

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 1 NOVEMBER 2004

APPL NO: **UTT/0358/04/FUL**
PARISH: **GREAT CANFIELD**
DEVELOPMENT: Erection of 5 buildings to provide stables, office, tack room, feed store, replacement club house, forge, carriage display building, alterations to indoor riding school to include carriage
APPLICANT: Mr & Mrs T Chambers
LOCATION: Ashfields Polo and Equestrian Centre
D.C. CTTE: 31 August 2004 & 20 September 2004
REMARKS: Deferred for a smaller scheme within the footprint of the existing buildings, including the proposed dwelling. Revised drawings received and consultations have been carried out. New report next time
RECOMMENDATION: Deferral
Case Officer: Mr R Aston 01799 510464
Expiry Date: 26 April 2004

APPL NO: **UTT/1179/04/FUL**
PARISH: **LITTLE CHESTERFORD**
DEVELOPMENT: Change of use to residential. New vehicular access
APPLICANT: Julian Rosalind & Richard Mash
LOCATION: The Coach House Springwell
D.C. CTTE: 20 September 2004 (see report copy attached)
REMARKS: Deferred for site visit
RECOMMENDATION: Approval
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 9 September 2004

APPL NO: **UTT/1332/04/FUL**
PARISH: **STEBBING**
DEVELOPMENT: Erection of detached dwelling with detached garage. Construction of new access
APPLICANT: Mr S Galpin
LOCATION: Land r/o Church Cottage Church End
D.C. CTTE: 11 October 2004 (see report copy attached)
REMARKS: Deferred for site visit
RECOMMENDATION: Approval
Case Officer: Consultant South 2 01799 510452/510471
Expiry Date: 27 September 2004

UTT/1179/04/FUL - LITTLE CHESTERFORD

Change of use to residential. New vehicular access.

The Coach House, Springwell. GR/TL 520-411. Julian Rosalind & Richard Mash.

Case Officer: Mr G Lyon 01799 510458

Expiry Date: 09/09/2004

NOTATION: Outside Development Limit/Settlement Boundary; Area of Special Landscape Value (ADP only); Access onto Class B road; Adjacent Listed Building; Special Verge.

DESCRIPTION OF SITE: The site forms part of a group of buildings to the north of Joseph Farm and Springwell Nursery, on the eastern side of the B184 Walden Road, to the south of Little Chesterford.

DESCRIPTION OF PROPOSAL: This application seeks the conversion of a former coach house in the curtilage of Springwell Place to a 3-bedroom dwelling. It is understood the building has been used as grooms' accommodation and stabling but more recently for domestic storage. It is a two-storey brick building with slate roof, in sound structural condition but in need of repair (it was attached to stable building which has been demolished following a fire).

Proposed alterations include:

Front elevation: replace pair of timber doors with glazed doors and panels. Replacement first floor and roof window. New rooflight (to serve en-suite bathroom). Remove paint to reinstate original brickwork.

Rear elevation: Brick up first floor window. New rooflight (to serve landing).

Western side elevation: Insert two first floor windows (both serving bedrooms).

Eastern side elevation: Remove external staircase. Replace door with window (to serve bedroom).

There are currently two access points in close proximity: one which serves this site and the two other dwellings, and which is substandard. The second serves Springwell Nursery and Josephs Farm, but is in the control of the applicant. This is a wider access and has better visibility than the second. Alterations to widen this vehicular access and further improve sight lines are proposed, and the second access point would be closed. The improved access would serve the converted building, Springwell Cottage, Springwell Place, Joseph Farm and the nursery.

APPLICANT'S CASE: The highways authority confirms that the new access would improve road safety at the difficult junction, both for applicants and the adjacent garden centre. The realigned entrance drive allows the curtilage of the listed cottage to be increased, and for improved access to both Springwell and the Coach House. There is more than adequate parking available for all three properties. The adjacent stables and barn burnt down recently and a separate application is to be submitted to reconstruct the stables within the adjoining garden of Springwell.

RELEVANT HISTORY: Reconstruction of the adjacent fire-damaged Springwell Cottage was approved December last year. Permission for a dwelling to be occupied in connection with stables refused July 2003.

CONSULTATIONS: TOPS: No objections subject to conditions.

Design Advice: No objections subject to conditions.

ECC (Special Verge): Development will affect Special Roadside Verge U24A, which supports rare plants Wild Liquorice and Chalk Flora, but no objection as recent survey indicates no plants of note are present. Repeated mowing has destroyed plants in this area.

Application could provide opportunity to re-create area suitable for chalk grassland plants where the existing access is to be removed. Wildlife status of Special Verge would be enhanced, and would outweigh the small amount of damage caused by widening of the access.

English Nature: Not likely to affect SSSI but suggest survey as building could be suitable habitat for bats and barn owls.

UDC Landscape Advice: Boundary reinstatement scheme required for existing access gap.

PARISH COUNCIL COMMENTS: See copy of letter dated 11 August 2004 attached at end of report.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 20 August 2004.

Believe application is defective. Boundary hedge could be affected by development. Inadequate detail on site plan prevents full assessment by neighbours and officers. Entrance is not adequate to accommodate another dwelling and would cause conflict with deliveries and customers of garden centre. Previous appeal made clear increasing de-acceleration splay would be preferred safety option but this application would remove it. Garden centre could cause nuisance to future residents of building. No adequate sewage disposal and all have borehole water supply. Any further development would pose risk to basic water supply. First floor windows would overlook Josephs Farm causing loss of amenity. Building is not redundant and was used until fire. Future stables would require unnecessary extra building in the countryside. Widening of access would affect setting of listed buildings either side. No justification for separate dwelling, would make suitable annex. Springwell is large house and could build building of this type as permitted development. No history of stables on the site and any future proposals should be carefully controlled.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would

- 1) meet the criteria of conversion policies (ERSP Policy RE2, ADP Policy C6 & DLP Policy H5);
- 2) have acceptable access and parking arrangements (ERSP Policy T12, ADP Policies T1 & T2, and DLP Policies GEN1 & 9);
- 3) have any adverse impact on surrounding residents (ADP Policy DC14 & DLP Policy GEN4); and
- 4) adversely affect the setting of adjacent listed buildings (ERSP Policy HC3, ADP Policy DC5 & DLP Policy ENV2).

1) The building is mostly in a sound condition, and is of a construction and appearance that would meet the requirements of the Council's conversion policies. Design Advice supports conversion of the building.

2) The existing access is substandard, and there is no objection from ECC Transportation to the access widening, subject to the closure of the second access point. It is considered that the new arrangement would improve access to all the properties in the vicinity. Although there has been representation that the proposal would conflict with traffic to the nursery site, it is considered that the widened access would improve the traffic arrangements at the junction, and there would be sufficient space within the site to accommodate the manoeuvring of all vehicles.

The closure of the access could contribute to the reintroduction of rare plants in the special verge, and this would offset any damage created by the access widening.

3) The conversion does not involve any windows which could cause overlooking of Springwell Cottage to the northwest, and any side facing bedroom windows would overlook

the access road and newly created garden, rather than the more private garden area to the cottage.

There is a distance of over 35m between the main habitable windows of Joseph farmhouse and the conversion building. A gable window would be closer at almost 30m, but is at an angle and less directly affected. There could be some increased overlooking of that building, but not its private garden area, and not to such a level to warrant refusal of the application.

It is not considered that the activity of the garden centre would be detrimental to the amenities of future occupants of the building to warrant refusal, and any purchaser would be aware of the existence of the business at the time. The Council's Environmental Health Officers are satisfied that the building is sufficiently distant from the nursery to avoid any material disturbance beyond reasonable levels.

4) The conversion would involve the creation of a garden area to serve Springwell Cottage, on an area which is currently access and hardsurfacing. This would therefore result in an improved setting for that listed building. As it is a conversion, the built form near the cottage would be unchanged.

The access nearest Joseph Farm would be widened, but at the point furthest from that property. It is not considered this would materially affect the setting of that building.

COMMENTS ON REPRESENTATIONS: Most points are addressed above. Issues of water supply and foul drainage provision would be addressed under the Building Regulations. The conversion of the building would not materially affect the boundary hedge, which in any event makes little contribution to the setting. The application must be determined on its merits, and if it is considered appropriate for conversion under the Council's policies there would be no justification to require it to be an annex only. Any future stabling proposals will be considered on their own merits if submitted.

CONCLUSIONS: The proposed conversion would meet the requirements of policy, and could take place without adverse impact on adjacent residents and highway safety.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and agreed.
6. C.5.4. Natural Slate 'converted building'.
7. C.5.8. Joinery details 'converted building.'
8. The rooflights hereby permitted shall be of the Conservation Range, details of which shall be submitted to and approved in writing by the local planning authority before any commencement of the development. The rooflights shall be installed in accordance with the approved details and thereafter so retained.
REASON: In the interests of preserving the characteristics of the building.
9. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
10. C.6.5. Excluding fences and walls without further permission.
11. C.11.5. Standard vehicle parking facilities.
12. Space shall be provided within the site to accommodate the turning of all vehicles regularly visiting the site, clear of the highway and laid out and paved in accordance with details submitted to and approved in writing by the local planning authority

- before any development commences. Such space shall thereafter be maintained free of any impediment to its designated use.
13. There shall be no obstruction above 0.6m in height within the area of a 2m parallel band visibility splay required across the entire site frontage.
 14. The first 6m of the approved widened access road, as measured from the highway boundary, shall be treated with an approved bound material to prevent any loose material from entering the public highway.
 15. The existing vehicular access marked 'X' on drawing no. 03-110-06 shall be permanently closed for vehicle access, in accordance with details first submitted to and approved in writing by the local planning authority before any work commences on site. The access shall thereafter remain permanently closed.
REASON 12-15: In the interests of highway safety.
 16. C.19.1.Avoidance of overlooking.
 17. C.20.2.Protection of other species' owl roosts and bats'.
 18. No development shall commence until details are submitted of boundary treatment to the newly created residential curtilages to Springwell Cottage and the converted building hereby permitted.
REASON: To ensure any subdivision does not adversely affect the setting of the listed building.
 19. C.8.27.Drainage Details.

