.

2) The proposed conversion of the barns and outbuildings to residential use would certainly give the building a new lease of life. As with most barn conversions, the finished work tends to take on a rather modern appearance but the starkness of new timber would diminish with age and therefore the impact of the conversion on the character and appearance of the countryside should be acceptable in the medium-term. The insertion of indigenous hedge around the site will prevent views of domestic paraphernalia and parked cars at the property. In terms of impact on the Conservation Area, Units 1 and 2 lie within the Conservation Area with Unit 3 falling outside. It can be said that all three buildings have an impact on the character and appearance of the Conservation Area. The demolition of the outbuilding and cart shed associated with Unit 1 would not detrimentally affect the character of the area and would allow the opportunity for a more appropriately designed replacement structure. The low-key conversion works would positively enhance the character of the site, provided that appropriately considered materials are used in all aspects of the development.

3) The buildings to be converted for residential use, although located outside development limits, are within close proximity to other established residential dwellings within Elmdon. The buildings are close to the existing principle farmhouse of Elmdonbury but should have limited detrimental impact once boundary screening has established, apart from the possibility of some sound intrusion from outdoor activities etc when the buildings are occupied. Other dwellings in the area would be affected, dependent on the desired means of access. Concern has been raised from residents regarding the farming activities on the site and the impact of farm traffic on residential amenity. The applicants have confirmed that no farm vehicles will use Bury Lane to reach the silos and barns on site. This will prevent any detrimental impacts on residents of Bury Lane but will cause concern to residents using the easterly track from Ickleton Road. Realistically all traffic for the proposed new dwellings as well as farm vehicles will be using the Ickleton Road entrance/exit. This will have a significant impact, not least through the increase in vehicular movements over and above the existing use of the site. Great Harvesters, which lies at the top of the access road, will be the most affected by the proposed development as well as residential dwellings at the entrance/exit onto Ickleton Road. The issue of access and highway safety will be considered in greater detail in section 4 below, but it is evident that there will be noise disturbance to the adjacent residents and, particularly in the case of Great Harvesters, a significant loss of amenity at the front of the site. Officers are therefore of the opinion that, although the dwellings to be converted themselves will not cause detriment to residential amenity of neighbours, the access to the dwellings would have a material impact, not least through the increase in the number of vehicles entering and leaving the site onto Ickleton Road.

4) Access to the buildings and existing farm is an issue that has been raised in most of the letters received from neighbours. It has been established that the applicants wish to use the access from Ickleton Road for farm vehicles and it is most likely that all residential traffic from the proposal will use this access as well as construction traffic whilst the conversion works are carried out. The critical issue therefore is how to resolve the conflicting residential and farm traffic to allow safe access and egress to and from the site along a narrow single-track road.

Firstly, the residential conversion would result in three large dwellings thus creating their own individual traffic movements. Neighbours have calculated 16 vehicles movements per day for each dwelling giving a total of 48 vehicle movements for all three. This may be a little on the high side but 8-10 movements per house would seem realistic giving at least 30 extra vehicle movements each day over and above the existing traffic using the narrow road. It would be inevitable that some of these vehicles will enter and leave the site at the same time thus creating conflict and increasing the risk of accidents. Presently there are no passing places from Ickleton Road all the way up to Great Harvesters. This may not be such an issue with low volumes of vehicles but would certainly be of concern if the application were to be approved.

In terms of farm traffic, Elmdonbury still has elements of farming activity, although it is understood that this level of activity has been reduced with the leasing of fields to outside parties. However, it is evident that large vehicles use the Ickleton Road access to reach the barn and silos. This activity may be sporadic with peaks and troughs throughout the year, but whilst farming activity remains on the site, there will be inevitable conflict between farm and residential traffic.

New Track

To counter this problem of conflicting traffic, the applicants propose to build a new farm access road to the east of the existing track. This track would start from the existing junction with Ickleton Road. The junction will be widened to five metres in width for the first 30 metres of the track. This will improve the turning circle for the junction as well as visibility, especially in an easterly direction, which is currently obscured by hedging. The track will split into two, one route, the existing track, will serve residential traffic and the other, the new route, will serve farm traffic. The existing track would be served with a new passing place 90 metres up the track. This would increase the width of the existing track from 3 metres wide to 6 metres wide for a length of 25 metres, which is more than adequate to allow vehicles to pass. The new track would be 4 metres in width and would run virtually parallel to the existing track up to the barn/silos, past the garden area of Great Harvesters. A further link would also be added 45 metres before the silo linking the existing track with the new. The applicants have stated that this is needed to allow lorries past the silos, due to the restricted existing space between the barn and the silo. However, this does not seem to make sense and the new access could easily be altered to go round the south side of the silos, thus preventing a tight 90 degree turn, which would be difficult for large vehicles to make. A further passing place is proposed 30 metres west of the link. Another new access is proposed from Elmdonbury house to the silos, which skirts around the edge of an existing field. The purpose of this new track is not clear but presumably it is to serve the occupants of Elmdonbury because the new carport will block the existing track for Unit 3.

Highway Safety

Correspondence received from neighbours has repeatedly stressed how dangerous the current access from Ickleton Road is. The proposed highway improvements will certainly increase visibility when entering and leaving the site and will allow two cars to meet and pass for the first 30 metres up or down the track. This is a positive improvement and will certainly reduce the risk when entering and leaving the site.

The other issue is determining which vehicles should use which particular road. The new farm road is designed to serve the farm. Therefore ALL farm related vehicles should use this access with no use of the existing track. The new track should be finished with a bound surface for the first 6 metres from the highway edge and should be finished with a suitable surface dressing for the remainder. The existing track has recently been resurfaced with a stone dressing. This has certainly improved the quality of this particular access and this should be repeated for the new track. The existing track would be used only by residential traffic for the three new dwellings as well as Great Harvesters. This would limit the number of vehicles and therefore reduce the risk of conflict. Although there are only two passing places, this should be sufficient to serve four dwellings.

In terms of the timing of construction, the new track should be built before any other development commences on site. This will allow ALL construction traffic to use this access to prevent any unwanted nuisance to existing residents. In any case all of the highway improvements should be completed prior to the first occupation of the dwellings.

5) Other issues that have been raised relate mainly to the annexe attached to Unit 2. Questions have been asked about the marketability of such a property with a detached annexe. There are concerns that this could be used for tourist accommodation or sold away as a separate dwelling. Tourist accommodation (i.e. bed and breakfast) would be acceptable provided that it did not become a dominant activity requiring a change of use application. There would be inevitable traffic increases from such a use but this could be monitored and

enforced against if the use of the site materially changes. In terms of a separate dwelling, the building is of merit to enable conversion under Policy C6 but there would be question marks about where amenity space would be provided as well as the consequence of loss of garage space etc and the potential need for further development on site. This should not be cited a reason for refusal as it does not form part of the submitted application.

