

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 28 JUNE 2004

APPL NO: **UTT/0631/04/FUL**
PARISH: **WENDENS AMBO**
DEVELOPMENT: Erection of two storey front extension
APPLICANT: J Costen
LOCATION: Drayton Farm Cottage Royston Road
D.C. CTTE: 7 June 2004 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Refusal**
Case Officer: *Consultant North 2 01799 510469/510478*
Expiry Date: 3 June 2004

APPL NO: **1) UTT/0296/04/FUL & 2) UTT/0297/04/CA**
PARISH: **SAFFRON WALDEN**
DEVELOPMENT: Erection of pair of semi-detached dwellings
APPLICANT: Coalhouse Properties Ltd
LOCATION: 20 King Street
D.C. CTTE: 7 June 2004 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Approval**
Case Officer: *Mrs K Hollitt 01799 510495*
Expiry Date: 16 April 2004

APPL NO: **1) UTT/2240/03/FUL, 2) UTT/2241/03/LB & 3) UTT/2242/03/CA**
PARISH: **ELMDON**
DEVELOPMENT: 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
APPLICANT: Mr & Mrs N Pearson
LOCATION: Elmdon Bury Farm
D.C. CTTE: 7 June 2004 (see revised report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Approval**
Case Officer: *Mr G Lyon 01799 510458*
Expiry Date: 24 February 2004

APPL NO: **UTT/0614/04/FUL**
PARISH: **WIMBISH**
DEVELOPMENT: Erectoin of single-storey dwelling
APPLICANT: Mr A Walker
LOCATION: Land adjacent to St Helens Tye Green
D.C. CTTE: 7 June 2004 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Refusal**
Case Officer: *Mrs K Hollitt 01799 510495*
Expiry Date: 1 June 2004

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 3

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).

ON SUPPLEMENTARY LIST OF REPRESENTATIONS (7 June 2004): Environmental Services: Following a review of advice from the National Radiological Protection Board on sub stations and Electromagnetic fields I have no comments concerning the proximity of the sub station to the rear of 9-11 Church St Saffron Walden

ECC Highways & Transportation: Under the terms of the current deminimus agreement, this application is one where the highway aspects are left for determination by your authority.

Landscaping: One Sycamore tree is shown to be removed. The tree is not an outstanding specimen of amenity value and is not visible from King Street. Within the grounds of 18 King Street there are a group of Sycamore trees which in part overhang the application site. In order to accommodate the proposed development overhanging branches would need. These trees are not considered to be of significant amenity value.

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.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS (7 June 2004):

2 further letters have been received:

1. With the removal of the garages there is now no secure parking for bicycles.
2. Revised Plans: Earlier comments remain relevant. The proposition retains its original features: two houses crammed into a plot nearly half of which is devoted to the placing and manoeuvring of a theoretical six motor vehicles at any one time. The result is a northern aspect towered over by a high shed wall 4ft from house No. 2; the north east in close sight from the raised terrace of 13 Church Street; the fronts of the houses faced from the west by a high wall behind which is the even higher side of 4 Barnard's Court; and the east dominated by tall sycamores at the back at 18 King Street. House 1 is better positioned than House 2, but lacks more than a vestigial garden (and any privacy), while House 2 has as its immediate other neighbour an electricity sub-station (11,000 volts level)

Garages are particularly desirable in vulnerable localities of town centres. If only one house were put up the position would be altered: with its front facing south (and space for a decent garden on its north, distancing the building from the high wall at the boundary) a garage would naturally occupy a space on the west side of the plot. Application should be rejected.

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 authorities’ 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.

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

- 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.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS (7 June 2004): 4 further letters have been received copies attached at end this Supplementary List of Representations and a copy of the sales brochure is available at the Council Offices, London Road, Saffron Walden.

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 to is the residential amenity of adjoining neighbours. Officers are therefore of the opinion that the application should only be approved subject to conditions.

Additional Comments Following 07 June 2004 Committee:

Following the Committee meeting of 07 June 2004, the applicant has expressed a desire to make a minor amendment to the application in relation to access arrangements. Firstly, with regard to agricultural traffic, the applicant is proposing that all agricultural traffic uses the Royston Lane access only with no agriculturally related vehicles using either of the Ickleton Road tracks.

Secondly, the applicant is proposing that all residential traffic in connection with the application uses the new access road with a slight amendment to eliminate the 90-degree turn. This will also mean

Thirdly, the applicant is proposing that a gate be inserted on the existing track past Great Harvesters but before the link road and that the existing track becomes a private drive serving Great Harvesters only.

Officers are of the opinion that the proposed amendments would certainly be an improvement to the current proposed access arrangements, particularly with regard to agricultural traffic. The accesses would serve four dwellings in total and would be able to accommodate the traffic with ease, although the new access road may need to be widened to 5 metres to allow vehicles to pass.

Should members resolve to approve the scheme with the amendments above, changes will need to be made to the conditions and a new layout plan would be required. These could be dealt with at by the Executive Manager, Development Services, in conjunction following approval in principle.

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/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.

A copy of the Inspector’s report concerning the dismissed appeal on the site in 2003 is attached to the end of the report.

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.

UTT/0669/04/FUL – GREAT DUNMOW

Proposed construction of new Police Station.

Smiths Farm (Formerly) Plot 7, Chelmsford Road (B184). GR/TL 638-208. Essex Police Authority.

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 21 June 2004

13 Week Date: 26 July 2004

This application was subject to the new system of advanced reporting of major applications at committee on 17 May 2004 following a site visit that morning. The issues identified by Members at that meeting have been addressed in this report.

NOTATION: Within Development Limit /GD7 Great Dunmow Business Park.

DESCRIPTION OF SITE: The site is a rectangular piece of land at the south-eastern edge of Smiths Farm immediately adjacent to a car sales garage /petrol station and lorry yard. The land is currently undeveloped grassland and slopes down from west to east (towards the road) and is behind an established field hedgerow. To the north and west is the rest of the currently undeveloped land with an extant permission for a business park; to the east is the Oak Industrial estate, a modern commercial estate including a mix of B1 and B2 uses. To the south is Belle Trailers a lorry yard and further south is Hoblongs Industrial Estate.

DESCRIPTION OF PROPOSAL: The proposal is to erect a two-storey flat roofed building on a 0.6 hectare site to replace the existing Police Station in the centre of Dunmow (Stortford Road /Chequers Lane) and providing Specialist Officer accommodation, facilities for special operations, briefing, training and conferences, indoor dog handling facilities, garaging and workshop and storage for operational vehicles. The building has potential to be extended at the rear should it be required in the future.

APPLICANT'S CASE: See the letter dated 16 June 2004 attached at end of report.

RELEVANT HISTORY: Outline planning permission for the development of a Class B1 business park and creation of public open space with associated roads and landscaping and construction of new access granted in 1989 and renewed in 1993. Earthworks and planting to eastern boundary of amenity area was approved in 1990. Revised outline planning permission granted in 1998 for a business park (incorporating a mix of B1, B2, B8 uses) with associated roads, parking, planting, public open space and a new vehicular access. The permission was subject to a Section 106 Agreement requiring, inter alia, the provision and maintenance of the public open space and associated highways. In 2001, planning permission was granted to omit the 3-year time limit for the submission of reserved matters, allowing the reserved matters to be submitted up until 10/11/03. Planning permission resolved to be granted in 2001 for the construction of a roundabout to serve the business park, subject to an appropriate legal agreement. 2003 renewal of planning permission UTT/0056/96/OP - outline application for the development of business premises for use within class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access

CONSULTATIONS: Architect: The proposed new Police station is not a neutral building; it will stand out significantly both in relation to its location on the approach to Dunmow and in relation to the collection of undistinguished neighbouring buildings. Aside from some landscaping associated with the road frontage main entrance there is no other landscaping shown, this may be an operational issue, even so some landscaping would be desirable to improve the setting of the building generally.

The external appearance of the building itself relies on a composition of various non structural claddings which together help to break down the scale of the building and provide

a vocabulary related to the spaces enclosed, its durability will rely heavily on the design and details of fixings and trims.

The experience of the designers in detailing of this kind should be demonstrated with reference to previous examples if possible. Notwithstanding this, the building will add a sense of modernity appropriate to its function in delivering C21st policing to this sector of Essex.

TOWN COUNCIL COMMENTS: To be reported.

REPRESENTATIONS: To be reported.

PLANNING CONSIDERATIONS: A number of issues have been identified by Officers and Members and are detailed below together with comments:

1) Whether the use is acceptable for this allocated employment site in the local plan (ERSP Policy BIW4, UDP policy GD7, DDP Policy GD6)

ERSP Policy BIW4 relates to safeguarding identified employment land from development for other purposes. Given the scale of the activities proposed in this scheme it is considered that the Police station would make a significant contribution to employment on the site and therefore whilst not of the type envisaged in the policy it is considered that the development would be within the spirit of this policy. Policy GD7 (GD6 in emerging plan) identifies the whole Smiths Farm site as one that will primarily be developed for B1 use, in accordance with a Master Plan, which among other things will require substantial peripheral landscaping. A Police station incorporates a range of activities that taken together mean that it does not fall into any particular use class (i.e. it is *sui generis*). Notwithstanding that, it has elements including the administrative activities that could fall into class B1 and being located in the south east corner of the site it would not prejudice the development of the rest of the site for primarily B1 purposes.

Members are asked to bear in mind that it is material to the consideration of this case that a Police station has important public service aspects not taken into account by the policy that may be considered to weigh in favour of granting permission.

2) Whether the design of the building (which includes a combined heat and power system) is appropriate for this edge of town location (UDP policy DC1 DDP Policy GEN2); Quality of plans; appropriateness of building in its setting (linear form)

The design of the building is bold and contemporary. It does not draw on the styles of adjacent buildings although given the unremarkable nature of local buildings – especially the three local industrial estates, i.e. Chelmsford Road, Oak Industrial and Hoblongs - this is considered acceptable. One of the noticeable features of this building is its flat roofs. Local buildings are modern and tend to have shallow pitched roofs over wide span buildings. In themselves these are both untraditional and unremarkable. The application building would have to be fundamentally redesigned if this were to be required and may well result in a building that is both ungainly and shorn of character. It is welcomed that the building incorporates combined heat and power system – utilising heat created in power generation that would otherwise be wasted to warm the building.

One of the adjacent buildings at Hoblongs is a very long building and in comparison this rectangular footprint is not out of keeping. The building includes a number of curved forms which although shown are not obvious from the drawings. These features should be clearer from the PowerPoint presentation to be provided by the applicant.

3) Whether the proposal would have a detrimental impact on the surrounding road network (ERSP Policy T4 & T12, UDP Policy T1 DDP Policy GEN1) and

**whether a satisfactory highway access would be provided (ERSP Policy T4
UDP policy T1 DDP Policy GEN1)**

Advice has been sought from the highways authority on these issues and will be reported at the meeting.

4) Whether the car parking provision is appropriate and suitable facilities would be provided to those travelling to the site on a range of modes of transport, including those with disabilities (ERSP Policy T3, UDP policy T2 DDP Policy GEN1)

The adopted or proposed car parking standards do not make specific reference to Police station and consequently an assessment has to be made as to whether appropriate parking provision is proposed. The application plans show five parking spaces outside the protected compound and 123 within it. A Police station will attract both staff and operational vehicles and in the applicant's assessment are necessary for the activities proposed. Emerging car parking standards set a maximum ceiling of spaces wherever there are no local public car parks that could take account of a shortfall if a lesser number of spaces were to be provided. On balance therefore there are no objections to this level of parking provision.

Public access is ramped and one disabled parking space is provided close to the building entrance. Cycle parking facilities can be required by condition.

5) The access inc. pedestrian and cycle & for exit of emergency vehicles

An access statement has been provided with the application in liaison with Building Control. The proposal provides for ramped access to visitors, the County Council (Highways) has no objection relating to the use of the access for emergency purposes and cycle facilities can be required by condition.

6) Speed limit on Chelmsford Road

This is currently unrestricted from the national speed limit. Officers have spoken to the highways authority to ascertain if there are any planned changes to the current limit.

7) Environmental friendliness

As stated above (in point 2) the building is to use combined heat and power.

8) Sustainable construction

Information on this has been sought from the applicant and will be reported at the meeting.

9) Durability of materials

This has been raised with the applicant and will be reported at the meeting.

10) Possibility of a model for consideration at committee

The applicant is considering this but it appears that the costs of an accurate model would be expensive. The applicant proposes to provide a software based 'fly round' presentation to show at the meeting.

11) Effect on listed building

The listed building in question is the former **Page 23** Dunmow part that now lies on a partial island created by the Chelmsford Road and the A130 to the south of the Oak Industrial

Estate. This building is of very modest dimensions and already has its setting influenced by previous undistinguished development. The proposal would be over the road approximately 40 metres away. Consequently it is not considered that the historic qualities of that building would be materially harmed.

12) Whether there is still a need for a courthouse

Members will recall that it had been previously proposed to site a court adjacent to Woodlands Park but this also has been deemed not to be required. There is no identified need for a courthouse in this locality.

13) Landscaping

Little landscaping is proposed and in order to provide a visual presence for a landmark public building this is considered to be acceptable.

14) Presence of detention facilities

There are no proposals for detention facilities within the building.

15) Lighting

Intrinsic in the design is the use of glazed materials that will allow light to leave the building. For example the central section above the conference hall is clad with *Kalwall*, a translucent structural composite sandwich panel (formed by permanently bonding specially formulated fibreglass sheets to a grid core constructed of interlocked extruded aluminium I-beams) that lets light permeate through. There are comparatively few windows proposed on the building although the public front entrance and private south entrance have large areas of structural glazing. The adjacent car show rooms are not dissimilar in the latter respect.

Little other detail on lighting has been received, for example within the car park or other service lighting, and it is proposed to cover the matter by condition, i.e. one that requires submission of details before lighting is provided on site.

16) Maintenance of grass roof

The agent has confirmed that the grass will be maintained by Essex Police.

CONCLUSIONS: This building is of unusual and contemporary design. It has been designed as a landmark building that should aid its recognisability. There are no objections in principle.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit.
2. C.3.1. In accordance with approved drawings.
3. C.4.1. Submission of landscaping scheme.
4. C.4.2. Implementation of landscaping scheme.
5. C.17.1. Submission of revised plan – increase in number of publicly available parking spaces to 10 spaces.
6. Submission of details of lighting prior to provision of lighting.
7. Submission of drawing showing provision of cycle parking.

Background papers: see application file.

UTT/0040/04/FUL - SAFFRON WALDEN

Erection of 97 B1 "live/work" units and creation of new access (variation of UTT/1382/01/FUL).

Southgate House, Kilncourt & Hillview, Thaxted Road. GR/TL 549-374. Kiln Court Developments.

Case Officer: Mr G Lyon 01799 510458

Expiry Date: 19/03/2004

NOTATION: ADP: Within development limits of Saffron Walden (Policy S1 and S2) and within area safeguarded for Industrial Relocation (SW7) Part of site has existing residential usage.

DLP: Within development limits of Saffron Walden (S1 and H2), Safeguarding of Existing Employment Area (SW5) and part of Thaxted Road Employment Site (SW4).

DESCRIPTION OF SITE: The site is located on the north-eastern side of B184 Thaxted Road on the approach to Saffron Walden from Thaxted, diagonally opposite the Lord Butler Leisure Centre. The site measures approximately 1.58 hectares in size and comprises existing commercial uses in Southgate House, car sales and scrap yard as well as two residential dwellings and associated garden areas plus scrubland at the rear of the site. Access to the B184 is currently available via a parallel slip road serving the adjacent recycling centre. Southgate House is a two-storey office building set behind a formally laid out parking area with an archway to further parking at the rear. Behind Southgate House is a large single-storey commercial building and to the southeast of this, across an area of hardstanding, are a range of buildings/structures associated with car sales and a scrap yard. The site is effectively divided in two by a large limestone cliff, which contains the remnants of an old limekiln. There is a level difference of approximately 8 metres at the front of the site between the scrap yard and the residential dwellings of "Hillview" and "Highbank". The land rises up to the rear of the site and there is an existing access track, which leads to a derelict patch of scrubland. The site is surrounded to the north and east by agricultural fields, which form a buffer between the site and the edge of Saffron Walden. Along the southern boundary is an existing footpath, which appears to be well used and has part vehicular access before narrowing to pedestrian width only. Beyond the footpath is the civic amenity site and the recycling centre.

DESCRIPTION OF PROPOSAL: The applicant seeks full approval to erect 97 B1 "live/work" units on a site area of approximately 1.58 hectares with the creation of a new access. The application is a variation to UTT/1382/01/FUL, which was approved on 21 July 2003 but the application site area has been increased to include the residential properties of Highbank and Hillview. The proposed office development would provide 912 sqm of floor space compared to the existing use on the site, which has a total floor area of 1,653 sqm. The applicant indicates a loss of 721 sqm of industrial space, and 500 sqm of net selling area for retail trading. The office floor space would increase from 432 sqm to 912 sqm. This figure does not account for residential floorspace, the "live" element of the proposal, which accounts for approximately 8,200 sqm of floor space giving a total figure of approximately 9,300 sqm of development.

The development is split into 11 distinct blocks (A-L on the site plan) and the layout for blocks A-E is similar to the scheme approved in 2003. The extra land included in the application has led to a change to the upper section of the site to allow for vehicular access. The access and highway improvements, the subject of a Section 106 agreement in the previous scheme, are intended to be transferred forward to this application. Such works include a new ghost-island on the B184, pedestrian and cycleway and new road into the site along the northern perimeter.

The units are broken down as follows: Page 25

	Office unit with 1-bed	Office unit with 2-beds	Office unit with 3-beds	Total
Block A	14	4	0	14
Block B	14	4	0	14
Block C	6	0	0	6
Block D	10	4	0	12
Block E	5	0	0	5
Block F	0	9	0	9
Block G	0	6	0	4
Block H	0	6	0	8
Block J	1	2	2	5
Block K	2	2	0	4
Block L	0	6	0	12
Total	<u>52</u>	<u>43</u>	<u>2</u>	<u>97</u>

The units would be of modern design using contemporary materials and techniques in their construction and of differing heights in relation to the topography of the land.

A comparison between the development approved in 2003 and the current application will be considered in "Planning Considerations" below.

On the top part of the site there would be a small green space linking the application site to the adjacent public footpath, which runs along the eastern boundary. This green space would feature a pavilion style building containing five meeting rooms with administration block and w.c. This block, or individual rooms in the block, would be available for hire by people living and working within the development as well as for third party hire. Visually, this element is designed to contrast with the surrounding development, being as simple as possible.

The internal layout is indicative only and is only designed to give an impression of possible internal layouts for each type of units. End-users can determine their own layouts and the buildings are designed to be flexible in respect of this.

APPLICANT'S CASE: The applicant has not provided a specific supporting statement other than the submitted plans.

RELEVANT HISTORY: Consent was granted on 21 July 2003 for the erection of 8 blocks for class B1 business "live/work" purposes and creation of new vehicular access.

CONSULTATIONS: Essex County Council Highways and Transportation: No comments received (to be verbally reported)

Essex County Council Schools Service: 15 dwellings on the site qualify for provision of education contribution. A section 106 agreement is required with a total developer contribution of **£28,294** for education provision, which is to be index linked.

Anglian Water: No comments received.

Environment Agency: No comments received.

Commission for Architecture and the Built Environment (CABE): The proposal strikes us as an unsuccessful amalgam of uses which is convincing neither as a residential development nor as an environment in which decent workspace is available.

UDC Policy: Concern about flexibility of the proposal and appears more akin to residential than business with no flexibility for businesses to grow. No amenity space on site. Seek a more work-orientated balance. Recommend Refusal.

UDC Environmental Services: No comments to principle. Usual contaminated land condition re assessment and remediation would be appropriate.

UDC Building Control: No adverse comments

TOWN COUNCIL COMMENTS: Strongly object to this application. It represents an infringement on the countryside; it is outside the town development limits; it would render itself easily convertible into blocks of flats; it is of too high density; it makes no provision for the pressures on the infrastructure such as contributions towards provision of schooling; it contains no social housing; it has four-storey buildings on the entrance to the town which would be unacceptable in height and of unattractive design; it is in an area prone to flooding and will force considerable additional traffic onto Thaxted Road entrance to the town which is already suffering from the effects of decisions on Bell College, Peaslands Road and Harris' Yard.

REPRESENTATIONS: This application has been advertised with both press and site notices and 31 neighbour notifications. Advertisement expired 04 March 2004. Three letters have been received.

1. Concern about where existing tenants will be relocated as stated by the applicant

2. Saffron Walden & District Friends of the Earth: The original application was to build 60 units 24 of which would be live/work units. This was a progressive move that could fill a local need for small businesses. Now that the adjacent Hillside site has become vacant it makes sense to extend the size of the development rather than attempt to sell the plot separately at it is not in a suitable place for a housing development. However, to propose as many as 97 live/work units, 30 of which are described as "town houses" is not a genuine combined live/work situation. It is providing living accommodation, possibly family as over half the units have 2 bedrooms, with a work facility at a density of 61 per hectare. There are no public amenity spaces. This is far too crowded for dwelling space, way above the recommendations of PPG3.

In addition it means that any business wishing to expand would have to rent or purchase a second house. A business park of this size should be far more flexible and the additional land ought to provide an opportunity for the provision of a few larger units with more parking spaces for vans/ commercial vehicles. It is most unlikely that this development could attract as many as 97 individuals wishing to work and live on the premises. It is more likely that those wishing to buy living accommodation would be tempted into purchasing a "town house" even though it involved living near actual workshops. In which case a significant residential area would be created at the edge of the town, without proper facilities for families.

3. Council for the Protection of Rural Essex (CPRE): We wish to object for the following reasons

1. **District Plan Policy H8** – The site currently contains only 2 modestly-sized dwellings. We consider that replacement on this scale with a much larger number of units is contrary to policy.

2. **District Plan Policy C2** – The site is surrounded by an Area of Special Landscape Value. We consider that the scale and style of built form proposed and the amount of car parking will have a harmful affect on the visual amenity in this semi-rural area detached from the main urban area of Saffron Walden.

3. **District Plan Policies W1 (Foul Drainage and W2 (Surface Water Disposal)** – We are concerned that a further increase in hard surface in this general area is likely to exacerbate existing flooding problems lower down the hill, for example at the Lord Butler Leisure Centre tennis courts which are already liable to flood.

4. **District Plan Policy SW7** – This policy seeks to relocate to Thaxted Road non-conforming uses from elsewhere in the town. This proposal will not achieve this – the proposed use is office/residential.