Background papers: see application file.

UTT/1332/04/FUL – STEBBING

Erection of detached dwelling with detached garage. Construction of new access
Land r/o Church Cottage, Church End. GR/TL 663-239. Mr S Galpin.
Case Officer: Consultant South 2 telephone: 01799 510452/510471
Expiry Date: 27 September 2004

NOTATION: Within Development Limits of Adopted plan but outside settlement boundary in emerging local plan. With Conservation Area in both plans.

DESCRIPTION OF SITE: The site is located at the southern end of the High Street at its junction with the road that runs west to the former A120 and east to Stebbing Green, near the war memorial opposite the Church. The site forms part of the garden to a property fronting the road between Ruffles Place to the east and Church Farm to the west.

DESCRIPTION OF PROPOSAL: The application proposes the erection of a detached bungalow on land that presently forms the rear garden of Church Cottage. It would be a three-bedroom dwelling and include a single-storey detached double garage and would be located towards the southern end of this plot close to the boundary with 1 Ruffles Field.

APPLICANT'S CASE: The development site was included in an omnibus application under reference UTT/0066/04/FUL with Church Cottage. The whole application was refused as your Council considered that there was unacceptable overlooking from the rear development into an adjacent garden. This reason for refusal has now been overcome as the building is a single-storey structure.

RELEVANT HISTORY: March 2004: Application for new full two-storey dwelling with second floor within roofspace and extension to existing cottage was refused due to impact on neighbours through mutual overlooking and related issues concerning size and relationship with other dwellings in the conservation area. There is a current application for an extension to the dwelling at the front of the site and that is to be determined under delegated powers.

CONSULTATIONS: Design advice: To be reported.
Water Authority: To be reported.
ECC (Archaeology): Watching brief recommended.

PARISH COUNCIL COMMENTS: Object to this development on the grounds that it constitutes backland development and the new build although lower than the previous application will still have a significant impact on adjoining properties, including Church Farm, which is listed. The splendid view of the Church from the footpath to the south-east would be spoilt and the addition of another access roadway to the new property would have an impact on the appearance of the Church End construction area.

REPRESENTATIONS: This application has been advertised and 3 representations were received.

1. Stebbing Society: All the objections this Society raised to application UTT/0066/04/FUL still obtain. The reduction of one storey does not invalidate any of them. It would seem an appalling pity that the very considerable work put in by your Council (and supported by this Society), to ensure that the development of Ruffles Place was totally in keeping with the surrounding conservation area, should be set at nought by this unseemly, commercial project.

2. Would detract from the appearance of the Church End Conservation Area: garden would be no longer peaceful or private.
3. Comments related to application boundary, reference made to previous decisions and locality, which sought to protect the character of the Conservation Area.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the principle of this development of this site is in accordance with Structure Plan Policy C5, ADP Policies S2 & H6 and DDP Policy S7;**
- 2) **the design and the related impact upon the character and appearance of the Conservation Area with Structure Plan Policy HC2, ADP Plan DC2 and DDP Policies GEN2 & ENV1,**
- 3) **the proposal avoids a material impact upon the amenities of adjoining occupiers in accordance with ADP Policy DC14 and DDP Policy GEN4.**

1) This site is presently within settlement limits in the adopted plan and therefore under the current plan the proposal is acceptable in principle. However the review plan, which is very close to adoption, now excludes this area from the defined settlement limits.

The replacement local plan contains no policy on infilling with new dwellings and the replacement local plan explicitly states at paragraph 6.6 that infill proposals will be considered in the context of Policy S7.

Although the replacement local plan has not been adopted it is at an advanced stage and should be given considerable weight in the determination of this application.

The proposal is broadly acceptable in line with the Development Plan but unacceptable in the context of the emerging plan. Given the superior status of the adopted plan and because the previous proposal was refused on matters of detail not principle, it is considered that on balance the principle can be accepted.

Having reached this conclusion, it remains that the matters of detailed should be considered.

2) In terms of broad design, the introduction of a bungalow at this site would simply reflect the existing diversity of character and form of built development in the locality. This is a very mixed area, comprising two storey dwellings of various shapes and sizes, and other bungalows, not least being Church Bungalow adjoining site to the north. In terms of the size of the curtilage of the new dwelling, and that remaining for Church cottage, these would broadly reflect the scale of others in the locality and thus would not result in an inappropriately cramped development at this site.

In terms of more detailed design issues, the dwelling would have appropriately steep pitched roofs and limited roof spans such that the overall shape and design would be appropriate and result in an attractive dwelling. In these circumstances it is considered that the design, and layout, would have no adverse impact, and therefore preserve, the character and appearance of the Conservation Area. Materials of construction would be significant and therefore a condition to require the submission of samples is proposed.

3) Now that the size and scale of this dwelling has been significantly reduced, it is considered that there would be no serious impact on the amenities of adjoining occupiers by way of serious loss of light, outlook or overlooking of that garden area. To ensure privacy is maintained, it is proposed that a 1.8 metres fence should be erected on the southern boundary of the site, where it adjoins 1 Ruffels Field. Also, rooflights should be prevented by condition in the south facing roof slopes. Extensions should also be controlled for similar reasons.

There is adequate parking for this new dwelling and the existing dwelling. Both dwellings would have a good sized garden adequate for normal use, and also be of the size that is appropriate in the context of others in the locality. The access would have no highway safety implications given the layout indicated.

COMMENTS ON REPRESENTATIONS: The neighbour comments have been addressed in the above report.

CONCLUSIONS: Therefore, in summary, the application should be approved.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.3. Matching materials.
4. 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 rooflights or windows shall be inserted in any south or east facing roof slope or gable end wall, no extensions shall be constructed (other than any expressly authorised by this permission or any other grant of express planning permission), or freestanding buildings erected on any part of the site without the prior written permission of the local planning authority.
REASON: To ensure that the impact of any further building work upon the amenities of neighbouring occupiers is properly controlled.
5. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
6. C.10.26. Standard highway requirements.
7. A detailed layout to show a car parking area, including surfacing materials and access thereto from the public highway shall be submitted and approved by the local planning authority. Such details as may be agreed must be implemented prior to the occupation of the dwellings hereby approved. Thereafter these areas shall remain available for the parking of domestic vehicles, including the garages in connection with the normal residential use of the dwellings to which they relate and shall not be built over or similarly developed, notwithstanding Permitted Development Rights of extensions contained in the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification).
REASON: In the interest of highway safety.
8. Prior to the occupation of the dwelling hereby approved, a 1.8 metres fence shall be erected, and thereafter permanently retained, on the southern boundary of the application site, where the application site adjoins the curtilage of 1 Ruffels Field.
REASON: In the interest of the amenities of adjoining occupiers.
9. C.16.1. Archaeological watching brief.

Background papers: see application file.

UTT/1464/04/SA - TAKELEY

Temporary change of use in land to passenger car parking to serve airport. Land at Stansted Airport, North East of Mole Hill Green Roundabout. GR/TL 562-241. Stansted Airport Ltd.

Case Officer: Mr J Pine 01799 510460

Expiry Date: 15/10/2004

NOTATION: Within Terminal Support Area and Airport Development Limit (Policy AIR1 in both the ADP and DLP relates).

DESCRIPTION OF SITE: This 5.5ha site is located to the northeast of the Radisson SAS hotel, and southwest of the Molehill Green mound. The site has access off the Molehill Green roundabout which serves the hotel, and which also picks up vehicles leaving the terminal forecourt area and the short stay car park. The site currently consists of contractors' compounds, a concrete batching plant and scrub grassland. At its western end it also includes 270 existing car park spaces, which benefit from a time-limited planning permission as part of the Zone "G" Stirling Car Park. Beyond the western edge of the site is a further area of car parking used for car rental returns.

DESCRIPTION OF PROPOSAL: A change of use of land would be involved to provide a total of 1670 short stay car park spaces, including the 270 spaces "rolled forward" from Zone "G". These 1670 spaces are a temporary requirement of Stansted Airport Limited until the end of 2008 to replace lost spaces within Zones "A" to "F" of the short stay car park while construction works are undertaken on the first 2 decked car parks. For operational reasons, the first two decked car parks to be constructed would be those on either side of the new bus/coach station, subject to future reserved matters approval being granted for the one to the northeast of the new bus/coach station.

The temporary car park would be served by dedicated entry and exit barriers, and would consist of a base course construction with marked spaces on a tarmac surface. Lighting would be as per the Stirling Car Park, namely 10m high columns supporting 90-watt sodium lamps with a 180-degree cut off above the horizontal plane. Existing perimeter planting would be retained, and would be strengthened along the northwestern (airside) boundary and at the Molehill Green roundabout. Perimeter fencing would consist of 1m high post and rail.

APPLICANT'S CASE: See letters dated 17 August 2004 and 30 September 2004, both attached at end of the report.

RELEVANT HISTORY: Time-limited planning permission for 1700 space car park (Zone "G" Stirling Car Park) granted in 1999, expiring 28/2/07. This car park included the site for the Radisson SAS hotel, the permission being time-limited so as not to prejudice the future provision of the hotel.

Reserved matters approval granted in 2002 (pursuant to expansion to about 15mppa) for 2 decked car parks replacing Zones "A" – "C" of the existing short stay car park, increasing the overall capacity of the short stay car park to approximately 3100 spaces.

Outline planning permission for expansion to 25mppa granted in 2003, including the provision of decked car parks at Zones "D" – "F". The reserved matters application for these decked car parks is yet to be submitted, but approval would increase the capacity of the short stay car park to up to 6600 spaces. Under this outline permission, part of the

application site is safeguarded for future rail development and part is allocated for ground handling facilities.

CONSULTATIONS: ECC Highways & Transportation: No objections.

