

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 22 NOVEMBER 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 further negotiations and to hear ECC
Highways
RECOMMENDATION: Approval
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 9 September 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
RECOMMENDATION: See report attached
Case Officer: Mr R Aston 01799 510464
Expiry Date: 26 April 2004

APPL NO: **UTT/1568/04/OP**
PARISH: **QUENDON & RICKLING**
DEVELOPMENT: Outline Application for demolition of two dwellings and erection of 5 No. dwellings
APPLICANT: Mr & Mrs T J James Mr D Ennacs
LOCATION: Green Acre & Longridge
D.C. CTTE: 1 November 2004 (see report copy attached)
REMARKS: Deferred for site visit
RECOMMENDATION: Approval
Case Officer: Mr T Morton 01799 510654
Expiry Date: 9 November 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/0358/04/FUL - GREAT CANFIELD

(Revised Report)

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 workshop, provision of 4 flats, dwelling and garage

Ashfields Polo and Equestrian Centre Great Canfield GR/TL 587-190 Mr & Mrs T Chambers

Case Officer: Mr R Aston 01799 510464

Expiry Date: 26/04/2004

NOTATION: ADP & DLP: Outside Development Limits/Settlement Boundaries.

DESCRIPTION OF SITE: The site is located a short distance from the B184 north of High Roding in the parish of Great Canfield. The site extends to approximately 15 hectares and at present comprises a number of low level former piggery units, used as stabling by the former owner in connection with the main activity of the site, that of a Polo and Equestrian Centre. In addition to these buildings there is a large agricultural barn and various other agricultural style buildings of a dilapidated state. The land to the east and west of the group of buildings includes the polo pitches and practice ground and paddocks for the grazing of the horses.

DESCRIPTION OF PROPOSAL: The proposal details the redevelopment of the site including the retention of the existing agricultural barn and the creation of a mixed use including the retention of the existing polo facilities and the creation of a horse drawn carriage training and show facility including a carriage display area, carriage workshop, replacement club house, feed store, tack room and the erection of a detached dwelling and other ancillary living accommodation for visiting guests. In addition a small private livery for approximately 6 horses would be retained. For full description of works, please see supporting planning statement date February 2004.

APPLICANT'S CASE: Please see supporting 'Planning Appraisal' dated February 2004, copies of which have been placed in the Members' Room at The Council Offices, London Road, Saffron Walden.

RELEVANT HISTORY: Changes of use of farm buildings to stabling, light industry equestrian centre, stabling for polo ponies, storage and distribution, vehicle maintenance permitted in 1990, 1991, 1993, 1998, and 2001. Use of farmland for polo purposes, and change of use of farm building to polo club permitted in 1993. Retrospective application for change of use of farm building to dwelling house granted temporary permission in 1998.

CONSULTATIONS: Original Scheme

ECC Highways – No objections to the proposal as it is not contrary to the policies contained within the ECC Structure Plan.

Thames Water – No objections to the application

Environment Agency – Standard comments with regard to foul effluent disposal.

Environmental Services – No adverse comments

Revised Scheme

Building Control – The works will be subject to Building Regulations; particular attention will need to be given to the provision of disabled facilities and access, sound insulation to student accommodation and suitable means of escape in case of fire. The Disability Discrimination Act will also have implications to this development.

Thames Water – No objections

PARISH COUNCIL COMMENTS: Original and Revised Scheme - Approves of the development, this would appear to be a superb development that can only be of benefit to the area and work should be permitted to commence as soon as possible.

REPRESENTATIONS: This application has been advertised and 1 representation was received in the original consultation period. No further representations have been received following a revised period.

General Summary – Having lived on the farm complex next door for 6 years, in my opinion the scheme is a wonderful design and controls the use of the buildings that have given us concern for many years. I offer my support to the application and wish the applicants every success.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) **the redevelopment of the site and its resultant physical layout and form is appropriate in this rural area (PPG7, ERSP C5, ADP S2, C4, C5 and DLP S7, E4, LC4),**
- 2) **the redevelopment of the site would have a detrimental impact on rural amenity and the residential amenity of adjoining occupiers (ADP DC14, DLP GEN4),**
- 3) **the proposal would have a detrimental impact on the surrounding rural road network (ADP T1, DLP GEN1) and**
- 4) **Sufficient justification has been given for the erection of a dwelling and other ancillary accommodation and its design, siting and scale is acceptable (PPG7, ADP DC1 and DLP GEN2, S7).**

1) This revised report concerns revisions to the proposed redevelopment of the polo and equestrian facilities. Members will note that the previous scheme was presented to DC Committee with a recommendation for refusal because of the amount of physical redevelopment and because it spread beyond the existing built up area of the site. In addition, because officers considered that the location and size of the proposed dwelling was inappropriate and would have a detrimental impact on the visual interests of its surroundings. Members agreed with the officer recommendation but will recall deferring the scheme for further negotiations to take place in order to try and confine the physical extent of the proposal to the existing pattern of buildings on the site, including the proposed dwelling. Following the receipt of revised plans; the proposal was deferred again on the 20 September to enable full consultation to take place, although at that meeting members indicated that they were broadly happy with the revised approach. In order to clarify the current position, the latest revisions made to the scheme are as follows:

- a. The clubhouse has been removed off the eastern boundary and relocated to the location of the previously proposed 'horse walker'
- b. The proposed 22 horse stables on the eastern boundary have also been relocated into the courtyard area
- c. The proposed 27 car parking spaces on the eastern boundary with the polo field have been reduced to 24 and set out in a linear pattern fronting onto the polo field with a greater degree of landscaping

- d. The existing barn is still retained but now incorporates the student accommodation in a mezzanine floor on the southern elevation, a hay store, workshop and forge, as well as the indoor riding school.
- e. The courtyard area as a result of these revisions has moved to the south in order to accommodate the relocated stables and as a result approximately 7 x 37m area of the southern field is encroached upon, mainly by landscaping but also by the proposed harness room in the western corner.
- f. The dwelling's location on the existing ménage, its size or design has not been revised.