5. **Draft Local Plan Policy SW5** – This policy aims to “safeguard existing employment areas”. We would contrast this with the wording of, for example, draft policy SW4 where land is “proposed for employment use” and suggest that Policy SW5 should not be read as encouraging change of use **from** residential **to** employment but rather the prevention of the reverse.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) **B1 “live/work” use on this site is considered acceptable (PPG4, ERSP POLICY BIW3, BIW4, BIW5, BIW6, ADP Policy S1, SW7 and DLP Policy S1, SW5, E2),**
- 2) **the scale of the development and impact on surrounding land would be acceptable (ERSP Policies BIW4, ADP Policy DC1, DC14 and DLP Policy GEN2, GEN4, GEN5),**
- 3) **the concept of B1 “live/work” is acceptable (ERSP Policies BIW3, BIW4, BIW5, BIW6, ADP Policy S1, SW7 and DLP Policy S1, SW5, E2),**
- 4) **the highway access and parking arrangements are acceptable (ERSP Policies T8, T3 T12, ADP Policy T1, T2 and DLP Policy GEN1, GEN9,**
- 5) **the proposed application is comparable with the previous permission (UTT/1382/01/FUL) and**
- 6) **other issues.**

1) The site lies within development limits shown on the Saffron Walden Inset Maps, both in the adopted Local Plan and the Deposit Local Plan. However, there are policies relating to the employment uses on the site. Policy SW7 of the adopted local plan was designed to encourage the relocation of industrial and warehousing uses which adversely affect environmental and planning interests primarily in Saffron Walden onto the site. Unfortunately this policy has not been successful and no such uses have located on the part of the site relating to this application. This policy has not been continued through to the deposit local plan. Policy SW5 of the deposit local plan is concerned with the safeguarding of existing employment areas, of which the Thaxted Road site as a whole accounts for 2.10 hectares. Deposit Plan Policy E2 –Safeguarding Employment Land is also relevant to this site and the site will be safeguarded from redevelopment or change of use to other land-uses. In essence therefore, the site is safeguarded in the deposit local plan for employment purposes and any proposed redevelopment should be in accordance with this policy.

The Essex Replacement Structure Plan Policies BIW3, BIW4, BIW5 and BIW6 address the issue of commercial development and business location. In principle, the structure plan would support the use of the site for commercial purposes.

Officers therefore consider that, in principle, B1 “live/work” units would be considered an acceptable land use for the site in question, subject to suitable conditions. The principle of B1 “live/work” has already been established on this site and a comparison between the approved scheme and the proposed development is considered in part 5.

2) The adopted and deposit local plans do not prescribe exact numbers of units to be allowed on the site but, as it lies within the development limits, redevelopment for employment usage would be acceptable if it does not impinge on the historic town environment of Saffron Walden or the surrounding open countryside.

The current site has rather an untidy appearance when viewed from Thaxted Road with a proliferation of unrelated uses and parked vehicles. Some of the units in Southgate House appear to be un-let, which may be attributed to the winding up of existing leases following the 2003 consent, but may also point to a lack of market need for this type of commercial accommodation. Combined with the residential dwellings of Hillview and Highbank, the site at present does not contribute towards achieving an attractive entrance to Saffron Walden.

Overall, it is the opinion of officers that, although the intensification of use on the site will increase over and above existing, the current site is, for the majority, rather untidy and

detracts from the visual quality of this important entrance to Saffron Walden from Thaxted. The development will significantly improve the visual appearance of the area.

3) The concept of “live/work” has been around for a long time. Some earlier live/work concepts have focused on the “craftsman” element with a workshop arrangement coupled with living accommodation. This concept has now advanced. Today, technology would allow for an office to be accommodated within the home and linked to the world wide web, allowing an individual to carry out their business, be it in relation to a larger corporation or the development of a small business.

The benefits of working from home are enormous, not only for the individual, for the company as a whole and also for the environment. Home working allows an individual to avoid the need to travel to work each day, and in terms of environmental impact, would reduce pollution and congestion.

Officers consider that the modern live/work philosophy can have a huge benefit at all scales and levels, both environmentally and economically.

4) The site accesses onto the B184, which is the main access route from Saffron Walden to Great Dunmow via Thaxted. There is an existing parallel lay-by adjacent to the application site, which has two access points, one outside Southgate house and the other opposite the recycling centre. The application approved in 2003 (UTT/1382/01/FUL) addressed the issue of highway access onto the B184 and a section 106 agreement was signed, which secured highway improvements with the creation of a ghost-island right turn into the site and the removal of the lay-by and widening of the road. The works also included improved pedestrian and cycling facilities from the site to the round-about with Peaslands Road. The applicants wish to transfer the requirements of the original Section 106 Agreement over to this application.

The applicants have submitted a Traffic Impact Assessment to Essex County Council for their assessment. The comments from Essex County Council Highways will be verbally reported at the meeting.

In terms of parking provision on the site, there are 211 car parking spaces which, given the 97 units on site, represents 2.18 spaces per unit. As the site is a mixture of B1 office and residential accommodation, the office space (912sqm) will require 31 spaces, based on 1 space per 30 sqm of office. This leaves 178 spaces purely for residential use at a rate of 1.84 spaces per unit. In view of the live/work nature of the application and reduction in trip generation, the level of parking would appear to be adequate for this type of development, particularly given that 95 out of the 97 units are 1 and 2 bed.

One concern with regard to the submitted scheme is the lack of apparent accommodation for cycles and motorbikes, which formed part of the 2003 consent. This issue could be addressed by condition.

Officers are therefore of the opinion that the highway, access and parking arrangements are satisfactory subject to relevant conditions.

5) This application is, in part, a modification to the B1 “live/work” units approved on 21 July 2003 under UTT/1382/01/FUL. That application was for 8 commercial blocks with an indicative total of 60 units: 36 single or two-storey work units (with no residential element) and 24 single or two-storey live/work units, 20 of which would contain two bedrooms and 4 three bedrooms. The actual layout was flexible and the permitted use of the site would not have prevented all the units from having some degree of residential accommodation in conjunction with B1 office use.

The proposed development occupies a larger site and is for the erection of 97 units. The positioning of blocks A-E is similar to the approved scheme but, in view of the increase in

land, blocks F-L are located differently to accommodate additional roads etc. The external appearance of the proposed development is a significant improvement over the approved scheme. The quality of the architecture has therefore improved, and the comments of CABE have been taken into account by the developers in the submission of revisions to the proposal.

The proposal is similar to the approved scheme apart from the fact that the applicant has now indicated the proposed internal layout. This is not in itself a requirement when submitting planning applications and the applicant could have left the internal layout blank. The internal layouts are therefore indicative only and would change to suit the requirements of end users. In both cases, the internal layout is flexible, due to the way in which the buildings are to be constructed.

In terms of car parking layout, the original scheme had open parking, which could have led to the potential for views of parked cars from outside the site. The applicants have amended the scheme to include four areas of undercroft parking under buildings A, B, D and F. This provides some amenity space for units, who can use the covered area as an outdoor seating area but this is not amenity space in the true sense of the word and does not water down the business park character of the development. No other properties have amenity space provision.

6) Concern has been expressed, particularly by the Town Council, that there is no proven demand for this type of accommodation and, should the use fail, there is concern that it would be changed to residential. The issue of demand is a difficult one to prove or disprove, but the 2003 consent contained numerous conditions to try and prevent abuse of the planning system to seek residential development off the back of the B1 element. The use of conditions in the 2003 consent was the result of extensive negotiation and consideration of other similar schemes across the country and they are designed to encourage B1 use without threatening to make people homeless should their business venture fail. There is always an element of risk with any such condition, Circular 11/95, states that “conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted”.

Similar conditions to the 2003 consent would be considered reasonable in this instance.

The applicants have responded to a request by the Council to provide communal meeting rooms for hire by the occupiers of the units. This has been provided with the pavilion style building between blocks H and L allowing individuals the opportunity to have meetings away from their office/home environment when necessary or to use video-conferencing facilities etc. Five meeting rooms of different sizes would be provided.

A consequence of these changes has been the creation of a small “green lung” which has linked the site to the adjacent bridle path to increase the permeability of the site for both cyclists and pedestrians. The adjacent site is also the subject of potential development and the applicant is conversing with adjoining landowners to ensure compatibility between the two sites.

One area that has not been addressed by the applicant is the provision of some kind of small shop to cater for the business users/residents of the site. Given the size of the development and potential for further commercial development on the remainder of the Thaxted Road site, it would seem that there would be a need for such a facility within the development. Block C, which has a deliberately different appearance would be an ideal place for such a local facility and therefore reduce the need for residents to have to walk, cycle or drive to other facilities. The Fairview estate in Saffron Walden has several facilities and that estate is further from the town centre than the application site. This facility could be secured by condition, if considered necessary.

CONCLUSIONS: Officers are of the opinion that the proposed development would safeguard an existing employment use, as classified in the deposit local plan, and will provide an opportunity to improve the visual appearance of a strategic gateway into the town of Saffron Walden. The proposal meets with general policy criteria and is considered to be the type of development that will help reduce commuting by car in line with the principles of sustainable development.

Concern has been expressed by some consultees regarding the flexibility of the development. The applicant has reaffirmed that the internal layout is purely for indicative purposes only and would change to meet the needs of individual occupiers.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS AND SECTION 106 AGREEMENT SECURING INDEX LINKED EDUCATION PROVISION OF £28,294 AND TRANSFER OF PREVIOUS SECTION 106 AGREEMENT FROM UTT/1382/01/FUL RELATING TO HIGHWAY IMPROVEMENTS

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.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.6.8. Excluding Permitted Development extensions or alterations to industrial [warehouse] premises.
7. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
8. No business shall be carried out within the units hereby permitted and their associated curtilages other than by an occupant of the same unit.
REASON: To retain employment uses on the site.
9. No unit or combination of units in common ownership formed within the buildings hereby permitted shall be used or occupied other than:
(i) for a purpose or purposes falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 or;
(ii) as a mixed use within Classes B1 and C3 of the Town and Country Planning (Use Classes) Order 1987 for the person or persons carrying on or previously having carried on such use or/and any widow, widower or dependants of such person or persons or as a residence for the officers or employees of a company or association carrying on such use and/or widow, widower or dependant of such officer or employees.
REASON: To retain employment uses on the site.
10. C.9.3. No change from light industrial to storage.
11. No development shall take place until a scheme for the disposal of surface water and foul sewage has been submitted to and approved in writing by the local planning authority. Subsequently, the scheme shall be implemented as approved prior to first occupation of the site.
REASON: To prevent pollution.
12. No development shall take place until the ghosted island junction and other off-site highway works have been completed, details of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The works shall be carried out in accordance with the approved works.
REASON: In the interests of highway safety.
13. The carriageway of the proposed estate road and the footpath shown on drawing 2467-003 shall be laid out and constructed up to and including at least base course level prior to the erection of any of the buildings hereby permitted and shall thereafter be retained in good repair until the final surface is laid. The final surface of the carriageway of the proposed estate road and the footpath shall be laid within one year of the completion of the development hereby permitted.
REASON: In the interests of highway safety.

14. The car parking spaces shown on drawings 2467-052 and the undercroft parking to Building A, B, D and F shall be hardened, laid out and made available for use prior to the first occupation of the building to which they relate. Subsequently, all these spaces shall be retained for parking purposes.
REASON: In the interests of highway safety.
15. Prior to development commencing, details of the measures to be taken to provide disabled access and facilities for people with disabilities, including parking for each of the units shall be submitted to and agreed in writing with the local planning authority. The agreed measures shall be fully implemented prior to the units first being brought into use.
REASON: To secure adequate access facilities for the disabled
16. Prior to any of the units being first occupied, details of the on-site lighting including security lighting shall be submitted to and agreed in writing with the local planning authority. The lighting shall be implemented solely in accordance with the agreed details.
REASON: To safeguard the visual amenities of the area.
17. Prior to development commencing, details of bicycle and motorcycle spaces shall be submitted to and agreed in writing with the local planning authority. The agreed measures shall be fully implemented prior to the units first being brought into use and the spaces shall be retained and maintained in perpetuity for the purposes of parking bicycles and motorcycles.
REASON: To secure adequate cycle and motorcycle parking provision.
18. No development shall commence until details of the location of a Class A1 retail unit within the proposed development has been agreed in writing by the local planning authority. Such unit shall be constructed in accordance with the approved details.
REASON: To ensure that the site has adequate facilities in the interest of residential amenity.
19. A phasing plan of the proposed development shall be submitted to and agreed in writing by the local planning authority prior to the commencement of development. Each phase of development shall be constructed in accordance with the phasing plan, unless otherwise agreed in writing by the local planning authority.
REASON: To enable the successful development of this large site without detriment to surrounding neighbours.
20. The meeting rooms as indicated on drawing Nos 2467-052 and 2467-PV1 shall be constructed and made available for use in accordance with the phasing plan to be agreed in line with condition 19 above. The meeting rooms shall be maintained and retained in perpetuity for their intended purpose in line with a submitted management and maintenance plan, which shall be agreed in writing with the local planning authority prior to the commencement of development.
REASON: To ensure that the meeting rooms remain available for use by the occupiers of the development and to give emphasis to the employment-based nature of the development.

Background papers: see application file.

UTT/0127/04/DFO - GREAT DUNMOW

Reserved matters application for erection of 33 flats and associated parking (Outline application UTT/1707/01/OP approved 14 June 2002)

Former Highway Depot, Haslers Lane. GR/TL 628-215. Bellway Homes Ltd.

Case Officer: Mr R Aston 01799 510464

Expiry Date: 23/03/2004

NOTATION: ADP & DLP: Within Development Limits & Settlement Boundary, Town Centre Opportunity Site/Allocated for residential development in deposit Local Plan/adjoins Conservation Area.

DESCRIPTION OF SITE: This site of about 0.34ha (0.85 acres) lies to the south of the town centre to the west of Chelmsford Road. It was formerly used as the County Council's highways depot, but is now unused. The site contains a variety of utilitarian buildings in various materials erected in connection with the former depot functions. The northern boundary of the site is formed by a public footpath, which runs from Hasler's Lane to New Street. Along the southern boundary of the site, the land drops down by some 2m to Hasler's Lane. Adjacent sites are in residential use except for offices and the County Council's Old Manse building north of the footpath.

DESCRIPTION OF PROPOSAL: The proposal seeks reserved matters approval for the erection of 33 flats and associated car parking pursuant to UTT/1707/01/OP, which granted outline planning permission for residential development on 14 June 2002. The outline permission seeks affordable housing provision of at least 25% if more than 24 dwellings are applied for at reserved matters stage.

APPLICANT'S CASE: See attached copy of supporting statement for revised scheme. The application has been revised to incorporate the comments of both, the local planning authority and Essex County Council's Urban Design, Improvement and Action Group.

RELEVANT HISTORY: Outline permission for residential development, granted June 2002.

CONSULTATIONS: ECC Highways: The highway authority has no objections subject to conditions relating to access and surface materials.

ECC Archaeological: Records show that the proposed development lies on the site of a Roman Cemetery that has largely been excavated and over 100 burials have been excavated to date. A small area that is thought to be disturbed remains, on which a watching brief is recommended.

TOWN COUNCIL COMMENTS: Members of the Town Council objected to the original scheme because it was viewed as lacking adequate parking provision, overdevelopment, the ridge height excessive and should be reduced to no more than 2½ storeys and lifts should be provided for less able residents and residents with young children. However Members have viewed the revised scheme and suggest that this is a great improvement on the previous scheme.

REPRESENTATIONS: Five (2 original and 3 revised scheme). Revised Notification period expired 27 May 2004

Revised scheme two letters received:

General Summary of Revised Representations: Whilst we welcome the increase in parking allowance there are still outstanding parking issues. It is probable that the occupants of the flats would park on New Street as there is an access way. PPG 3 is not applicable as Dunmow is surrounded by a rural area and planners discretion should be used. It would not

seem appropriate to state that owners of affordable homes cannot afford to run cars. Ultimately current car parking provision should be increased much further, failure to do so will only increase congestion in the surrounding streets to the detriment of existing residents.

PLANNING CONSIDERATIONS: The main issues are

- 1) **whether this site is suitable in principle for residential development (ERSP Policies BE1, and W2; ADP Policy GD5; DLP Policy GD4)**
- 2) **whether the proposal's design, scale and layout would be in keeping with the character and appearance of the area and the adjoining Conservation Area (ADP Policy DC1, DC2 and DLP Policies GEN2 and GEN4)**
- 3) **whether the proposal would be appropriate in terms of parking provision, traffic generation, access, impact on the residential amenity of adjoining occupiers and quality of amenity space (ADP Policies T1, T2, DC1, DC14 and DLP Policies GEN1, GEN4, GEN9 & GEN2).**

1) The principle of residential development of the site has been established by the outline planning permission granted in June 2002. The initial design brief issued by the Council in November 2002 stipulated that the Council would wish to see the following criteria adopted in the preparation of a detailed application:

- Two – three storey development fronting Haslers Lane
- A mix of unit sizes including one and two bed flats
- A density of about 60 dwellings per hectare
- Affordable units between 25 and 40% (if 25 units or more)
- Parking spaces between 100 and 150%
- Communal amenity spaces at 25m² per unit for flats
- A dedicated footpath/cycleway along the northern boundary
- Good quality design, materials and landscaping

The original scheme sought reserved matters approval for the erection of 33 flats including 8 affordable units in two blocks up to 3 ½ storeys in height with 100% car parking provision (i.e. 33 spaces). The design of the flats included pyramidal roofs with a ridge point of 13m, with the height of the central elements 11m and the development was separated into two blocks with a large central gap of 31m creating little enclosure to the street. The scheme has been revised following negotiations with officers and all but one of the pyramidal roofs have been deleted with the remaining one being reduced in height to 11.4m, with the central elements reduced accordingly to 9.6m. In addition, the central gap has been reduced to 14m creating more enclosure to the street. The overall parking provision has been increased from an average of 1 to 1.48 per unit with the use of tandem spaces giving 16 of the flats 2 spaces each and 17 of the flats 1 space each a total of 49 spaces. Furthermore, alterations have been made to the layout to allow for pergolas, cycle stores and a more appropriate elevational treatment fronting the New Street Conservation Area.

2) The surrounding residential apartment blocks are of little architectural merit and do not create satisfactory street scenes or responsive environments for users. The design of the proposal has been negotiated and whilst the original scheme was poor in terms of its design, form and its relationship to its surroundings, the revisions to the scheme which include the removal of all but one of the pyramidal roofs, the reduction in the overall height of the development and the closure of the large gap in the centre of the site now create a scheme which encloses the street, relates well to the character and appearance of its surroundings and is considered acceptable with regards to its design, scale, form and layout. The pan-tile roof however is unacceptable as this is not a common treatment for a large apartment block as it would create a dominant roof form which would be visually inappropriate. Subject to a condition requiring a design amendment for the roof treatment and samples being submitted it is considered that there is no material reason to refuse the application on urban design grounds. Although the application site lies outside the Great Dunmow Conservation Area, most of its western boundary and part of the northern boundary abuts the edge of the

Conservation Area in New Street. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states that a planning authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Part of the development closest to the Conservation Area has been redesigned and now incorporates part render, part weatherboard finish with slate roof tiles which respects both the scale and appearance of buildings within New Street. Accordingly the development would preserve the character and appearance of the Conservation Area and in this respect is also considered appropriate.

3) With regards to parking provision the original proposal detailed the provision of 33 car parking spaces at a ratio of 1:1. This was inappropriate because although in line with National Planning Guidance it is considered that Great Dunmow does not have sufficient good public transport links to warrant such a low level of provision. The revised scheme now details a parking provision of 148.5% (49 spaces) with 16 of the two bedroom flats having 2 dedicated tandem spaces, 16 of the remaining 2 bed flats having 1 space and the 1 bed flat having 1 space with spaces being assigned to leases. Members should note that this is in line with parking provision on other residential developments within the town including the Eastern Sector, and the adjacent development at Hasler House.

Furthermore, although the proposal may result in some on street parking from visitors to the site, given the nature and size of the scheme this would not result in an material increase in on street parking which would be detrimental to highway safety or sufficiently material to warrant refusal on these grounds. Turning to the traffic generated by the proposal, it is likely that the majority of traffic movements will be during the morning and evening peak hours which would not give rise to any material impacts on the local road network or highway safety. Turning to the impact of the proposal on the residential amenity of adjoining occupiers and the quality of amenity space for future occupiers, the scheme would be entirely in keeping with the relationships of existing apartment blocks and would maintain a distance of 22m between its eastern elevation and Granary Court and a distance of 17m between its northern elevation and Fitzwalter Place. This distance is considered sufficient to prevent material overlooking and loss of privacy into adjoining properties. The amount of amenity space created as a result of the proposal is slightly below the 25m² per unit but this is due to the increased density on the site. It has been made clear during negotiations that if the number of units were to be reduced the developer revises the scheme to under 25 units and therefore no affordable housing would be required. It is considered that on balance the need for the affordable housing and the fact that the space provision are comparable to other town centre residential sites and in close proximity to other areas of public space and the open countryside, the Council should accept such a reduction. The amount of space proposed still provides adequate usable space whilst also giving an adequate visual setting for the development. Access to the site has been submitted under a separate planning application and a number of different options for the access have been put forward and are currently being considered by the local planning authority and Essex County Council Highways. For members information it is anticipated that satisfactory access to the site from Haslers Lane can be achieved. It is necessary however to impose a condition that the no development shall take place until the access is laid out to the satisfaction of both the local planning authority and ECC Highways.

In line with the outline planning permission, a Section 106 Agreement is proposed to secure affordable housing in the site of at least 25%.

COMMENTS ON REPRESENTATIONS: See above.

CONCLUSIONS: The scheme has been revised to take into account negotiations and is considered to be acceptable with regard to its layout, form, design, impact on the residential amenity of adjoining occupiers and although parking provision is on average 1.48 spaces per dwelling this is considered to be appropriate in the context of the sites location and national and local planning policy objectives. Subject to conditions it is recommended that planning permission be granted.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND SECTION 106 AGREEMENT TO SECURE AT LEAST 25% AFFORDABLE HOUSING

1. C.2.1. Time Limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.4.8. Landscape management and maintenance plan.
6. Prior to the commencement of the development hereby granted, details of the refuse bin storage areas shown on the site layout plan shall be submitted to and approved by the Local Planning Authority.
REASON: To ensure the storage areas are vermin proof in the interests of amenity.
7. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 8:00am and 18:00 on Mondays to Fridays and 9:00am and 17:00 on Saturdays.
REASON: To safeguard the amenities of the occupiers of neighbouring properties.
8. Prior to the commencement of development, details of the foul and surface water drainage for the site shall be submitted to and approved by the Local Planning Authority in writing. The drainage works shall be constructed in accordance with the approved plans and shall remain so in perpetuity.
REASON: To ensure a satisfactory standard of development.
9. Before the buildings hereby permitted are first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the local planning authority and retained permanently thereafter for the accommodation of residents and shall not be used for any other purpose.
REASON: To ensure a satisfactory standard of development in the interests of highway safety.
10. C.5.1. Samples of materials to be submitted and agreed.
11. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
12. No development shall take place until the shared cycleway/footway is constructed and laid out in accordance with a scheme to be submitted and agreed in writing by the local planning authority.
REASON: In the interests of highway efficiency.
13. No unbound material shall be used on the proposed access within 20 metres of the highway boundary, details of the proposed surface dressing shall be submitted to and agreed in writing by the local planning authority, prior to the commencement of the development.
REASON: To prevent the tracking out of materials onto the highway in the interests of highway safety.
14. No development shall take place until the access to the site pursuant to planning application ref UTT/2010/03/FUL from Haslers Lane has been approved and implemented to the satisfaction of the local planning authority.
REASON: In the interests of highway safety and efficiency.
15. C.16.1. Watching archaeological brief.
16. C.17.1. Revised plan required. Alterations to roof including revised roofing materials.