ECC Archaeology: Fieldwalking has shown the presence of large quantities of medieval pottery in the area, which could potentially be disturbed. Evaluation by trial trenching required prior to a planning decision being made.

BAA Safeguarding: No objections subject to a condition requiring landscaping details to be agreed to avoid problems associated with birdstrike.

English Nature: Is unlikely to affect the Elsenham Woods SSSI. The presence of protected species on the site is a material consideration. If protected species are suspected or are present, the applicant should provide an ecological survey prior to the planning application being determined.

Essex Wildlife Trust: To be reported if received.

Environmental Services: No comments.

PARISH COUNCILS' COMMENTS: Takeley: No objections subject to conditions about lighting levels and noise to nearby residents from vehicles.

Birchanger: To be reported (due 19 September 2004).

Stansted: To be reported (due 19 September 2004).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 13 September 2004.

PLANNING CONSIDERATIONS: The main issues are whether:

- 1) the proposals would be appropriate development within the terminal support area (Policy AIR1 of both the ADP and DLP),
- 2) the proposals would have an adverse effect on the countryside setting of the airport (ERSP Policies NR1 and C5, ADP Policy DC1 and DLP Policy GEN2),
- 3) highway dangers would be created (ADP Policy T1 and DLP Policy GEN1),
- 4) the proposals would retain the archaeological richness of the airport site (ERSP Policies C5 and HC5, ADP Policy DC10, DLP Policy ENV#)
- 5) the proposals would have a detrimental impact on nature conservation (ERSP Policy NR6, ADP Policy C3 and DLP Policy GEN7), and
- 6) there are any other material considerations which indicate that planning permission ought to be refused.

1) Both the AIR1 policies principally reserve the land adjoining the terminal for a range of related uses such as short stay car parking. The AIR1 policies also refer to land for rail infrastructure, and part of the application site would include land that is safeguarded until the end of 2009 for a rail headshunt by one of the obligations entered into with the Council by the applicant as part of the planning permission for expansion to 25mppa. These current car parking proposals would only be needed until 2008 and are reversible in the event that the headshunt is required, which would result in the loss of 500 of the temporary spaces. The granting of temporary planning permission should not therefore prejudice the provision of the headshunt. Similarly, the future use of another part of the application site for ground handling facilities under the 25mppa permission should not be affected by a temporary permission. It is the applicant's assessment that these ground handling facilities will not be required for the duration of the temporary planning permission.

2) The proposals would be contained within the airport development boundary, being bordered to the northeast by Molehill Green mound. The proposals would not extend as far to the southeast as the land allocated for ground handling facilities under the 25mppa permission. There should be no material increase in noise to adjoining residents.

3) As the proposals would replace car parking spaces that are to be lost elsewhere within the airport, there should be no net increase in traffic onto and off the airport road system. The temporary car park would be served by an existing arm of the Molehill Green Roundabout, the roundabout already handling traffic leaving the existing short stay car park, bus/coach station and the terminal approach road.

4) ECC Archaeology has discussed its requirements with the applicant's archaeological consultants. The construction of car parks can involve topsoil removal damaging to underlying archaeological deposits. Further detailed construction drawings are being produced to determine whether preservation in situ, or minimal groundworks are required. A site meeting will take place once appropriate drawings have been produced. For the sake of consistency, the same condition is proposed as was imposed in the outline planning permission for expansion to 25mppa.

5) The applicant's ecological consultant has been carrying out some further survey work on the site for the forthcoming 25mppa+ application EIA, having previously surveyed the site in 2000 for the 25mppa application. The northern half of the application site is made up ground and has no conservation interest. The southern half is part of a larger area of grassland that has been left to colonise by itself over a number of years. This area is similar in richness to other areas set aside for airport development, but does not qualify as of high value within the context of national or locally important sites. The value of the grassland is similar to that found in 2000, and its use for car parking would have only a limited impact subject to a few sensible recommended precautions being taken. These precautions can be conditioned.

6) It is considered that there is a proven need to replace the lost short stay car park spaces for the duration of the construction of the decked car parks. Failure to make adequate temporary provision could increase pressure for on-street parking in the areas around the airport, which would be a significant loss of amenity to local residents. The interim results of the "fly parking" study carried out by BAA Stansted's consultants appear to indicate that there is a degree of longer-term on-street airport-related parking taking place. Officers consider that there would be even more likelihood of on-street parking occurring on a short-term basis if the lost on-airport short stay spaces were not replaced.

COMMENTS ON REPRESENTATIONS: None received.

CONCLUSIONS: These proposals would comply with all the relevant ERSP, ADP and DLP policies, and are reasonable in the circumstances in which they are required.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. The use of land hereby permitted shall be discontinued on or before 31 December 2008 unless the local planning authority has previously granted a further planning permission for its retention. If that further planning permission has not been granted the land shall, by 30 June 2009, be reinstated to a condition that shall previously have been agreed in writing with the local planning authority unless, in the meantime, the applicant has begun to implement the use of land permitted under the planning permission reference UTT/1000/01/OP granted by Uttlesford District Council on 16 May 2003.

REASON: In the interests of the appearance of the area once the applicant ceases to require the short-stay car parking spaces hereby permitted.

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

3. No development shall take place until a landscaping scheme that complies with details contained in Advice Note 3 "Potential Bird Hazards from Amenity Landscaping

and Building Design” has been submitted to and approved in writing by the local planning authority. The scheme as approved shall subsequently be implemented during the first planting season following the first use of the site for temporary short-stay car parking and shall not be varied without the written approval of the local planning authority.

REASON: In the interests of aircraft safety.

4. No development shall take place until the applicant has secured on that site the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall previously have been submitted to and agreed in writing by the local planning authority.

REASON: To ensure that the archaeological richness and educational value of the airport site is retained.

5. All car park lighting shall consist of 10m high columns supporting 90-watt sodium lamps with a 180 degree cut off above the horizontal plane. A plan showing the location of all lighting columns shall be submitted to and approved in writing by the local planning authority prior to the first use of the site for temporary short-stay car parking. The position of the columns shall not subsequently be altered without the prior approval of the local planning authority.

REASON: To minimise the impact of the lighting of the car park on the surrounding area.

6. The development hereby permitted shall be implemented in accordance with the following precautions as set out in the letter from Penny Anderson Associates Limited to Stansted Airport Limited dated 24 September 2004:

- Protection of the small wildflower grassland abutting the site during construction
- Protection and retention of the ditch to the east of the application site, with retention of access to the mound landscaping for maintenance purposes
- Clearance of scrub and ditch infilling to take place prior to the bird breeding season
- Re-use of stripped topsoil for spreading on any grassland areas that can be incorporated into the landscaping scheme submitted under Condition 3.

REASON: To retain the ecological value of the airport both within and adjoining the application site.

7. No development shall take place until a plan showing the finished ground levels of the car park hereby permitted has been submitted to and approved in writing by the local planning authority. The development shall subsequently be implemented in accordance with the approved details.

REASON: To minimise the impact of the car park on the surrounding area, taking into account any changes required to existing ground levels.

Background papers: see application file.

UTT/1568/04/OP - QUENDON & RICKLING

Outline Application for demolition of two dwellings and erection of 5 No. dwellings
Green Acre & Longridge. GR/TL 510-300. Mr & Mrs T J James Mr D Ennacs.
Case Officer: Mr T Morton 01799 510654
Expiry Date: 09 November 2004

NOTATION: Within Village Development Limit / Settlement Boundary / Special Landscape Area (ADP only).

DESCRIPTION OF SITE: The application concerns the sites of 2 adjacent bungalows set behind the frontage properties and accessed by a private drive, the first 32 metres of which is maintained by the County Highway Authority, but only to footpath standards, and this also serves as the rear access to another 6 houses in Rickling Green Road. A public footpath runs along the eastern boundary of the site, outside of a hedge which forms the boundary to the garden land, but the footpath runs on land in the ownership of the applicant. The rear gardens are mainly laid to lawns with trees and shrubs planted in the grass, and the site is bounded by mature hedges and trees which enclose it very well. The two gardens have some trees and shrubs as part of their planting, but none of this is of significant landscape value.

DESCRIPTION OF PROPOSAL: The two existing bungalows would be demolished and replaced by 5 new detached houses placed in a row at right angles to the orientation of the existing bungalows. This represents a net gain of three houses. A group of Silver Birches and a conifer within the current rear gardens are shown as retained in the proposed layout. All matters except access are reserved for subsequent approval.

APPLICANT'S CASE: the scheme involves demolition of two poor quality dwellings allowing for more economical development of the land whilst retaining the essential character of the area; large spacious plots with good tree screening. The site can easily accommodate 5 large detached houses, and two turning areas are provided. The site would suit two-storey dwellings in keeping with neighbouring properties. The site has exceptional tree screening to all boundaries and exceptional distance from the new dwellings to those existing and therefore no overlooking or overshadowing can be caused by the proposal. The existing tree screening will help assimilate the development into the site, and further landscape planting would be provided. Access is by a metalled road with wide verges and excellent visibility. Rickling is a serviced village with shops, public transport and a good school within easy walking distance of the site.

CONSULTATIONS: ECC Highways. Under the terms of the *De minimis* agreement, this application is one where the highway aspects are left for determination by your authority. English Nature. The proposals are not likely to affect a Site of Special Scientific Interest. If Protected Species are suspected or present on a proposed development site then full information should be provided in the form of an ecological survey by an appropriately qualified consultant prior to the application being determined. Advise consultation with the County Wildlife Trust.

PARISH COUNCIL COMMENTS: None received. Notification period expired 5 October 2004.

REPRESENTATIONS: Notification period expired 5 October 2004.

At the time of writing 5 letters and a petition signed by 70 individuals have been received in objection, raising the following issues;

Overlooking and overshadowing of adjoining residential properties, the site is elevated and houses would have an overbearing impact on adjoining properties.