It has been acknowledged by members that the proposed use of the site is an acceptable and appropriate use in this rural area beyond development limits/settlement boundaries and a use, which should be supported in principle subject to other considerations. The main issue now, relates to whether the proposed revisions to the scheme overcome concerns regarding the extent and amount of the physical redevelopment i.e. the layout and form of the site and whether this complies with structure and local plan policies relating to development within the open countryside. The overwhelming aim of the structure and local plan policies is to protect the countryside for its own sake from inappropriate development by ensuring that new uses are appropriate to the rural area with strict control on new building to that required to support agriculture, forestry or other rural uses and that such development should be well related to existing patterns of development and of a scale and design sympathetic to the rural landscape character. Furthermore, the policies encourage appropriate changes of use of land and buildings in character with their surroundings but make it clear that any associated buildings should be secured by the conversion of existing structures and that new buildings will be permitted only in exceptional circumstances. In considering such a scheme beyond development limits and the Metropolitan Greenbelt, regard must also be had to Policy RE2 of the ERSP which permits the re-use and adaptation of existing rural buildings in the countryside provided that the buildings are of a permanent and substantial construction and if, in the open countryside, are capable of conversion without major or complete re-construction. This is continued through to Policy C5 of the ADP and E4 of the DLP which guides, that development proposals which effectively result in a total rebuild of a structure, for example where a building has become too derelict, is not appropriate to the countryside.

The revised site layout would certainly appear as a more closely related group of buildings with very little encroachment into the surrounding polo fields and paddock areas, apart from the parking area for 24 cars. The removal of the stables and clubhouse off the eastern boundary with the polo field and their inclusion into the arrangement of buildings that form the courtyard relates much more appropriately to the extent and pattern of existing buildings. Furthermore, apart from the car parking which could be appropriately screened, the eastern boundary with the polo field will remain as existing which does attempt to overcome officers concerns over the physical spread of development beyond the confines of the existing arrangement of buildings. Although it is recognised that the scheme is a comprehensive redevelopment of the site, which should be supported in principle, the actual physical amount of rebuilding does not accord with Structure and Local plan policies concerning the re-use of rural buildings. Members must decide whether the benefits of such a development and the revisions made to the physical layout of the scheme is appropriate and is sufficient justification to overcome the provisions of the above policies.

In line with advice given in PPG1 and the ADP it is also important to consider whether there are any material considerations or exceptional circumstances to warrant the setting aside of above planning policies. The applicants supporting statements suggests that one of the reasons to allow development is to prevent the possible industrial use of some of the buildings in line with previously approved planning applications and that if the proposal is not allowed then the buildings will remain *'the eyesore they have been for many years'*. The

industrial use has always been low key and has little impact on rural or residential amenity with no complaints having been received by the local planning authority with regard to this use. Whilst the applicants arguments alluded to in the accompanying planning statement in respect of the current quality of accommodation, the need for purpose built stabling, the existence of asbestos and the considerable investment the applicant is willing to put into the site have been taken into account, members must again consider whether these are exceptional circumstances, which warrant approval of the scheme.

2) Turning to the impact on the residential amenity of adjoining occupiers, because of the scale of the proposal a degree of intensification will occur, the frequency and timing of the events would be similar to the existing use resulting in no significant intensification as practice evenings (chukkas), the equestrian riding school with 25 horse, 10 being livery horses and the weekly polo tournaments would no longer occur. On the days that polo tournaments and carriage events are held however, the number of people using the proposed facility is likely to exceed the number of visitors to previous events purely because the proposed centre is of a better quality. The reality is however that only two carriage events have been confirmed for 2004, with the applicant stating that it is his intention to hold three polo tournaments and three carriage driving events a year from April to September, even if one were to be held once a month there would be little real impact on rural amenity. Members raised the issue of noise emanating from the clubhouse, but this would clearly have no more of a material impact than the existing use of the clubhouse. Even in its revised location the impact of the clubhouse would be minimal.

3) With regards to the impact of the proposal on the surrounding rural road network, given the established use of the site as a polo and equestrian facility it is considered that the proposals would not result in an unacceptable amount of intensification. The traffic movements associated with the previous use of the site, as an equestrian and polo facility would far exceed those created as a result of the current proposal. This is due to the nature of the previous use and the fact that the previous use of the site included practice evenings (chukkas), an equestrian riding school with up to 25 horses, with 10 of these being livery horses attended to every day by private owners. In addition, weekly polo tournaments were held between April and September. The riding school use would cease as part of the new proposal; the stable facilities would be used mainly by the applicant's own horses and those of the site manger, which would occupy approximately 30 of the stables. The remaining stables would be used by visitors to the various events and a small livery for private horse owners to keep and maintain their animals at the centre. Only a small number of polo tournaments would be held annually, normally three events, taking place between April and September, with some members of the public being able to play on a 'pay and play' basis. With regard to the carriage driving shows, the transport assessment states that these would be infrequent (two dates for 2004), although the applicant has indicated that this could increase to three events and would attract approximately 20 horseboxes per event, the surrounding rural road network would not be adversely affected and has the capacity to accommodate additional traffic generated. Essentially, the use of the site would be more for the carriage driving and training as opposed to a normal 'equestrian centre', it is considered that this would result in a decrease in the amount of vehicle/horsebox movements to and from the site, based on the figures reproduced in the independent traffic assessment, the former use would generate up to 14,000 single trips per year mainly due to the frequency and number of different events and uses, with the proposed use generating only 7,000. It is considered that the proposed redevelopment of the site would not adversely affect highway safety or result in traffic generation, which would be to the detriment of the surrounding rural road network. Furthermore, no objections have been received from ECC Highways.