Background papers: see application file.

1) UTT/0302/04/FUL & 2) UTT/0303/04/LB - STANSTED

Part demolition, restoration/rebuilding/extension of Priory to form offices. Construction of separate office buildings. Restoration of walled garden, garden house, and grounds. Construction of vehicular access and car parking areas.

Thremhall Priory Dunmow Road & Bury Lodge Road (B1256). GR/TL 531-214. Mantle (Thremhall) Limited.

Case Officer: Ms H Lock 01799 510486

Expiry Date: 20/04/2004

NOTATION: Grade II listed buildings; Outside Development Limits (Settlement Boundary); Within Countryside Protection Zone (CPZ) and 57 Leq contour re. noise from aircraft using Stansted Airport; Site registered as being of archaeological interest and subject to a Tree Preservation Order; Policy AIR 11 of the ADP relates, but not carried forward into the DLP because of the extant planning permission and listed building consent.

DESCRIPTION OF SITE: Thremhall Priory is located midway between the M11 and Takeley in extensive wooded grounds on the north side of the B1256 (formerly the A120), west of Bury Lodge Lane and south of the main airport access road (Thremhall Avenue, now part of the new A120). The Priory is an eighteenth century house with considerable later additions at the rear. It is in a derelict condition with some remedial work having been undertaken to prevent collapse.

Access to the site is from the A120 adjacent to the listed stables and Lodge. The site occupies an important location and forms an integral part of the CPZ, which is the open area beyond the airport's boundary.

DESCRIPTION OF PROPOSAL: In applying for the renewal of the previous permission for office development on this site, the applicant made clear the delay in implementing the scheme was due to the market demand for smaller units, and the difficulty in finding a single occupier for office floor space of 2,470m². This was primarily to be provided in the restoration of the eighteenth century part of the building, and a part 3-/part 2-storey extension approximately 44.5m deep x 22m in width, the 2-storey part being narrower in width by 4m.

This proposal seeks an alternative design and format, and also breaks the accommodation into four separate blocks:

- Block A – incorporating the eighteenth century part to be restored, and two x 2-storey wings to the rear. The building would provide 7 offices on the ground floor (between 50m² - 130m²), the same on the first floor and 4 on the second floor (approximately 50m² each). The wings would be approximately 21.5m deep and 9m wide. There would be a lift serving all floors. The site would back onto the restored walled garden.
- Block B – this would be a detached block with one office each at ground and first floors (96m² each).
- Block C – an 'L' shaped detached building on the opposite side of a courtyard created with Block B. Both two floors would have 3 offices (68m² - 117m²).
- Block D – A detached block with 1 office on each of two floors (169m² each).

Although this equates to 28 office spaces, the agent advises that it is proposed that there would be 11 separate business units, as most would take several spaces. There would be 108 parking spaces proposed, the same as the previous scheme. Whereas the previous showed this in two blocks of 84 & 24 spaces, this proposal would have blocks of 24 and 68 similarly located, but there would also be two areas of 8 visitor spaces each closer to the buildings.

Materials for all would be redbrick and stone indent repairs match the existing retained facades, with paler redbrick to distinguish the new buildings. There would also be some painted render panels and bays. Roofs would be plain tiles.

The previous extension ranged in height from a 3-storey section of 12.3m and 9.3m for the 2-storey part. This proposal would range in height from 7.3m to 12.2m, with much greater variation in between.

New vehicular access would be from Bury Lodge Lane. The walled garden, garden house and grounds would be restored, the nature and phasing of these works being as per the previous Section 106 Agreement.

APPLICANT'S CASE: new application responds to difficulty in securing a single occupier for proposed office development. Members resolved to renew 1998 permission subject to a variation to, or completion of new, section 106 agreement. Market conditions and preference for smaller self-contained office and employment space has caused delay in implementation of extant permission. Revised proposals respond to changes in market preference whilst taking full account of well-established development principles for site which have been agreed with District Council. Although emerging Plan no longer contains specific policy for Thremhall Priory, applicant places reliance on 1995 adopted Plan, Policy AIR II, extant permission and Council's recent resolution to renew those extant consents. See agent's additional letter dated 4 June attached at end of report.

RELEVANT HISTORY: Outline planning permission for a hotel was granted by Essex County Council in 1971, the details being approved in 1974. A further outline planning permission for a new hotel and squash club and for change of use of Priory Farm from residential to offices was granted in 1978. Both these permissions have expired.

Outline planning permission for the erection of new buildings (total 9500 sq.m floorspace) for office use, with car parking and a new access was refused in 1991 for reasons of restraint policy, adverse effect on the CPZ, setting of the listed building and traffic dangers. An appeal was dismissed in 1993.

Planning permission and listed building consent for the use of the Priory as offices incorporating restoration, rebuilding, erection of a single storey linked extension within the walled garden, car parking and a new access were granted in 1993 and renewed in 1998.

Planning permission and listed building consent for restoration, part demolition and a three storey extension to the Priory to form offices (total floorspace 2700 sq.m), restoration of grounds, walled garden and garden house, formation of car parking areas and a new access along Bury Lodge Lane were refused in 1996 on grounds of inappropriate design and effect on CPZ. Appeals were dismissed in 1997. Planning permission and listed building consent were subsequently granted for revised proposals in 1999, subject to a Section 106 Agreement regarding the phasing of the restoration works. Planning permission was granted in 1999 for a variation of previously imposed conditions to allow the construction of the new access in a revised location further to the south along Bury Lodge Lane, incorporating consequential amendments to the car-parking layout. The reason for requiring the revised location was the stopping up of Bury Lodge Lane further to the north by way of a padlocked gate by an adjacent landowner to prevent trespass by travellers.

Applications to renew the 1999 permissions were approved subject to a section 106 agreement in February this year.

CONSULTATIONS: ECC Transportation: No objection subject to conditions.
ECC Archaeology: Recommend condition requiring detailed monitoring and excavation.
Ancient Monuments Society: Judged in purely visual terms the present scheme is more acceptable than its immediate predecessor. The latter ran the risk of appearing more conventionally "Neo Georgian" precisely because it adopted a more four-square form than

the current proposal. This proposal is happier in context by being more informally composed. What is left of the listed building is more easily “read”. However, the considerations in this case should not just be visual. It only makes sense in conservation terms if there is maximum retention of existing fabric and the chance is taken to explore the site archaeologically and as comprehensively as possible. Subterranean remains of interest should be preserved in situ if at all possible, recorded fully, whilst the archaeological constraints should dictate the foundations and positioning of the new build. Concerned at reference on plan to “restoration/rebuild”, and assurances should be sought now that what will result will be elevations with authentic 18th century flavour rather than any more arid and less convincing neo Georgian. Accept the imperative to begin work before what is left of the listed building truly falls beyond repair.

Council for British Archaeology: to be reported

SPAB: In principle the society does not support the wholesale rebuilding of historic structures. The oldest wing of the house is roofless and floors, ceilings and partitions have largely collapsed. Unclear how much of the original fabric of the 18th century block will be retained. Unclear how much of the main elevation of the house will be repaired in situ, and how much rebuilt. A structural survey and schedule of works should accompany the application, but appreciate that if any part is to be saved repairs need to commence quickly. Request more detailed proposals on repair, as merit of complete rebuilding is questionable. Request revised 106 include a requirement for the preservation and preferably investigation of archaeological subterranean remains. Repairs to the south of the main house should be done as a matter of urgency.

English Heritage: no observations and happy to defer judgement to District Council, subject to below ground archaeology and a mitigation strategy to be agreed with the County Archaeologist.

The Georgian Group: welcome restoration of the Georgian building, but concerned at the annotations “restored/rebuilt”. The plans show that then later Victorian service wings are to be demolished and were the eighteenth century front range also to be demolished and rebuilt then it would be practically a new building and would not justify any enabling development. As much fabric as possible from the 18th century house must be kept in situ, and are concerned that the two internal walls are to be demolished when both chimney stacks remain. Ask that the existing floor plan be kept and incorporated into the new walls. If UDC accepts justification for demolition, ask that the building is fully recorded and the results lodged at the National Monuments record, as the fabric proposed to be removed could be historically or architecturally important.

Request archaeological watching brief be set up during works so that anything of historic interest can be recorded.

The previously required condition report and programme of works should continue to apply. Request that all repair work is conditioned to ensure no unnecessary removal of historic fabric occurs and a sympathetic philosophy of repair can be established.

Concerned that significant amount of new build is proposed as only the front 3-cell part of the house is to be restored, and ask UDC to be fully convinced of justification for this. Concerned at loss of landscape to roads and car park. Request use of bound gravel rather than tarmac.

The Victorian Society: to be reported

English Nature: If minded to grant permission, request condition to prevent or reduce the risk of any accidental impact upon Hatfield Forest SSSI & National Nature Reserve during construction. Site could include suitable habitat for protected species such as bats, and request ecological survey prior to determination.

Essex Wildlife Trust: to be reported

UDC Design Advice: to be reported

UDC Landscape Advice: to be reported

BAA: could conflict with safeguarding criteria unless conditions are imposed relating to the construction methodology, lighting and landscaping. Concerned about the amendments to ponds in terms of attracting birds, due to the proximity to the southern end of the runway.

Stansted Airport Ltd: to be reported

PARISH COUNCIL COMMENTS: No comments

REPRESENTATIONS: These applications have been advertised and no representations have been received.

PLANNING CONSIDERATIONS: Subject to the signing of a Section 106 legal agreement, there is an extant permission for substantial office development on this site. The main issues are whether the increased accommodation and alternative design and layout would be acceptable in terms of (1) the impact on the setting of the listed building (ERSP Policies HC3 & HC4, ADP Policies DC5, DC6 & DC10, and DLP Policy ENV2), and (2) traffic on the B1256 (ERSP Policies T3 & T12, ADP Policy T1 & DLP Policy GEN1)

1) The general opinion of the specialist bodies consulted on the application is that the design and form of the proposal is more sympathetic than the previous scheme, provided the remnants of the Priory are restored rather than rebuilt. Reference to rebuilding on the drawings has been clarified in the agent's letter of 4 June (attached), and the proposals would be subject to the same requirements of restoration as the previous scheme.

The issues of archaeological and wildlife investigation have already been considered as part of the earlier scheme, and the same requirements would apply this time.

2) The previous scheme involved a single extension to the Priory, and its design indicated that it would be suitable only for a single user. There is however no demand for office space of that size, and this has caused delay in progressing the scheme, with implications for the building falling into further disrepair. This proposal would increase the floorspace from the approved 2,470m² to 3,122m², and breaking the form into four blocks. The agent's letter clarifies the difference in gross external floorspace between this and the previous scheme, and the net floor area of development should not exceed the levels already approved.

The Highways Authority has considered the differences between the two schemes, and is satisfied that the proposal would not increase traffic. As a result no objection is raised to the proposals from a highway perspective.

Since planning permission was granted in 1999, the section of the new A120 between the M11 and Dunmow West has opened. This should result in these proposals causing appreciably less conflict with east to west traffic at the signal controlled junction of Bury Lodge Lane and the (now) B1256 than would have been the case earlier.

COMMENTS ON REPRESENTATIONS: The agent has clarified the extent of the restoration work, which would involve no greater rebuilding than with the previously approved scheme. A programme of works would be submitted as part of the Section 106 agreement.

CONCLUSIONS: The changes between this and the approved scheme are not considered sufficient to warrant an alternative decision.

RECOMMENDATIONS:

1) **UTT/0302/04/FUL - APPROVAL WITH CONDITIONS AND SUBJECT TO THE PROVISIONS OF A SECTION 106 AGREEMENT REGARDING THE RESTORATION WORKS & THEIR PHASING**

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

3. No development shall be carried out until a landscaping scheme for the car parking and access areas has been submitted to and approved in writing by the local planning authority. The scheme shall include the planting of suitable trees and shrubs, and of hedges where appropriate, together with details of positions and species, and the exact location of all drainage runs, power supplies etc which could interfere with tree routes. The approved scheme shall be completely implemented during the first planting season following the completion of the development of the site or that part of the site to which the landscaping relates (whichever is the sooner), or in accordance with an agreed phasing scheme. Any trees, shrubs or hedges comprising the agreed scheme which die, become severely damaged or seriously diseased within 5 years of the date of planting shall be replaced with trees, shrubs and hedges of similar size and species to those originally planted.
4. A scheme for the restoration, landscaping and subsequent maintenance of the lawned and wooded area on the southern side of the Priory building and also for the restoration and subsequent maintenance of the moat shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced. The scheme shall indicate the existing trees, shrubs and hedges which are to be retained and shall provide for the planting of additional trees, shrubs and hedges where appropriate. The approved scheme shall be fully implemented during the first planting season following the completion of the development or in accordance with a phasing scheme approved by the local planning authority. The subsequent maintenance of these areas and the moat shall thereafter be carried out in accordance with the terms of the approved scheme.
5. No development shall take place until a floorscaping scheme, including details of the finish of the car parking and access areas have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented prior to the first use of the site as offices.
REASON FOR 3-5: To retain the pleasant rural character of the site and the area.
6. C.5.1. Samples of materials to be submitted and agreed.
7. Details of external ground and internal floor levels to be submitted and agreed.
8. Prior to the first use of the building as offices, it shall have been insulated against airborne noise in accordance with a scheme which shall previously have been submitted to and approved in writing by the local planning authority.
REASON: The site lies within the area seriously affected by noise from aircraft using Stansted Airport.
8. The new vehicular access onto Bury Lodge Lane shown on drawing L(PL)100 shall be constructed to at least road base level and made available for use prior to the commencement of any other construction works on the site. Thereafter the final surface dressing shall be applied prior to the first use of the site as offices.
9. Once the new access onto Bury Lodge Lane has been made available for use in accordance with the previous condition, the existing access shown on drawing L (PL)100 shall, except in an emergency, be used solely for vehicular and pedestrian access to the Gatehouse and the associated garage shown on the same drawing.
10. Prior to the first use of the new vehicular access onto Bury Lodge Lane, it shall be provided with a visibility band to the south east of 2m in depth measured back from the edge of the metalled section of the road, to the junction with the A120 (B1256). Within the area of the band, there shall be no obstruction above 600mm in height.
REASON FOR 9-11: In the interests of highway safety.
11. The car parking spaces shown on drawing L (PL) 100 shall be properly hardened and laid out and made available prior to the first use of the site as offices. Subsequently, all the approved spaces shall be available all the time that any part of the building is open to staff or persons visiting this building.
REASON: To enable vehicles calling at the site to park clear of the highway in the interests of highway safety.
12. Prior to the first use of the site as offices, provision of secure parking for powered two wheelers and secure and covered parking for bicycles shall be provided in accordance with the Essex Planning Officers Association Vehicle Parking Standards dated August 2001. Subsequently, all the provided parking shall be available all the time that any

part of the building is open to staff or persons visiting the building.

REASON: In the interests of accessibility.

13. Prior to the first use of the site as offices, a staff travel plan shall be submitted to and approved in writing by the local planning authority. Subsequently, the approved plan shall be made available to all employees on the site.

REASON: In the interests of sustainability.

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

REASON: To ensure that the proposed development does not prejudice the archaeological importance of the site.

15. Prior to the commencement of any development on site, a scheme of ecological management measures (including any phasing of implementation) for the protection during construction works of any reptiles, badgers, bats and birds found to be resident on the site shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details.

REASON: To ensure that the proposed development does not have an adverse effect on wildlife.

2) UTT/1983/03/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.5.1. Samples of materials to be submitted and agreed.

Background papers: see application file.

UTT/0217/04/FUL - GREAT DUNMOW

Erection of three 2 bedroom dwellings and six 2 bedroom flats.
Haulmans Yard New Street. GR/TL 627-217. Messrs Broyd & Thompson.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 19/04/2004

NOTATION: Within Development Limits S1 and Conservation Area DC2. Adjacent to Listed Buildings DC5.

DESCRIPTION OF SITE: The application site is located close to the centre of Great Dunmow to the south west of Great Dunmow Community Information Centre (and Council Offices) between New Street and Highfields. To the north of the site lie allotments; to the east are terraced dwellings fronting New Street; to the south, other terraced dwellings and the modern doctors surgery; and to the west is the residential estate of Highfields. The vehicular access to the site is from New Street and a public footpath runs along the northern boundary between New Street and Highfields. On the site are two vacant dwellings named 'Old House' and 'Fairview'; a barn type warehouse/storage building, a store/industrial unit and some lock-up garages.

DESCRIPTION OF PROPOSAL: The overall site area is approximately 1383 sqm (0.1ha). The proposal relates to the demolition of a postwar storage barn in the south west corner and erection of a terrace of three no. two bedroom two storey dwellings (Plots 1-3) to the south of the existing 'Old House'. The application also involves the retention of the converted warehouse (one bedroom dwelling), the 'Old House' and 'Fairview' as three separate dwelling houses, which formed part of the previous approval. Overall, the terrace would have a footprint of approximately 110 sqm. The width of the terrace would be 14 m and the depth would be 7.8 m. Each house would have a footprint of approximately 36 sqm, a ridge height of 8.5 m and an eaves height of 7.8 m.

To the north east of 'Fairview', a terrace of six no. two bedroom two storey detached flats (Plots 7-12) are proposed. These would have a collective footprint of 180 sqm and an individual footprint of 54 sqm. The ridge height would be 7.8 – 8 m and the eaves height 5 – 5.2 m due to the slope of the land.

The public footpath between New Street and Highfields would be retained and all vehicular access would be from New Street. Taking into account the three existing dwellings, seventeen parking spaces are proposed for the site in total, which equates to one parking space for each of the 12 dwellings (i.e. 1.4 spaces per dwelling) plus 5 visitor spaces.

APPLICANT'S CASE: The applicant refers to a need for smaller units in Great Dunmow and to high density residential development in accordance with PPG3 (see three supporting letters attached to end of report).

RELEVANT HISTORY: Erection of pair of semi detached cottages with garage block (amendment to previous approval under UTT/0366/96/FUL) refused in 1998 with associated appeal dismissed. Conversion of two storey timber frame building into dwelling and erection of two pairs of semi detached cottages, garage block and external works granted planning permission and Conservation Area consent in 2002.

CONSULTATIONS: ECC Highways: The Highway Authority would not wish to raise an objection to the application subject to the public right of way adjacent to the site not being obstructed or adversely affected in any way by the proposed works (In the interests of highway safety and accessibility).

Water Authority: None received. (due 11 March 2004).

Environment Agency: No objection.

ECC Archaeology: No archaeological recommendations as the area was evaluated under the previous application with no archaeological deposits found in the area.

UDC Environmental Services: Query where refuse collection would occur and if there is adequate turning for a 26 tonne vehicle. Refuse should not be placed more than 25 metres from the highway.

UDC Specialist Design Advice: The revised proposal is not unlike the previously approved scheme. I have no further design comments subject to the previous relevant conditions.

TOWN COUNCIL COMMENTS: Support the proposed design of the dwellings. Object to the proposals for the site as over development. Suggest that there should be seven dwellings in total with 1.5 parking spaces per dwelling (*i.e. 10.5 spaces*). Concern relating to vehicular access to New Street and the associated congestion.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 25 March 2004.

PLANNING CONSIDERATIONS: The main issues are

- 1) **Whether the proposal would maintain or enhance the character of the Conservation Area and the setting of adjacent Listed Buildings in accordance with ESRSP Policies HC2 and HC3, ADP Policies DC2 and DC5 and RDDP Policies ENV1 and ENV2,**
- 2) **Whether the proposal would provide sufficient parking and amenity space in accordance with ADP Policies DC1, T2 and DLP Policies GEN1 and GEN2 and**
- 3) **Whether the proposal would adversely affect the amenity of adjacent residents contrary to ADP Policy DC14 and DLP Policy GEN4.**

1) Conservation Area consent has previously been granted for the conversion of the two storey frame storage building into a dwelling, erection of two pairs of semi detached cottages, a garage block, external works restoration of two cottages, partial demolition and site clearance.

The existing buildings (storage barn and lockup garages) that are to be replaced are of no merit and, although inconspicuously located, the barn is out of character with the area. The new dwellings will be of a traditional vernacular style with narrow module windows, timber joinery, brick plinths, clay roof tiles and a smooth rendered finish.

It is considered that the proposal would improve the character and appearance of the area through the removal of unsightly structures and the erection of buildings that would enhance the character of the Conservation Area. Design advice states that the proposal is similar to the previous approved scheme in this respect.

2) This application proposes a total of 17 spaces be provided on site. Each dwelling would therefore have one allocated space plus five unallocated spaces. Furthermore, there is parking space available adjacent in High Fields where visitors to these properties formerly parked. This provision is considered adequate in an area of the town that is centrally located and where there are alternatives to the use of private car.

Garden areas proposed range from a small area east of the Warehouse to approximately 50 sqm for the new dwellings (Plots 1 to 3). A central communal garden area is also proposed, which provides a small amenity area for occupiers of the proposed flats. The proposed gardens are not dissimilar in size to other gardens of those fronting New Street.

3) The existing footpath along the northern edge of the site from New Street to Highfields would be retained. It is not proposed to provide vehicular access to the new

properties from Highfields and therefore disturbance from traffic from this direction will not be created. The dwellings have been designed to limit overshadowing and overlooking. Plots 1 to 3 have been moved further north (requirement of previous permission) from John Tasker House Medical Surgery to reduce overlooking. Obscure glazing the lower halves of the bedroom windows can also mitigate this.

COMMENTS ON REPRESENTATIONS: These generally raise no objections to the proposal. Comments relating to refuse areas and turning areas were not a requirement of the previous approval for residential development and therefore not considered applicable. In relation to over development of the site, it is considered that the applicant has provided a layout and design that sits comfortably in this Conservation Area and provides sufficient parking and amenity areas to accommodate such dwellings.