Character of development – density and 2 storey dwellings against surrounding bungalows, development not in character with the surrounding properties.

Access inadequate for significant increase in usage, and for refuse vehicles and fire tenders.

Access opposite village school with poor visibility in both directions. Visibility is obscured by the lines of cars parked by parents.

Private parking and turning areas inadequate.

Possible problems with storm water.

Existing dwellings not “poor quality”

The villages of Quendon and Rickling are not scheduled for major development in the Local Plan,

Village amenities have been grossly exaggerated.

The development borders a Conservation Area and would be visible from it and of an inappropriate design.

The plotting of boundaries and surrounding buildings is inaccurate.

Increased light pollution.

Loss of natural habitat. Detrimental to Coney Acre Wood.

Insufficient boundary screening at present needs to be improved and retained. Existing boundary trees lose their leaves in winter and only provide screening in summer. The development will be visible from all surrounding land.

Not in accordance with policies on village boundary.

Not in accordance with PPG3 as this is not an urban area. Not in accordance with PPS7 as it would not benefit the local economy or community.

An adjoining occupier has a disabled son who would be at particular risk from additional traffic on the private access.

Demolition and building traffic would have to use the existing access which would be dangerous.

PLANNING CONSIDERATIONS: The main issues are

- 1) The principle of development; the issue of ‘backland’ development.**
- 2) The proposed density of development.**
- 3) Effects upon the amenity of adjoining residential property**
- 4) Adequacy of the proposed access**
- 5) Effects upon landscape and wildlife**

1) The site lies within the defined settlement boundaries of Quendon and Rickling and therefore in principle development is acceptable under policy S1 of the ADP, subject to meeting other policy requirements of the plan. Policy H10 sets out the policy for backland development and requires a significant underuse of land to exist, and for the development not to overlook or overshadow nearby premises, this is further discussed below. Traffic hazards and significant road congestion should not be created, and this is further discussed below.

2) The policy context for housing development is set by PPG 3 Housing, which sets the general approach in its paragraph 58.

“ Local planning authorities should therefore:

- avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net;
- encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net);”

However, paragraph 54 advises that, “Local planning authorities and developers should think imaginatively about designs and layouts which make more efficient use of land without

compromising the quality of the environment”, further clarified by paragraph 56, “The design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development.”

Structure Plan Policy H2 sets out the sequential approach to the re-use of previously developed land for residential development, and this site would fit into the provision for small scale housing within small towns and villages at a scale consistent with local community needs.

The site is some 4,200 square metres in size and the proposed 5 dwellings equates to a density of 12 dwellings per hectare (dph). Development at 30 dph would indicate 12 dwellings, but this has to be related to the existing context, townscape and layout of the wider locality. The village is low density, with in the main detached houses set in sizeable plots, and that sets the pattern to follow. The existing 2 bungalows stand in plots that are clearly larger than the norm in the vicinity. A balance needs to be struck between avoiding profligate use of land and maintaining the character of the area. The proposed 5 houses could not be seen as an overdevelopment of the land.

3) Protection of the amenity of adjoining residential premises is dealt with by Policy DC14 of the ADP and GEN1 of the DLP, and consideration relates to the impact upon overlooking, daylighting and to some extent noise and disturbance. The Essex Design Guide for Residential Areas sets standards for the distances between windows of opposing houses, and on the west side it is the rear windows of 2 Grey Hollow that need most consideration, the spacing to the rear of the closest new house would be 44.5 metres, which exceeds the minimum standard of 25 metres by a large margin. On the East side, Spinney Cottage is offset from the closest new house on plot 5, and the windows would not face each other directly, so there is no significant overlooking issue here. Planning law does not regard gardens as being protected from overlooking; it is only habitable room windows that are tested.

With regard to daylighting, the substantial distances between the proposed new houses and those surrounding means that there will be no significant impact on the daylight received by those existing houses.

4) There is only a single access to the site, which currently serves the application properties and a number of others as well. This will need to serve for construction access and for the completed houses as well. The addition of three houses implies some greater intensity of traffic movements. As a ‘private drive’ the County Highways standard asks for a width of 4.1 metres for the first 6 metres. Drawings from the County Highway Authority confirm that in terms of the width and size of the area which they maintain to footpath standard, these dimensions can be met. Beyond the 6 metre point the width can taper down to 2.4 metres, and this is also met. If any dwelling is more than 25 metres from the highway, a bin collection point is needed within that distance. Access for fire tenders require 3.7 metres width, and this is met, though the surface will need to ‘hardened’ to take the 12.5 tonne weight specified. The access may well need reconstruction, but the required dimensions are there. If the standards are thus met, they are considered adequate for any number of vehicles to use. Sightlines are acceptable, and although they are sometimes limited by poor on-street parking, that is not a reason to reject the access arrangement.

5) Effects upon landscape and wildlife are a material consideration as the site lies close to an Ancient Woodland site, separated by the width of the footpath. The development would not encroach upon the wood itself, and English Nature have raised no specific objections. The effect of the new houses upon the wood is likely to be little different from the existing

dwellings. There is no evidence of use of the site by Protected Species. The current gardens are well managed and would appear to offer little scope for nesting sites, though they are probably visited by wildlife in common with other gardens. The same would be true of the gardens within the new development.

COMMENTS ON REPRESENTATIONS: Many of the points raised in objection have been addressed in the previous section on the main issues, which has looked at amenity matters like daylighting and overlooking, density, traffic and access, Conservation Area, landscape and wildlife. Comments have also been made about the accuracy of the boundaries and the plotting of adjacent buildings, but the site drawing is based upon the Ordnance Survey and the architect has stated that he believes the drawing to be correct. If there are boundary disputes, it is for the property owners to resolve those, not the Local Authority. The plotting of nearby houses appears to be accurate.

CONCLUSIONS: This Outline proposal is for a development that is not excessive in density and comparable with surrounding properties in plot sizes. The access is existing and considered to be adequate to serve the needs of additional houses. The site has the benefit of some landscape screening, and the detail of this can be further looked at when Reserved Matters are submitted.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1. Submission of reserved matters: 1.
2. C.1.2. Submission of reserved matters: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. C.5.2. Details of materials to be submitted agreed and implemented.
6. C.4.1. Scheme of landscaping to be submitted and agreed.
7. C.4.2. Implementation of landscaping.
8. C.4.6. Retention and protection of trees and shrubs for the duration of development.
9. The garaging hereby approved shall be constructed in accordance with the approved plans and shall remain as constructed. No part of the garage shall be altered or adapted or used to provide habitable accommodation of any kind.
REASON: To ensure that suitable parking facilities are available to serve the development in a manner which accords with the requirements of Policy T2 of the Uttlesford District Plan.
10. C.10.7. Standard highway requirements.
11. No development shall commence until after the access road between the adopted public highway in Rickling Green Road and the site itself shall have been reconstructed to provide a minimum width of 4.1 metres for the first 6 metres from the highway tapering thereafter to a width no less than 3.7 metres and capable of carrying a 12.5t vehicle.
REASON: To provide an access adequate for use by fire tenders, and to enable smaller vehicles to pass at the entrance, in the interest of safety.

Background papers: see application file.

UTT/1496/04/OP - GREAT DUNMOW

Outline permission for single storey family restaurant, comprising 465 m² with 23 car parking spaces with all matters reserved except siting and means of access. Construction of new vehicular and pedestrian access and alteration to existing access.

Hoblongs Industrial Estate Chelmsford Road. GR/TL 636-206. Aldis of Barking Ltd.

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 28 October 2004

NOTATION: ADP: Within Development Limits. DLP: Within Settlement Boundaries/Part of Industrial Estate covered by Policies E2 & GD7 – Safeguarding of Existing Employment Areas.

DESCRIPTION OF SITE: The site is located on the southeastern edge of the town, to the west of the old Chelmsford Road, now a cul-de-sac. It forms a part of site that until recently was a vacant plot on the frontage to the Hoblongs Industrial Estate and was formerly used as a distribution depot until 1999. Currently the site is being used as a civic amenity site with a number of large skips kept on the site for the public to visit and deposit waste materials. To the northwest is a garage/car showroom and former filling station, to the west (rear) other general industrial units, to the south is the proposed Civic Amenity and Depot site, and to the southeast the Ambulance Station and 3 dwellings. The site extends to about 0.2 ha (0.5 acre) with a further 0.3 ha of similar land to the rear also controlled by the applicant.

DESCRIPTION OF PROPOSAL: This is an outline application with all matters reserved except siting and means of access for the erection of a detached restaurant with access off the old Chelmsford Road to the front. The layout shows that a building having a square plan form would be located towards the front of the site, with the permitted hotel to the rear, a total of 143 car parking spaces could be provided to serve the restaurant (23) and hotel (120). The site plan shows a single access to serve hotel and restaurant.

APPLICANT'S CASE: Please see agent's letter dated 19 August, 13 September and 13 October 2004 appended to the attached at end of this report.

RELEVANT HISTORY: Several industrial permissions over a long period and outline permission for 90-bed hotel approved subject to a Section 106 agreement (concerning contribution to highways infrastructure) 2002. In July 2004 an outline application for hotel with parking for 120 cars and 260m² fast food drive thru' outlet with parking for 13 cars and Construction of new access was considered by Members to be unacceptable for reasons of inappropriate location for a fast food restaurant; it would attract traffic from the A120 and be detrimental to the appearance and character of Great Dunmow. Before the decision notice was issued an appeal was lodge on grounds of non-determination. This is being determined under the written representation procedure.

CONSULTATIONS: ECC Highways: To be reported. (due 18 September 2004).

Water Authority: To be reported. (due 18 September 2004).

Environment Agency: To be reported. (due 18 September 2004).

UDC Environmental Services: To be reported. (due 16 September 2004).

UDC Building Surveying: To be reported. (due 16 September 2004).

Oil Pipeline Surveyors: No comments.

ECC Archaeology: Recommends a condition requiring an archaeological excavation.