4) Given the fact that the need for a dwelling in line with the equestrian and polo facility and approved pursuant to planning applications ref: UTT/0493/98/FUL and UTT/0618/02/FUL it is considered that there are no new considerations for this similar use

which would warrant a decision contrary to the above. Given the intended use for the site and the subsequent need for a dwelling for security and animal husbandry purposes, there would be no objections to the erection of a dwelling to serve the development in principal. The dwellings location however still appears as a stand-alone dwelling in the countryside, poorly related to the sites existing pattern of development. Whilst the applicant has stated his intention to erect a timber framed two storey dwelling, the height and scale of the dwelling, coupled with its siting would be inappropriate and detrimental to the visual interests of its surroundings. This element of the scheme has not been amended since the Committee last considered this application, however to overcome officers concerns, it would not be unreasonable to impose a condition that the permission given does not relate to the dwellinghouse as applied for and that the details of the siting and design of the house must be approved in writing by the local planning authority prior to the commencement of development. Turning to the need for the proposed student accommodation, whilst this is not considered to be necessary to the financial viability and functional need of the centre, it is acknowledged that a small amount of this type of accommodation is required to house students who attend carriage driving training courses, visitors to the carriage driving events that require overnight accommodation and for those members of staff who may need to stay overnight on an infrequent basis. It is not considered that these units would be used for anything other than the uses outlined and their inclusion into the southern elevation of the existing building would not cause any visual harm, although to ensure that this is the case, a relevant condition restricting the use of the units would be necessary and reasonable.

COMMENTS ON REPRESENTATIONS: None

CONCLUSIONS: The proposal would result in the erection of a significant amount of new buildings on the site, which would be replacements for apparently unusable structures. The revised resultant form of development would respect to a greater degree, the existing pattern of buildings on the site and the only encroachment is a small area of landscaping onto the existing ménage to the south. Officers still have concerns over the siting and scale of the proposed dwelling and still believe that it is poorly related to the existing pattern of development and inappropriate. However the scheme has been revised in accordance with member's comments and if members consider that the scheme is now acceptable, and then officers recommend that the following conditions could be imposed.

RECOMMENDATION: IF MEMBERS CONSIDER THE REVISED PROPOSAL ACCEPTABLE THAT THE FOLLOWING CONDITIONS BE PLACED ON ANY APPROVAL GIVEN.

1. C.2.1. Time limit for commencement of development/
2. C.3.2. To be implemented in accordance with revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and agreed.
6. C.6.5. Excluding fences and walls without further permission.
7. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
8. C.8.26. Internal sound insulation to flats [dwellings].
9. C.8.22. Control of lighting.
10. C.8.27. Drainage Details.
11. C.14.3. Staff accommodation.
12. C.18.1. Restricted occupancy.
13. No works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any protected species has been granted by DEFRA under the Conservation (Natural Habitats &c) Regulations 1994, and a copy of which has been provided to the Local Planning Authority.

REASON To comply with the requirements of the Habitats Regulations and to protect species of conservation concern.

14. This permission does not relate to the proposed dwelling house as applied for, approval of the details of the siting, design and external appearance of the dwelling shall be obtained from the local planning authority in writing before any development is commenced.

REASON: Although the need for a dwelling in principle is acknowledged, the siting, scale and design of the dwelling as applied for is still considered to be inappropriate.

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.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS (1 NOVEMBER 2004):

6 further letters have been received:

1. Boundary Error in Proposed Site Plan. Please can you ensure that the boundaries to the north-west and to the right hand side of The Maples as shown on the Proposed Site Plan are corrected? Position and height of dwelling number 5. A two-storey house, or a chalet bungalow with some accommodation at first floor level, built in this position would have a significant negative effect on The Maples. These problems would be much reduced if the dwelling nearest to the Maples were:

- a) limited to be a single storey bungalow with no windows along the side facing The Maples
- b) positioned a minimum of 5 metres from the south eastern boundary of the Proposed Site.

Access and parking: Our concerns in relation to access and parking are:

Safety

Turning access from Green Road into the roadway and vice versa
Parking during construction and after construction
Disruption and safety during construction

Given the concerns described above we would request that the constraints set out below be written into the outline planning consent. The dwelling nearest to the Maples, number 5 on the Proposed Site Plan, is:

Limited to be a single storey bungalow with no windows along the side facing The Maples and
Positioned a minimum of 5 metres from the south eastern boundary of the Proposed Site.

The design of the proposed development provides for 4 parking spaces per dwelling in addition to garages. Appropriate improvements in the design (layout, surfacing, signage etc) of the access roadway as are required to address the safety concerns raised above.