CONCLUSIONS: This application proposes an acceptable residential development of this largely former commercial site close to the town centre and provides a range of smaller units in accordance with central Government advice such that density is adequately maximised on previously developed land.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. All bricks shall be a soft clay brick laid Flemish bond.
REASON: To enhance the character of the Conservation Area.
5. All external joinery shall be of painted timber with side sliding sashes (not too hung).
REASON: To enhance the character of the Conservation Area.
6. The development hereby permitted shall not commence until details of all boundary screening (including garden boundaries) have been submitted to and approved in writing by the local planning authority. The boundaries shall be provided in accordance with the agreed details.
REASON: To protect the amenities of neighbours.
7. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
8. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
9. C.17.1. Revised plan required.
10. All the parking shown on drawing 3352/02 Rev. C shall be made available for the use of the occupants of the dwellings prior to their occupation and retained for parking by the occupants of the dwellings in perpetuity.
REASON: To ensure adequate on-site car parking facilities are available.
11. None of the new dwellings shown on the approved plan shall be occupied until the garden (and communal garden area) areas shown have been provided and fenced or walled details of which shall be approved in writing by the local planning authority.
REASON: To provide appropriate amenity areas for the dwellings on occupation.
12. The development hereby permitted shall not commence until the position of the boundary, and width of the public footpath has been established and agreed with the local planning authority and that the development shall be constructed to maintain the footpath clear of the impediment.
REASON: The footpath is well used and shall be retained in the interests of sustainability and convenience to footpath users.
13. First floor windows in the flank elevation of Plots 1 and 3 shall be high level windows with a cill height a minimum of 1.6m above the finished level of the floor in the rooms to which they relate.
REASON: To protect the amenity of adjacent dwellings.
14. Other than the windows shown on the approved drawings, no further windows shall be inserted into the elevations of the dwellings.
REASON: To protect the amenity of adjacent dwellings.

15. The communal garden area shown on the approved block plan shall be provided prior to the occupation of the new dwellings on the site and retained for use by the occupiers of those dwellings in perpetuity.
REASON: In order to provide a satisfactory standard of development.

Background papers: see application file.

UTT/0751/04/OP - GREAT CHESTERFORD

Change of use from nursery to residential. Erection of dwellings and garaging
Land at nursery London Road. GR/TL 506-424. Mr & Mrs Matalee.
Case Officer: Ms H Lock 01799 510486
Expiry Date: 30/06/2004

NOTATION: ADP: Within Development Limits & Area of Special Landscape Value; Part of Area allocated for Residential Land.

DLP (2001): Within Settlement Boundary; Allocated as Employment Land (GC Local Policy 2);

Revised DLP (2002): same as DLP, but Local Policy 2 Area modified to be allocated for Residential Development.

DESCRIPTION OF SITE: The approximately 0.1 hectare site is a parcel of unused land fronting London Road, and extending back alongside an access road to an industrial building behind. To the north west, on the other side of the access road, are a mix of glasshouses and nursery buildings (residential redevelopment of that site is subject of a separate application). The housing development of Ash Green is to the southeast of the site.

DESCRIPTION OF PROPOSAL: This is an outline proposal with all matters reserved for subsequent approval. The plan submitted is indicative only and shows a development of:

- Six semi-detached dwellings, with floorspace in the region of 100sqm per unit (the plan states 'house', the supporting statement refers to bungalows or chalet bungalows)
- One detached 'villa' with floorspace in the region of 120 sqm.

Given the constraints of the site shape, there would be no option but to develop it in a linear pattern as indicated. The plans do not appear to include provision for parking. The houses would have suggested garden areas between 45m² and 85 m². Distances to the boundary with properties in Ash Green would be between 4m and 9m.

APPLICANT'S CASE: See agent's letter dated 22 April attached at end of this report.

CONSULTATIONS: ECC Transportation: to be reported.

ECC Archaeology: recommend field evaluation condition.

UDC Policy: The site is allocated for residential development in the adopted Plan, employment land in the Deposit Plan & residential in the Revised Deposit Plan. Objections were received to proposed change to residential in the Revised Deposit Plan from the Parish Council concerned that the infrastructure in the village, particularly the school, would not be able to support residential development. The Inspector felt in land use terms that the site would be suitable for either use but on balance of the evidence available felt it more suitable for employment use. However, he did not consider that the capacity of the school should preclude housing because the developer contributions would be expected to fund extra places. The Council is proposing a modification to the plan to allocate the site for employment use (subject to approval by Environment Committee and Full Council on 8 June and 22 June respectively).

To grant planning permission for residential development at the moment would be premature and contrary to the emerging policy framework for the area in the light of the Inspector's comments.

In response to the Inspector's report, the school governors have written saying that even if extra places were funded the building itself Page 17 additional capacity and a move to a new

site might be the only option so there could be infrastructure implications arising from any development on the site, even with a developer contribution towards education provision.

Use of the access to the safeguarded employment land to the rear of the site could be detrimental to the residential amenity of those properties fronting the access.

Recommend refusal as contrary to emerging policy.

Environmental Services: no comments

PARISH COUNCIL COMMENTS: to be reported – (due 6 June).

REPRESENTATIONS: 2 representations have been received. Period expired 28 May.

Objections – would impact on the schools and health care facilities in the immediate and surrounding areas, and add to traffic problems that the extra housing would generate when accessing onto the busy London Road. There is no local transport to speak of that would provide the needs of the extra occupants. The accompanying letter is contradictory relating to need, as there is little or no work in Great Chesterford. The need for low cost housing should be addressed via a housing association in a catchment which can provide local work. The application is for profit and not philanthropy. Proposals far too intensive and high density for road and village. Will make it difficult to access existing drives safely. Scale out of keeping with others in London Road should be retained for businesses.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **Residential use of this site would be acceptable in principle, and would accord with District Plan policies (ERSP Policy BIW4, ADP Policies Great Chesterford Local Policy 1, & DLP Policies E2 and Great Chesterford Local Policy 2 – Deposit and Revised Deposit),**
- 2) **The indicative plans demonstrate that the site is capable of accommodating 7 units without adverse impact on residential amenity & the street scene (ADP Policies S1, T1, T2, DC1, DC14 & W4; and DLP Policies S1, GEN1, GEN9, GEN2, GEN4 & ENV11),**
- 3) **The proposal would incorporate sufficient levels of affordable housing to override other policy considerations (ERSP Policy H5 & DLP Policy H8) and**
- 4) **There are any other material considerations.**

1) The site is within the Development Limits of Great Chesterford, and allocated as part of a larger residential area in the adopted District Plan. In the 2001 Deposit Plan, this allocation was changed to Class B1 employment uses, compatible with a residential area. In the Revised Draft in 2002, this reverted back to residential allocation. The allocation related to a larger site of 0.89 hectares, requiring minimum 30 units.

The Local Plan Inspector's report has recently been received. He commented that the whole of the nursery site, including this part, should be reinstated as an employment allocation, that the site could be suitable for either housing or employment use but on the balance of the evidence available its location is better suited for employment. Members considered the Inspector's recommendations at the Environment Committee on 8 June and Full Council on 22 June, including a modification recommending the site for employment use. It would therefore be premature to release this land for residential purposes at this time. It would be unacceptable to make such a significant departure from the Local Plan at this stage in the review process, and outside of the Local Plan process.

On the basis that a modification to allocate the site for employment is to be proposed, the redevelopment of the site for residential purposes would be contrary to Structure and Local Plan policies seeking to safeguard employment land.

Although the proposal would accord with the 1995 Adopted Plan, given the late stage in the adoption process of the review document, greater weight should be given to the later Plan, the adopted being considerably out of date in terms of national policy.

2) It is accepted that the submitted plans are indicative only, but it is clear that to accommodate seven dwellings with floorspace in the region of 100sqm – 120sqm, the units would need to be two-storey rather than the bungalows suggested in the supporting statement. As the existing dwellings in Ash Green are at 90° to the proposed dwellings, they would technically meet the separation distances set out in the Essex Design Guide, but with gardens of only 7m deep, the new dwellings could not fail to overlook the private garden areas of the existing houses, and result in a total loss of privacy. This would provide an extremely poor relationship with the existing development.

The high density (in the region of 70 per hectare) would result in inadequate parking and sub-standard private gardens. No parking is proposed for these dwellings, all of which would be at least 2-bedroom, and this would be wholly contrary to the Council's standards. Although advice in PPG3 is noted, there can be no justification to provide units devoid of any parking in this rural location.

In addition, given that the land to the rear of the site is allocated for safeguarded employment use, there is concern that vehicular access to that site would pass directly in front of these units and would likely be detrimental to the amenity of those properties.

3) The agent advises a condition could be imposed requiring this site to provide affordable units should it be linked to redevelopment of the adjacent factory site (an application for this has recently been refused), but as these are owned by separate parties comprehensive redevelopment cannot be assured. However, Deposit Draft Policy H8, which has been endorsed by the Inspector, requires a development of 15 or more dwellings irrespective of the site size to incorporate 40% affordable housing.

COMMENTS ON REPRESENTATIONS: These are addressed in the report.

CONCLUSIONS: There is a fundamental policy objection to the release of this site for residential development given the Inspector has stated that it should be allocated for Employment Land in the DLP. The application is premature pending the outcome of consideration of the Inspector's report into the Local Plan review, and release of this land should not be considered outside the local plan process.

RECOMMENDATION REFUSAL REASONS

1. This site is allocated for Residential redevelopment in the adopted District Plan, for Employment Land in the Deposit Draft Local Plan 2001, and Residential Development in the Revised Deposit Draft Local Plan 2002. As a result of the Local Plan Inquiry, the Inspector has recommended that on the balance of the evidence available the site is more suitable for employment use. The Council's Committees have considered a report accepting this recommendation, and it is considered premature to release this site for non-commercial use at this stage in the review process, and outside of the Local Plan process. Residential redevelopment of the site, as part of a larger allocation, would be contrary to ERSP Policy BIW4 and Great Chesterford Local Policy 2 (as modified) in that it would result in the unacceptable loss of land safeguarded for future business use, resulting in fewer job opportunities and less employment land within the village to meet local need. The site is considered to be in a sustainable location for employment purposes given its proximity to the railway station, and its release for other purposes would be contrary to principles of sustainability.
2. Although the submitted plans are indicative only, the high density proposal would result in overdevelopment of the site, with no car parking to serve a development in this rural area where is limited access to facilities by public transport, and inadequate private amenity space. The shallow rear gardens to the two-storey units could not fail to

overlook the private garden areas of the existing houses in Ash Green, resulting in an unacceptable loss of privacy. It has not been demonstrated that the number of units could be accommodated on site would adverse impact on residential amenity, and the lack of on-site car parking could have an adverse impact on the amenity of adjacent residents. This deficiency could lead to parking congestion in the vicinity, and conflict with commercial traffic serving the business unit to the rear of the site, resulting in potential hazards to highway safety. The amenity of occupants of the new dwelling could also be harmed by the proximity to the access road serving this business unit. The proposal is therefore considered contrary to ADP Policies S1, H10, T1, T2, DC1, DC5 & DC14; and DLP Policies S1, H3, GEN1, GEN9, ENV2 & GEN4).

Background papers: see application file.

UTT/0699/04/FUL - HATFIELD HEATH

Erection of two storey side extension and change of use of Great Heath Farm and two outbuildings from domestic to hotel bedroom use and associated parking

Hunters Meet Restaurant & Hotel Chelmsford Road. GR/TL 5260149. Mr B Carrig.

Case Officer: Mr N Ford 01799 510468

Expiry Date: 16/06/2004

NOTATION: Within Development Limits S1.

DESCRIPTION OF SITE: The site is located on the northern side of Chelmsford Road. The building which is currently a dwelling is east of Hunters Meet Restaurant and begins the line of detached dwellings stretching east along Chelmsford Road. Opposite the site to the south is a scattering of further dwellings including a number of Listed buildings. Beyond Hunters Meet to the west is Hatfield Heath Village Green.

DESCRIPTION OF PROPOSAL: This application relates to Green Heath Farm, which is presently a two-storey detached residential dwelling adjacent to Hunters Meet restaurant with a detached single-storey annex. It is proposed to change the use of both these buildings to hotel accommodation in association with Hunters Meet.

The existing building has a footprint of 123 sqm, with an associated garden room (23 sqm) and a rectangular outbuilding (46 sqm). The height of the main dwelling is 7.7m to ridge and 5m to eaves.

It is intended to construct a two-storey side extension to the scale, siting and design previously approved as a house extension under UTT/0699/99/FUL on 24 August 1999 to provide further accommodation for this use. The extension would have a similar ridge and eaves height to the existing building.

In total, twelve additional bedrooms are proposed for the hotel use. Five bedrooms would be on the ground floor of the existing dwelling with five bedrooms above. One bedroom would be provided in the garden room and one bedroom in the outbuilding (summer house). Thirteen further car parking spaces would be provided within the curtilage of the site to the front and rear of the property, which requires the stopping up of the existing access to the highway with access to the site proposed from the existing car park associated with Hunters Meet. This stopping up has already occurred.

APPLICANT'S CASE: See applicants supporting letters dated 30 April and 2 June 2004 attached at end of this report.

RELEVANT HISTORY: Two-storey side extension, conversion of outbuilding to residential annex and insertion of balcony granted planning permission 1999. An application for a similar scheme including change of use to hotel and extension was withdrawn earlier this year.

CONSULTATIONS: ECC Transportation: The Highway Authority has no objections to the proposal, as it is not contrary to the policies contained within the ECC Structure Plan policies. It is noted that all means of vehicular access to the site is proposed via the existing Hunters Meet entrance, no new access shall be built directly onto the county road, A1060 Chelmsford Road.

UDC Landscaping: There are no existing trees on the site, which will be affected by the proposed development. Some new planting is shown to be provided to strengthen screening on the Chelmsford Road frontage and the eastern boundary of the site. In the circumstances of planning permission being granted, a fully detailed planting plan and schedule should be sought for approval.

PARISH COUNCIL COMMENTS: Objects to work already undertaken, loss of residential property. No further extensions should be allowed. No parking should be allowed on the Village Green or the pavement to the front of the restaurant.

REPRESENTATIONS: Three. Notification period expired 19 May 2004.

1-3. Parking problems, noise and disturbance impact on amenity resulting from extension. Need for landscaping and consistent design for extension.

PLANNING CONSIDERATIONS: The main issue is whether the proposed hotel accommodation, and extension would be appropriate in terms of residential amenity, traffic and parking provision in accordance with Policies REC2, DC1, DC14, T1 and T2 of the ADP 1995 and Policies LC6, GEN1, GEN2 and GEN4 of the Revised Deposit District Plan 2002.

The Adopted District Plan 1995 (Policy REC2) provides a general presumption in favour of for the provision of guest houses within town and villages provided that nearby residents would not be subjected to noise or traffic nuisance, and adequate off street parking is provided. Policy LC6 of the Revised Deposit District Plan 2002 carries the thrust of the adopted policy forward and shows that new building for hotel accommodation will be permitted within settlement boundaries if the development would not harm the character or amenities of the surrounding area.

The existing car parking associated with the restaurant hotel and leisure centre comprises 35 spaces. A total of 48 are now proposed, 13 extra spaces would therefore be provided following the increased curtilage. The number of spaces required by policy for such accommodation is a maximum of one space per bedroom. This proposal would provide this number plus a further two spaces, which is considered acceptable and would allow for some transient provision.

This application has been negotiated following a previously withdrawn scheme, which proposed excessive parking resulting in a cramped layout. Given this and the close proximity of car parking abutting the adjacent dwelling, Rowley Mile, it was considered that the comings and goings of vehicles and associated noise would have adversely affected the reasonable occupation of the adjacent dwelling (known as Rowley Mile) and be detrimental to residential amenity and give rise to a reduction in the environmental quality of the immediate locality.

This revised layout shows a scheme that has sought to resolve the above concerns through the removal of excess parking, with parking spaces located further away from Rowley Mile predominantly behind existing outbuildings. This layout is more appropriate in its general configuration and in relation to the amenity of this dwelling as much of the manoeuvring would be located behind existing buildings. Subject to a scheme of landscaping to be implemented to boundaries this scheme is now acceptable and would accord with policy relating to the provision of such accommodation.

Members may wish to note that the outbuilding associated with this scheme formerly had permission for a shop (UTT/104/84 granted 1984) and later a residential annex associated with the 1999 extension permission (this scheme was implemented in respect of the conversion of the outbuilding to an annex).

COMMENTS ON REPRESENTATIONS: In relation to concerns regarding the extension, no windows are set into the side elevation overlooking Rowley Mile at first floor level (further windows may be restricted by condition) and the building would be set well back from this dwelling such that it is considered that there would be no overbearing effect. Furthermore, members may wish to note that an extension for domestic use was approved in this location of the same scale in 1999. In relation to the design of the extension, the applicant has stated

that the materials to be used on external surfaces shall match existing including a slate roof and facing brickwork, which is considered appropriate.

In relation to other matters, there is no planning policy restricting the principle of the change of use of residential dwellings to other uses and as such their loss to other uses is not considered relevant save that any new use should comply with policy as outlined above.

The pavement to the front of the restaurant and the Village Green is outside of the applicants control and it would therefore be unreasonable to apply any restriction to such land in relation to parking.

CONCLUSIONS: It is considered that this scheme and the scale and design of the extension would accord with the character of the area. Parking provision has been revised in order to set spaces generally away from an adjacent dwelling and an appropriate scheme of landscaping should ensure an acceptable environmental appearance for the development. This application 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.11.7. Standard vehicle parking facilities.
6. C.19.1. Avoidance of overlooking.
7. The access shown closed up on drawing no. 2004/2/7C shall remain so in perpetuity.
REASON: In the interests of highway safety and accessibility.
8. The seven vehicle parking spaces shown on drawing no. 2004/2/7/C shall be for the sole use of the occupants of the hotel accommodation associated with Great Heath Farm and not for customers of the existing restaurant.
REASON: In order to protect the amenity of adjacent residents.
9. C.25.1. No airport parking.

Background papers: see application file.

UTT/0767/04/OP - GREAT CHESTERFORD

Change of use from nursery to residential. Erection of dwellings with garages.
Land at Nursery London Road. GR/TL 505-424. Mr & Mrs J Morallee.
Case Officer: Ms H Lock 01799 510486
Expiry Date: 30/06/2004

NOTATION: ADP: Within Development Limits & Area of Special Landscape Value; Part of Area allocated for Residential Land.

DLP (2001): Within Settlement Boundary; Allocated as Employment Land (GC Local Policy 2);

Revised DLP (2002): same as DLP, but Local Policy 2 Area modified to be allocated for Residential Development.

DESCRIPTION OF SITE: This approximately 0.35 hectare site fronts London Road and contains a number of glasshouses and nursery buildings. An access road to the commercial building to the rear runs alongside the south-eastern boundary, and vehicular access to this site is currently via land in the applicants ownership to the northwest (outside the application site). The applicant's dwelling is also on the adjacent land.

DESCRIPTION OF PROPOSAL: This is an outline proposal with all matters reserved for subsequent approval. The plan submitted is indicative only and shows a development of 27 residential units:

- Six detached 'villas' (floor space in the region of 120sqm), fronting London Road and part of the adjacent access road.
- Eight terraced two-bedroom houses (floorspace in the region of 60sqm each)
- Two linked blocks of 3 flats each (floorspace in the region of 60sqm each).
- The parking standard would be 1.4 per unit. Vehicular access is indicated off the access road to the southeast, and parking would be centrally located within the site, with the exception of single garaging for 3 of the villas.
- Although reasonable private garden areas could be provided for the villas (minimum 60sqm) and communal area for the flats (above standard), gardens for the houses would be much below standard (minimum 13.5 sqm.) These could be enlarged as an unusable area next to the car park would realistically not be used as amenity space, but gardens would still likely be below standard.

The density of the development as indicated would be approximately 80 per hectare, although the agent states a reduced number of units would be acceptable.

APPLICANT'S CASE: See agent's letter dated 22 April attached at end of this report.

RELEVANT HISTORY: various approvals relating to the nursery use of the site.

CONSULTATIONS: ECC Transportation: request extension of time.

UDC Policy: The site is allocated for residential development in the adopted Plan, employment land in the Deposit Plan & residential in the Revised Deposit Plan. Objections were received to proposed change to residential in the Revised Deposit Plan from the Parish Council concerned that the infrastructure in the village, particularly the school, would not be able to support residential development. The Inspector felt in land use terms that the site would be suitable for either use but on balance of the evidence available felt it more suitable for employment use. However, he did not consider that the capacity of the school should preclude housing because the developer contributions would be expected to fund extra places. The Council is proposing a modification to the plan to allocate the site for employment use (subject to approval by Environment Committee and Full Council on 8 June and 22 June respectively).

To grant planning permission for residential development at the moment would be premature and contrary to the emerging policy framework for the area in the light of the Inspector's comments.

In response to the Inspector's report, the school governors have written saying that even if extra places were funded the building itself has no additional capacity and a move to a new site might be the only option so there could be infrastructure implications arising from any development on the site, even with a developer contribution towards education provision.

Use of the access to the safeguarded employment land to the rear of the site could be detrimental to the residential amenity of those properties fronting the access.

Recommend refusal as contrary to emerging policy.

Environmental Services: to be reported.

ECC Archaeology: recommend field evaluation condition.

PARISH COUNCIL COMMENTS: to be reported – due 5 June.

REPRESENTATIONS: This application has been advertised and 3 representations have been received. Period expired 4 June 2004

1. Objection – far too intensive and high density for both the road and village. Increased traffic on busy London Road. Already hazardous to cross. Will cause difficulty for other properties to access own driveways safely. Scale of development not in keeping with others in London Road. Should not be taking business out of rural area.
2. Would require change of use of land from agricultural to domestic. Would significantly increase traffic density into London Road. Would encroach upon development of Ash Green. Multi storey dwellings not in keeping with surrounding properties inadequate parking.
3. In principle no objection, but strongly object to density of housing particularly 3-storey blocks. Would be invasive and intrusive to surrounding properties.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **Residential use of this site would be acceptable in principle, and would accord with District Plan policies (ERSP Policy BIW4, ADP Policies Great Chesterford Local Policy 1, & DLP Policies E2 and Great Chesterford Local Policy 2 – Deposit and Revised Deposit),**
- 2) **The indicative plans demonstrate that the site is capable of accommodating 27 units without adverse impact on residential amenity & the street scene (ADP Policies S1, T1, T2, DC1, DC14 & W4; and DLP Policies S1, GEN1, GEN9, GEN2, GEN4 & ENV11),**
- 3) **The proposal would incorporate sufficient levels of affordable housing to override other policy considerations (ERSP Policy H5 & DLP Policy H8) and**
- 4) **There are any other material considerations.**

1) The site is within the Development Limits of Great Chesterford, and allocated as part of a larger residential area in the adopted District Plan. In the 2001 Deposit Plan, this allocation was changed to Class B1 employment uses, compatible with a residential area. In the Revised Draft in 2002, this reverted back to residential allocation. The allocation related to a larger site of 0.89 hectares, requiring minimum 30 units.