TOWN COUNCIL COMMENTS: To be reported. (due 2 October 2004).

REPRESENTATIONS: The application has been advertised as a major development and two letters have been received. Period expired 30 September 2004.

1. Object. Main concerns - The site is generally unsuitable because of traffic, access and safety difficulties.
2. I consider that the pitched roof perimeter with a flat central area is an economical solution. Although this is an outline application there should be a much clearer idea of the nature of the proposals.

PLANNING CONSIDERATIONS: The main issues are:

- 1) **whether this is an appropriate form of development given the extant outline permission for a ninety bedroom hotel and associated car parking in development limits (ADP Policy S1), the need to safeguard employment land (ERSP Policy BIW4 and DLP Policies E2 & GD7) and Members concerns related to the recent application for hotel and drive through,**
- 2) **whether this proposed development is in accordance with the general presumption in favour of tourist facilities within settlements (ERSP Policy LRT10, ADP Policy REC2 and DLP Policy LC6, and**
- 3) **whether this proposed development is likely to cause greater highway dangers (ERSP Policy T3, ADP Policy T1 and DLP Policy GEN1).**

1) In general, Development Plan policies encourage such a use within settlements, subject to other considerations. Therefore there is no objection in principle to this proposal. Policies BIW4, E2 and GD7 require that existing employment land be retained in order to maintain an adequate stock of jobs. In this case, the number of employees may be expected to be similar to any alternative proposal for a commercial use and therefore, on balance, it is considered that the proposal would comply with the Policies. This was the view taken at the time of granting the extant permission for the hotel (only).

2) Policies LR10, REC2 and LC6 require tourist development to be well located in terms of access to transport routes and have little impact on residential amenity. This includes impact both in terms of noise and traffic nuisance. The future development of the regional police station, civic amenity site and other business may have a cumulative impact on traffic and noise disturbance both for nearby dwellings and the wider vicinity. However, in isolation, it is considered that the scheme can accord with such policy.

This part of the town has long had a run-down appearance that detracts from the approach from the southeast. This approach to the town can be expected to be used more heavily being close to the main Great Dunmow junction of the new A120. The development of the approved Business Park at Smiths Farm to the north should enhance the appearance of this area and there is the current proposal for the landmark Police station. It is considered that the erection of a new hotel on this site could improve the visual character and commence the regeneration of this area. It could mark the entrance to the town in a positive manner, subject to detailed design, materials and landscaping. Landscaping would be the most important factor in this location close to the edge of the town and this could be covered by condition.

The provision of a restaurant facility is likely to be popular and is not uncommon on the edge of similar larger towns. There is not an obviously superior alternative site for the development. Member will, however, be aware of their concerns relating to the challenge that a restaurant may place upon existing bars and eateries within Great Dunmow town centre and this proposal may not alter such concern.

3) The views of ECC Highways are key to the application and are awaited, but given the recent extant permission for a ninety bed hotel and its recommendation of approval for the recent application for hotel and drive through, it is assumed that they will have no fundamental objections subject to a financial contribution towards improvements to the junction of the Chelmsford Road with the A130 that would be covered by a Sec 106 Agreement. There remains concern (highlighted by members) that the proposal may act as a magnet for vehicle movements. This may of course remain on some level regardless of the omission of a 'drive thru' facility. Further information from ECC Highways will be provided at the meeting.

COMMENTS ON REPRESENTATIONS: Concern relating to access and traffic movements are noted and ECC Highway comments in relation to this will be reported to members. With regard to the format of the application, the details provided are sufficient to consider the proposed siting and means of access of a restaurant as other matters may be controlled at the reserved matters stage. The applicant has provided a letter confirming that the details shown with regard to the roof are indicative only as members will recall that the design and character that this type of business would lend to this visually prominent site was considered of importance.

CONCLUSIONS: Subject to no objections being raised by ECC highways this outline proposal is considered on balance to accord with Development Plan policies. Furthermore, with weight given to the extant permission for a hotel, this is a significant material consideration. Together these matters indicate that the proposal is acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND SECTION 106 AGREEMENT

1. C.1.1. Submission of reserved matter: 1.
2. C.1.2. Submission of reserved matters: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. Means of access to be carried out in accordance with submitted drawing.
6. C.4.1. Scheme of landscaping to be submitted and agreed.
7. C.4.2. Implementation of landscaping.
8. C.5.2. Details of materials to be submitted and agreed.
9. The building hereby permitted shall not be occupied until access from the site to the adopted highway and the car parking spaces shown on the approved plans attached have been hard surfaced and laid out. Such spaces shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: To ensure safe and convenient access and off-road parking facilities in the interests of highway safety.
10. C.25.1. Airport related parking conditions.
11. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the local planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans.
REASON: To ensure a satisfactory method of foul water drainage.
12. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the local planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans.
REASON: To ensure a satisfactory method of surface water drainage.
13. Details of foul and surface water drainage for the site must be submitted to, and approved by, the local planning authority before any work commences on site. The drainage works shall be constructed in accordance with the approved plans.

- REASON: To ensure satisfactory drainage of the site.
14. Before any development commences details of the off-site drainage works shall be submitted to and approved by the local planning authority.
REASON: To ensure satisfactory drainage of the site.
 15. No works which will result in the discharge of surface/foul water from the site shall be commenced until the off-site drainage works referred to above have been completed.
REASON: To ensure satisfactory drainage of the site.
 16. Surface water from impermeable vehicle parking areas shall be passed through a petrol/oil interception facility designed and constructed to the satisfaction of the local planning authority before being discharged to any surface water sewer.
REASON: To prevent water pollution.
 17. The development hereby permitted shall not commence until the access has been constructed in accordance with drawing ABT/J379/1.
REASON: In the interests of highway safety.
 18. The hotel or restaurant/drive through hereby permitted shall not be occupied until details of cycle parking facilities have been submitted to, approved in writing by the local planning authority and made available for use.
REASON: To ensure satisfactory facilities are available in accordance with the Council's Standards.
 19. The hotel or restaurant/drive through hereby permitted shall not be occupied until details of pedestrian and cycle access points and routes with the site have been submitted to, approved in writing by the local planning authority and made available for use.
REASON: To ensure satisfactory accessibility to all visitors.
 20. The development hereby permitted shall not commence until full details of the proposed means of treating cooking fumes together with a maintenance plan. To be subsequently carried out in accordance with details and plan.
REASON: In the interests of residential amenity.
 21. No development shall commence until details of the refuse/recycling stores have been submitted, approved and subsequently implemented.
REASON: In the interests of the satisfactory disposal of sewage and waste.
 22. C.16.2. Full archaeological excavation and evaluation.

Background papers: see application file.

UTT/1546/04/DFO – BIRCHANGER

Reserved matters submission re: condition C.16.2 - archaeology - of UTT/0443/98/OP (erection of 315 dwellings, construction of access, public open space, play area and school site)

Land at Rochford Nurseries. GR/TL 514-242. TaylorWoodrow Developments Ltd.

Case Officer: Mr J Pine 01799 510460

Expiry Date: 02 November 2004

NOTATION: Within Development Limits / Allocated for residential development in both ADP (400 dwellings – Policy SM6) and DLP (600 dwellings – Policy SM4/BIR1). Allocation in DLP increased to 720 dwellings at the recommendation of the Local Plan Inquiry inspector, and agreed by Environment Committee and Full Council on 8/6/04 and 22/6/04 respectively.

DESCRIPTION OF SITE: Rochford Nurseries lies on a plateau immediately south of Stansted Mountfitchet. It has been underused for many years, and comprises significant areas of mainly derelict glasshouses. This site, which forms the eastern part of the residentially allocated land, is bordered to the north by houses in Manor Road, to the west by the Croudace land and to the south and east by Foresthall Road and Church Road respectively. Newman's Plantation, a significant area of preserved woodland, extends northwards away from Foresthall Road, bordering a bridleway.

DESCRIPTION OF PROPOSALS: In accordance with Condition C.16.2 of the outline planning permission, a written scheme of archaeological investigation has been prepared by CgMs Consulting on behalf of the applicant and submitted to the Council. The condition requires that *"No development/works shall take place until the applicant, or its agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority"*.

The submitted written scheme proposes three stages of trial trenching, firstly in respect of the great crested newt mitigation area, secondly the access road and Phase 1 development area (which would be the southwestern part of the site) and finally the remainder of the site. The reason for the phased operation is to take account of the relocation needs of the GCN population as the development progresses. A total of 78 trenches would be dug, with contingency areas for further exploration where features are located in the trenches. The extent of these investigations and the methodology has been agreed with Essex County Council.

APPLICANT'S CASE: This reserved matters submission follows from detailed pre-application discussions with both the District and County Councils. The County Council has endorsed the proposed approach to archaeological issues, which must coincide with the relocation of the great crested newts on the site.

RELEVANT HISTORY: Outline planning permission for 315 dwellings, new vehicular access, public open space, play area and school granted on the eastern part of the allocated land (Pelham Homes) in February this year. At the same time, outline planning permission was also granted for 285 dwellings on the western part of the allocated land (Croudace Limited). Both permissions included an approved master plan / design brief, and were granted subject to appropriate conditions and a Section 106 Agreement.

The conditions that were imposed related to:

- Time limits for submission of reserved matters and implementation

- Landscaping
- Density requirements (min 30/hectare) + phasing
- Ecological survey
- Archaeological work
- Drainage requirements
- Parking and circulation areas
- Provision of street furniture
- Limits on construction noise
- Limits on hours of delivery
- Approval of contractors' vehicles routes
- Dust / mud suppression measures
- Submission of an affordable housing scheme
- Details of play areas and bus shelters

The reserved matters application relating to access (UTT/1194/04/DFO) was the subject of an advanced report of issues to the DC Committee meeting on 9 August, along with the applications for siting, design and external layout (UTT/1024/05/DFO) and landscaping (UTT/1026/04/DFO), when Members resolved to visit the site. At the subsequent meeting on 31 August, UTT/1026/04/DFO was approved but UTT/1024/04/DFO was disapproved (revised application now submitted and due to come to Committee on 22/11/04). The access reserved matters application was approved at the meeting on 20 September, along with that relating to the submission of an ecology survey (UTT/1320/04/DFO).