2. I would point out that the average width of the access drive is not as stated (5 metres sec. 2.05 of the application) but approx 3 ½ metres.

3. Character of the village edge, setting of the conservation area, Setting of Coney Acre wood, amenities of neighbours, access, meeting government's objectives (density).

4. We are extremely concerned about the safety aspects of building 5 new houses with potentially 20 more cars accessing Green Road. Green Road itself seems to be a race track, even though its has a 30mph limit. The potential for a nasty accident involving cars coming out of this access road already exists but the potential is increased by several hundred percent if there are 20 more cars using it. Children also ride their bikes up and down the road and pavements on the side of the road where access to the development is proposed. The village has a school and many parents use Green Road to park in when dropping and collecting their children. Cars park very close to the access road and visibility is impaired. The proposed access road is a well used and well established public footpath. We are concerned as to how this will be managed as part of the access route into the proposed development.

5. Although the application site is within development limits we consider that the proposed re-development in depth with 2 storey dwellings is inappropriate for this particular site for the following reasons:

- a) District Plan Policy DC1 and draft Local Plan Policy GEN2 – The character of this part of Rickling Green is generally open and quietly rural, with no development in depth behind the current building lines in Green Acre and Longridge. Development on the scale proposed would fail to respect these important environmental features.
- b) District Plan Policy T1 and draft Local Plan Policy GEN1 – Redevelopment with 5 dwellings would increase significantly the number of vehicles using the narrow access road from Rickling Green Road. Any increase in vehicular traffic would lead to an unacceptable level of conflict both with pedestrians and with other vehicles since there is not sufficient width for two cars to pass.
- c) Draft Local Plan Policy H9 – we do not believe that the indicative layout which shows 5 detached dwellings meets the housing mix criterion of the above policy.

6. Concerned that the access road at about 3m wide is inadequate for traffic access and egress. The junction is close to the local primary school. The access road also contains a public footpath, and it is not clear if the private drive and footpath are to co-exist on the same width. A condition should include obtaining a 20MPH school zone before commencing development. In addition, there appears to be overlooking on No 2 Coney Acre that is closer than the 25m suggested in the Essex Design Guide for residential areas for one of the proposed property.

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.
12. No construction work shall be carried out on, nor machinery operated on, nor materials be delivered to, the site at any time on Saturdays or Public Holidays, or before 8.00 a.m. or after 6.00 p.m. on Monday to Friday or before 8.30 a.m. or after 2.00 p.m. on Saturdays.
REASON: To protect the amenity of adjoining residential occupiers.
13. Details of the provision for the parking of vehicles associated with the construction of the development shall be submitted to and be approved by the Local Planning Authority before commencement of development and shall be adhered to during all stages of the construction of the development hereby approved.
REASON: To protect the amenity of adjoining residential occupiers.
14. No windows shall be inserted into the site (east facing) elevation of the house to be developed on plot 5.
REASON: To protect the amenity of adjoining residential occupiers.

Background papers: see application file.

UTT/1587/04/FUL – CLAVERING
(Councillor Application)

Erection of a new cottage
Hillside Bird Green. GR/TL 453-338. E C Abrahams.
Case Officer: Mr T Morton 01799 510654
Expiry Date: 10 November 2004

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

DESCRIPTION OF SITE: The site lies within the Open Countryside, well outside of the defined settlement boundary of the nearest settlement at Clavering as defined in the adopted Uttlesford District Plan. The site consists of an existing two storey, three bedroom, house facing onto the road and set in a large garden, with a detached garage.

DESCRIPTION OF PROPOSAL: The proposal is a Full application to construct a new cottage attached to the existing house to make a semi-detached pair of houses, the new house would be a two bedroom dwelling.

APPLICANT'S CASE: The cottage is late C19/early C20, and has been used since the 1960s as tenanted property for farm workers or retired farm workers. It is currently vacant and in need of complete renovation. The proposal is to build an extension slightly smaller than the house to provide a second two-bedroom house. The applicants believe that they would be able to obtain planning permission for an extension to the existing unit to make a larger house for sale, but would prefer to build a similar volume extension but as a separate dwelling to create small properties to rent on the open market. The applicant believes this is supported by Policy H7 and H8 of the Uttlesford District Plan. They mention that if this were not approved they would have to seek permission for a significantly sized single replacement property. They are prepared to offer a section 106 Agreement to ensure the property is kept as two units, and would accept removal of Permitted Development rights, and that the property shall be retained for rent on the open market.

CONSULTATIONS: Thames Water: No objections with regard to sewerage infrastructure. Essex CC Highways & Transportation: Under the current agreement this case is one where the highway aspects are left for determination by the District Council.

PARISH COUNCIL COMMENTS: There are no objections to the proposal. Notification period expired 16th October 2004

REPRESENTATIONS: One objection received, raising the following points; The new access is on a reasonably sharp bend and would make a dangerous one. This is not a prime location for affordable rural housing. The existing house is believed to be 'tied' farm property. The previous tenant had seen the house deteriorate to the point where it became almost uninhabitable. We are opposed to any further additions being made to the house under the current proposals. Notification period expired 7th October 2004.

PLANNING CONSIDERATIONS: The main issue is that of residential development outside of a defined settlement in the open countryside. (ESRP Policy C2, ADP Policy S2, and DLP Policy S7).

Essex & Southend on Sea Replacement Structure Plan
POLICY C5 – RURAL AREAS NOT IN THE GREEN BELT.