The Local Plan Inspector's report has recently been received. He commented that the whole of the nursery site, including this part, should be reinstated as an employment allocation, that the site could be suitable for either housing or employment use but on the balance of the

evidence available its location is better suited for employment. Members considered the Inspector's recommendations at the Environment Committee on 8 June and Full Council on 22 June, including a modification recommending the site for employment use. It would therefore be premature to release this land for residential purposes at this time. It would be unacceptable to make such a significant departure from the Local Plan at this stage in the review process, and outside of the Local Plan process.

On the basis that a modification to allocate the site for employment is to be proposed, the redevelopment of the site for residential purposes would be contrary to Structure and Local Plan policies seeking to safeguard employment land.

Although the proposal would accord with the 1995 Adopted Plan, given the late stage in the adoption process of the review document, greater weight should be given to the later Plan, the adopted being considerably out of date in terms of national policy.

2) It is accepted that the submitted plans are indicative only, but it is unclear how 27 units (at a density in the region of 80 per hectare) can be built without severely compromising amenity and parking standards. The agent advises that the modest garden areas would meet Essex Design Guide standards due to the open spaces in front of the buildings. However, that guidance advises that there should only be a reduction in the standards in cases where houses face "a substantial area of well landscaped and property maintained communal open space". This space should be available for children's play and sitting out, akin to a "Georgian square". It is not considered that the proposed area next to a car park would serve that same purpose. In any event, in such cases it would still be expected that each house would additionally have a private garden area of 25sqm.

All of the units would likely be a minimum of 2 bedroom, and a parking ratio of 1.40 would be significantly below the Council's standards. Although in the light of PPG3 standards are sometimes relaxed in the larger settlements, Great Chesterford has limited facilities and residents still need to travel for many services. It is not considered that proximity to the railway station in an otherwise rural area is sufficient to allow for a reduction in parking to the level suggested. The proposed density is considered excessive, and it has not been demonstrated that the site can satisfactorily accommodate the number of units proposed.

In addition, given that the land to the rear of the site is allocated for safeguarded employment use, there is concern that vehicular access to that site would pass directly in front of these units and would likely be detrimental to the amenity of those properties.

The highway authority has not yet responded in detail, but on the recent scheme for redevelopment of the rear of the site no objection was raised in principle. It is likely that the same would apply in this case, and it is not therefore considered that refusal on the basis of increased traffic arising from residential redevelopment of the site is sustainable.

3) The agent advises a condition could be imposed requiring this site to provide affordable units should it be linked to redevelopment of the adjacent factory site (an application for this has recently been refused). However, given the late stage in the Local Plan review process and the Inspector's support for the Council's affordable housing policies, the requirement to provide affordable housing would apply to any development of a site 0.17 hectares and above (this site is 0.35) or 5 or more dwellings. Although the principle of residential development is unacceptable here, if it were accepted, there would be a requirement of up to 40% affordable housing.

COMMENTS ON REPRESENTATIONS: These are addressed in the report.

CONCLUSIONS: There is a fundamental policy objection to the release of this site for residential development given the Inspector has stated that it should be allocated for Employment Land in the DLP. The application is premature pending the outcome of

consideration of the Inspector's report into the Local Plan review, and alternative use of the site on this scale cannot be achieved outside the Local Plan process.

RECOMMENDATION: REFUSAL REASONS

1. This site is allocated for Residential redevelopment in the adopted District Plan, for Employment Land in the Deposit Draft Local Plan 2001, and Residential Development in the Revised Deposit Draft Local Plan 2002. As a result of the Local Plan Inquiry, the Inspector has recommended that on the balance of the evidence available the site is more suitable for employment use. The Council's Committees are to consider a report accepting this recommendation, and it is considered premature to release this site for non-commercial use at this stage in the review process, and outside of the Local Plan process. Residential redevelopment of the site would be contrary to ERSP Policy BIW4 and Great Chesterford Local Policy 2 (as modified) in that it would result in the unacceptable loss of land safeguarded for future business use, resulting in fewer job opportunities and less employment land within the village to meet local need. The site is considered to be in a sustainable location for employment purposes given its proximity to the railway, and its release for other purposes would be contrary to principles of sustainability.
2. Although the submitted plans are indicative only, the high density proposal would result in overdevelopment of the site, with inadequate car parking to serve a development in this rural area where there is limited access to facilities by public transport, and inadequate private amenity space to many of the houses. Given the space available, it is likely that some three-storey development would be needed to achieve the number of units proposed, and this could not fail to be visually intrusive and out of keeping in the street scene. It has not been demonstrated that the number of units could be accommodated on site without adverse impact on the setting, and the lack of on-site car parking could have an adverse impact on the amenity of adjacent residents. In addition, this deficiency could lead to parking congestion in the vicinity, and conflict with commercial traffic serving the business unit to the rear of the site, resulting in potential hazards to highway safety. The amenity of occupants of the new dwellings could also be harmed by the proximity to the access road serving this business unit. The proposal is therefore considered contrary to ADP Policies S1, H10, T1, T2, DC1, DC5 & DC14; and DLP Policies S1, H3, GEN1, GEN9, GEN2, ENV2 & GEN4)
3. The proposal fails to incorporate adequate affordable housing contrary to ERSP Policy H5 & DLP Policy H8.

Background papers: see application file.

UTT/0639/04/FUL - FELSTED

Change of use in building to board small domestic animals, erection of prefabricated cattery unit for boarding domestic cats/pets.

Gifford House, Stebbing Road. GR/TL 678-215. Mr & Mrs S W Brown.

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 08/06/2004

NOTATION: Outside Development Limits.

DESCRIPTION OF SITE: The site is located approximately 1.2km to the north of Felsted village and forms a boundary with the Fritchway immediately to the south. Permission for change of use of poultry shed to boarding kennels was granted in 2003 following a Member site visit and this has been implemented. The poultry sheds which were not subject to the previous application remain on the site in addition to the converted shed and associated facilities for the boarding kennels. The building to which this application relates is located to the northeast of the boarding kennels and covers an area of approximately 153m².

DESCRIPTION OF PROPOSAL: The proposal is to demolish the existing chicken shed and erect a prefabricated cattery for the boarding of cats. The cattery unit would be divided into 20 individual units and would cover an area of 113m². It is proposed that the unit would have a flat roof at a height of 2m. It is also proposed to board small domestic pets in one of the existing poultry sheds although the plans do not specify which building would be used for this.

APPLICANT'S CASE: See letter dated 10 March attached at end of Schedule.

RELEVANT HISTORY: Change of use of poultry farm to boarding kennels conditionally approved 2003.

CONSULTATIONS: Environmental Services: No objections and no adverse comments.
Environment Agency: Due 1 May.

PARISH COUNCIL COMMENTS: Members expressed concern regarding extra traffic movements and increased noise pollution if this scheme is accepted.

REPRESENTATIONS: This application has been advertised and one representation has been received. Period expired 6 May.

There are already a number of large existing chicken sheds on the property, and I cannot see the need to erect a portable building to house a cattery, when these should more than suffice. This will be the third different usage of this property within a short space of time. Cats do not make as much noise as dogs, but the increase in the volume of clients will add to another nuisance. The increase in traffic on an already dangerous single-track road is unacceptable.

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

- 1) ADP Policy S2 (DLP Policy S7, ERSP Policy C5) and
- 2) ADP Policy DC14 (DLP Policy GEN4)

1) The site is located outside development limits where new development, which does not relate to agriculture, forestry or appropriate outdoor recreational uses, will not normally be permitted. The proposal to demolish an existing poultry shed and replace it with a prefabricated cattery does not strictly comply with the requirements of the policy however it would result in the removal of a disused poultry shed and its replacement with a smaller and

less conspicuous structure which would have less impact on the countryside when viewed from the open countryside and adjoining land.

2) The applicants have stated that the cattery would have sufficient distance between its and the existing kennels to prevent any conflict between the cats and dogs. Cats do not generate the potential noise disturbance that dogs can and since the boarding kennels have been open there have not been any complaints regarding dogs barking. The construction of a cattery should not alter this situation and no objections or comments have been received from Environmental Services.

The issue of increased traffic generation has been considered however there are restricted opening hours for the existing kennels and it has been stated that the addition of a cattery would result in a maximum of 7 cars per day visiting the site. It is not considered that this is of a level that would result in either a traffic hazard or disturbance to neighbouring properties due to the restricted opening hours of the business.

It is proposed to impose a condition restricting the cattery hours to those already imposed through condition for the boarding kennels in the interests of residential amenity. In addition, a condition preventing the erection of lighting on the site is also proposed in order to protect residential amenity and the character of the open countryside.

COMMENTS ON REPRESENTATIONS: The application involves the removal of a poultry shed and the erection of a less conspicuous cattery which would have less impact and would represent an improvement to the character of the countryside. The proposed vehicle movements are not of a level to generate material harm to the amenity of neighbouring properties and a condition relating to the hours when animals can be delivered and collected is to be imposed in order to control this.

CONCLUSIONS: The proposal would represent an improvement to the open character of the countryside in that one of the redundant poultry sheds would be removed and replaced with a less conspicuous cattery unit. The proposals are also unlikely to result in any loss of amenity to neighbouring 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 Prior to the first use of the site for the boarding of domestic animals, a plan indicating which building the animals are to be housed in shall be submitted to and approved in writing by the local planning authority.
REASON: No details have been submitted indicating the location of the boarding facility for domestic animals.
- 4 Animals shall only be collected from or left at the premises between the hours of 10.00 and 12.30 Monday to Saturday and 16.00 and 18.00 Monday to Saturday. There shall be no collections or deliveries of animals on Sundays or Bank or Public Holidays.
REASON: To protect the amenity of neighbouring properties.
- 5 No lighting shall be erected within the application site unless details have previously been submitted to and approved in writing by the local planning authority. The lighting will be installed in accordance with the approved scheme.
REASON: To protect the character of the open countryside.
- 6 Prior to the first use of the site for the boarding of cats or domestic animals, details of the storage and disposal of waste materials shall be submitted to and approved in writing by the local planning authority. Subsequently, the storage and disposal of waste shall be implemented in accordance with these details and shall not be altered without the prior written consent of the local planning authority.
REASON: In order to protect the amenity of neighbouring properties.

Background papers: see application file.

UTT/0635/04/FUL - SAFFRON WALDEN

(Referred at Members request)

New dwelling with garage. Alteration to existing access. 1.8m high fence to boundaries
Land adjacent to 54 Summerhill Road. GR/TL 535-375. Mr & Mrs M Johnson.

Case Officer: Mr G Lyon 01799 510458

Expiry Date: 08/06/2004

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

DESCRIPTION OF SITE: The site is located on the southwest side of Saffron Walden on Summerhill Road, which is a residential street with a mixture of detached, semi-detached and terraced dwellings. No.54 occupies a corner plot on both Summerhill Road and Newport Road. The property is two-storey brick built with some alterations to the original property, including a flat roof garage. To the east is No.52a Summerhill Road, which is a relatively new dwelling constructed in what was once part of the rear garden of No.54. This property has its own distinct character and is a 1 ½ storey brick built dwelling with dormer windows at the front and rear and an attached garage to the side adjacent No.52. To the south of the site are the dwellings and gardens of 47, 49 and 51 Newport Road.

The application site contains numerous maturing trees and hedging with a tall specimen at the front of the site on Summerhill Road. A mixed hedge and trees exists along the southern boundary of the site with power cables at high level in between the vegetation.

DESCRIPTION OF PROPOSAL: The applicant is seeking approval for a detached 1 ½ - storey residential dwelling with attached single garage. The dwelling would have two-bedrooms and a bathroom at first floor level with a kitchen, living room, dining room and garage at ground floor level. The property would have a rear amenity area of 120 sqm.

The applicant has indicated additional boundary screening including 1.8 metre close-boarded fencing and hedging. Proposed materials include facing brickwork and concrete roof tiles.

APPLICANT'S CASE: The applicant has submitted a supporting statement highlighting the changes made to the original application, which was dismissed at appeal. (Copy of applicants statement attached at end of report).

RELEVANT HISTORY: Outline application for erection of a dwelling and construction of new access approved June 1987. Proposed erection of a new dwelling and construction of a new access approved February 1988. Two storey dwelling with garage refused 2003 and dismissed at appeal in 2004 on grounds of overshadowing, visual impact and loss of amenity as well as a lack of amenity for the proposed dwelling.

CONSULTATIONS: Essex County Council Highways and Transportation: no objections.
Thames Water: Sewerage and Water – No objection.

TOWN COUNCIL COMMENTS: Objection due to loss of amenities to adjoining owners, overdevelopment and concern about access onto Summerhill Road.

REPRESENTATIONS: Ten neighbours surrounding the proposed development were notified and the period for return of comments expired on 05 May 2004. Four letters of objection were received.

52a Summerhill Road – Our house was built on a plot split off from the back of Summerhill Road 12 years ago. A further reduction in the garden area to create another dwelling would result and there is not enough room. This ~~surely must~~ must be regarded as overdevelopment and its density is out of keeping with the locality.

The proposal would create additional traffic at a busy junction where on-street parking already exists and school children cross nearby each day. The proposal would be very close to our own house and result in overshadowing.

Concern also about sewerage infrastructure capacity

47, 49 and 51 Newport Road – Overdevelopment of a small site. The proposed development would be overbearing in my rear garden and my privacy would be lost, it would have a very small garden and leave 54 Summerhill Road with a small garden also. Vehicular access will be intensified and create a potential hazard at peak times of the day.

Other comments: Overdevelopment of site, not enough room, out of character with existing properties

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, H6 and DLP Policy S1, H1, H2);**
- 2) the applicant has considered and addressed the issues raised in the Planning Appeal Decision for UTT/1805/02/FUL (Appeal Ref APP/C1570/A/03/1128888 ERSP Policy H3, ADP Policy DC14, and DLP Policy GEN4);**
- 3) the proposed development respects the scale and characteristics of surrounding properties (ERSP Policy H3, ADP Policy H6, DC1, DLP H2, GEN2); and**
- 4) the access and parking arrangements are acceptable in terms of highway safety implications (ERSP Policies T3, T6, T7, T12, ADP Policy T1, DLP Policy GEN1, GEN4 and GEN9),**

1) The site lies within the development limits of Saffron Walden and, as such, is considered to be an appropriate location for residential development subject to meeting other policy criteria.

2) Members should be aware of a previous application and subsequent appeal for a detached dwelling on the same site. 1 April 2003, permission was refused for a two-storey detached dwelling with garage (UTT/1805/02/FUL). The main reasons for refusal related to issues of overlooking of adjacent properties and general lack of amenity space for both the original (No.54) and new dwelling. A subsequent appeal was dismissed. The main reasons for dismissal related to the impact on No.52a Summerhill Road and 47 Newport Road in terms of overshadowing, visual impact and loss of privacy. Also there was concern that the new dwelling would have very little privacy in their rear garden. (A copy of the appeal decision is attached at the end of the report)

The applicant has taken on board the comments of the Planning Inspectorate and revised the scheme to suit. Most notably, there are changes to the rear elevation with the previous dormer windows replaced by high-level roof lights to prevent possible overlooking of dwellings to the rear, most notably 47 Newport Road. In terms of impact on no. 52a Summerhill Road, the applicant has removed the first floor accommodation adjacent to this property with the first floor set 4.6 metres away from the side boundary with no.52a. The single-storey element housing the living room has a hipped roof and is set forward of the previous scheme. The eaves height of this element is 2.4 metres, which is only 0.4 metres higher than the tallest fence erectable under permitted development rights. It is considered that this will reduce the overbearing impact that was of concern to the planning inspector whilst also allowing some afternoon sun to reach the rear garden of no.52a. The presence of existing mature vegetation currently prevents some daylight and sunlight reaching this property.

In terms of overlooking of the amenity space of the proposed dwelling, the applicant is wishing to make alterations to the windows of no. 54 Summerhill Road. These include obscure glazing of two of the first floor windows (bedroom nearest Summerhill Road and bathroom) and the part blocking up of the first floor bedroom window adjacent to No.47 to

create a high level window. No.54 is within the red line of the application site and therefore conditions can be imposed in relation to these matters.

The appeal inspector concluded that the existing front garden to No.54, which would become the private area for this dwelling, “would have a high degree of privacy and be of a good size to serve this family dwelling.”

On balance officers are of the opinion that the applicant has considered the comments of the appeal inspector and amended the application to suit.

3) One issue that has been raised in several of the letters received concerns the overall density of development in relation to surrounding dwellings and the overall character of the area. It is true to say that the overall density of the first 50 metres of Summerhill Road from Newport Road as well as the northern side of the road is generally low in density. However, the southern side of Summerhill Road is quite dense in character, particularly towards the middle section. Therefore, although the proposed dwelling would increase the density of the area immediately surrounding, this density would not be wholly out of character with the general pattern of development in the street. The appeal inspector did not raise concerns about density and indeed suggested “the new dwelling would fit well within the street scene in terms of its scale, design, proportions and relationship with adjoining properties.”

Officers are therefore of the opinion that the overall density of development is acceptable in this instance.

4) Another issue raised in most of the letters of objection received as well as in the comments from Saffron Walden Town Council, focused on highway and access arrangements and the implications of safety. ECC Highways have been consulted but, as the road is minor, they do not wish to comment. The existing property (No. 54) already has an access and it is proposed to move this access 2 metres to the west and widen it to allow both the existing and proposed dwelling to share. Plan 437/003 shows No.54 having parking for at least three vehicles. The proposed dwelling would be provided with a garage and car standing space, which is in line with recognised car parking standards. In terms of safety implications, the dwellings are located on a residential street with a speed restriction of 30 mph. The proposed new access is 26 metres away from the junction with Newport road and is situated on the southern side of the road where traffic will pass by from east to west on the nearest carriageway. It is therefore difficult to suggest that the revised access will cause a significant danger to highway safety such to warrant a refusal. Again, the appeal inspector did not consider this to be an issue and nor did the Council in it’s earlier refusal notice. Officers are therefore of the opinion that the proposed development would not cause a detriment to highway safety.

CONCLUSIONS: The applicant has considered the issues raised by the appeal inspector and amended the scheme in line with these comments. This has overcome the issue of overlooking and the impact on No.52A has also been reduced to an acceptable level. The applicant has also proposed changes to No.54 in order to prevent overlooking of the proposed dwelling. On balance the dwelling has been designed to take on board the general constraints of the site. The rear amenity space is above minimum requirements and the provision of two parking spaces is in line with adopted standards.

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.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.

7. 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.
8. C.8.27. Drainage Details.
9. 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.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), No additional windows, other than those approved as part of this scheme, shall be inserted at first floor level or in the roof space roof space of the southern, eastern or western elevations of the dwelling hereby permitted
REASON: To avoid overlooking of the adjacent properties in the interests of residential amenity.
11. C.19.1. Avoidance of overlooking.
12. C.19.2. Avoidance of overlooking.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), No additional windows, other than those approved as part of this scheme, shall be inserted at first floor level or in the roof space roof space of the eastern elevation of 54 Summerhill Road
REASON: To ensure that no windows are inserted that could overlook the amenity area of the dwelling hereby approved.
14. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
15. C.6.7. Excluding conversion of garages.
16. The car standing area in front of the dwelling, as indicated on drawing 437/004, dated 22 March 2004, received 13 April 2004 shall be constructed and made available for the parking of vehicles prior to the first occupation of the dwelling hereby approved. Such space shall be maintained and retained in perpetuity for the parking of domestic vehicles in connection with the dwelling.
Reason: To ensure that the dwelling has adequate off-street parking provision.

Background papers: see application file.

UTT/0822/04/FUL - GREAT DUNMOW

Proposed excavation to form surface water balancing pond, regrading existing levels together with associated foul and surface water drainage. Ancillary works
Land adj. Sectors 1 & 3 Woodlands Park. GR/TL 622-228. Wickford Development Co. Ltd.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 14/07/2004

NOTATION: Outside Development Limits ADP Policy S2/DLP S7. Landscaping/Informal Recreation DLP Policy GD5.

DESCRIPTION OF SITE: The site subject of this application consists of a parcel of land with an area of approximately 7669 sqm (approximately 0.8ha). To the north toward Helena Romanes School lie three detached dwellings, to the south lies open space leading to Woodlands Park housing estate and to the west and east lies open space. The site itself is laid to grass with a steeper gradient where the balancing pond is proposed. The site is bounded by a loose screen of mature trees to the south, west and east.

DESCRIPTION OF PROPOSAL: It is proposed to excavate the land to form a balancing pond to secure appropriate drainage for the new phase of housing development granted planning permission west of the site (Sector 3). The applicant states that the pond has been sited in order to minimise impact upon existing trees and with reference to sewers located further south.

The pond itself would fill an area of approximately 3100 sqm (approximately 0.31ha) and its gradient would begin approximately 5m south of the rear boundaries of the three dwellings to the north, namely Woodmancote, Chestnuts and Field House. The gradient would slope from ground level at approximately 82m (above sea level) to approximately 77m at its deepest point. The information supplied shows that the latent water level would lie at approximately 78.2m and in a 1 in 30 year storm level at approximately 79m.

APPLICANT'S CASE: This application is necessary because of the increased density on this site following the grant of planning permission for 400 units on Sector 3. This has necessitated a re-appraisal of the drainage for Sectors 2 and 3, which gives rise to the requirement for a further balancing pond.

It is proposed that the new pond will be a wet pond and of more formal shape than the previous pond as it has to complement the formal housing layout to the west and also fit the site constraints of the existing trees and public sewers to the south. We feel that it will complement and enhance the area of public open space within which it will be situated.

CONSULTATIONS: Water Authority: To be reported (due 4 June 2004).

Environment Agency: To be reported (due 4 June 2004).

BAA Safeguarding: To be reported (due 11 June 2004).

UDC Environmental Services: To be reported,

UDC Landscaping: To be reported.

English Nature: The proposed development land could include suitable habitat for protected species. Of particular concern are Great Crested Newts which are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats etc) Regulations 1994. The possible presence of other protected species such as reptiles and nesting birds should also not be overlooked. Common lizards, slow worms and grass snakes are protected from killing and injuring under the Wildlife and Countryside Act 1981 (as amended). Wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) against intentional killing and injuring. This includes damage; destruction or taking of a nest, eggs or young while it is being built during the breeding season.

Suggests the submission of an ecological survey in order to determine if protected species are present at the site.

Essex Wildlife Trust: To be reported (due 4 June 2004).

Ramblers Association: To be reported (due 19 May 2004).

Public Rights of Way: To be reported (due 19 May 2004).