CONCLUSIONS: The applicant has demonstrated that the conversion of the barns and outbuildings to residential use could be undertaken in line with the general policy requirements of Policy C6 of the Adopted Plan and H5 of the Deposit Local Plan. The demolition of the existing outbuildings is also considered acceptable in this instance. The only area of concern to officers is that of access to and from the site via Ickleton Road. The applicant has proposed a solution that could work provided that all parties adhere to the access arrangements and the tracks are maintained in good order in perpetuity. The new link section south of the silos should be amended to avoid an unworkable solution if lorries need to pass by the silo. These changes can be agreed by condition. Finding a suitable use for historic buildings is important but so too is the residential amenity of adjoining neighbours. Officers are therefore of the opinion that the application should only be approved subject to conditions.

RECOMMENDATIONS

1) UTT/2240/03/FUL – APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with original, revised and additional plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. All necessary re-thatching to the buildings shall be carried out in exactly matching materials.
REASON: To ensure that the intrinsic character of the barns is retained.
5. All other roofing materials shall be natural slate or hand made clay tiles, samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Subsequently, the development/works shall be carried out using the approved materials.
Reason: To ensure that appropriate materials are used on the buildings hereby approved for conversion.
6. C.5.9. Stained wood.
7. C.5.18. Details of cart shed and garden store for Unit 1.
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
9. C.6.10. Residential annexe ancillary to rest of site.
10. C.4.1. Scheme of landscaping to be submitted and agreed.
11. C.4.2. Implementation of landscaping.
12. C.4.7. Detailed landscaping survey to be submitted.
13. C.4.6. Retention and protection of trees and shrubs for the duration of development.
14. All existing trees, shrubs and hedges indicated in the conditions above shall be protected by suitable fences to a height of not less than 1.5 m for the duration of the construction period of the development hereby permitted at a distance equivalent to not less than the spread of the branches from the trunk. No materials shall be stored, no rubbish dumped, no fires lit, no buildings erected inside such fences, nor any changes in ground levels be made unless the local planning authority gives written consent.
REASON: In the interests of the appearance of the site and the surrounding area.
15. All new boundary treatments around the dwellings hereby approved shall be post and rail with a mixed native species hedge
REASON: To ensure that the boundary is appropriate in relation to the character and appearance of the site.
16. The new alternative farm access road and junction from Ickleton Road to the Silos and barns, as indicated on the submitted drawing no. C.863/c, shall be completed in full prior to the start of any other construction work in connection with this application. This track

shall be shall be dressed with a suitable gravel finish and thereafter repaired and maintained for its intended purpose hereby approved.

REASON: In the interest of highway safety and residential amenity.

17. The new 5 metre wide junction with Ickleton Road shall be constructed in accordance with Essex County Council Highway standards and the first six metres back from the junction edge shall be constructed from a bound surface.

REASON: In the interest of highway safety.

18. The track indicated in blue on drawing no. C.863/c shall be used only by residential traffic serving the existing and proposed dwellings. At no time shall any farm related vehicles or construction traffic related to this application use this section of track.

REASON: To prevent the conflict of incompatible vehicles in the interest of highway safety and to protect residential amenity of neighbours.

19. All farm related traffic and construction traffic related to this application shall use the alternative farm access road only, as indicated on drawing no. C.863/C in perpetuity.

REASON: To prevent the conflict of incompatible vehicles in the interest of highway safety and to protect residential amenity of neighbours.

20. The passing places, as indicated on drawing no. C.863/c shall be completed in full prior to the first occupation of the dwellings hereby permitted.

Reason: In the interest of highway safety.

21. C.17.1. Revised plan required.

22. C.17.2. Detailed amendments to be incorporated into design.

24. C.8.27. Drainage Details.

25. No construction works shall take place before 8am Mondays to Fridays and 9am on a Saturday. No construction works shall take place after 6 pm Mondays to Fridays or after 1 pm on Saturdays nor at any time on a Sunday or Public Holiday.

REASON: In the interest of residential amenity.

26. No conversion or groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

REASON: To allow for excavation and recording of this site of archaeological importance in advance of and during development, as advised in DoE Planning Policy Guidance Note No. 16.

2) UTT/2241/03/LB - APPROVAL 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. All necessary re-thatching to the buildings shall be carried out in exactly matching materials.

REASON: To ensure that the intrinsic character of the barns is retained.

5. All other roofing materials shall be natural slate or hand made clay tiles, samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Subsequently, the development/works shall be carried out using the approved materials.

REASON: To ensure that appropriate materials are used on the buildings hereby approved for conversion.

6. C.5.8. Joinery details.

7. C.5.16. No historic timbers to be cut.

8. The necessary repairs to the building shall be carried out in timber of matching type and cross sections.

REASON: To ensure the appropriate materials are used for the approved works.

9. C.5.9. Stained wood.

10. C.5.14. Black rainwater goods.

11. C.5.17. Window & door details and sections to be submitted and agreed.

3) UTT/2242/03/CA - APPROVAL WITH CONDITIONS

1. C.2.2. Time limit for commencement of development - listed buildings [conservation areas]
2. C.3.1. To be implemented in accordance with approved plans.

Background papers: see application file.

UTT/2229/03/FUL - HATFIELD HEATH

Demolition of existing factory and erection of detached dwelling and garage.
Heath Engineering The Works Pond Lane. GR/TL 520-149. Foxley Builders Ltd.
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 18/02/2004

NOTATION: Within Metropolitan Green Belt/Partially Within Area of Special Landscape Value.

DESCRIPTION OF SITE: The site is located to the south of the A1060 approximately 100m south of the junction with Sawbridgeworth Road. The existing dwelling and factory buildings on the site are unobtrusive with the dwelling being a standard two-storey size while the factory buildings are single storey. Immediately to the north of the site there is a detached two-storey dwelling of a similar style and size to the existing dwelling on the site.

DESCRIPTION OF PROPOSAL: The proposed development would involve the demolition of the factory buildings and the erection of one two-storey detached dwelling and garage. It is proposed that the existing dwelling and associated garaging on the site would remain. The new dwelling would have a maximum ridge height of 7.5m and would cover an area of approximately 68.5m². The proposed garage would be located to the rear of the dwelling and would have a maximum ridge height of 4.8m and would cover an area of approximately 31m².

APPLICANT'S CASE: See letter dated 18 December attached at end of report.