Within these areas, the countryside will be protected for its own sake with strict control of new building to that required to support agriculture, forestry or other rural uses.

POLICY H2 – HOUSING DEVELOPMENT – THE SEQUENTIAL APPROACH

Residential development should be located on sites which can provide good access to employment, shopping, education and other community facilities by a choice of means of transport. The policy sets out 5 strategic principles forming a sequential test, and at the bottom of the list category 5 states 'sporadic housing development in the countryside will be resisted.

Uttlesford District Plan
POLICY S2 - COUNTRYSIDE BEYOND THE GREEN BELT AND THE STANSTED AIRPORT COUNTRYSIDE PROTECTION ZONE

Permission will not normally be given for development in the countryside beyond Development Limits unless the proposals relate to agriculture, forestry, appropriate outdoor recreational uses, or appropriate changes of use of suitable existing buildings compatible with a rural area.

Draft Uttlesford Local Plan
POLICY S7 THE COUNTRYSIDE

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. There will be strict control on new building.

The applicant refers to Uttlesford District Plan Policies H7 (extensions to dwellings) and H8 (Replacement Dwellings). These state;

The applicant is combining and interpreting these two policies, H7 and H8, in a novel way to say that the 'extension' of the property is covered by H7, and that replacement of life expired dwellings is allowed by H8, so that either enlarging the property for occupation as two dwellings is allowed by policy, or otherwise a larger replacement house would be allowed by H8, and the proposal should be seen as preferable. In fact neither of these policies is applicable to this proposal, which is for the construction of a new dwelling in the open countryside.

The proposal is to build a new semi-detached dwelling beside the existing house on part of the garden that is presently the site of the garage. The site is well outside of the nearest defined settlement boundary. The area is characterised by few single scattered houses set in large plots, and this proposal would result in a plot size untypically small for the locality for both the existing house and the proposed house, with a very prominent presence set so close to the highway.

The Structure Plan policy to restrict development in the open countryside to appropriate rural uses is long established, and this is supported by its policy on the location of new housing. This reflects the national guidance set down in PPG 3 and PPS 7. This policy approach is also reflected and supported by the policy of the Uttlesford District Plan and draft Uttlesford Local Plan. This proposal does not meet any of the circumstances set down in adopted

policy for an exception to be made, and as a matter of principle, there is no reason to support the development of an additional dwelling on this site.

COMMENTS ON REPRESENTATIONS: The objection to the application is noted. The occupancy of the house is not limited by planning condition, as its origin lies in a period before planning control was introduced, and there is no planning requirement for occupancy to be 'tied' to agriculture.

CONCLUSIONS: The proposal would be contrary to the Council's policies. Refusal is recommended.

RECOMMENDATION: REFUSAL REASONS

1. R.3. Contrary to policy S2: Unsuitable development in the countryside.

The site is located within countryside beyond Development Limits as defined in the adopted Structure Plan and District Plan.

Essex & Southend on Sea Replacement Structure Plan Policy C5 states that:

Within the Rural Areas outside the Metropolitan Green Belt the countryside will be protected for its own sake, particularly for its landscapes, natural resources and areas of ecological, historic, archaeological, agricultural and recreational value. This will be achieved by the restriction of new uses to those appropriate to a rural area, and the strict control of new building in the countryside outside existing settlements to that required to support agriculture, forestry or other rural uses or development in accordance with Policies H5, RE2 and RE3.

Development should be well related to existing patterns of development and of a scale, siting and design sympathetic to the rural landscape character.

Essex & Southend on Sea Replacement Structure Plan Policy H2 Housing development - The Sequential Approach states that;

Residential development should be located on sites which can provide good access to employment, shopping, education and other community facilities by a choice of means of transport, particularly cycling, walking and passenger transport. New housing provision should be located in accordance with the following strategic principles: - [The policy lists 5 principles the last of which states "sporadic housing development in the countryside will be resisted."]

Adopted Uttlesford District Plan Policy S2 states that;

Permission will not normally be given for development in the countryside beyond development limits unless the proposals relate to agriculture, forestry, appropriate outdoor recreational uses, or appropriate changes of use of suitable existing buildings compatible with a rural area.

Draft Deposit Uttlesford Local Plan Policy S7 states that;

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. There will be strict control on new building.

The proposed development does not meet any of the specified exceptions contained within these policies and would be unacceptable because it would be contrary to principles of sustainable locations for new housing and would detract from the character of the countryside by virtue of increasing the density of built development in a manner not in character with the pattern of development in the vicinity.

Background papers: see application file.

UTT/1589/04/DFO - BIRCHANGER

Reserved matters application for erection of 315 dwellings, pursuant to condition C.1.1 of outline permission UTT/0443/98/OP - siting, design, and external appearance of the buildings.

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

Case Officer: Mr J Pine 01799 510460

Expiry Date: 10/11/2004

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: UTT/1589/04/DFO

These are revised proposals following the earlier disapproval of reserved matters. As per the outline planning permission, 315 dwellings would be erected at a density of 37/hectare, with 25% (79) being affordable. The density would be lower around Foresthall and Church Roads and higher around the main square, as set out in the approved masterplan. The layout would provide the permeability for pedestrians and cyclists required in the approved masterplan, avoiding "dead end" cul-de-sacs throughout. Affordable housing would now be in 6 locations throughout the site, intermixed with areas of private housing. The affordable housing would consist of 2 and 3-storey flats and 2-storey terraced and semi-detached houses, 60 of the 79 units being either 1 or 2-bed. The private housing would be mainly terraced and semi-detached, ranging from 2-storey to 2+attic through to 3-storey, and would be predominantly 3 or 4-bed. Overall, there would be 8 fewer 4 and 5-bedroom houses than the previously refused layout.