TOWN COUNCIL COMMENTS: Questions why this balancing pond is necessary and the effect of the proposal on open space and the existing balancing pond and outlet (see applicant's case).

REPRESENTATIONS: This application has been advertised and two representations have been received. Advertisement expired 17 June 2004.

Object to use of open space land for such a facility, questions affect on surrounding trees, concern relating to ground structure and subsidence, foul water and re-routing of a public footpath.

PLANNING CONSIDERATIONS: The main issue to consider is whether this balancing pond is an appropriate feature in the countryside beyond development limits and whether it accords with the designation of this land as landscaping/informal recreation (ADP Policy S2 and DLP Policy S7 and GD5).

1) This application relates to an area of open space associated with the Woodlands Park housing development north west of Great Dunmow. This is a linear parcel of land south of Helena Romanes School beyond dwellings named Woodmancote, Chestnuts and Field House. The site is well screened by high hedging and trees to these rear (southern) boundaries of these dwellings. Further west and south lies land allocated for housing and to the east lies recreation/open space.

This site is informal open space but is not protected open space of particular environmental value. The bank of trees bordering the eastern boundary (TPO trees) of the site, is an attractive amenity feature and this proposal does not affect these trees or require the removal of any trees or shrubs. It relates only to a grassed area of land that slopes gently west to east screened by a loose collection of trees to the south boundary as well.

In such circumstances, it is not considered that a small portion of this land for a balancing pond would be in any way detrimental to any existing environmental feature of visual amenity. Additionally, following periods of high water level the pond would reduce gradually to an average latent water level, which would be fairly shallow. Guard rails 1.3m in height would be provided to both inlet and outlet structures to the western and eastern banks of the proposed balancing pond. It is considered that the pond would have the potential to be a feature of environmental benefit to the locality that could also provide an ecological habitat. It is therefore considered that this balancing pond would be compatible with this rural area.

English Nature have requested the submission of an ecological survey in order that it may be determined if any protected species are present on site or are likely to be affected by the scheme. The applicant has been notified of this request and progress on this survey will be reported to Members.

COMMENTS ON REPRESENTATIONS: In relation to structural comments, the grant of planning permission does not confirm the feasibility of carrying out a development or implementing it under any other necessary legislation. In relation to the public right of way, the applicant has been reminded that planning permission does not entitle development until an order has been made to divert or extinguish it should this be necessary.

CONCLUSIONS: It is considered that this balancing pond would be a feature consistent with the open nature of this recreation space and has the potential to become an attractive feature of environmental value. Conditions can be attached in order to protect existing trees

within the vicinity during the course of development and to enhance the setting of the pond and its locality by securing additional planting. This application 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.4.6. Retention and protection of trees and shrubs for the duration of development.
6. Prior to work commencing on site, details of the size and location of any contractors compounds shall be agreed in writing with the local planning authority.
REASON: In the interests of the amenity of adjacent residents.
7. C.20.2. Protection of species.

Background papers: see application file.

UTT/0714/04/FUL - STANSTED
(Referred at Members request)

Erection of 9 floodlights around 2 tennis courts
Tennis Courts Cambridge Road. GR/TL 510-252. Stansted Tennis Club.
Case Officer: Consultant North 2 telephone 01799 510469/510478
Expiry Date: 22/06/2004

DESCRIPTION OF SITE: Application site comprises two tennis courts located on the northwest side of Cambridge Road. The site is located just to the south of the sports ground, with associated cricket pitch and flood-lit football ground. The site also adjoins residential dwellings, including a listed dwelling fronting Cambridge Road and other more modern dwellings in Cawkwell Close.

DESCRIPTION OF PROPOSAL: Application proposes the erection of 9 floodlighting columns around these two tennis courts. Each column would be 6m high with an overall height of 6.7m including the lights mounted on these columns.

APPLICANT'S CASE: The applicant has indicated that the lighting is required to facilitate evening use of the courts. They indicate that they would accept a planning condition limiting their use to 21:00 hours each day, except for up to five days a month when they would like the hours of use extended to 22:00 hours (10 pm) on five occasions each month. This, they indicate, is to facilitate league matches at the club.

CONSULTATIONS: Design: No objections.

REPRESENTATIONS: This application was advertised and seven letters of representation were received:

5 letters of support. 1 letter no objection if there are conditions.

3 objections (2 from the same address – nuisance, unsightly, effect on listed building, loss of value, noise and disturbance, loss of amenity, would like a site visit.

PARISH COUNCIL COMMENTS: as landowners do not object in principle but wish to see a condition on hours of use. Concern about effect on Potts Cottage.

PLANNING CONSIDERATIONS: The main issues are the impact on residential amenity and the setting of the adjoining listed building.

If permitted, the impact on neighbouring occupiers would arise through both the potential intrusion of additional lighting over that which presently exists, and the noise and general disturbance arising from the activity taking place at these tennis courts.

In assessing the impact in both of these regards, it is important to consider the present environment. This site is within a densely built up part of the village. It adjoins a busy road and also adjoins a well used sports ground that also has its own substantial floodlighting to the football pitch. Also, there is an ambient level of illumination arising from the street lighting on Cambridge Road.

Detailed information has been submitted by the applicants about the strength of illumination and, in particular, likely spread to adjoining dwellings. Whilst it is evident that there will be some spilling out of light onto those properties that adjoin, this has to be compared against the present levels of lighting in these areas and the added factor that there are broader health and fitness benefits to the community of encouraging sporting facilities to develop. In this respect, the proposal accords with Government policy within PPG17, Sport and

Recreation. Also, activity at the club can, during the summer months, presently extend up to and, on more limited occasions, beyond 9 pm.

For similar reasons, namely the prevailing light environment, the impact on the adjoining listed building is considered not to harm its character or setting.

On balance, therefore, it is recommended that this application be permitted subject to controls over the hours of use of the lights to ensure that activity and lighting does not extend until an unacceptable hour, when it might be more reasonable to expect quiet and less light to prevail. It is proposed to restrict the hours to those indicated in the applicant's letter dated 25 May 2004.

CONCLUSIONS: In conclusion, the proposals would not seriously impact on the amenity of adjoining occupiers or the setting of the listed building that this site adjoins. There are no other issues affecting this conclusion.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. The floodlighting hereby approved shall be turned off at no later than 21:00 hours each day, with the exception of five days per month when the lights shall be turned off no later than 22:00 hours. Such days are to be notified in advance to the local planning authority and a restricted hours time clock shall be installed and permanently retained and maintained in accordance with the manufactures instructions.
REASON: In the interests of residential amenity.

Background papers: see application file.

1) UTT/0691/04/FUL & 2) UTT/0692/04/LB – STEBBING

1) Conversion of agricultural barns to form two dwellings with garaging. Construction of new access. Erection of garaging for 4 cars/store to serve house/cottage.

2) Conversion of agricultural barns to form two dwellings with garaging.

Barns at Stebbing Park. GR/TL 657-244. Mr & Mrs J C Evans.

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 18/06/2004

NOTATION: Outside Development Limits / Within Conservation Area / Area of Special Landscape Value / Within curtilage of Grade II* Listed Building / Adjacent to group TPO.

DESCRIPTION OF SITE: The site is located approximately 140m to the southwest of Stebbing High Street and is accessed via a tree lined avenue covered by a group tree preservation order. The site covers an area of approximately 0.34ha and is located to the northeast of the Grade II* listed dwelling "Stebbing Park". There is an existing cottage located to the southwest of the barns which has previously been converted for residential use.

DESCRIPTION OF PROPOSAL: The applications for planning permission and listed building consent relate to the conversion of three barns to form two dwellings with associated garaging. The external works to the barns would consist of reusing existing openings to form doorways and windows with the insertion of some additional glazed panels and conservation roof lights to provide additional light to the buildings.

It is proposed to extend Barn 1 to provide garaging for 2 vehicles. This extension would cover an area of approximately 39m² and would have a maximum ridge height of 4.9m. The extension would be located on the southwest facing (end) elevation to the barn. It is also proposed that Barn 2 would have a small extension covering an area of 8m² with a roof height of 3.3m where it would join the existing barn. This element would be located on the northeast facing (end) elevation to Barn 2.

Alterations are also proposed to existing outbuildings in order to provide garaging for Barn 2 and the existing cottage and main dwelling at Stebbing Park. The garaging for Barn 2 is proposed to be located in an outbuilding to the southeast of the Barns. This building would only require minimal alteration in order to be used for secure garaging and storage which would involve garage doors being inserted into the north (end) elevation. The outbuilding to the south of the barns is proposed to be altered to accommodate four vehicles and would provide shared garaging for the main dwelling and the existing cottage. This building would not be increased in size and would be altered to provide an open side for vehicular access.

New accesses are proposed for the barns which would involve removing sections of wall running along the northern boundary to the site. This would enable accesses to be formed to the two residential conversions and the existing cottage without passing the main dwelling.

APPLICANT'S CASE: See extracts of statement accompanying application attached at end of report. Full statement available at the Council Offices, London Road, Saffron Walden.

RELEVANT HISTORY: Conversion of four-bay cart shed to vehicle restoration, accident repairs, respraying, general repairs and maintenance conditionally approved 1991.

CONSULTATIONS: Anglian Water: To be reported (due 16 May).

English Heritage: To be reported (due 29 June).

Design Advice: Stebbing Park is a Grade II* listed house of mid C16 origins and later additions and alterations. The house is in a very picturesque parkland setting adjoining a

moated motte. In the ground are remnants of a C13 barn incorporated into a C20 swimming pool.

This barn together with adjoining three-bay barn and a single-storey structure are subject of this application for residential conversion to two units. These outbuildings are listed by the virtue of the curtilage.

The buildings fulfill the criteria of the relevant policies and therefore their conversion to a residential use would be acceptable in principle. The scheme has been negotiated. In design terms the proposal is low key, aiming at the retention of as much as possible of the present visual characteristics of these redundant farm buildings. I suggest approval subject to conditions.

Landscaping: There are no trees affected by the proposed development. In the circumstances of planning permission being granted, I recommend that both hard and soft landscaping details are required to be submitted for approval. The grouping of listed buildings and the parkland setting of this historic landscape make this an important and development sensitive site requiring appropriate landscaping.

Environment Agency: Makes advisory comments relating to drainage.

ECC Archaeology: The proposal lies in a highly sensitive area of archaeological deposits. The barns lie immediately adjacent to the scheduled Ancient Monument of The Mount. The monument comprises a Motte Castle situated on a prominent west facing spur 750m northwest of the Church. The motte would have formed the focal point for occupation during the medieval period and there is a possibility that earlier occupation will be found on the site. The barns proposed for conversion form an integral part of the historical development of this site and these should be archaeologically recorded prior to conversion.

Recommendation: Archaeological Excavation / recording and Building Recording.

Building Control: Building Regulations will require adequate access and turning facilities for fire appliances. The access road will need to be min. 3.9m wide and capable of taking a 12.5 tonne load. A suitable turning area will also need to be provided.

PARISH COUNCIL COMMENTS: In view of the possible historic nature of the barns, an opinion on this application should be sought from English Heritage.

REPRESENTATIONS: These applications have been advertised and one representation has been received. Period expired 6 June.

1. I have inspected the drawings and write to confirm that I have no objections to the proposals.

PLANNING CONSIDERATIONS: The main issues are whether the proposals would be acceptable as residential barn conversions in the countryside (ADP Policy C6, ERSP Policy RE2, DLP Policy H5) and whether the conversions would protect and enhance the character and setting of the Conservation Area and the listed dwelling and barn (ADP Policies DC5 & DC2, ERSP HC2 & HC3, DLP ENV1 & ENV2).

The barns are listed by virtue of being within the curtilage of a Grade II* Listed Building and are therefore worthy of retention. The applicant has submitted details of a structural survey indicating that they are in a sound structural condition and they therefore comply with ADP Policy C6. Due to the historical significance of the barns it is important that they are retained and have an economically viable use and the conversion to two residential units is appropriate. Due to the location it is not considered that the conversion for use as business premises would represent a satisfactory alternative.

The Council's Conservation Officer has no objection to the proposed conversion and alterations to the barns, subject to conditions being imposed relating to the use of materials, and it is considered that the conversion would protect and enhance the character and setting of the conservation area and the listed dwelling.

COMMENTS ON REPRESENTATIONS: None.

CONCLUSIONS: The proposals comply with all relevant development plan policies and would not result in a detrimental impact to the listed buildings or the Conservation Area.

RECOMMENDATIONS:

1) UTT/0691/04/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.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission.
6. C.16.2. Full archaeological excavation and evaluation
7. C.20.1. Protection of bat roosts
8. There shall be no fence or wall between the new residential units and Stebbing Park.
REASON: In order to protect and enhance the setting and appearance of the listed buildings.

2) UTT/0692/04/LB – LISTED BUILDING CONSENT 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.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.5.8. Joinery details
5. All roofs shall be clad with hand made plain clay tiles or natural slate as appropriate.
6. All weatherboarding shall be feather edge and painted black.
7. The existing brick plinth shall be repaired using matching brick types, bonding and pointing.
8. The new roof lights shall be of a conservation range. Details of the roof lights shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.
REASON 5-8: In order to protect and enhance the character and appearance of the listed buildings and the Conservation Area.

Background papers: see application file.

UTT/0622/04/FUL - NEWPORT

Replacement dwelling with parking and landscaping.
Cothelstone Debden Road. GR/TL 526-337. I & S Vance.
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 14/06/2004

NOTATION: ADP and DLP: Outside Development Limits of Newport. Special Verge to front of site. Public right of way to rear of site.

DESCRIPTION OF SITE: The site is located on the southern side of Debden Road. The site is part of a group of five dwellings situated in a small cluster, with three dwellings facing onto the road and two dwellings at the rear. It has an area of approximately 0.54 hectares, which includes additional farmland to the east. The existing property is a detached chalet-style dwelling with a half hipped roof, dormer windows and various flat roof extensions along with a sunken garage. The property sits very closely to the adjacent property known as "Larkfield", which is a similar detached chalet-style dwelling, which has itself been the subject of numerous extensions and alterations. When entering the site from Debden Road, Cothelstone and Larkfield are the most visible properties within the group of five. The three other dwellings are all viewed separately, partly due to landscaping etc and the position of the dwellings.

There are significant numbers of established trees and other vegetation to the front and rear of the dwelling as well as hedging along the side boundary. A public footpath runs along the southern boundary of the site and around adjacent dwellings.

DESCRIPTION OF PROPOSAL: The applicant is proposing to erect a dwelling that is radically different to any of the dwellings immediately surrounding it or indeed any other dwelling within the district. It is distinctly modernist in its overall design and seeks to be energy efficient. The architect was chosen following a competition to design a dwelling on this site set by the applicant.

The replacement dwelling would be sited 6 metres from the side boundary with the first section of the two-storey element approximately 13 metres away from the side boundary with Larkfield. The proposed dwelling and its principle front roof would be 7.2 metres high. This would be 0.3 metres lower than the ridgeline of Larkfield. The chimney of the dwelling would be 10.1 metres tall and would be the only element visible from a distance above the maturing trees.

The proposed dwelling would be arranged around a central courtyard with a living room, kitchen dining room, study and guest bedroom on the ground floor with a further three bedrooms on the first floor including three bathrooms and a study. A double garage, utility, workshop and studio are also provided on the ground floor with a cellar under the dwelling.

The use of space has been a major factor in the design of the dwelling. Both applicants work at home and intend to stay in the dwelling for the rest of their lives. They have therefore designed a dwelling that meets their present as well as future intended needs.

In terms of materials, the applicant wishes to use modern materials, some of which are at the forefront of current building technology. One such material is rammed-earth walling. The single-storey garage, studio and utility area roof would be covered with grass or succulents to create a green roof. Some of the ground floor walls would be clad with gabion cladding (galvanised steel baskets hand filled with stone and flint) others, particularly at first floor would be finished with acrylic render. All windows would be custom made with a zinc-prepatinated roof at first floor level. The aim of the project is to strive for a zero CO₂ rated building.

A new access would be formed from Debden Road serving this dwelling only. The current property shares access with the other dwellings but this has limited visibility, particularly in an easterly direction when entering/leaving Debden Road. The new access would be sited centrally within the new plot and would sweep round to the house and parking area. Four trees would need to be removed to make way for the access but these are lesser species with the mature specimens still remaining. The existing former entrance would be blocked and landscaped with additional trees.

The existing site benefits from substantial landscaping, some of which is beginning to mature. Additional planting is proposed within the site, particularly on the eastern boundary.

APPLICANT'S CASE: The applicant has submitted a supporting statement for the application (copy available for inspection at the Council Offices).

RELEVANT HISTORY: No relevant previous history. Application for change of agricultural land to domestic garden (UTT/0628/04/FUL).

CONSULTATIONS: English Nature: No comments.

Essex County Council Highways and Transportation: No objections as deminimus application.

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

Anglian Water: No comments received.

UDC Landscaping: Request that a mixed native hedgerow be planted to the new eastern and southern boundaries in order to provide an appropriate rural feature.

UDC Environmental Health: No comments.

PARISH COUNCIL COMMENTS: No comments received (due 14 May 2004).

REPRESENTATIONS: Four neighbours were consulted and the period for the return of comments expired on 12 May 2004. One letter has been received.

1. Request that all access for construction etc be taken from the alternative access road to the east of the site and not through the shared access drive. The appearance of the dwelling is totally out of keeping with the four existing properties adjacent to it.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) the proposed development accords with the policies relating to replacement dwellings (PPG3, ERSP POLICY C5, H3, ADP Policy H8 and DLP Policy H6);
- 2) the impact of the development on adjoining neighbours would be acceptable (ERSP Policies H3, ADP Policy DC1, DC14 and DLP Policy GEN2, GEN4),
- 3) the access and parking arrangements are acceptable in terms of highway safety implications (ERSP Policies T3, T6, T7, T12, ADP Policy T1, DLP Policy GEN1, GEN4 and GEN9),
- 4) design and other issues.

1) DLP Policy H6 considers replacement dwellings in the countryside. It states that "outside settlement boundaries, a replacement dwelling will not be permitted unless, through its location and appearance and associated scheme of landscaping enhancement it would protect or enhance the particular character of the countryside in which it is set."

In this instance, the existing dwelling is of limited architectural quality and is visible from open countryside. The proposed replacement, although fundamentally modern in appearance, would be complemented by existing and proposed planting that would enhance the character of the immediate area surrounding the dwelling. The replacement is sited

within close proximity of the original dwelling and is of a size commensurate with other dwellings within the group of five.

Officers are therefore of the opinion that the proposed replacement dwelling complies with policy requirements.

2) Cothelstone and Larkfield are currently within 3 metres of each other. The proposed replacement would increase the spacing between these dwellings and, as such, will improve the overall relationship. There are no issues of overlooking or overshadowing and officers are therefore of the opinion that the proposed replacement dwelling is acceptable.

3) In terms of access and parking issues, the applicant is proposing a new access onto Debden Road. The new access would improve entrance/exit into and out of the site to the benefit of highway safety and there are adequate turning facilities to allow vehicles to enter and leave in forward gear. Parking on site more than exceeds maximum standards. Officers are therefore of the opinion that the access and parking arrangements are more than satisfactory in this instance.

4) Design of development is often a subjective consideration when determining applications. The Essex Design Guide provides a general guide as to the type and nature of development suitable within the district. However, this document is not prescriptive and, where a design can be demonstrated to be of high architectural quality, the merits of the individual development should be the basis for consideration. In this instance the architect was selected following a design competition and has shown through previous projects that design quality is very high. Given that the replacement dwelling complies with all other policy guidance, the fact that the dwelling does not adhere to the Essex Design Guide should not be cited as a reason for refusal. Indeed, individual buildings of quality would contribute rather than detract from the overall character of the district. Officers therefore considered that the design of the proposed replacement dwelling is satisfactory. The energy conservation aspects of the proposal are also supported.

CONCLUSIONS: The proposed development would comply with all the relevant development plan policies and, although modern in appearance, is considered to be of high architectural quality.

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. Fencing/Boundary Treatment
6. C.5.1. Samples of materials to be submitted and agreed.
7. Excluding rights of permitted development within the curtilage of a dwellinghouse without further permission
8. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
9. C.8.27. Drainage Details.
10. No construction works shall take place before 8am Monday to Friday and 9am on Saturday nor after 6pm Monday to Friday and 1pm on Saturday nor at any time on Sunday, Bank or Public Holidays.
REASON: In the interests of the amenity of the occupiers of adjoining properties.
11. The development hereby approved shall not be occupied until the access has been laid out in accordance with the approved plans.
REASON: In the interests of highway safety.
12. C.19.2. Avoidance of overlooking.
13. C.23. Demolition of existing dwelling.

Background papers: see application file. Page 75

1) UTT/0819/04/FUL & 2) UTT/0820/04/LB - HATFIELD BROAD OAK

1) & 2) Conversion of redundant barn to dwelling including internal alterations
The Dairy, Woods Farm, Forest Row. GR/TL 536-182. Mr Robson.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 06/07/2004

NOTATION: Outside Development Limits S2. Area of Special Landscape Value C2. Listed building DC5.

DESCRIPTION OF SITE: This Dairy building is located at Woods Farm south of Hatfield Forest and north of Hatfield Broad Oak. The farm is reasonably isolated, being located on the east side of a track leading from Hatfield Broad Oak to Bush End. To the north of the Dairy is a range of curtilage Listed barns set around a U shape with a Grade II Listed Barn to the eastern side (these were the subject of a permission 'for residential conversion' earlier this year). The site is an example of a model farm. One element of these barns has been converted to a residential annex to the woods

DESCRIPTION OF PROPOSAL: The scheme proposes the conversion of this building to form a three-bedroom dwelling. The alterations proposed would utilise the existing window openings to the front and rear elevations with the addition of roof lights to the roof planes to facilitate floor space on two levels. It is proposed to insert double height windows to the side elevations. A garden area of approximately 622 sqm would be provided surrounded by a 1.8m high close-boarded fence/1.5m high post and rail fence with three parking spaces adjacent.

APPLICANT'S CASE: The Dairy is a building worthy of retaining. It is part of a complex of timber and brick barns, which were constructed in different eras including the 17th, 18th and 19th Century. Sadly, diversification of farming has brought this complex of farm buildings to become abandoned, thus leaving them to fall into a poor state of repair, which is why the timber barns on the site have already been granted planning permission and Listed building consent for change of use to residential. It is our view that this brick barn is one of very few left in this area and is currently in a very reasonable condition. This barn was constructed in 1875 and was used as a dairy until recent years when the decline in livestock farming took place.

The barn has been constructed in 9" brickwork with buttresses at random centres to the front and rear. The roof is formed using steel framed trusses bearing into the brickwork where the buttresses are formed with overlying purlins, timber boarding and presumably battens with a slate finish. The existing concrete floor is laid to falls with a central gutter which discharges at the west flank wall, into where is not indicated.