CONSULTATIONS: ECC Archaeology: The written scheme of investigation meets our archaeological requirements for the initial evaluation stage of the work in this area. The condition should only be released after the completion of each phase of the evaluation. This will mean that a strategy for the excavation requirements for each phase can be determined prior to the release of the condition. The present written scheme of investigation meets the requirements of the evaluation, but a further scheme will need to be agreed on areas containing archaeological deposits. The condition should stay in place until the completion of the archaeological evaluation. *(Note: Following subsequent discussions with ECC Archaeology, it has been agreed that it would be more appropriate to impose a condition requiring follow up work where deposits have been identified rather than merely rolling forward the previous condition, which stays in force on the outline permission).*

PARISH COUNCILS' COMMENTS: Birchanger: To be reported (due 13/10)
Stansted: To be reported (due 13/10)

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 7/10/04.

PLANNING CONSIDERATIONS: **The main issue is whether these proposals would be in accordance with the previously approved masterplan and the requirements of Condition C.16.2 of the outline planning permission.**

These proposals would be in accordance with the masterplan, and fully accord with the requirements of the outline condition. The phased programme for the implementation of the trial trenching is appropriate, taking into account the statutory requirement upon the developer to preserve the great crested newt population. It is not necessary to repeat the outline planning condition, but a condition is required to secure follow up work should deposits be identified.

CONCLUSIONS: This reserved matters application would be in accordance with the previously approved masterplan and the requirements of Condition C.16.2 of the outline planning permission.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. Evaluation trenching shall be carried out in accordance with the phased programme set out in the specification written scheme of investigation by Paul Chadwick BA MIFA submitted on 7/9/04. Following the completion of each phase of the evaluation trenching, no development of any kind shall take place within the evaluated area until either:

- A further programmed of archaeological work has been submitted to and agreed in writing by the local planning authority and implemented, or
 - The local planning authority provides written confirmation that no archaeological deposits have been identified in the evaluation and that no further work is required.
- REASON: To ensure that the archaeological richness of the site is retained.

Background papers: see application file.

UTT/0421/04/FUL - GREAT DUNMOW

Erection of 1 x 1 bedroom and 2 x two bedroom dwellings with associated parking.
Salt Box Square, The Downs. GR/TL 626-222. Radland Construction Ltd.
Case Officer: Mr R Aston 01799 510464
Expiry Date: 03/05/2004

NOTATION: ADP & DLP: Within Town Development Limits/Settlement Boundaries for the Main Urban Areas/Conservation Area.

DESCRIPTION OF SITE: Salt Box Square is located on the corner of Pondfields and The Downs, opposite public open space. The site historically consisted of small workers cottages, which were demolished after the Second World War and the site has residential properties immediately to the rear, side and opposite. Visitors to Dunmow Infants School and the surrounding properties currently use the site as car parking.

DESCRIPTION OF PROPOSAL: The proposal details the erection of 2 x 2-bedroom units and 1 x 1-bedroom unit, erection of associated carport and creation of 5 car parking spaces.

APPLICANT'S CASE: For original scheme please see statement dated March 2004 attached at end of report. None received for subsequent revised schemes.

CONSULTATIONS: Original Scheme

ECC Highways: No objections in principle. However the proposal as submitted appears to constitute works within the current publicly maintainable highway, thereby resulting in conditions of danger and obstruction to all road users to the detriment of highway and public safety. Further consideration will be given should the applicant demonstrate the works to be clear of the publicly maintainable highway.

ECC Archaeology: Records show that the proposed development area lies near the site of a windmill. The cartographic evidence shows a series of small buildings on the site in the nineteenth century. It is probable that these represent Colonial style structures comprising buildings a single room deep. Our industrial specialist suggests these may be worker housing possibly forming an artisan quarter. The proposal has the potential to disturb or destroy deposits and it is therefore recommended that a programme of archaeological work and recording take place.

English Nature: No comments

Environmental Health: Where are the bin stores? How will refuse be collected?

Revised Scheme

ECC Highways: On consideration of the revised plans, the Highway Authority has no objections to the proposal subject to all works being clear of the publicly maintainable highway.

TOWN COUNCIL COMMENTS: The Town Council originally objected to the development on the grounds of over development, they considered the first revised scheme to be much improved and in keeping with nearby cottages. The remaining concern related to inadequate visibility at the Junction with The Downs. To overcome this problem it is suggested that the dwellings be moved back from the highway and this could be achieved by replacing the proposed garages with car parking spaces. Subsequently the Town Council have expressed their support for the scheme following consultation on the latest proposal.

REPRESENTATIONS: This application has been advertised and 9 representations were received for the original proposal. The first revised scheme received 4 representations and for the final scheme 1 representation was received. Period expired.

Original Scheme: The proposed plan does not adequately show my property that is directly to the rear as a consequence the effect on my outlook will be devastating. The proposal would restrict my view as to the traffic approaching the Downs and would increase the risk of an accident happening. The height of the cottages should not exceed the height of the existing row of cottages. The roof tiles should be slate to match the existing. All rear windows to be frosted to protect the privacy of the overlooked cottages. A permanent fence to be erected on the boundary for no's 25 and 26 prior to the start of building work. As this area is designated for school and resident car parking at the moment, no construction work should occur until the adjoining school has moved. The development would be an intrusion of privacy. Is the carport building in keeping with the original saltbox square building? It will visually block the view of the cottages to the rear, which is part of the character of this area of the town. The car parking is inadequate and the additional vehicles will cause a hazard. The development will overlook the existing cottages and generally be overbearing.

Revised Scheme 1: My main objection is still from a highway safety point of view. Access is on a blind bend in Rosemary Lane, which is very busy. Intrusive on the local street scene. Same comments as previously. No one has given a thought to the impact on the occupiers of Rosemary House.

Revised scheme 2: My views and objections are still the same. Any development will hinder my view and is dangerous.

PLANNING CONSIDERATIONS: The main issues are

- 1) **whether the proposals design, form, layout, parking provision, is appropriate and would have a detrimental impact on the character and appearance of the existing street scene and the character and setting of the Conservation Area (ADP DC1, DC2, S1, DLP S1, GEN2, ENV1, GEN9),**
- 2) **whether the proposal would result in a detrimental impact on the residential amenity of adjoining occupiers (ADP DC14, DLP GEN2) and**
- 3) **whether the proposed access and layout would have a detrimental impact on highway and public safety (ADP T1, T2 DLP GEN1).**

1) The original proposal detailed the erection of 4 units, 2 x 2-bedroom and 2 x 1-bedroom in an 'L' shape form, with a single-storey car port accommodating 4 car parking spaces and accessed from the adjacent private drive, Pondfields. This proposal was considered to be over development of the site because of the form and mass of the buildings and would have failed to protect or enhance the character and appearance of the Conservation Area. The proposal has been revised twice following officer negotiations to now detail the erection of 3 units in one single building form, associated carport and parking. The design and form of the units, closely replicates the workers cottages that were historically present on this site until they were demolished in c.1945, which has been verified by ECC Archaeology. The resultant rectangular form of the building, which has a frontage of 15m, a depth of 6.5m is an appropriate form for this site and would not appear visually over dominant when viewed from the surrounding area. The roof of the proposal has been designed to reflect the appearance of existing properties in the immediate locality with a slate finish and hipped ends with two chimney stacks, one of the south western elevation and one protruding from the roof on the north eastern elevation. Similarly the height of the building at 5m to the eaves and 7.6 to the ridge would not appear excessive and would respect the scale and form of surrounding properties. It is considered that the revised scheme does protect and enhance the character of the surrounding Conservation Area and

results in a reconstruction of a type of building, which would have been historically located on this site, albeit in a slightly smaller form and is therefore appropriate. Turning to the impact of the proposed carport, this is of a size and design, which is similar to other garages and outbuildings in the area and does not cause any material harm to the visual interests of its surroundings. The type of units at 1 and 2 bed comply with local plan policies designed to achieve a more appropriate housing mix as they are 1 and 2 bed units. The car parking provision is detailed as being 2 car parking spaces for the 2 bed properties in tandem form and accessed from Pondfields, with a single space for the 1 bedroom unit accessed directly off the highway. This provision, given the location of the site and its relatively close proximity to public transport is considered acceptable and accords with both national and local plan policies with regards to parking provision in the districts town centres. Turning to the appropriateness of the private garden space, the proposal allows for a small walled amenity space for the 2 bed properties approximately 5.4m x 3.6m and a small amenity area for the 1 bed unit. It is recognised that although this is below the local plan standard, given the close proximity of public open space, this is considered acceptable in this instance.

2) The site has residential properties to the rear and immediately opposite with their boundaries approximately 12m away. The property immediately to the rear would have its side boundary wall approximately 1m from the proposed carport with an existing 1.8m boundary treatment. In addition, there are a number of windows and elevations of properties to the rear and north/north east that face onto the site and it is considered that due to the relationship of surrounding properties there would be an impact on the outlook of the occupiers of these dwellings. However the layout and form replicate the surrounding townscape and close proximity of buildings within the Conservation Area and it is considered that the scale of the building and its design would not be sufficiently harmful to the outlook of adjoining occupiers to warrant refusal. With regards to the loss of privacy, there are a total of 5 windows proposed in the rear elevation of the proposed units, of which 3 are to bathrooms. It is not unreasonable to ensure by condition that the bathroom windows be obscurely glazed and fixed shut, leaving 2 bedroom windows in the rear elevation with the central one overlooking the rear garden of the property to the rear from some 12m away. It is considered that this is not sufficiently harmful and would not result in a degree of overlooking which would be sufficient to warrant the refusal of the application. Because these are the only windows to the bedrooms it is not reasonable to condition them to be obscurely glazed and fixed shut. The windows in the front elevation are directly opposite the rear garden of Rosemary House, which has its side boundary approximately 12m away on the opposite side of the highway, again there would be insufficient harm caused to the amenity of the occupiers to warrant refusal. Turning to the impact of the proposed carport, whilst it would be located 1m from the side boundary, at 4m in height it would not sufficiently detract from the adjoining occupiers residential amenity and due to the sites orientation would not cause sufficient loss of light or overshadowing to warrant a refusal. However if members consider it to be inappropriate given the fact that historically such a building would not have been present on the site or that it is too close to the boundary, its reduction in height or complete removal can be achieved by condition without fundamentally affecting the scheme.