All the housing and flats along the northern boundary of the site would now be 2-storey, with the maximum ridge height reduced to 10m (four houses), the rest varying between 7-9m. These houses and flats would not have any north facing attic windows which would, in any case, require planning permission as they would not constitute permitted development. The number of genuine 3-storey houses throughout the layout would be 28 (ridge heights between 11.6–12.2m), located as feature buildings as per the approved masterplan. The 2+attic-storey houses would range between 8.7-10m in height.

Pitched roofs would be covered in either tile or slate, with all brick chimneys capped with clay chimney pots. Facades would be mainly brick faced, but with some painted brickwork and render. There would also be some timber cladding. Front gardens to the larger houses would be defined by railings, and rear boundaries which front public areas would be constructed of brick. All the blocks of affordable flats would now have dedicated communal rear open space, including the 1-bedroom flats.

The layout would be broadly in accordance with the approved masterplan, but would reflect the changes required both via the previously approved landscaping reserved matters and by

the protection of an access easement that exists in favour of Croudace Limited, which has resulted in small northward relocations and alterations to the shapes of both the main and additional school sites. A site along the northern boundary of the large square has now been allocated for a shop.

A main link distributor road would run through the site, linking Foresthall Road and Church Road. This road would be tree-lined to reflect its status, as per the approved masterplan. Bus stops would be provided on either side of the main link road, convenient to the school and health centre sites. Secondary access would be provided from the link road, including to the Croudace owned land to the west and immediately to the south of the linear drainage feature along the northern boundary of the site. Other minor forms of access would be mews, parking courts and private drives. 17 houses would have their own direct access onto Church Road to avoid complexity at the main estate junction. Car parking would be provided by a combination of “drive through” houses and parking courts to minimise visual impact by concealing parked cars behind principal frontages. Focal spaces would use raised speed tables to achieve traffic management.

The developer provided a schedule of car parking spaces for the previously refused scheme as set out below. There has been no material change to the proportion of spaces provided under the current proposals.

52 affordable flats	52 spaces	13 visitors' spaces	1.25 / dwelling
27 affordable houses	39 spaces	2 visitors' spaces	1.52 / dwelling
236 open market houses	483 spaces	5 visitors' spaces	2.07 / dwelling
315 overall total	574	20	1.89 / dwelling

All the parking spaces for the affordable flats would be communal. Some of the parking for the affordable houses would also be communal.

The layout of the public open space along the northern boundary has been reviewed, with 2 LAPs relocated to the south of the road. Furthermore, the road layout along the northern boundary has been amended to allow a direct footpath connection through to the linear drainage feature and play areas. Importantly, the road running by the LEAP and Green would no longer be a through-road, reducing the amount of traffic carried and making it easier to cross the road.

APPLICANT'S CASE: Site layout: This layout follows from pre-application discussions with the District Council, Stansted and Birchanger Parish Councils and CABE. See revised design statement of 7/9/04 (copy attached at end of report). In relation to the comments of Essex Police, the approach is similar to that at Bishops Mead in Chelmsford, which features in ODPM's "Safer Places" publication. See letter from Reeves Bailey dated 22/7/04 (copy attached at end of report).

Drainage: The surface water drainage system would have adequate capacity, and the stream beside Church Road would be retained and enhanced to encourage natural habitat. See letter from Bettridge Turner & Partners dated 16/7/04 (copy attached at end of report).

Reasons for refusal of the previous scheme: See single page extract of applicant's letter of 9/9/04 (copy attached at end of report).

Sustainability and Energy Efficiency Appraisal: A 17-page appraisal has been submitted with the headlines:

- Ensuring Design Quality
- Minimising Resource Consumption
- Reducing Dependency on the Private Car
- Maximising Environmental Capital
- Achieving a High Quality of Life

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
- Implementation in accordance with masterplan
- Details of materials
- 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 previous set of reserved matters for the layout (UTT/1024/04/DFO) was disapproved at the DC Committee meeting on 31 August, following a Members' site visit. Separate applications for approval of reserved matters relating to landscaping (UTT/1026/04/DFO) access and bridge materials details (UTT/1194/04/DFO), ecology (UTT/1320/04/DFO) and archaeology (UTT/1546/04/DFO) have been submitted and approved.

CONSULTATIONS: (*Officers' comments are in italics*).

ECC Highways & Transportation: No objections subject to a number of standard conditions. *Other comments raised in the letter will be accommodated in the layout.*

ECC Archaeology: Recommends a condition requiring trial trenching and possible excavation. *This is now covered in the approved archaeological reserved matters, so does not need to be duplicated.*

ECC Built Environment Branch: No further comments received

Commission for Architecture & the Built Environment (CABE): No further comments received.

ECC Schools Service: No objections to the overall revised boundary shape of the main and additional school sites. Will require clear guidance on how the school is to be co-located with the large square. The issue of pedestrian access from the south is important in reducing traffic danger outside the school's main entrance. A gate in the south east corner could be provided, but would not be accessible in bad weather and could be a security hazard. A better solution would be to establish a pedestrian right of way through the health centre land and into the large square.