RELEVANT HISTORY: Change of use of land to residential and agricultural building to ancillary residential granted planning permission 1996. Change of use of redundant agricultural barns to residential creating three separate dwellings granted planning permission and Listed Building consent 2004.

CONSULTATIONS: Water Authority: No objection.

Environment Agency: Standard letter regarding small residential development with private treatment plant.

English Nature: The site is near Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR). Although the development is within 2km of the SSSI/NNR, English Nature is satisfied that the proposed development is not likely to affect the SSSI/NNR. The proposed development land could include suitable habitat for protected species. Of particular concern are bats and barn owls, which are known to occupy buildings such as this.

Essex Wildlife Trust: To be reported (due 30 May 2004).

Essex Bat Group: I visited the Dairy at Woods Farm, Forest Row last autumn. I found no evidence of bats in the building. However, if development is not due to take place for some time, it would be prudent to conduct another survey as bats may have colonised during the current period of high bat activity. It was of interest that a barn owl was present in another barn in the complex and there was considerable evidence to suggest that it had been present for some time. You will be aware that the barn owl is protected under Schedule 1 of the Wildlife and Countryside Act 1981 and disturbance during the breeding season is an offence.

UDC Building Surveying: Access appears ok, road is wide enough although not quality surfaced, would appear adequate. No adverse observations.

ECC Archaeology: The structure dates from the turn of the century at the time of the move from arable to cattle farming. It is possible that internal features survive within the building. Therefore, it is recommended that the structure should be recorded prior to its conversion to a dwelling.

UDC Specialist Design Advice: See planning considerations.

PARISH COUNCIL COMMENTS: To be reported (due 13 June 2004).

REPRESENTATIONS: These applications have been advertised and no representations have been received. Period expired 19 June 2004.

PLANNING CONSIDERATIONS: The main issues are

- 1) **whether the proposal would constitute an acceptable residential conversion of a rural building in accordance with ESRSP Policies C5 and RE2, ADP Policy C6 and DLP Policy H5.**
- 2) **whether the proposal would protect and enhance the character and setting of this Listed Building in accordance with ESRSP Policy HC3 and HC4, ADP Policies DC5 and DC6 and DLP Policy ENV2.**

1) The Woods is an attractive historical farmstead containing a picturesque pond and a selection of mostly timber framed farm buildings arranged around a rectangular yard. The site contains one building, which is Listed in its own right, which is a timber-framed barn of 17th century origins. The Dairy itself is a 19th century building, which is Listed by virtue of being a structure within this curtilage.

This proposal for residential conversion stems from negotiation following a previously unacceptable scheme for such conversion. This building is in sound structural condition. It is considered that the works of conversion respect and conserve the characteristics of the building.

No extensions are proposed to the building. Existing window openings are generally utilised save for three longer windows to the rear elevation. The existing door to the front elevation is utilised and full height glazing is proposed to side elevations. The scheme limits the number of external openings and provides a consistent finish characteristic of its historic appearance. It is therefore considered that the traditional vernacular of this rural building would be preserved in accordance with ADP Policy C6.

2) Specialist design advice describes this structure as a standard building of its type constructed in soft clay red brick laid in traditional Flemish bond. In principle, this building although not as attractive as the nearby timber framed ranges, fulfils the criteria of the relevant policies for residential conversion. In design terms the scheme is also acceptable. Utilising the existing opening to the front and rear elevations, omission of a number of previously proposed roof lights and the simplification of the gable end treatment would result in a scheme considered much more in tune with the present character of this farm building.

The scheme is therefore considered to accord ADP Policy DC5 and DC6 such that this conversion preserves the historical characteristics of this Listed building and represents a practical way of retaining its architectural characteristics.

CONCLUSIONS: This scheme represents a residential conversion that is considered to preserve the character and appearance of the building and subject to conditions, including the use of acceptable materials, is considered an acceptable and practical proposal for this Listed dairy building.

RECOMMENDATIONS:

1) UTT/0819/04/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.5.3. Matching materials.
6. C.20.2. Protection of wildlife.
7. C.20.1. Protection of bats.

2) UTT/0820/04/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. All existing sound natural slates shall be retained with any shortfall made up of exactly matching material.
4. All brickwork shall be repaired as necessary with matching brick type, bonding and pointing.
5. Other than shown on the approved plan to which this consent relates, no further fence or wall shall be erected between the Dairy and the other farm buildings within this yard.
6. Other than where shown on the approved drawing to which this consent relates, all boundary treatment shall be post and rail and hedging.
REASON 3-6: In order to ensure a satisfactory standard of development in relation to this Listed Building.

Background papers: see application file.

1) UTT/2172/03/FUL & 2) UTT/2169/03/FUL – NEWPORT

(Joint Report)

(Referred at Members' request)

1) Erection of single dwelling house and garage to replace existing detached house

2) Erection of a detached bungalow.

Land rear of Cornflowers, London Road. GR/TL 521-330. J & M Butcher.

Case Officer: Mr G Lyon 01799 510458

Expiry Date: 10/02/2004

NOTATION: ADP and DLP: Within Development Limits of Newport.

DESCRIPTION OF SITE: The site is located on the western side of the B1383 London Road, and is the second dwelling on the southern entrance to Newport from Stansted. The site currently consists of a detached 1930s dwelling (Cornflowers), which appears to be in sound structural condition, and is surrounded by garden land. Some of the hedging around the site has been removed and therefore the site has somewhat of an open feel. The site itself is approximately 0.069 hectares in size and the dwelling is set back approximately 20 metres from London Road. The site has a frontage width of approximately 15 metres (excluding the width of access road, which is 4.8 metres). To the south of the site is "Bricketts", a large detached bungalow which is close to the boundary with Cornflowers but set back a further 10 metres from the rear wall and 30 metres from London Road. To the north of the site is "The Haven", which is a detached two-storey dwelling.

The property has been extensively altered with a large two-storey front extension approximately 14 metres forward of the original dwelling. This structure is quite visible within the street scene and is bounded by a brick wall leading into a small residential close of five dwellings known as "The Spinney". This close consists of a mixture of detached two-storey dwellings and a bungalow, all of which are of recent construction. "The Spinney" is a narrow single track unadopted road. To the west of the application site is an area of scrubland containing a nissen hut. This land would appear to have been previously part of the garden land of Cornflowers but does not form part of the application site and has been fenced off with a 1.8 metre high close boarded fence.

DESCRIPTION OF PROPOSAL: The applicant is seeking full approval to demolish the existing detached dwelling and replace this with a new detached two-storey dwelling and garage with a detached bungalow at the rear.

Two-storey Dwelling

The two-storey dwelling would be sited forward of the existing dwelling with the front wall in line with the front of the garage at "The Haven". The dwelling would be L-shaped and therefore turns the corner into The Spinney. The design of the dwelling has been the subject of extensive negotiation and is loosely based on the Villa style of the 19th century with brick relief detail to give the impression of a pediment resting on corner pilasters and straight arch detailing over the ground floor windows and doors etc. The dwelling would have a height to eaves of 5 metres and a height to ridge of 8 metres with a roof pitch of 40-degrees. The principle frontage is 12.6 metres long and 6.7 metres wide with a rear projecting gable 5 metres long and 6.7 metres wide. The dwelling would have four bedrooms, two bathrooms, lounge, kitchen/diner, dining room and utility room. The dwelling would have a rear private amenity area of approximately 120 square metres. The property would be partly served by a new detached triple garage with four parking spaces in total.

Garage

The triple garage and hardstanding area would serve both dwellings with the two-storey dwelling provided with two vehicle spaces in the garage and two vehicle hardstanding

spaces in front whilst the bungalow would be provided with one vehicle space in the garage and one hardstanding space in front. The garage would be 8.75 metres long and 5.4 metres wide with a height to eaves of 2.2 metres and a height to ridge of 4.2 metres. The roof is hipped and the applicant has indicated a mixture of brick, weatherboarding and render finish.

Bungalow

The detached bungalow would be sited facing onto The Spinney and is similar in character to that already constructed at No.5 The Spinney. It would be 12.7 metres long and 7.6 metres wide with a height to eaves of 2.7 metres and a height to ridge of 5.2 metres. The property would have two-bedrooms, lounge, kitchen dining room and bathroom. The rear useable private amenity space would approximately 88 square metres. The property would have two parking spaces.

APPLICANT'S CASE: The applicant has submitted a supporting statement for each application (copies attached at end of report).

RELEVANT HISTORY: No relevant history on the application site but adjacent dwellings on "The Spinney" have long history with some success at appeal for new dwellings, including No.5. Front two-storey garage extension with rooms above approved at "The Haven" on 05 October 1995 (UTT/0848/95/FUL).

CONSULTATIONS: Essex County Council Highways: No objections to the use of The Spinney for all access purposes. No additional accesses onto B1383 London Road should be created.

Anglian Water: No comments.

Environment Agency: No comments

English Nature: No likely impact on SSSI.

Essex Wildlife Trust: No comments

UDC Environmental Services: No comments

TOWN COUNCIL COMMENTS: No comments.

REPRESENTATIONS: Nine neighbours were originally notified of the proposed development and were subsequently re-notified on two further occasions following amendments to the original scheme. Advertisement expired 28 April 2004. Nine letters have been received.

Summary of comments: Concerned about the current loss of vegetation, mature trees and fencing along the boundary of the site next to The Spinney and the effect that this has on amenity and issues of noise and overlooking. Any new development should be conditioned with replacement planting and other landscaping. The existing property is in sound condition and is a good example of a 1930s Deco style and therefore should not be demolished. Concerned about impact on amenity of adjacent properties from noise etc and consider this over development of the site. The garage, so close to our property would be overbearing. Previous development by the applicant has used poor quality materials; the front dwelling occupies a prominent position and therefore should be built to the highest standards. Hedging along the southern boundary should be retained.

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, H6 and DLP Policy S1, H1, H2);
- 2) the impact of the development on adjoining neighbours would be acceptable (ERSP Policies H3, ADP Policy DC1, DC14 and DLP Policy GEN2, GEN4),
- 3) the proposed development respects the scale and characteristics of surrounding properties (ERSP Policy H3, ADP Policy H6, DC1, DLP Policy H2, GEN2);

4) the access and parking arrangements are acceptable in terms of highway safety implications (ERSP Policies T3, T6, T7, T12, ADP Policy T1, DLP Policy GEN1, GEN4 and GEN9),

1) The site lies wholly within the development limits of Newport and, as such, is considered to be an appropriate location for residential development subject to meeting other policy criteria.

2) The closest neighbours to the proposed development are those either side at “Bricketts” and “The Haven” as well as No.5 The Spinney. The proposed two-storey detached dwelling sits further forward than the existing dwelling already on site and therefore will be 16 meters forward of Bricketts. This position will also limit the potential for overlooking of The Haven. To counter any overlooking concerns, the applicant is proposing to obscure glaze the first floor windows on the northern elevation. There are no plans to obscure the first floor windows on the western elevation but the existing property currently has two windows in this elevation already and therefore there would be no real material increase in overlooking from this elevation. Officers are therefore of the opinion that the two-storey dwelling will not have a detrimental impact on adjoining neighbours.

The garage serving both properties is positioned on the boundary with Bricketts. This garage is barely bigger than the kind of structure that can be erected under normal permitted development rights and the current owner could implement a marginally smaller scheme 5 metres away from the dwelling without the need for planning permission. Given this fact and the applicants desire to insert additional landscaping as part of the application, the proposed development will have minimal material impact on the adjacent dwelling. The aspect of the site would not result in a material loss of daylight or sunlight to the adjoining neighbour. Officers are therefore of the opinion that the garage serving both dwellings will not have a material adverse impact on adjoining neighbours.

The proposed detached bungalow would not, by its very nature, raise concerns about overlooking and the use of suitable boundary screening will minimise and ground level concerns. The majority of the rear amenity area abuts the flank wall of Bricketts and, as such, officers are of the opinion that the bungalow will not have a detrimental impact to the adjacent dwelling.

In terms of the relationship between the proposed two-storey dwelling and the bungalow, there is a gap of 15 metres from the back wall of the detached house to the side wall of the bungalow. The bungalow cannot overlook the house and a parking area as well as the detached triple garage separates the two properties. The slope of the site also aids privacy and the first floor windows of the house will have a limited view of the garden area of the bungalow. Officers are therefore happy with the proposed relationship between the two new dwellings.

3) The general character of this part of Newport has changed considerably over the last ten years. Residential development at The Spinney has set a clear precedent following success at appeal and the front extension to “The Haven” has materially altered the previously established building line. Generally, the surrounding area is characterised by detached dwellings set in large gardens.

The application site occupies a strategic position at the entrance to Newport and provides and opportunity to create a new gateway on the B1383. Having regard to these issues, the decision to locate the two-storey dwelling further forward than the existing dwelling, whilst bringing the site closer to the highway, will enclose the front space more effectively and may help to discourage excessive speeding as recommended in the Essex Design Guide, particularly as the site lies within the 30 mph zone. The Haven has set the precedent for the building line of the two-storey dwelling and the existing bungalow at No.5 The Spinney has established a precedent for the smaller dwelling.

The two dwellings, although reasonably close would be in line with Central Government general density requirements at 29 dwellings per hectare and, as there is no detrimental impact to adjoining neighbours, officers are of the opinion that the overall scale and character of the development is acceptable in this instance

4) In terms of access and parking issues, the applicant has amended the scheme so that the only means of access to the two dwellings is via The Spinney and not directly onto the B1383. Essex County Council Transportation are therefore happy with the scheme and this allows all parking and turning movements to take place away from the busy road. Visibility into and out of The Spinney is good in both directions although its overall width makes it difficult but not impossible for two cars to pass. Each dwelling is served with enough parking spaces in line with adopted standards and, in the case of the two-storey dwelling, this is above the maximum standard.

Officers are therefore of the opinion that the access and parking arrangements are more than satisfactory in this instance.

CONCLUSIONS: The applicant has amended the plans in relation to the proposed development following extended negotiations and this results in a development that, although slightly higher in density than surrounding properties, will not have any material adverse impacts on surrounding dwellings or highway safety concerns subject to the imposition of relevant conditions.

RECOMMENDATIONS:

1) UTT/2172/03/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.17.1.Revised plan required.
4. C.5.1. Samples of materials to be submitted and agreed.
5. C.5.4. Slate Roof.
6. Details of windows plaster and pediments and square arch work shall be submitted to and approved in writing by the local planning authority and carried out thereafter in accordance with such details.
REASON: In the interests of the design and appearance of the dwelling.
7. C.4.1. Scheme of landscaping to be submitted and agreed.
8. C.4.2. Implementation of landscaping.
9. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
10. C.4.6. Retention and protection of trees and shrubs for the duration of development.
11. C.8.27.Drainage Details.
12. Construction shall only take place between the hours of 0800 and 1800 on weekdays.
REASON: In the interest of residential amenity.
13. C.19.1.Avoidance of overlooking.
14. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
15. C.6.7. Excluding conversion of garages.
16. C.11.9.Car Standing .
17. C.23. Demolition of existing dwelling.

2) UTT/2169/03/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.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order (i.e. any extension, outbuilding, garage or enclosure) shall take place without the prior written permission of the local planning authority.
REASON: The dwelling is considered the largest that can be accommodated on this site.
8. C.4.6. Retention and protection of trees and shrubs for the duration of development.
9. C.8.27.Drainage Details.
10. Construction shall only take place between the hours of 0800 and 1800 on weekdays.
REASON: In the interest of residential amenity.
11. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
12. C.6.7. Excluding conversion of garages.
13. C.11.7.Car Standing.
14. C.23. Demolition of existing dwelling.

Background papers: see application file.

UTT/0868/04/FUL - GREAT HALLINGBURY

Change of use of residential dwelling to Class D1 school use.
Howe Green Lodge Howe Green. GR/TL 509-187. The Howe Green Educational Trust.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 13/07/2004

NOTATION: Outside Development Limits S2.

DESCRIPTION OF SITE: Howe Green Lodge is a two storey dwelling with a 'T' shape single storey wing to the rear. This building lies adjacent (north) of and shares a common boundary with Howe Green House School. This area is semi rural with Howe Green Cottage and West Lodge to the north set in significant plots, countryside to the west and east with Howe Green Moat Hall and Barns to the south west beyond Howe Green House School.

DESCRIPTION OF PROPOSAL: This application relates to the change of use of this building from residential (Class C3) to a non residential school (Class D1). No extensions or external works are proposed as part of this proposal.

APPLICANT'S CASE: The change of use of Howe Green Lodge is intended to allow for additional accommodation (recommended by the Independent School's Council Inspection Report dated 18-22 October 1999). It should be noted that the school is not looking to expand pupil numbers but instead provide more accommodation for its existing intake. As such the change of use will not increase the school's demand for car parking provision.

RELEVANT HISTORY: Single storey rear extension granted planning permission on 19 August 1988.

PARISH COUNCIL COMMENTS: To be reported.

REPRESENTATIONS: None. Notification period expired 17 June 2004.

PLANNING CONSIDERATIONS: **The main issues are whether the change of use of this building from a dwelling house to a non residential school is compatible with its rural setting (ADP Policy S2 and DLP Policy S7) and whether there would be any detrimental affect upon residential amenity (ADP Policy DC14 and DLP Policy GEN4).**

Policy S2 of the Adopted District Plan 1995 restricts development in the countryside, such as this location, but makes exceptions for agriculture, forestry, appropriate outdoor recreational uses and appropriate changes of use of suitable existing buildings compatible with a rural area.

The main issue in relation to the principle of school use accommodation within this building is, therefore, its compatibility with its rural setting.

Howe Green Lodge constitutes a fairly substantial two storey detached dwelling located just north of and in close proximity to Howe Green House School. The building is well screened by dense vegetation from the road and to Howe Green Cottage, which is a dwelling to the north west. Thus, it is considered that the building would be well related in terms of distance and accessibility to the existing school.

The school states that it is not seeking to expand pupil numbers but provide further accommodation for their requirements for the existing intake, thus there would be no extra demand placed upon car parking. In any event, adequate hard standing exists within the curtilage for parking and turning. The building would be within a short distance from the existing school and well screened such that it is considered that any impact upon residential

amenity would be limited through noise or disturbance. Furthermore, due to its setting and close relationship with the existing school, it is considered that this change of use would be compatible with this rural area and is therefore recommended for approval.

CONCLUSIONS: It is considered that the change of use of this building to a school would be an appropriate use in this location, which would be well integrated with existing school buildings and not adversely affect the amenity of adjacent residents.

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. The building the subject of this permission shall be used for education purposes and for no other use within Class D1 of the Use Classes Order 1987 as amended as may be amended.

REASON: To ensure that inappropriate uses do not occur in the countryside.

Background papers: see application file.

1) UTT/0432/04/FUL & 2) UTT/0433/04/LB - SAFFRON WALDEN

Demolition of existing extension to Church Hall and erection of new extensions to west and south of Church Hall with alterations.

Salvation Army/United Reformed Church Abbey Lane. GR/TL 536-383. The Salvation Army.

Case Officer: Mrs K Hollitt 01799 510495

Expiry Date: 06/05/2004

NOTATION: Within Development Limits (Settlement Boundary)/Conservation Area/Adjacent Listed Buildings/Residential Street (ADP only).

DESCRIPTION OF SITE: This site is located on the northern side of Abbey Lane, which is located to the west of the High Street in Saffron Walden and comprises the United Reformed Church on the frontage with an ancillary hall to the north eastern edge of the site. The site has residential properties on all sides, which are a mix of detached properties and terraced Almshouses. The site has a frontage of 33m and a depth of some 48m. The Church is a listed building and the hall forms a listed cartilage structure, but is not listed in its own right. To the rear of the church and to the front of the hall are areas of grass and at the front of the site there are 12 car parking spaces adjacent to the Church.

DESCRIPTION OF PROPOSAL: This application relates to proposed extensions to the church hall building in order to provide additional and improved accommodation for the United Reformed Church and the Salvation Army. There are two main parts to the proposals. Firstly it is proposed to construct an extension to the western end of the building which would provide new kitchen and toilet facilities, with a basement which would provide storage space. This extension would have a width of 13.5m, a depth of 16m and would be 13m in height. At the eastern end of the building, it is proposed to construct a single storey extension to the front of the building, including a new front gable and the relocation of the existing bell tower on the front elevation. This tower allows for internal access to the first floor accommodation within the building. This proposed extension would have a width of 27.5m, including the front entrance porch. It would have a depth of 28m at its deepest point. In order to reduce the potential impact on the adjoining property it is proposed to construct the extension with a lead roof with a very shallow pitch. This roof would have a maximum height of 7.5m. The proposed gable would have a ridge height of 15m and would provide a focal point when approaching the building from Gibson Way.

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

RELEVANT HISTORY: Extensions approved in 1992.

CONSULTATIONS: Archaeology: Recommend full excavation condition.

English Nature: Ecological survey required to determine whether bats are present on the site.

Design Advice: To be reported.

English Heritage: English Heritage is content that the local planning authority determines the application.

TOWN COUNCIL COMMENTS: No objections.

REPRESENTATIONS: These applications have been advertised and four representations have been received. Period expired 11 April 2004.

No objection. Appreciate the development taking place. Will enhance our view and greatly improve the building and its use will be an asset to the area and the community.

Object to bulk and size of extended building. Concern regarding increased noise levels. Concern regarding loss of sunlight and general amenity, particularly in Spring and Autumn.

Object. Insufficient parking area.

Object. Parking in Abbey Lane already a problem with many of the difficulties being caused by people using existing church hall. Extending can only make things worse. Plans for extended hall to have activities all day most days and will increase traffic levels.

PLANNING CONSIDERATIONS: The main issues are

- 1) whether the design of the proposed extensions are appropriate for this conservation area location, adjacent to listed buildings (ERSP Policies HC2 & HC3; ADP Policies DC2 & DC5; DLP Policies ENV1 & ENV2),**
- 2) whether the proposed extensions would cause loss of amenity to the adjacent residents (ADP Policy DC14, DLP Policy GEN4) and**
- 3) whether the lack of parking provision would be detrimental to the amenities of the local residents (ADP Policy T1, DLP Policy GEN1).**

1) The design of these proposed extensions has been extensively negotiated in order to produce a scheme which would provide an attractive addition to the Victorian building and be complimentary to the setting of the listed Church. Whilst it is accepted that there is a degree of shallow pitched roof to the front of the building, it is proposed that this would be constructed in lead. Similar schemes have been carried out to extensions to churches throughout the country, including the new visitor centre at Southwark Cathedral in London. The proposed frontage, which is the main vista of the building when approaching the site via Gibson Way, would have a contemporary appearance, with an Oak glazed screen. It is considered that this would not be detrimental to the character and setting of either the conservation area or the listed Church. It is considered that the proposed extensions would represent an enhancement to the conservation area as this would replace an unsightly flat roof modern extension. The retention and relocation of the bell tower enables an attractive element of the existing building to remain. It is considered that the proposals satisfy the requirements of the relevant policies.