RELEVANT HISTORY: Conversion of existing dwelling unit to form office/storage/additional sale facilities to existing premises conditionally approved 1980. Proposed extension conditionally approved 1985. Replacement of existing Nissen building with pitched roof extension conditionally approved 1989. Retrospective application for carport unconditionally approved 2001. Application for demolition of existing dwelling and factory buildings and erection of 4 terraced dwellings refused 2003.

CONSULTATIONS: Thames Water: No objection.

Environment Agency: The Environment Agency is unable to respond to the consultation.

Environmental Services: No objection in principle to the proposal, however the proposed dwelling is likely to be affected by noise from aircraft using Stansted Airport and consideration should be given to imposing a condition re sound insulation.

ECC Highways and Transportation: No objections.

PARISH COUNCIL COMMENTS: The Parish Council believes this is a considerable improvement on the previous application and, providing the proposed dimensions are strictly adhered to, the Council has no objection. However the Council regrets the loss of long-established employment due to the proposed demolition of the current factory unit. Especially as there are extremely limited employment opportunities in the village.

REPRESENTATIONS: Two. Notification period expired 27 January.

1. We are of the opinion that all of the objections we set out in our letter dated 31 October have been completely and satisfactorily dealt with in this further application.
2. We have no objection to the building of the referred detached dwelling and garage at Heath Engineering. If planning permission is granted we suggest: a planning condition of a 9 foot wall between Heath Engineering and Heathview boundary with no over looking windows onto Heathview. The land drainage which should run through Heath Engineering property should be upgraded and made workable.

PLANNING CONSIDERATIONS: The main issues are whether the proposal

- 1) would have a detrimental impact on the open character of the Metropolitan Green Belt contrary to ADP Policy S3, PPG2 and ERSP Policy C2;
- 2) would have a detrimental impact on the adjacent properties contrary to ADP Policy DC14 and DLP Policy GEN4 and
- 3) or would be in keeping with the character of the adjacent properties in accordance with ADP Policy DC1 and DLP Policy GEN2.

1) Development within the Metropolitan Green Belt is strictly controlled and only appropriate forms are normally allowed. The proposed development does not constitute appropriate development as stated in national and local policies however it would constitute a planning gain for the area in that it would result in the removal of the existing factory use and building from the site. It is considered that the erection of one dwelling of a similar size and design as the adjacent properties would be appropriate in this location as a means of removing the inappropriate but lawful factory use on the site.

2) The proposed dwelling would have a similar ridge height as the existing dwellings either side of the site. Although the ridge height would be higher than that of the existing factory buildings and this would result in some overshadowing of the site to the north, it is not considered that this would be of a level that would warrant refusal of the application. The element of Rose Cottage to the north of the site that would be most affected would be a single storey double garage.

It is not proposed that there would be any windows in the side elevation facing Rose Cottage and only one first floor window serving the landing would be inserted into the south facing side elevation. It is therefore unlikely that the proposed dwelling would result in any overlooking of the adjacent properties.

3) The style and character of the proposed dwelling has been designed in order to blend in with the existing properties to the north and south of the site. It is considered that the proposal would respect the scale, proportions, appearance and materials of the buildings in the locality in accordance with ADP Policy DC1 and DLP Policy GEN2.

COMMENTS ON REPRESENTATIONS: It is proposed to impose a condition relating to landscaping of the site to protect the character of the Metropolitan Green Belt.

CONCLUSIONS: The proposal would represent a planning gain by removing an inappropriate but lawful factory use within the Metropolitan Green Belt and replacing it with one dwelling of a similar size and design as the adjacent properties to the north and south of the site.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and agreed.
6. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
7. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
8. C.19.1. Avoidance of overlooking.
9. The existing buildings shall be demolished and uses permanently ceased prior to the commencement of the development hereby permitted.

REASON: This permission was granted on the basis that it would remove unsightly buildings and non conforming uses and to avoid overdevelopment of the site.

Background papers: see application file.

UTT/0614/04/FUL – WIMBISH
(Referred at Member's request)

Erection of single-storey dwelling.
Land adjacent to St Helens Tye Green. GR/TL 591-353. Mr A Walker.
Case Officer: Mrs K Hollitt 01799 510495
Expiry Date: 01/06/2004

NOTATION: ADP: Outside Development Limits. DLP: Outside Settlement Boundary.

DESCRIPTION OF SITE: This site is located on the eastern side of the road to Tye Green, Wimbish. The site lies to the north of a property known as St Helens and to the south of the village hall. To the south of St Helens is a property known as Thatch Holme set in a plot with a 60m frontage and south of that is a pair of cottages. To the north of the village hall, some 60m from the application site is a row of dwellings known as The Leys. The site has a frontage of 21m and a depth of 18.5m with a dense, mature hedge to the front boundary. The side boundary to St Helens is a close-boarded fence, to the rear is a post and wire fence and to the boundary with the village hall is a dilapidated post and rail fence. In the north eastern corner of the site is a mature Oak tree, which is the subject of a Tree Preservation Order.

DESCRIPTION OF PROPOSAL: It is proposed to construct a single-storey dwelling having an L-shaped floor plan. It would have a frontage of 8.5m and a depth of 10.3m, reducing to 5.3m, and would be 5.3m in height. It is proposed that the dwelling would be of render construction with a plain tile roof. Part of the hedge would be required to be removed in order to create a vehicular access and parking area.

RELEVANT HISTORY: Outline planning permission was granted for a dwelling on appeal in 1989, prior to decisions on planning applications being required to be made in accordance with development plan policies. Subsequently, detailed planning permission was granted for a two-storey dwelling in 1991, but this permission was not implemented. Planning permission for a two-storey dwelling with attic accommodation was refused and dismissed on appeal in 2003.

CONSULTATIONS: ECC Transportation: De minimus.

Water Authority: To be reported (due 5 May 2004).

Environment Agency: To be reported (due 5 May 2004).

Building Surveying: No adverse comments.

Landscaping: Oak tree is a mature specimen of some 13m in height with a crown spread of 12m. It has a well formed canopy and is in good general health. The tree is prominent in views from the adjacent highway and significantly contributes to the visual amenity of the surrounding areas. Considered the construction of the dwelling would result in damage to the tree's root system. Considered likely to give rise to pressure for the tree's removal in the future. Recommend planning permission be refused on grounds of detrimental impact on well being and setting of the protected Oak tree.

PARISH COUNCIL COMMENTS: To be reported (due 7 May 2004).

REPRESENTATIONS: Two. Notification period expired 28 April 2004.
No objections.