3) The original proposal encroached behind the back of the metalled footway by approximately 0.7m. Subsequently the rear walled gardens of the proposed cottages have been reduced to enable the unit to be moved back into to the site to ensure no encroachment of the highway occurs. Following these revisions, no objections have been raised by Essex Highways. The access to the main road network is capable of carrying the traffic generated safely and that traffic can be accommodated in the surrounding road network. Although there have been representations regarding the access, in particular that the access may compromise road safety, no objections on these grounds have been received from Essex Highways. The proposal makes effective use of a formerly developed site and because of its relatively close proximity to the town's public transport services and compliance with national car parking standards it is considered that the proposal encourages

movement by means of other modes than the car and therefore complies with relevant local and national planning policies.

COMMENTS ON REPRESENTATIONS: Please see above. Concern has been expressed that as this area is currently designated as school and residential parking, no construction should occur until the Dunmow Infants School has moved to a new site. However there land is not designated as parking for any surrounding activity and it is considered that this is therefore not a material consideration in determining the application.

CONCLUSIONS: It is considered that the proposal is compatible with the existing character and setting of the Conservation Area and makes efficient and effective use of a previously developed piece of land. The design, form and layout of the proposal is appropriate and the style of the building reflects the historic cottages that were demolished after the Second World War albeit on a slightly larger scale with provision for private motor vehicles. Although concerns have been raised over the access and its close proximity to the highway impacting on public safety, no objections have been received from Essex highways. Whilst the proposal would result in a loss of outlook to the properties to the rear and opposite, this is not materially harmful and would not be sufficient enough a reason to warrant refusal. Furthermore, whilst some overlooking would occur, this is considered to be acceptable given the existing pattern of development and relationships between buildings within the Conservation Area and would not adversely affect the reasonable occupation of any of the adjoining properties to a level that would warrant its refusal on these grounds.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.5.1. Sample of materials to be submitted and agreed.
5. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission.
6. C.8.27. Drainage details.
7. C.7.1. Slab Levels.
8. C.16.1. Watching archaeological brief.
9. No occupation until car parking spaces laid out.
REASON: In the interests of a satisfactory form of development and highway safety.
10. Restriction of hours of construction.
REASON: In the interests of residential amenity.
11. C.19.1 Avoidance of overlooking.
12. No development until details of refuse collection/storage have been storage have been agreed in writing.
13. Details of lighting to rear to be agreed.
REASON 12 & 13: In order to ensure a satisfactory standard of development and in the interests of residential amenity.

Background papers: see application file.

UTT/1620/03/FUL - SAFFRON WALDEN

Erection of pair of semi detached houses
Land at Ozier Court. GR/TL 543-369. Mr G Bray.
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 11/11/2003

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

DESCRIPTION OF SITE: The site is located on the southern end of Saffron Walden on the Fairviews estate and measures approximately 270 sq metres in area. Accessed off Ozier Court, the site is currently a run-down complex of garages, which once served the adjoining residential flats. There is a significant amount of on-street parking on Ozier Court, particularly following the sale of the garages to a third party, which are not tied by planning condition to each flat. Katherine Semar Infant and Junior School is visible from the site and amenity space for the adjacent flats is located to the rear of the site in question.

DESCRIPTION OF PROPOSAL: The applicant is seeking full approval for the erection of two dwellings to replace the existing garages. The dwellings are three-storey in height, 7.8 metres to eaves and 10.2 metres to ridge. The dwellings will have a rendered ground floor with brick at first and second floor level. The ground floor will contain a garage, entrance/hallway, utility and w.c. On the first floor are a kitchen, bathroom and lounge/diner with two bedrooms (one with w.c.) on the second floor.

The garage space is 3.6 metres wide with a 2.5 metre wide opening and is 5.1 metres long. Parking space in front of the garage is 6 metres long and meets the requirements. Amenity space for each dwelling is at most 50 square metres with a main usable area of 6m x 5m. The rear and side boundary details have not been supplied by the applicant, but it is recommended that the amenity space be incorporated with the adjacent flats giving one large amenity space. This will therefore negate the need for any fencing on site.

APPLICANT'S CASE: The applicant has provided a supporting statement for the proposed development see copy attached at end of report. The applicant has also indicated that they would be willing to enter into a Section 106 agreement to ensure that a parking area opposite the site, under the control of the applicant, will be maintained and retained in perpetuity for the parking of 12 cars for local residents.

RELEVANT HISTORY: The site in question has been the subject of numerous applications for residential development. The estate itself was approved in 1974, but no conditions were imposed at that time to ensure that the garages, the subject of the application, were tied to each individual flat and safeguarded for parking in perpetuity.

There have been three previous applications for residential development on this site, the most recent of which was refused on 07 January 2003. This particular application related to the erection of one detached dwelling, with concerns about the overlooking of adjacent amenity areas and the loss of parking cited as the main reasons for refusal. The other two applications related to a terrace of three town houses and two semi-detached dwellings. In both cases loss of parking, overlooking and lack of private amenity space were cited as reasons for refusal. The applicants have not appealed against any of the Councils previous decisions.

CONSULTATIONS: UDC Environmental Services: No comments.

TOWN COUNCIL COMMENTS: The committee object to this application because of the loss of parking places to the adjacent flats. The original planning permission for the Ozier Court flats was conditional on the garage block being provided and car ownership has increased dramatically since then. The Committee considers this would result in gross over development.

REPRESENTATIONS: 43 neighbours surrounding the proposed development were notified. Advertisement expired 09 October 2003. Three letters of objection have been received, two of which are from the same address.

Summary of comments: There is considerable pressure for vehicular parking in the area and any new dwelling would make further problems for parking. The area is used by parents dropping off and picking up children from Katherine Semar School and is also full at night when used by residents. There would be a reduction in off-street parking facilities thus worsening the current situation. It would be better to replace the run-down garages with new garaging for local residents. The garages are probably empty because of high rents charged by the owner to use them. No vandalism has been reported to the Flat Management Company.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) **the site is an appropriate location for residential development (PPG3, ERSP Policies BE1, H2, H3, ADP Policy S1, H1 and DLP Policy S1, H1 and H2),**
- 2) **the number of dwellings proposed is acceptable in terms of density, design, layout, amenity space etc and will not overlook surrounding properties. (PPG 3, ERSP Policies H3, ADP Policy DC1, DC14 and DLP Policy GEN2, GEN4) and**
- 3) **there will be a net loss of parking spaces and whether the site will have adequate parking facilities. (ERSP POLICY T12, ADP POLICY T2, DLP Policy GEN9).**

1) The site is located within development limits and is previously developed land. It is therefore suitable for residential development in principle subject to meeting other policy criteria.

2) The density of development would be equivalent of 80 dwellings per hectare which complies with Government policy for urban areas. Surrounding properties are all three-storey flats. The proposed development, while technically houses, would be compatible with the appearance of neighbouring properties. Materials would compliment the surroundings.

One of the reasons for refusal of previous schemes was overlooking of the amenity space of the neighbouring flats. It is proposed to overcome this by orienting the properties so their main windows to habitable rooms are to the front and side, with obscure glazing to the windows facing the amenity space. In any event it is the nature of shared amenity space that it is already overlooked by the existing flats.

The usable amenity space for each property is 30sq m. This is below the standard for houses but above that for flats. The design and appearance of the proposed development and its surroundings means that, exceptionally, the proposed development may be considered as a form of hybrid development, falling between the definitions of houses and flats. If the amenity space were to be incorporated into that of the existing flats rather than fenced off separately then the development would appear contiguous with its surroundings, and the function of the amenity space for the occupiers would remain. This can be covered by condition.

3) The other reason for refusal of previous schemes was the loss of parking. The site is not currently used to park vehicles: only two of the garages are in use and they are used for domestic storage. The proposed development would have two parking spaces each, which complies with standards, and is therefore self sufficient in terms of parking.

The issue remaining is the loss of land which could potentially be used for car parking and, indeed, was clearly meant to be available to serve the existing development when planning permission was granted in 1974. Unfortunately no condition was imposed requiring the garages to be retained for car parking and the garages were subsequently sold to the applicant. It appears therefore that the parking areas are in separate control to the flats. The applicant has control of land opposite the site which is currently available, free of charge, for residents parking with a capacity for up to 9 cars. The applicant has offered to enter into a S106 agreement to make these parking spaces, together with a further three spaces, available in perpetuity for residents' parking.

There would therefore be a loss of 9 garage spaces, none of which are presently used for parking. This would be offset by the guaranteed retention of 9 existing parking spaces plus the provision of a further 3. This would be a net loss of 6 parking spaces. Such a loss of parking is not, on the face of it, acceptable. However there are exceptional circumstances here because of the unusual ownership situation and lack of conditions controlling parking, as explained above. Officers have considered the possibility of enforcement to try and make the existing garages available for car parking, but the lack of any conditions makes this difficult. All that could possibly be achieved is the improvement of the site through service of a s215 Wasteland Notice, but it would not be possible to force the owner to make the garages available for residents' parking. In the circumstances it is reluctantly concluded that the application represents an opportunity to secure some guaranteed parking for residents, and this outweighs the loss of the garage parking.