2) The proposed extension on the western end of the building is not considered likely to have an adverse impact on the residential amenity to the occupiers of the Almshouses to the rear of the site. It is not considered that there would be any undue overshadowing as both the existing building and the Church overshadow the area to the east of 2 Primes Close and the rear garden to 5 Park Lane. With regard to the proposed extension to the front of the building, this would be located behind an existing 2.8m brick wall (measured from the ground level of the adjoining property, known as The Old Stables). Adjacent to this wall the owner of this property has an outbuilding measuring 6.2m in length, which provides a degree of obscuration of the site. It is considered that the existing outbuilding would obscure the view of the proposed gable from the ground floor window of the adjoining property and therefore, it is not considered that the proposed extension would appear dominant to the occupiers of this property. Concern has been raised regarding the potential issue of overshadowing of the proposed extension in relation to the adjoining property. The applicant has commissioned a "Solar Study" which indicates that overshadowing already occurs of the site, particularly during the later stages of the day. The details shown in the "Solar Study" are as follows:

The overshadowing of the front elevation windows to the adjacent occur at the following times:

	April	July	October
Ground floor window – existing	16:50	16:30	14:50
Ground floor window – proposed	15:50	16:30	14:50

Top floor window - existing	16:50	16:50	16:50
Top floor window - proposed	16:50	17:10	15:10

As can be seen from the above table, the potential impact of the proposed extensions would be minimal. Overshadowing is likely to occur an hour earlier in April to the ground floor, and an hour and a half earlier to the upper storey window in October. Overshadowing in July to the upper storey would occur approximately 20 minutes later than at present. This is due, in part, to the relocation of the existing tower. Therefore, it is considered that, based on the information contained in the “Solar Study” that the proposed extension should not cause undue additional overshadowing to the backland property known as The Old Stables.

An additional cause of loss of residential amenity would be potential increase in noise levels. Possibly the noisiest activity associated with the Salvation Army is in relation to the band. However, the applicant’s case states that the Salvation Army band have been practising at the application site for several years. There does not appear to be any record of noise complaints in respect of these activities. In addition, it is proposed to construct the proposed extension using higher levels of insulation compared to the existing building. Therefore, it is considered that noise impacts are likely to be reduced for the adjoining properties. However, in order to protect the residential amenity of the adjacent properties, it is considered essential that a condition be imposed restricting late night use of the building for social functions. Whilst it is appreciated that the religious ethics of the Salvation Army is unlikely to enable the building to be used for functions involving the consumption of alcohol, it would not prevent noisy functions, such as discos.

Therefore, it is considered that, subject to the imposition of relevant conditions, the proposals meet the requirements of the relevant policies.

3) The application site is located within close proximity to the town centre and within easy walking distance to Swan Meadow car park. This car park is the long stay car park which serves the town and the application site is located closer to the car park than the town centre. Whilst it is accepted that the site is not capable of accommodating the required parking spaces required for the premises, there is already a short fall for the current use of the site. Current central government guidance recommends minimum parking standards and encourages the use of sustainable forms of transport. Due to the location of the site within a built up area, it is considered that an under provision of parking spaces would be appropriate. It is considered that Swan Meadow car park would provide sufficient space for users of the site. Therefore, it is considered that the proposals meet the requirements of the relevant policies.

COMMENTS ON REPRESENTATIONS: The issues raised as representations have been discussed above. English Nature raised the issue of potential bat roosts within the tower and the applicant has notified the planning department that they are in the process of implementing an ecological survey which will cover this aspect. In addition, the site is located within 500m of a known site of great crested newts, and the ecological survey will cover this species as well. However, to ensure no development takes place until the survey is completed, it is considered that a condition is imposed requiring the surveys to be undertaken and safeguarding measures identified, if required.

CONCLUSIONS: The proposals satisfy the relevant policies.

RECOMMENDATIONS:

1) UTT/0432/04/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.5.1. Samples of materials to be submitted and agreed.
- 4. C.16.2. Full archaeological excavation and evaluation.
- 5. C.20.2. Protection of other species.
- 6. C.20.1. Protection of bat roosts.
- 7. The extensions to the building hereby permitted, together with the original building, shall not be used for functions after 11pm, unless previously agreed in writing by the local planning authority.
REASON: In order to protect the amenity of the adjacent residential properties.

2) UTT/0433/04/LB – LISTED BUILDING CONSENT WITH CONDITIONS

- 1. C.2.2. Time limit for commencement of development – listed buildings.
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. C.5.1. Samples of materials to be submitted and approved.
- 4. Design conditions – to be reported.

Background papers: see application file.

UTT/0215/04/CC - GREAT DUNMOW

Demolition of existing Leisure Centre. Construction of new teaching block, playgrounds and repositioning of car park.

Helena Romanes School, Parsonage Downs. GR/TL 620-230. Essex County Council.

Case Officer: Mr R Aston 01799 510464

Expiry Date: 09/03/2004

NOTATION: ADP & DLP: Outside Development Limits/Area of Special Landscape Value/Settlement Boundary.

DESCRIPTION OF SITE: Helena Romanes School is located to the north of Great Dunmow, outside development limits in an Area of Special Landscape Value. The existing leisure centre is located to the rear of the main school building attached to an existing teaching block. The land on which the new car park is proposed is located to the north of the main school buildings with the boundaries of the nearest residential properties located approximately 13m to the east of the proposed new car park access road which runs to the east of the main school buildings.

DESCRIPTION OF PROPOSAL: This is a consultation by Essex County Council relating to an application it is considering and proposal details the demolition of the existing leisure centre and the construction of a new teaching block, playgrounds and the repositioning of car park.

RELEVANT HISTORY: Retention of relocatable classrooms, 1984. Continued use of five relocatable classrooms, 1989. Erection of new entrance, 1993. Erection of floodlights for tennis courts, 1993. Single-storey extension to eastern elevation, 1994. Single-storey extension to form science laboratories, 1997. Outline application for new fitness centre and associated car parking, formation of new access road, approved 1998. Artificial turf sport pitch and associated floodlighting, approved 1998. Erection of single-storey laboratory extension and two-storey sixth form centre, approved 1999. Leisure centre and associated car parking, approved 2001.

TOWN COUNCIL COMMENTS: Support application, suggests that the roof be redesigned with a pitched roof to improve the design and house the services.

REPRESENTATIONS: Two received. Notification period expired.

1. It appears that the car park has been moved considerably closer to the boundary than in the original application. We request that the distance be maintained as shown on the previous plans. Low-level lighting is proposed which should be both low height and low density. A high close-boarded fence should be erected in order to reduce noise pollution. The car park should be restricted to an occasional use and any use should be restricted to private vehicles enforced by an entrance barrier with a height restriction. We also request that the car park should be closed at weekends and after school hours and the barrier locked to prevent access. The landscaping should be continued along the entire length of the boundary. We ask for assurance that the access road and car park will not be used by school buses and parents waiting to collect or drop off children. The car park should be concrete and not gravel.

2. Essex Amphibian and Reptile Group: There are several ponds located near to the school and we have a record of Newts in this area. A full survey needs to be undertaken in order to ascertain the effects of the proposal upon any Newt population found. The survey should be carried out before a planning decision is made.

PLANNING CONSIDERATIONS: The main issues to consider are:

- 1) **the impact of the proposal on the residential amenity of adjoining occupiers and whether the design and scale of the new teaching block is appropriate (ADP DC14, DC1, DLP GEN2 and GEN4);**
- 2) **whether the proposal would have a detrimental impact on a protected species in accordance with the Wildlife & Countryside Act 1981.**

1) This application follows a previous application determined in October 2003 for the demolition of the existing leisure centre and the construction of a new teaching block, playgrounds and car park. The item was reported to DC Committee as an emergency item on 13 October 2003. The committee resolved that the District Council had no objections to the demolition of the existing building and the erection of the new classroom and playground. However Members were concerned that the close proximity of the car park to adjoining residential properties could give rise to a detrimental impact on the occupiers of the properties adjoining the school site through increased noise and vehicle fumes. Furthermore, Members noted that no details of the car park or playground lighting were included with the application and they requested that Essex County Council look at introducing low-level lighting to reduce the impact on amenity. Accordingly the application has been amended and the main changes are as follows:

- The car park layout has been revised although it has been brought approximately 6.5m closer to the western boundaries of the adjoining residential properties; it has been reduced in its width facing onto the adjoining residential properties from 59m to 36m. In addition a 12m landscape screen has been proposed, aimed at reducing the impact on the adjoining residential properties. Furthermore, it is proposed that the car park will not be used after general school hours on a regular basis.
- The gravel car park which was to be resurfaced as a hard play area has been amended and now includes two play courts enclosed by a 3m high colour coated wire mesh fence on the site of the existing gravel car park and hard play/social space on the site of the demolished leisure centre.
- The new technology block has been reduced in size by approximately 115m² with the removal of some of the general teaching and music accommodation.

Although the car park has been moved closer to the boundaries of the adjoining residential properties, the addition to the scheme of a new landscape screen between the car park and the boundaries of the residential properties, if appropriately planted would act as a buffer zone the impact from noise associated with car engines entering the site and associated vehicle fumes would not be sufficiently harmful to warrant a recommendation of refusal. Although no details have been submitted, appropriate low-level lighting for the car parking would minimise the impact on residential amenity.

Turning to the impact of the design of the new teaching block, given the existing architectural form and scale of the surrounding school buildings, it is considered that the design of the new teaching block is appropriate and would not have a detrimental impact on the visual interests of its surroundings or the Area of Special Landscape Value in which it sits.

2) Although no such survey was requested by the Essex Amphibian and Reptile Group, at the time of the last application, a full survey has been completed on the site by a qualified Biological Surveyor and Field Ecologist. The survey found that in the absence of recent survey data an assumption has been made that Great Crested Newts are present within the vicinity of the site. Site assessment has determined that the area of the proposed development is unsuitable for Great Crested Newts and the proposal will not have a significant impact on local populations of this species. Mitigation measures including the erection of exclusion fencing and timings of certain works should be put in place and precautionary measures taken by personnel involved in the works.

COMMENTS ON REPRESENTATIONS: It is considered that the objections raised in relation to the impact of the proposal on residential amenity can be overcome by suitable conditions. With regard to the issue of potential wildlife habitats for a protected species a

survey has found that the habitat of Great Crested Newts would not be affected by the proposal.

CONCLUSIONS: The proposal is considered acceptable subject to the conditions highlighted in the following recommendation.

RECOMMENDATION: THAT ESSEX COUNTY COUNCIL BE INFORMED THAT NO OBJECTIONS ARE RAISED SUBJECT TO APPROPRIATE CONDITIONS RELATING TO LANDSCAPE SCREENING, LOW LEVEL LIGHTING FOR THE CAR PARK, HOURS OF USE OF THE CAR PARK AND SUITABLE MITIGATION MEASURES TAKEN FOR THE PROTECTION OF GREAT CRESTED NEWTS.

Background papers: see application file.

UTT/0038/04/DC – QUENDON AND RICKLING
(District Council application)

Erection of detached house.
Site 2 Woodside Rickling Green. GR/TL 510-300. Uttlesford District Council.
Case Officer: Mrs K Hollitt 01799 510495
Expiry Date: 16/04/2004

This application was previously reported to the meeting on 26 April 2004, where Members resolved to approve the application subject to an additional condition requiring the car parking arrangements to be served by one access point. This report is to advise Members of a change in circumstances since the last meeting.

Planning permission was granted on 23 May 2001 for the creation of two vehicular access points to serve the dwellings known as 5 and 6 Woodside, Rickling Green. At this point in time both properties were within the control of the local authority. Since that date the occupier of 5 Woodside has exercised their right to buy their property. The planning permission for the access points has not yet been implemented, but this does not prevent the owner of 5 Woodside from implementing this permission any time up to 22 May 2006.

Planning permission was sought for the erection of a new dwelling adjacent to 6 Woodside. Members considered this application at their meeting on 5 April 2004 and deferred the application requesting a revised plan be submitted showing a new parking area to serve the occupiers of 6 Woodside. This plan was subsequently submitted and Members resolved to approve the application on 26 April 2004, subject to an additional condition requiring the parking area to serve the new property and 6 Woodside to be served by one access point.

In view of the existing permission for the creation of two new access points, advice was sought from the Legal department as to the best way to resolve this issue. The following condition was proposed:

“This permission shall not be exercised in addition to the extant planning permission (ref no UTT/1407/00/DC granted by the local planning authority on 23 May 2001), but shall be an alternative to that permission. Should one of the permissions be implemented the other permission shall not be implemented.”

This would have meant that should the owner of 5 Woodside choose to implement the extant planning permission then the consent for the new dwelling would be lost. The local authority would have no control over the actions of the owners of 5 Woodside in respect of this extant permission.

An alternative condition was proposed as follows:

“This permission shall not be exercised in addition to the extant planning permission (ref no UTT/1407/00/DC granted by the local planning authority on 23 May 2001), in so far as it relates to 6 Woodside, but shall be an alternative to that permission. Should one of the permissions be implemented the other permission shall not be implemented, except in relation to the construction of a vehicular access to serve 5 Woodside.”

However, since Members resolved to grant planning permission for the new dwelling adjacent to 6 Woodside, the situation has altered.

The owner of 5 Woodside has sought to purchase an additional piece of land adjacent to their property, and it is thought that they may seek planning permission for a new parking area and access in due course. In addition, the occupier of 6 Woodside has exercised their “Right to buy” in relation to their property. In view of this the local authority would not be

prepared to implement any works to provide an access or off-road parking area to serve this property.

Members wished to impose the condition in relation to one access point in order to protect the hedge to the front boundary. However, the existing planning permission (UTT/1407/00/DC) would result in the removal of two large sections of this hedge should it be implemented. The local authority would not be prepared to implement the parking proposals in respect of 6 Woodside as proposed in application UTT/0038/04/DC. It should be noted that the removal of the hedge does not require consent and these works could be undertaken by the owners/occupiers of either property at any time. Planning permission is required purely for the creation of a vehicular access.

Circular 11/95 requires, inter alia, that conditions must be reasonable in all other respects. In view of the fact that the land to which this proposed condition relates is or will shortly no longer be within the local authority control, it is considered that the imposition of the additional condition would be unreasonable. Therefore, Members are requested to reconsider whether planning permission could be granted for the original plan (drawing no UDC/FS/514/4, dated 20 February 2004).

UTT/0038/04/DC - QUENDON & RICKLING
(District Council application)

Erection of detached house.

Site 2 Woodside Rickling Green. GR/TL 510-300. Uttlesford District Council.

Case Officer: Mrs K Hollitt 01799 510495

Expiry Date: 16/04/2004

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

DLP: Within Settlement Boundary/Conservation Area.

DESCRIPTION OF SITES: This sites is located on the western side of the road running up to Rickling Green. The site was formerly the side garden to 6 Woodside and was formerly the parking area to this property. The plot has a frontage of 12.5m and a depth of 33m and backs onto the allotments.

DESCRIPTION OF PROPOSALS: 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.

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.

CONSULTATIONS: Anglian Water: None received (due 11 March 2004).

Environment Agency: No objection.

Design Advice: To be reported.

PARISH COUNCIL COMMENTS: To be reported (due 25 March 2004).

REPRESENTATIONS: This application has been advertised and no representation has been received. Period expired 23 March 2004.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS (5 APRIL 2004): See letter dated 14 March 2004 attached at end of this Supplementary List of Representations.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would

- 1) **be appropriate within development limits and appropriate use of land (ERSP Policies CS2 & C5, ADP Policies S2 & DC1 and DLP Policies S3 & GEN2,**
- 2) **meet the design criteria for development within a conservation area (ERSP Policy HC2, ADP Policy DC2& 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 the 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 requirement for 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. The parking provision for 6 Woodside has been previously considered and planning permission for a new vehicular access and two parking spaces was approved in May 2001.

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 dwellings is considered acceptable. The dwelling would be located in the middle of the plot with approximately 2m gap to the south western boundary and a similar size gap between the side elevation of this proposed property and 6 Woodside. 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.

CONCLUSION: On balance the proposals are acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted and approved.
4. C.5.7. Window details.
5. C.6.3. Removal of permitted development rights.
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 parking requirements.
10. C.19.1. Avoidance of overlooking.

Background papers: see application file.

1) UTT/0641/04/FUL & 2) UTT/0642/04/LB – THAXTED

Proposed conversion of barn to dwelling to include single storey side extensions with addition of mid-strey to southern elevation.

Dove House Farm Dunmow Road. GR/TL 615-293. Mr & Mrs Tonge.

Case Officer: Mr N Ford 01799 510468

Expiry Date: 08/06/2004

NOTATION: Outside development limits S2. Area of Special Landscape Value C2. Affects the setting of a Listed Building DC5.

DESCRIPTION OF SITE: The site is located on land within the curtilage of Dove House Farm on the eastern side of the B184, 1 mile (1km) south of Thaxted. The barn is currently being converted under a recent permission and is sited adjacent to the main farmhouse with a courtyard between them. It is 1.5 storey in height with associated single storey outbuildings within the courtyard. There are existing brick and flint walls to the front and rear.

DESCRIPTION OF PROPOSAL: It is proposed to link and extend the existing barns. A double bay garage would be created within the northern barn by extending the barn northwest by 2.1m. The scheme is materially different from the previous approvals in so far as a midstray is now proposed to the courtyard (south east) elevation of the barn in stead of that previously proposed to the opposite elevation (north west) the applicant cannot now build the north west midstray due to legal circumstances. In all other circumstances the scheme remains as previously approved save for a small retaining boundary wall to the patio required because of the steep gradient rising north west.

RELEVANT HISTORY: In April 2003 planning permission and Listed building consent was granted for the conversion of a barn to a dwelling, alterations including the raising of the roof and a change of use of agricultural land to residential. In February 2004 following a site visit planning permission and Listed building consent was granted for a broadly similar scheme but with the addition of a midstray to the north west of the lower barn.

CONSULTATIONS: UDC Specialist Design Advice: No objections to the proposed relocation of the midstray subject to all relevant previous conditions. No objections to the proposed retaining wall subject to the wall being prominent from the public side.

PARISH COUNCIL COMMENTS: Objection because the midstrey and roof light would cause a severe overlooking problem and the historic relationship between the barn and the farmhouse would be affected.

REPRESENTATIONS: These applications have been advertised and one representation has been received. Period expired 15 May 2004.

1. No objection to principle of conversion but concerned about addition of midstrey to southern elevation and roof light, which would cause overlooking. The courtyard should be left open to maintain the historic relationship between the barn and farmhouse.

PLANNING CONSIDERATIONS: The main issues are whether the proposed residential conversion of this existing barn would:

- 1) form an appropriate conversion in the countryside in accordance with ADP Policies C6, DC5, DC6 and RDDP Policies H5 and ENV4.
- 1) The principle of conversion of the barns remains the same as the previous approvals except for the addition of a midstrey to the southern elevation in stead of one approved to the north elevation.

Although the conversion works currently ongoing are extensive the barns, as previously, appear to be in sound structural condition. The barns were black tar stained weather boarded structures and had metal corrugated roofing. As with the recent permission this conversion proposes the removal of this roof and its replacement with a new slightly raised roof with clay tiles. The raised pitch level and clay roof material are considered to complement the character of the barn and provide a more sympathetic traditional appearance. A private garden area is proposed that can be provided unobtrusively to the rear of the barn. Therefore, the alterations are considered to respect and conserve the characteristics of the building in accordance with ADP Policy C6 and RDDP Policy H5 and would facilitate a sympathetic conversion.

The modest north west extension and addition of a midstray to the southern elevation are considered to be limited works of alteration that will facilitate a desirable scheme that enables the preservation of this building and its characteristics in accordance with ADP Policy DC6. It is considered that the character and appearance of the barn would not be unduly altered by the relocation of the previously approved midstray from the north west elevation to the south east elevation and that the limited incursion into the courtyard would not be detrimental to its historic character.

This conversion, in a similar manner to the scheme recently approved, is considered to represent a suitable scheme that would respect the fabric and character of this Listed building in accordance with PPG7 (The Countryside, Environmental Quality and Social Development). The scheme would protect the buildings traditional character and improve its appearance (especially in relation to the replacement of an existing unsympathetic roof structure) in accordance with PPG15 (Planning and the Historic Environment). The conversion is also considered to accord with the general thrust of Policy RE2 of the Southend-on-Sea Replacement Structure Plan Adopted April 2001 relating to the re use of rural buildings.

COMMENTS ON REPRESENTATIONS: It is considered that there would be no material overlooking from the midstray detrimental to residential amenity. The glazing proposed is 2.5m further forward than the extant consents but relates only to an entrance hall way with landing above and not habitable rooms. Furthermore, the midstray would not directly face any windows to the adjacent farmhouse. The roof light proposed to the southern elevation (bedroom 3) would not create any material overlooking from an oblique angle and is approved in this position under the extant consents.

CONCLUSION: The proposal respects and conserves the traditional character and appearance of this Listed rural barn.

RECOMMENDATIONS:

1) UTT/0641/04/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.6.4. Excluding extensions without further permission.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.15.1. Superseding previous permission.
7. C.20.2. Protection of other species.
8. All existing brick walls within the application site shall be retained in perpetuity, unless first agreed in writing with the local authority.
REASON: To ensure that the historic fabric of the site is maintained.
9. The courtyard between the farmhouse and the barn to be converted shall be left open and finished in gravel or similar material.

REASON: To ensure that the historic relationship between the two buildings is maintained.

10. All new boundary treatment shall be post and rail and planted with indigenous species.
REASON: To ensure that the fencing is appropriate in relation to the open countryside.

11. The retaining wall hereby approved shown on drawing DH/07 dated 28 April 2004 shall not have any earth mounded higher beyond the courtyard than the top of the coping brick level.

REASON: In order that the setting of this Listed barn and its appearance is maintained.

2) UTT/0642/04/LB – APPROVAL WITH CONDITIONS

1. C.2.2. Time limit for commencement of development – listed buildings [conservation areas].

2. C.3.2. To be implemented in accordance with revised plans.

3. C.5.1. Sample of materials to be submitted and agreed.

4. The new roof sections indicated in green on the approved plans hereby permitted shall be clad using hand-made clay plain tiles, samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

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

5. C.5.6. Clay pantiles.

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

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

REASON - To ensure that appropriate materials are used for the approved development.

8. C.5.8. Joinery details.

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.

REASON- To ensure that the window details are appropriate in appearance.

12. The main entrance door on the front elevation shall be glazed instead of solid timber, details of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

REASON- To ensure that the door details are appropriate in appearance and match with the glazed screening that surrounds it.

Background papers: see application file.