PLANNING CONSIDERATIONS: The main issues are

- 1) **whether the application site meets the requirements of an infill plot (ADP Policy H6) or whether it is appropriate development to be carried out in the countryside (ERSP Policy C5, ADP Policy S2, DLP Policy S7)**

2) whether the dwelling is of an appropriate design for this location (DLP Policy DC1, DLP Policy GEN2)

1) When considering the previous planning application, and when the Inspector considered the subsequent appeal, consideration was given to the fact that planning permission had previously been granted for a dwelling in this location and this formed a material consideration. However, it was considered that as this permission had lapsed some time ago, it was essential to determine whether this application site constituted an infill plot – defined in the policy as a small gap in an otherwise built up frontage. This site forms a 20m plot of land within an unbroken 60m gap between the dwelling known as St Helens and the village hall. The Inspector stated:

“Although the site is largely screened from the road by a tall hedge, the bend in the road allows views across it from the north east and the impression is of an undeveloped gap merging with the side garden of St Helens and continuing across the car park of the village hall. The mature Oak tree on the northern boundary of the appeal site which character and appearance be seen (sic) above and to the rear of the hedge is also a valuable feature within the street scene.

In my view the appeal site could not be described as a small gap within a small group of houses.”

The Inspector also considered it likely that the development of the site would result in the loss of the frontage hedge which would considerably alter the character and appearance of this part of Mill Road. Therefore, it was considered that the plot did not constitute an infill plot. There have been no material changes in circumstances since this appeal decision 6 months ago and therefore this application has to be considered as a proposal for development in the open countryside. ADP Policy S2 and DLP Policy S7 state that permission will not normally be granted for development in the countryside unless it relates to development which needs to take place there. No justification has been made for the proposed development and therefore it is considered that the proposals do not meet the requirements of the relevant policies.

2) In view of the fact that the proposals do not satisfy either the infill or countryside policies, the design of the dwelling does not need to be considered. However, in order to assist Members with their deliberations with regard to this case, the design will be considered in line with the policies. The previous application was refused on the grounds that the design was totally inappropriate in this location, due to the three-storey nature of the proposed dwelling. This proposal relates to the erection of a single-storey dwelling, and it is considered that this is more appropriate to this location. No overlooking or overshadowing issues will be raised. However, it is considered that the siting of the dwelling on this plot would result in conflict with the protected, mature Oak tree, which could subsequently have an adverse impact on the environmental characteristics of this rural setting. Therefore, it is considered that the proposed dwelling cannot satisfy the requirements of the policies.

CONCLUSIONS: It is considered that the application site does not constitute an infill plot and therefore the proposals represent development in the open countryside. No justification has been made in relation to the proposals and therefore the application does not meet the specific policy criteria. Whilst the design of the proposed property may be more in keeping than the previous refused proposal, it is considered that there is still likely to be conflict with the mature Oak tree on the site, which would result in a detrimental impact on the environmental characteristics of this site.

RECOMMENDATION: REFUSAL REASONS:

1. R.3. Contrary To Policy S2: Unsuitable Development In The Countryside.
2. R.6. Contrary To Policy H6: Unsuitable Site For Infill Development.

3. The proposed dwelling would have an access with poor sight lines, caused in part due to the road frontage hedge. The removal of this hedge to increase the sight lines would increase the prominence and detrimental impact of the proposed development within the street scene. In addition, the proposed dwelling would be in close proximity to a protected tree, which forms an important feature in this countryside location. The proposed development is likely to have a detrimental impact on the well being and setting of this protected tree. In addition, it is likely to give rise to pressures for the future removal of this tree, which would be detrimental to the visual amenity of this rural area.

Background papers: see application file.

1) UTT/0491/04/FUL & 2) UTT/0492/04/LB - GREAT EASTON

Change of use of agricultural barn to dwelling and work from home unit.
Muscombs Barns. GR/TL 591-254. P Smith.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 24/05/2004

NOTATION: Outside Development Limits S2. Affects the setting of a Listed Building DC5.

DESCRIPTION OF SITE: Muscombs Barns are located in the countryside between Great Easton and Broxton Hill. The agricultural barns subject of this application are set in a courtyard 30m east of Muscombs, which is a Grade II Listed building. Access to the road from these buildings is 25m to the south.

DESCRIPTION OF PROPOSAL: This application proposes the conversion of these three outbuildings set in a courtyard into a three bedroom dwelling by creating a third bedroom extension (approximately 33 sqm foot print) between one barn and another and the conversion of a third barn into an office and workshop.

The residential barn would have a foot print of 360 sqm when converted and extended. The separate office/workshop has a foot print of 200 sqm. The buildings have pitch roofs and vary in height dependent on slope of land around 4m. The office/workshop barn stands taller at approximately 7.8m.

Internally some walls would be removed and internal partitioning introduced at facilitates the subdivision of space for rooms. Externally works involve the introduction of windows and doors to some elevations and the filling of cart shed openings with glazing. Materials would consist of brickwork slates and clay pantiles to match the existing buildings.

APPLICANT'S CASE: We have looked at creating a use for these redundant farm buildings in order to secure their long term future. The buildings may lend themselves to a commercial use but we do not believe that the local road network would support additional vehicular use. Therefore, we have put forward a proposal providing a residential use with a certain amount of office/workshop space in order to create a much needed work from home unit.

The buildings are Listed by virtue of being within the curtilage of Muscombs. As a consequence, we have carried out an initial consultation with the Conservation Officer and we have endeavoured to prepare an application in line with her comments.

This policy [C6] that conversion of rural buildings for residential purposes will normally be permitted provided they are in sound structural condition and that their form enhances the character and appearance of rural areas. We believe this application satisfies the criteria of Policy C6 and have accordingly prepared our proposal such that it respects and conserves the characteristics of the buildings.

[Policy DC5] We have endeavoured to put together an application, which we believe is of a good standard of design and is in keeping with the scale and character of the surrounding.

[Policy DC6] These buildings serve no agricultural use and have been redundant for many years. The proposal to convert the buildings to a residential use will help preserve the buildings and their architectural and historic characteristics.

RELEVANT HISTORY: None.

CONSULTATIONS: Environment Agency To be reported.

UDC Landscaping: The application does not detail any trees to be removed as part of the proposal. However, there is a Yew Tree in close proximity to the southern barn, which is likely to be affected in the implementation of the proposal. The tree is not considered to be of a visual amenity value worthy of it being made subject to a Tree Preservation Order or required to be retained as a condition of the granting of any planning permission.

Special Verges Advice: The development affects a protected lane and not a Special roadside verge.

UDC Building Surveying: To be reported.

UDC Specialist Design Advice: See planning considerations.

PARISH COUNCIL COMMENTS: No objection.

REPRESENTATIONS: These applications have been advertised and one representation has been received. Period expired 29 April 2004.