CONCLUSION: This is a finely balanced proposal on which Members' careful judgement is required. Members may consider that the proposal represents overdevelopment of a cramped site which is inappropriate for further residential development and that the loss of land clearly originally intended for residents' parking is not acceptable. On balance, Officers consider that because of the exceptional circumstances applying in this case, permission should be granted subject to conditions and a s106 agreement requiring the provision of 12 parking spaces to be kept available free of charge for residents parking.

ADDENDUM TO PREVIOUS REPORT

Following a recommendation of approval by Committee on 05 April 2004, the Council have been pursuing a legal agreement with the applicant regarding parking provision on an adjacent piece of land for use by local residents. Unfortunately the applicants have not been able to prove title to the land in question and therefore the S106 agreement cannot go ahead as discussed. In April, officers recommended approval as indicated below:

"RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO SECTION 106 AGREEMENT TO SECURE LAND OPPOSITE THE SITE FOR THE PARKING OF TWELVE VEHICLES FOR FREE USE BY LOCAL RESIDENTS 24 HOURS A DAY 365 DAYS A YEAR. SUCH LAND SHOULD BE MAINTAINED AND RETAINED FOR PARKING PURPOSES IN PERPETUITY AND EACH SPACE SHALL BE CLEARLY LAID OUT"

This recommendation cannot be met and therefore without such agreement the application is recommended for refusal.

RECOMMENDATION: REFUSAL REASONS

1. It is the Policy of the Essex Replacement Structure Plan (Policy BE1, H2, H3, T12), Adopted Uttlesford District Plan (Policies S1, H6, DC1, DC14, T2) and the Revised Deposit Draft (Policies S1, H2, GEN1, GEN2, GEN9) to ensure that proposed development would not result in the loss of parking facilities for existing residents.

The applicant has applied to erect two residential dwellings on the site of a former garage block with an agreement to provide twelve parking spaces for free use by local residents on a permanent basis on adjacent land. The applicant cannot meet the terms of the agreement.

In this instance, without the acceptance of a legal agreement to provide twelve parking spaces for free use by local residents, there would be a severe loss of permanent parking provision to the detriment of local highway safety and residential amenity, contrary to the above policies.

Background papers: see application file.

UTT/1494/04/FUL – ELSENHAM

Revised scheme to that approved under reference UTT/1147/02/FUL & UTT/1251/03/FUL
The Stables, Gaunts End. GR/TL 550-255. Mr I Hussain.

Case Officer: *Mr N Ford 01799 510468*

Expiry Date: 22 October 2004

NOTATION: Countryside Protection Zone S4. Area of Special Landscape Value C2.

DESCRIPTION OF SITE: This site lies in the countryside north of Stansted Airport and east of the Elsenham Quality Food factory. The stables are located on the northern side of the road between Takeley and Elsenham, approximately 500m east of the Golf Course entrance. The site has a narrow unsurfaced access road to the western boundary, which provides access to a busy main road. A thick wooded screen is present along the western side of the driveway with various farm buildings and a scattering of cottages to the east of the site.

DESCRIPTION OF PROPOSAL: This further amendment to this scheme to convert the stables to a motel proposes partially filling the courtyard in order to provide further ancillary accommodation consisting of a restaurant, bar area, kitchen and associated toilets. The use of the a corridor around the landscaped courtyard allows for enlarged motel rooms for guests, however, this reconfiguration now results in 30 rooms now proposed rather than 33 previously approved.

The covered way entrances are proposed to be glazed to the south west (main entrance) and to north west and south east side elevations. Alterations to the external windows of the south west elevation are also proposed consisting of four smaller modules to match the remainder of this elevation. Alterations to the site include the provision of a further four disabled parking bays to the south west elevation with a large tarmac area adjacent the north east elevation to provide turning for fire engines, gas and refuse lorries with a further gas and refuse compound.

RELEVANT HISTORY: In August 2003 planning permission was issued (UTT/1147/02/FUL) following a resolution by committee for the conversion of the stable block quadrangle to a 33 room motel with a detached 100 seat restaurant inside the quadrangle with 40 vehicle spaces and landscaping to the rear.

In October 2003 planning permission was granted under delegated powers (UTT/1251/03/FUL) for a revised scheme merging the restaurant with the front stable building and reconfiguration of the reception, meeting room and office. No increase in the capacity of the motel or restaurant was proposed or to the external appearance of the quadrangle.

In August 2004 planning permission was refused contrary to officer recommendation (UTT/0818//04/FUL) for a revised scheme that developed the whole of the inner courtyard for additional ancillary services such as a conference room and enlarged motel rooms (although the scheme actually proposed three less bedrooms than approved and an 88 cover restaurant instead of 100 covers). Members refused the scheme due to the scale of the infill of the courtyard and potential increase in traffic resulting from the use of the proposed conference room to members of the general public being detrimental to the open characteristics of the Countryside Protection Zone.

CONSULTATIONS: Transport and Operational Services: The Highway Authority does not wish to raise an objection to this planning application subject to conditions (see recommended conditions and Section 106 Agreement).

UDC Environmental Services: Insufficient detail to allow full comment on food safety and kitchen ventilation.

UDC Specialist Design Advice: The structures are of no historic or architectural merit and therefore specialist advice is not required.

Environment Agency: To be reported. (due 19 September 2004).

Essex Wildlife Trust: To be reported. (due 19 September 2004).

English Nature: The development is not likely to affect the SSSI. An ecological survey should be provided if protected species are suspected or present.

PARISH COUNCIL COMMENTS: To be reported. (due 2 October 2004).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 23 September 2004.

PLANNING CONSIDERATIONS: The main issues are whether in comparison with the extant permissions, the proposal is consistent with policy relating to:

- 1) the protection of the Countryside Protection Zone (ADP Policy S4 and DLP Policy S8),
- 2) the conversion of rural buildings for tourist accommodation and facilities in the countryside (ADP Policy C5, REC3 and DLP Policy E4),
- 3) new development and highway considerations (ADP Policy T1 and DLP Policy GEN1) and
- 4) and general amenity (ADP Policy DC14 and DLP Policy GEN2).

1) Policy S4 of the ADP seeks to prevent development within the Countryside Protection Zone, which promotes coalescence or adversely affects the open characteristics of this zone. It is considered that there would be no coalescence in this case because, as with the previously approved scheme there are no new buildings proposed outside of the existing structure. Car parking is predominantly screened behind buildings save for a new area of hard standing to the east of the quadrangle to accommodate heavy vehicle turning. Landscaping would also screen the area to the rear. A condition can be applied as previously, preventing parking associated with Stansted Airport.

2) External works are generally as previously approved and as such limited to new doors and windows as well as internal refurbishment to facilitate motel rooms. It is considered that this accords with ADP Policy C5 such that this is a scheme for the conversion of a soundly constructed rural building for non residential purposes.

ADP Policy REC3 states that changes of use and extensions, which do not adversely affect the rural interests of the countryside to provide tourist accommodation, will normally be permitted. The design of the amended infill of the quadrangle will not rise above the roof of the quadrangle and will not affect the external appearance of the building. The building is screened from the highway and other properties and is considered to accord with this policy.

3) In relation to highway considerations the main issue is that the development does not lead to a nature and volume of traffic that is likely to generate a traffic hazard, cause unreasonable delays, inconvenience to other road users and lead to a reduction in the environmental quality of the locality. The site access remains in the position previously approved. This was subject to a number of conditions relating to appropriate visibility splays, width of access and junction radius. Furthermore, a condition can again be attached

requiring that only patrons of the motel may use the restaurant in order to restrict traffic and parking movements.

- 4) It is considered that there is unlikely to be any detrimental affect upon residential amenity resulting from a proposed motel use with the amendments proposed combined with the distance from the building to its closest neighbour (approximately 25m).

This new scheme is considered to generally accord with the principles established by the previous approvals and provides a better standard of accommodation by decreasing the number of rooms provided and in turn reducing the number of covers required for the restaurant area.

CONCLUSIONS: This scheme is considered to resolve members concerns relating to development of the inner quadrangle (near similar landscaped area remains to the approved) and now omits the conference room. As such, this amended scheme is considered to accord with planning policy relating to the conversion of buildings for hotel accommodation in the countryside subject to conditions and a legal agreement including the management of traffic access and parking.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND SECTION 106 AGREEMENT

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.6.13. Excluding extensions and erection of freestanding buildings and siting of chattels.
6. C.8.27. Drainage Details.
7. C.9.1. No outdoor storage.
8. C.10.2. Standard highway requirements.
9. C.10.7. Standard highway requirements.
10. C.11.7. Standard highway parking facilities.
12. C.15.1. Superseding previous permission.
13. C.20.2. Protection of other species.
14. C.25.1. Airport related parking conditions.
15. The restaurant shall be limited solely for the use of patrons staying at the motel only and for no other persons.
REASON: In order to limit traffic and parking demand on site.
16. The motel shall not be occupied until the existing access to vehicular traffic has been closed whilst ensuring that third party access is maintained.
REASON: In the interests of Highway safety.
17. No development shall take place until a 5.5m access road is provided.
REASON: In the interests of Highway safety.
18. No development shall take place until secure parking has been provided for powered two wheeler vehicles in accordance with the Essex Planning Officers Association Vehicle Parking Standards dated August 2001 (7 spaces).
REASON: In the interests of accessibility.
19. No development shall take place until secure and covered cycle parking has been provided in accordance with the Essex Planning Officers Association Vehicle Parking Standards dated August 2001 (19 spaces).
REASON: In the interests of accessibility.
20. No development shall take place until the internal road layout is laid out in accordance with the Essex Design Guide to the agreement of the Highway Authority.
REASON: In the interests of accessibility.

SECTION 106 HEADS OF TERMS

The provision of an access junction with a visibility splay of 4.5m by 215m with a 10.5m radius shown in principle on drawing no. 1190-3 Rev. J dated April 2004 in the interests of Highway safety.

Background papers: see application file.