Essex Police Architect: Objects as previously. The issues raised do not appear to have been addressed, i.e. unnecessary permeability through parking areas that will lead to anti-social behaviour, crime and the fear of crime of those who have to park there. *See letter from Reeves Bailey dated 22/7/04, (copy attached at end of report). Permeability of layout is specifically required in the approved masterplan.*

Thames Water: No objections with regard to sewerage infrastructure.

Environment Agency: Guidance given, which will be passed to the applicant.

BAA Safeguarding: No objections, as there would be no conflict with safeguarding criteria.

Environmental Services: No further comments received.

Croudace Limited (Developers of western half of the site): No further comments received.

PARISH COUNCILS' COMMENTS: *(Officers' comments are in italics).*

Birchanger: Concerned at archway access for parking. Could lead to greater road congestion, as owners would impede travel with household equipment and playthings. Young children could be put at risk from emerging vehicles, especially as the designated play areas cannot be supervised from nearby houses and houses are built directly on pavements.

Noted, but this is not judged to be a serious problem. All houses and flats intended for family occupancy have private or communal garden areas. Unlike garages, there is no reason for these areas to become clogged with domestic equipment, as they provide communal parking. The building of houses on the pavement edge is encouraged in the Essex Design Guide as a way of increasing street supervision and traffic management.

Height of buildings is also a major factor – impact on the surrounding houses on the Stansted side will be unsightly and will be a cause of complaint re overdevelopment. *The height of dwellings along the northern boundary has been reduced as set out in the report. Otherwise, the 3-storey houses serve as landmark or marker buildings as set out in the approved masterplan.*

All terracing or road surfacing should be carried out prior to development. Essential for construction traffic in the first instance.

This is covered by the standard conditions required by the Highways Authority.

Requested that Tott Lane become one-way so as to avoid construction traffic through Birchanger Lane.

One-way working is a matter for the Highways Authority. Construction traffic routes are controlled by condition.

Stansted: None received.

REPRESENTATIONS: This application has been advertised and 1 letter dated 19/10/04 has been received from CPRE (see copy attached at the end of this report). Period expired 8/10/04. *(Officers' comments are in italics).*

The main access road will have a design speed of 30mph, as it is a bus route. The remainder will be 20mph. The layout is as per the approved masterplan. See earlier comments on the archway access areas. There is adequate parking space for cars and manoeuvring space for service vehicles. The sizes of the school and health centre sites are as per the approved masterplan, and will be self-sufficient re car parking. The locations of the bus stop are shown on the latest layout drawing – details are required by condition to be agreed prior to development commencing. The proportion and distribution of 2+attic and 3-storey houses is satisfactory and as envisaged in the approved masterplan.

PLANNING CONSIDERATIONS: The main issues are whether:

UTT/1024/04/DFO

- 1) the layout and design would be in accordance with the approved masterplan, in particular with regard to the form of the large square and its formal relationship to the school and health sites (ERSP Policies H4, T3 and T6, ADP Policies S1, H4, DC1 and SM6, DLP Policies S2, GEN1 & 2 and SM4/BIR1)

- 2) **the buildings and minor access road along the northern boundary of the site would have an adverse impact on the amenity enjoyed by existing residents in Stoney Common (ADP Policies DC1 & 14, DLP Policies GEN4 & 5)**
- 3) **the mix of housing would be acceptable, the location of the affordable housing would be acceptable, and whether there would be sufficient private open space (ADP Policies H4, SM6 and DC1, DLP Policies GEN2, H9 and SM4/BIR1)**
- 4) **the school sites would be fit for their purpose (ERSP Policies BE5 and H4, ADP Policy H4, DLP Policies GEN6 and SM4/BIR1) and**
- 5) **adequate car parking would be provided (ERSP Policy T12, ADP Policy T2, DLP Policy GEN9).**

1) Subject to the changes referred to in the Description of Proposals section of this report, the layout and design would be in accordance with the approved masterplan. Whilst there would be changes to the shape of the large square (it would now be more square in shape rather than rectangular), there would be no reduction in its overall area. The large square would enjoy a public focus, being adjoined respectively to the west and south by the school and health centre sites. Further reserved matters applications will need to be submitted for those sites, in which the exact means of enclosure to the square will be determined.

2) Along the northern boundary of the site, the approved masterplan shows a buffer planting area of about 10m in depth, within which a footpath / cycleway would be provided. On the submitted plans, the buffer area would be formed by the linear drainage feature, to the south of which would be a dedicated footpath / cycleway bordering the access road that would serve the north facing houses and flats. It is not considered that there should be any material loss of amenity from the 2-storey houses and flats along that boundary.

3) DLP Policy H9 requires that there is a significant proportion of market housing comprising small properties (2 and 3-bed homes), in addition to affordable housing. Of the 236 open market houses, 138 (58%) would so qualify. Of the 79 affordable housing units, 60 (76%) would be either 1 or 2-bedroom. It is considered that Policy H9 would be complied with. The revised locations of the affordable housing have been agreed with the Housing Association, and would integrate well with the open market housing, enjoying various outlooks such as over the school, over various areas of public open space or along the northwest boundary along the vista towards the windmill. All the affordable flats would now have communal areas of rear amenity space. All the affordable houses would have adequate private gardens.