1. No objection in principle but registers concern relating to the term Muscombs barns, an opening to elevation 8 and potential new openings to elevation 10.

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.**
- 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) In order to promote rural enterprise and economic activity preference is generally given to business use following conversion of rural buildings (Policy RE2 of the Essex and Southend on Sea Replacement Structure Plan Adopted 2001). Normally, the conversion of a rural barn to a commercial use is promoted in order that its character and historic structure may be retained. The applicants have not comprehensively demonstrated that there is no significant demand for business use, small-scale retail outlets, tourist accommodation or community uses. However, in this instance it is considered that the requested residential scheme will enhance the historic, traditional form of these rural structures and therefore is an acceptable use.

It is considered that the conversion respects the fabric and character of these historic buildings in accordance with PPG7 (The Countryside, Environmental Quality and Economic and Social Development). The buildings are in sound structural condition and suitable for conversion as the scheme proposes low key alterations in order to facilitate the proposal.

Policy RE2 of the Essex and Southend-on-Sea Replacement Structure Plan Adopted 2001 supports the re-use of rural buildings where, as in this instance, the buildings are of sound construction capable of conversion without substantial reconstruction. It is also considered that their conversion would not prejudice the vitality of this rural locality or adversely affect the amenity and character of the countryside.

2) The buildings subject of this application are a 19th Century range of stables and cart lodges forming a yard with a timber framed barn. The structures are by and large sturdy and visually quite attractive. Because they are part of the curtilage of Listed Muscombs they should also be viewed as Listed.

The scheme is low key in design terms, aiming at the retention of much of the present character of the buildings in accordance with PPG15 (Planning and the Historic Environment). Visual features of interest would be retained. It is therefore considered that a dwelling would not be detrimental to the fabric, character and appearance of the Listed barns as generally existing openings are used that do not give rise to a multiplicity of window, doors and external finishes.

COMMENTS ON REPRESENTATIONS: The naming of a property is not a planning consideration. Any new opening within the building would be subject to Listed building consent and can be controlled by the local planning authority. The window to elevation 8 can be removed by condition in perpetuity.

CONCLUSIONS: This conversion scheme is considered to be an appropriate way of preserving these Listed buildings special character and architectural qualities in accordance with ADP Policy C6 and DC5.

Members may wish to note that the application site lies within the extended airport boundary recently designated by the Government in the White Paper and directly at the end of the proposed second runway, however, this does not affect the proposals acceptability given current planning policy.

RECOMMENDATIONS:

1) UTT/0491/04/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.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.2. Details of materials to be submitted and agreed.
6. C.20.2. Protection of bats.
7. C.19.1 Avoidance of overlooking – 1.

2) UTT/0492/04/LB APPROVAL - 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.5.4. Natural Slate.
4. All brick and flint shall be retained and repaired as necessary matching bonding, pointing and materials.
REASON: In order to protect the character and appearance of this Listed building.
5. C.5.8. Joinery details.
6. C.5.9. Stained wood.

Background papers: see application file.

UTT/0659/04/FUL - GREAT CHESTERFORD
(Officer application)

Single-storey front extension.
3 Spencer Road. GR/TL 509-431. Mr & Mrs Martin.
Case Officer: Mr T Morton 01799 510654
Expiry Date: 14/06/2004

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

DESCRIPTION OF SITE: The application site is a 2 storey link detached house with single storey side garage set in a row of similar houses on the east side of the road, close to the corner with Jackson's Lane, and set behind a small front garden. Many of the other houses in the street have already been altered with full width single storey front extensions.

DESCRIPTION OF PROPOSAL: The proposal is to construct a single storey full width front extension to the house to provide an enlarged entrance hall, kitchen and cloakroom, and to extend the garage forward as well. The house extension would be 6.4m wide and 2.5m deep, and the garage extension 3.0m wide by 2.1m deep. Materials would be brick and tile to match the existing house.

APPLICANT'S CASE: The proposal provides a downstairs W.C. enlarged kitchen and enlarged garage.

RELEVANT HISTORY: A two storey rear extension and single storey front extension was approved in 16 October 1978, but not built.

PARISH COUNCIL COMMENTS: To be reported.

REPRESENTATIONS: No representations received. Notification period expired 12 May 2004.

PLANNING CONSIDERATIONS: **The main issues are whether the proposal would be acceptable in design terms, and any possible impact on adjacent residents and the street scene (ADP Policies DC1, H7 & DC14, and DLP Policies GEN2, H7 & GEN4).**

The proposal extends the house in a similar fashion to the adjacent houses at 1, 5 and, on the same side of the road, and there are also similar extensions on the opposite side of the road at 4,6 and 8. With suitable matching materials the appearance will be satisfactory. The front extension to the garage still leaves sufficient space on the front driveway to park a car in front of the garage. There are no adverse effects upon the amenity of adjoining properties.

CONCLUSIONS: The proposal would accord with the Council's policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.3. Matching materials.

Background papers: see application file.

1) UTT/0493/04/FUL & 2) UTT/0494/04/LB – BROXTED

Change of use and alterations of agricultural barns to four dwellings and home work units
Broxted Hill Farm. GR/TL 590-249. P Smith.

Case Officer: Mr N Ford 01799 510468

Expiry Date: 24/05/2004

NOTATION: Outside Development Limits S2. Affects the setting of a Listed Building DC5.

DESCRIPTION OF SITE: Broxted Hill Farm is located off a track east of Brick End and west of Great Easton in the open countryside. The Farm consists of a number of 20th century agricultural buildings, Broxted Hill Farmhouse is a Grade II Listed Building to the north of this grouping. To the east are a series of timber framed and weather boarded barns with a red plain tile roof subject of these applications. Three hipped midstrays are a feature of the east side. A former granary building is located to the south west of the Listed farmhouse, which is also subject of these applications.

DESCRIPTION OF PROPOSAL: The overall site area of the proposal is approximately 0.39ha. The proposal concerns the conversion of the existing barns to residential dwellings. Some existing agricultural buildings will be demolished to facilitate this scheme including a 20th century building east of Broxted Hill Farmhouse and 20th century agricultural buildings south east of the Farmhouse that occupy what would be the courtyard of the proposed scheme.

An existing granary building would form a two bedroom dwelling with a foot print of approximately 120 sqm. This dwelling would have a garden of approximately 138 sqm and have two parking spaces. The ridge height is 8m with 5.6m to eaves.

Unit 3 would have a foot print of approximately 132 sqm and a garden area of approximately 342 sqm. An outbuilding to the north would have a foot print of approximately 85 sqm and provide a garage parking space, workshop and studio/office.

Unit 2 would be a four bedroom dwelling and have a foot print of approximately 124 sqm and a garden area of approximately 330 sqm, it would also have three car parking spaces.

Unit 1 would be a two bedroom dwelling and have a foot print of 90 sqm with an associated workshop/studio with a foot print of 88 sqm. Three parking spaces would be allocated. A linear building attached to Unit 1 would have a foot print of 128 sqm and provide garaging parking and stores to units one to three.

Units one to three comprise the main barn complex with varying heights ranging from 7m to ridge and 3.4m to eaves at highest points.

Unit 4 (old granary) would provide a two bedroom dwelling with a foot print of approximately 120 sqm and a garden area of approximately 138 sqm. Two parking spaces would be provided. The building is 8m to ridge and 5.6m to eaves.

Materials proposed are stated to match existing and consist of plain tiles and pantiles to roofs with horizontal boarding, render and brick to elevations.

APPLICANT'S CASE: We have looked at creating a use for these redundant farm buildings in order to secure their long-term future. The buildings may lend themselves to a commercial use but we do not believe that the local road network would support additional vehicular use. Therefore, we have put forward a proposal providing a residential use with a certain amount of office/workshop space in order to create a much-needed work from home unit. The buildings are individually listed. As a consequence, we have carried out an initial

consultation with the Conservation Officer and we have endeavoured to prepare an application in line with her comments.

Policy C6 – This policy confirms that the conversion of rural buildings for residential purposes will normally be permitted provided they are in sound structural condition and that their form enhances the character and appearance of rural areas.

Policy DC5 – We have endeavoured to put together an application, which we believe is of a good standard of design and is in keeping with the scale and character of the surrounding.

Policy DC6 – These buildings serve no agricultural use and will help preserve the buildings and their architectural and historic characteristics.

RELEVANT HISTORY: Erection of agricultural building granted planning permission 1996. Internal alterations and formation of ground floor cloakroom granted planning permission 1987. Single storey two-bedroom 'granny' annexe extension granted planning permission and Listed Building consent 1986.

CONSULTATIONS: Environment Agency: To be reported.

Essex Bat Group: A bat survey should be a requirement on all barn conversions, particularly those where Listed building consent is required. An early survey can allow more time for a DEFRA licence application where required and also the provision of mitigation so that the bats may be accommodated in the new structure. I ask that a bat survey be conducted as part of this application.

UDC Environmental Services: No comment.

UDC Building Surveying: To be reported.

UDC Specialist Design Advice: See planning considerations.

PARISH COUNCIL COMMENTS: No objection.

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 29 April 2004.

PLANNING CONSIDERATIONS: The main issues are

- 1) **Whether the conversion of these barns conserves the characteristics of the buildings and would not involve substantial reconstruction or extension in accordance with Policy C6 of the ADP 1995 and Policy H5 of the RDDP 2002.**
- 2) **Whether the conversion of these barns 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) In order to promote rural enterprise and economic activity preference is generally given to business use following conversion of rural buildings (Policy RE2 of the Essex and Southend on Sea Replacement Structure Plan Adopted 2001). Normally, this is because the conversion of a rural barn to a commercial use is promoted in order that its character and historic structure may be retained. The applicants have not comprehensively demonstrated that there is no significant demand for business use, small-scale retail outlets, tourist accommodation or community uses. However, in this instance it is considered that the requested residential scheme will enhance the historic, traditional form of these rural structures and therefore is an acceptable use.

It is considered that the conversion respects the fabric and character of these historic buildings in accordance with PPG7 (The Countryside, Environmental Quality and Economic and Social Development). The buildings are in sound structural condition and suitable for conversion as the scheme proposes low key alterations in order to facilitate the proposal.

Policy RE2 of the Essex and Southend-on-Sea Replacement Structure Plan Adopted 2001 supports the re-use of rural buildings where, as in this instance, the buildings are of sound construction capable of conversion without substantial reconstruction. It is also considered that their conversion would not prejudice the vitality of this rural locality or adversely affect the amenity and character of the countryside and would therefore accord with ADP Policy C6 and DLP Policy H5.

2) The redundant farm buildings subject of this application form an historic farmstead containing Grade II Listed barn, outbuilding and a granary subject of the curtilage. All the buildings are of 18th Century origins and due to their architectural and historical merit fulfil the necessary criteria of relevant policies. The suggested conversion is sensitive and aims at making the use of most of the existing openings and requiring a limited number of additional windows.

The alterations would retain the key elements that are necessary to preserve the special interest of the building in accordance with PPG15 (Planning and the Historic Environment). Visual features of interest would be retained. It is therefore considered that the scheme would not be detrimental to the fabric, character and appearance of the Listed barns as generally existing openings are used that do not give rise to a multiplicity of window, doors and external finishes. The 'barn' although Listed as one structure merely consists of three elements and therefore its subdivision to three units would be acceptable in this instance.

CONCLUSIONS: This scheme is considered to be an appropriate way of preserving these Listed buildings special character and architectural qualities in accordance with ADP Policy C6 and DC5.

Members may wish to note that the application site lies within the extended airport boundary recently designated by the Government in the White Paper. However, this does not affect the proposals acceptability given current planning policy.

RECOMMENDATIONS:

1) UTT/0493/04/FUL - APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.2. Details of materials to be submitted and agreed.
6. C.20.2. Protection of bats.

2) UTT/0494/04/LB - APPROVAL WITH CONDITIONS

1. C.2.2 Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.16.No historic timbers to be cut.
4. C.5.8. Joinery details.
5. C.5.9. Stained wood.
6. Any repairs to timber frames shall be carried out using matching timber and cross sections.
REASON: In order to protect the character and appearance of this Listed building.
7. All roofs shall be of hand made clay plain tiles or clay pantiles samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.
REASON: In order to protect the character and appearance of this Listed building.
8. No walls or fences shall be erected within the yard between the new units.

REASON: In order that the visual interdependence of the existing buildings is retained.

9. All boundary treatment shall consist of post and rails and hedging.

REASON: In order to ensure a satisfactory standard of development in relation to these Listed buildings.

Background papers: see application file.

UTT/0039/04/DC - QUENDON & RICKLING

Erection of detached house.

Plot 1 Land at Woodside Rickling Green. GR/TL 511-300. Uttlesford District Council.

Case Officer: Mrs K Hollitt 01799 510495

Expiry Date: 14/06/2004

NOTATION: ADP: Within Development Limits/Area of Special Landscape Value/Conservation Area.

DLP: Within Settlement Boundary/Conservation Area.

DESCRIPTION OF SITE: This site is located on the western side of the road running up to Rickling Green. The site was formerly the side garden to 5 Woodside. The plot has a frontage of 13m and a depth of 26m, tapering down to 19m on the northeastern boundary. The site backs onto allotments.

DESCRIPTION OF PROPOSAL: This proposal relates to the erection of a two-bedroom cottage having a frontage of 9m and a depth of 6.5m. The property would have a red brick ground floor and front gable, rendered first floor and a slate roof. It is proposed to provide a parking area which would be capable of accommodating a minimum of two vehicles.

APPLICANT'S CASE: The Council no longer has any control over 5 Woodside and therefore will not be implementing UTT/1407/00/DC (the provision of parking spaces) in respect of this property.

RELEVANT HISTORY: Previous applications withdrawn. These related to proposals for new dwellings which would have had a dominant effect on the neighbouring properties and appeared out of character with the area and had a detrimental impact on the setting and character of the conservation area. Planning permission granted 2001 for the provision of off-road parking area.

CONSULTATIONS: Environment Agency: None received (due 7 May 2004).

Water Authority: None received (due 7 May 2004).

Design Advice: None received (due 12 May 2004).

PARISH COUNCIL COMMENTS: To be reported (due 21 May 2004).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period Expired 28 May 2004.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would

- 1) be appropriate within development limits and appropriate use of land (ERSP Policies CS2 and C5, ADP Policies S2 and DC1 and DLP Policies S3 and GEN2),
- 2) meet the design criteria for development within a conservation area (ERSP Policy HC2, ADP Policy DC2 and DLP Policy ENV1) and
- 3) have an adverse impact on the residential amenity of the adjoining properties (ADP Policy DC14 and DLP Policy GEN4).

1) The site is located within development limits and forms a small gap between existing frontage housing. The proposed infilling would be acceptable in principle and would not adversely affect the character of the area. The proposals meet the stated criteria in relation to parking provision. In addition, the unit would be a two-bedroom property, which would contribute towards the provision of smaller scale and more affordable housing within the

village. It is also considered that the use of the land for residential development would meet the criteria for best use of land as required by PPG3.

2) The property has been designed to be a low-key building, which should not have an adverse impact on the character of the area. The design of the property has been significantly improved from the previous schemes which were withdrawn. It is considered that the proposed property would be in keeping with the character of the area and should not be detrimental to the character and setting of the conservation area.

3) The siting of the proposed dwelling is considered acceptable. The dwelling would be located on the proposed new boundary to 5 Woodside, but some 3.5m from the side elevation, and 3m from the boundary and 5m from the side elevation of the property to the northeast. This distance from the property to the northeast is required to be maintained in order to accommodate the off-road parking provision for the property. It is considered unlikely that the position of this dwelling would have a materially adverse impact on the residential amenity of the adjoining properties. No overlooking or overshadowing issues are raised in respect of the proposals.

CONCLUSIONS: It is considered that the proposals are acceptable and comply with the relevant policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.5.7. Window details.
5. C.6.3. Excluding Permitted Development extensions and erection of freestanding buildings without further permission.
6. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
7. C.4.1. Scheme of landscaping to be submitted and agreed.
8. C.4.2. Implementation of landscaping.
9. C.11.7. Standard vehicle parking facilities.

Background papers: see application file.

UTT/0555/04/FUL - HIGH EASTER

Change of use of barn to dwelling with alterations.
Manns Farm High Easter Road. GR/TL 607 129. Mr & Mrs Ward.
Case Officer: Consultant South 2 telephone: 01799 510452/510471
Expiry Date: 24/05/2004

DESCRIPTION OF SITE: Application site comprises a redundant farm building. It is located on a well defined plot and is set back from the main road. The substantial curtilage to the building extends to the west where it adjoins existing dwellings. This curtilage would comprise the main garden of this dwelling.

DESCRIPTION OF PROPOSAL: Application proposes the conversion of existing redundant farm buildings to residential accommodation. The external alterations comprise the insertion of windows and doors on all four main elevations to this building. The built structure of this building comprises a main two-storey element and a smaller single-storey element.

APPLICANT'S CASE: None submitted.

CONSULTATIONS: Special design Advice: The barn is a well built timber framed structure of late 19th Century origins. Not listed but in my view positively contributes to the character of the countryside. In design terms the schedule is acceptable.

RELEVANT HISTORY: None.

REPRESENTATIONS: This application has been publicised and no representations were received.

PLANNING CONSIDERATIONS: **The main issues are principle of new residential use and impact on open countryside.**

The main issues are the principle of a new residential use at this site and the impact on the open countryside. There would be no serious loss of amenity to the neighbouring dwellings as a result of the new residential activity at this site, given the large and well-defined curtilage that this dwelling would have.

This is an attractive, but unlisted, barn that is in very sound structural condition. As a traditional barn it is very much in harmony with the countryside in which it sits. The introduction of a new residential use will inevitably lead to a change in the rural character of the area however well designed the detailed alterations are. Nonetheless, both Adopted and Emerging plans acknowledge that such conversions can be an appropriate re-use of redundant rural buildings provided a number of criteria are met. For the Adopted Plan, policy C6 requires that there is careful attention to the design of the resultant building and that no substantial rebuilding or extension should be proposed. In this case, the main alterations are internal, and the external alterations would ensure the overall scale and character of the building, especially its massing and scale, would not be seriously harmed. A condition to prevent further external alterations is proposed to ensure that this character is retained as far as possible.

The Emerging Plan introduces further tests; including demonstrating that there is no demand for business, retail, community or tourist accommodation. The applicants in this regard have put no evidence forward. However, given its remote location it is unlikely that there will be demand for business, retail or community uses. Whilst there may be some demand for tourist accommodation in the locality generally, this is a substantial building and the conversion costs are unlikely to be justified by the likely return from holiday lettings of the

substantial resultant dwelling. On balance therefore a residential use is considered acceptable.

The curtilage of the dwelling proposed reflects the existing site boundary and is reasonable for this location and size of dwelling. However the positions of fences and walls could have a significant impact on the character of the locality and therefore a condition to prevent such without a further permission is proposed. To ensure that there is no adverse impact on the openness of the site, a condition to restrict extensions and outbuilding is proposed.

There is more than enough room to park cars in the existing driveway which is suitably hard surfaced. Therefore no condition is proposed in this regard.

CONCLUSIONS: In conclusion, the proposals would be an acceptable use of the building and the detailed alterations are of a satisfactory design with no significant impact on the countryside. There are no other issues affecting this conclusion.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with revised and approved plans.
3. C.6.2. Removal of certain PD rights
4. C.5.1. Samples of materials to be submitted and agreed.
5. All roofing materials shall be natural slate, samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Subsequently, the development shall be carried out using the approved materials.

REASON: To ensure that appropriate materials are used on the buildings hereby approved for conversion.

6. C.5.9. Stained wood.
7. C.4.1. Scheme of landscaping to be submitted and agreed.
8. C.4.2. Implementation of landscaping.
9. C.4.7. Detailed landscaping survey to be submitted.
10. C.4.6. Retention and protection of trees and shrubs for the duration of development.
11. All existing trees, shrubs and hedges indicated in the conditions above shall be protected by suitable fences to a height of not less than 1.5 m for the duration of the construction period of the development hereby permitted at a distance equivalent to not less than the spread of the branches from the trunk. No materials shall be stored, no rubbish dumped, no fires lit, no buildings erected inside such fences, nor any changes in ground levels be made unless the local planning authority gives written consent.

REASON: In the interests of the appearance of the site and the surrounding area.

12. All new boundary treatments around the dwellings hereby approved shall be post and rail with a mixed native species hedge.

REASON: To ensure that the boundary is appropriate in relation to the character and appearance of the site.

Background papers: see application file.

UTT/0665/04/FUL - GREAT CHESTERFORD

Demolition of existing dwellings and erection of two replacement dwellings
Field Farm. GR/TL 514-453. John McLaren.
Case Officer: Mrs K Hollitt 01799 510495
Expiry Date: 16/06/2004

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

DESCRIPTION OF SITE: This application relates to a site located approximately 2 km from the Stump Cross junction of the M11. It is located at the northern end of the district, in close proximity to the boundary of the district with South Cambridgeshire. The site is accessed via an access road from the Stump Cross roundabouts which then leads to a single track lane, at the end of which is a large farmhouse and this pair of cottages and a few barns in a state of general disrepair. The site is a triangular shaped plot having a frontage of 17m and a width at the rear of the plot of some 38m. The plot is 67m in length. There are numerous trees within the plot and a band of coniferous trees to part of the southern boundary. The site is surrounded by agricultural land with the farmhouse and existing barns located to the west and south west of the site.

DESCRIPTION OF PROPOSAL: The proposal relates to the demolition of the existing semi-detached cottages and the erection of two detached dwellings with attached single garages. The existing cottages are of render construction with a pantile roof. They have a frontage of 11m and a depth of 7m, with a range of single storey extensions and outbuildings to the rear, extending to a length of 13m. It is proposed to sub-divide the existing plot in two, with one plot having a depth of 33m and a width of 28m at its widest point (12m at the narrowest). The second plot would have a width of 28m (increasing to 39m at its widest point) and a depth of 35m. It is proposed to construct two identical detached properties which would have a frontage of 14.5m and a depth of 7.5m and would have three bedrooms and in addition to the single garage would have space for the parking of two vehicles. The properties would be constructed of napped flint with brick quoins and plinth and a clay pantile roof. The farmhouse, the only property within the immediate vicinity is of flint and brick construction with a slate roof, with various extensions of render construction.

APPLICANT'S CASE: Design of existing dwellings is unexceptional in nature. The proposed dwellings are 50% larger than the existing dwellings which they replace and the design/external appearance of the buildings is much more in keeping with the local environment, providing high quality designs using traditional local materials which will sit comfortably in the landscape.

RELEVANT HISTORY: Previous application for two replacement dwellings refused February 2004. Refused on grounds of cramped form of development, out of keeping with the rural characteristics of the area. Design out of keeping with the local area and large-scale properties in remote location would be unsustainable.

CONSULTATIONS: Water Authority: None received. Expired 7 May 2004.
Environment Agency: None received. Expired 7 May 2004.
Building Control: Access for Fire Brigade is not wide enough.
Landscaping: To be reported. (due 7 May 2004).

PARISH COUNCIL COMMENTS: To be reported (due 21 May 2004).

REPRESENTATIONS: Two. Notification period expired 13 May 2004.

Concerns in regard to water supply as this is a private reservoir from the farm serving 1-3 field farm Drive, farm and 2 cottages. Have been difficulties in regard to water supply and further heavier use would reduce amount available to the 3 bungalows at the end of the line.

PLANNING CONSIDERATIONS: The main issues are whether the proposed dwellings

- 1) **would comply with the requirements of the replacement dwelling policy (ADP Policy H8 and DLP Policy H6) and**
- 2) **are of an appropriate design for this rural location (ADP Policies C2 and DC1, DLP Policy GEN2).**

1) The proposed new dwellings would cover approximately the same footprint as the existing dwellings, including the single storey elements to the rear. The total floorspace of the two new dwellings would represent approximately a 50% increase to the existing, equivalent to a first floor rear extension to the existing dwellings. The proposed garages would represent additional floorspace over and above the existing. Whilst it is accepted that the proposed dwellings may appear more visually dominant, this site is in a remote location and the development would not be clearly visible from any public vantage point. Therefore, it is considered that the new development would not have a detrimental impact on the rural characteristics of the locality. Both new dwellings would be constructed within the area currently used as garden area for the existing properties and it is proposed to retain the existing trees within the site. This would ensure the impact of the proposals would be minimised. There would be sufficient amenity space to serve each property. Therefore, it is considered that the proposals satisfy the requirements of ADP Policy H8 and DLP Policy H6. However, to ensure full compliance with DLP Policy H6 it is recommended that details of grey water recycling should be approved prior to construction of the new dwellings. This would assist in the reducing potential impact these dwellings may have on the local water supply and alleviate the concerns of the neighbour.

2) The existing properties are of render construction with a pantile roof and are typical of the farm cottages within the district. The proposed dwellings would be constructed with brick quoin detailing and flint walls, similar in character to Field Farm House, the only other property in close proximity to the application site. It is considered that the proposed design satisfies the criteria of ADP Policies C2 and DC1 and DLP Policy GEN2.

COMMENTS ON REPRESENTATIONS: It is noted that the representation has been submitted from the occupier of the existing property, but this does not prevent the owner from making a planning application for its replacement. The introduction of a grey water recycling scheme can help reduce the impacts on the local water supply.

CONCLUSIONS: It is considered that the replacement of the existing cottages with two detached dwellings would not be detrimental to the rural characteristics of the area and that the design is appropriate in this location.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.4.1. Scheme of landscaping to be submitted and agreed.
5. C.4.2. Implementation of landscaping.
6. C.4.4. Retention/replacement of trees.
7. C.4.6. Retention and protection of trees and shrubs for the duration of development.
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
9. C.6.7. Excluding conversion of garages.
10. C.8.27. Drainage Details.

11. C.23. Demolition of existing dwellings.
12. The development hereby permitted shall not commence until details of a grey water recycling scheme have been submitted to and approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved scheme.
REASON: The properties are located in an area where mains supply is not currently available and such a scheme will add to the sustainability of the proposal.

Background papers: see application file.