The open market housing would have a range of garden sizes, meeting the Design Guide requirement for 100 sqm minimum gardens for houses of 3 bedrooms or more. Generally, the houses along the southern and eastern boundaries would have the largest gardens, reflecting the lower density of development in those areas required in the approved masterplan. There would be eight 2-bedroom houses that would not have private gardens, but these have been purposely designed at the entrances to parking courts to give natural surveillance. This type of arrangement is promoted in the approved masterplan.

4) The main school and additional school sites would be of the sizes required in the approved masterplan and the S106 Agreement. Written confirmation has been received from Essex County Council that the overall revised shape of the combined sites would be able to accommodate the required school facilities, albeit that the main and additional sites may change in location within the overall allocated area. The developer is not required to submit any reserved matters relating to the school facilities – these would come from the County Council in due course.

5) The developer has provided a schedule of car parking spaces based on house size and tenure (open market / affordable housing / affordable flat). The approved masterplan recognises the need for restraint in car parking provision as set out in PPG3, but also recognises that provision needs to be higher on a site such as this, which is an extension to a village rather than in or near a town centre.

It is considered that the parking layout would achieve the 4 main objectives set out in the approved masterplan, which are:

- Improved urban character and quality
- Less car dominated environment
- Encouraging more sustainable forms of transport by making it less convenient in some instances to park cars close to home: and
- More efficient use of land.

COMMENTS ON REPRESENTATIONS: See italicised sections of the report.

CONCLUSIONS: Whilst there are inevitable differences from the approved masterplan, the proposals would accord with its basic principles. In answer to the concerns expressed by Members when the previous reserved matters were disapproved, the following amendments have been secured:

- Splitting up of the affordable housing into 6 locations throughout the site
- Provision of communal open space for all the blocks of flats
- Reduction in the ridge heights of dwellings facing the northern boundary
- Relocation of 2 of the LAPs, plus highway layout changes to make pedestrian access easier to the open spaces
- Allocation of a site for a shop
- Location of bus stops specified
- Sustainability and Energy Efficiency Appraisal submitted.

RECOMMENDATION

UTT/1589/04/DFO: APPROVAL WITH CONDITIONS, WITH CONSEQUENTIAL AMENDMENTS TO THE APPROVED MASTERPLAN

1. C.3.3. To be implemented in accordance with original and revised plans (except where amendments are required by other conditions listed below).
2. C.7.1. Details of external ground and internal floor levels to be submitted and agreed (all houses and flats along the northern boundary).
3. In relation to the details of street lighting that is required to be submitted pursuant to Condition C.90G of the outline planning permission reference UTT/0443/98/OP, all lighting along the northern boundary shall be positioned and shielded so as to prevent glare to the residents of existing dwellings in Manor Road and Stoney Common.
REASON: To protect the amenity of residents of dwellings to the north of the application site.
4. Highway layout amendments and engineering specifications (*wording to be detailed if revised plans are not submitted in time*).
REASON: In the interests of highway safety.

Background papers: see application file.

1) UTT/1393/04/FUL, 2) UTT/1397/04/FUL & 3) UTT/1398/04/LB - UGLEY

- 1) Erection of two-storey building to provide residential care. Erection of day centre with parking and alterations to access.
 - 2) Change of use of existing residential care home and associated outbuildings to six residential dwellings.
 - 3) Alterations to openings and internal and external works to convert main building and outbuildings to six dwellings.
- Land adjacent Orford House. GR/TL 515-270. Home Farm Trust Ltd.
Case Officer: Mr G Lyon 01799 510458
Expiry Date 1) 10 Nov 2004, 2 & 3) 23 November 2004

NOTATION: ADP and DLP: Outside Development Limits. Orford House Grade II* listed building with adjacent curtilage listed structures (Coach House, Barn to North and Dovecote). Various mature trees on site but no Tree Preservation Orders.

DESCRIPTION OF SITE: The site the subject of this application is situated approximately 1.5 km north of Stansted and 10 km south of Saffron Walden on the eastern side of the B1383. The site has three existing accesses. The main access is gained via a secondary road off the B1383, on the northern edge of the site. This serves the majority of traffic currently visiting the site. A second access on the eastern side of the site is used occasionally to provide goods vehicle access. There is a third access, directly off the B1383 into the south west corner of the site, which appears to have been the former primary entrance to the site with brick piers and wrought iron gates. This entrance is no longer used and the brick piers are becoming overgrown. The site is approximately 3.8 hectares in size and contains numerous structures and buildings of varying ages and construction. The primary building is Orford House, which dates from 1700 and is grade II* listed. The building is visually prominent from the B1383 with red brick walls, slate roof and white painted windows. The building has been the subject of numerous extensions over time, some of which are less successful than others in terms of their contribution to the composition of the building as a whole. To the east of Orford House is the coach house (grade II listed) dominated by a clock tower with surmounted octagonal open cupola. To the north of Orford House is a range of barns (grade II listed) separated by an open graveled courtyard. A more modern stable building and "mushroom" store accompany these barns. A grade II listed dovecote is situated to the east of these barns opposite the access road. Between the barns and the coach house is a range of brick and timber buildings. Dove Cottages is situated to the east of this range and is one of the newest structures on site, having being given planning consent in 1986. There is a range of garages to the south of Dove cottages, which back onto the Dutch Garden (walled). This is accompanied by the garden centre to the east, which is operated by Home Farm Trust.

The site is extensively planted with maturing trees and hedging, which had been landscaped as part of the original use of the site as a dwelling.

The building and land are all currently owned and managed by Home Farm Trust and have been in the same ownership since 1983 when the trust bought Orford House. The buildings were originally used to accommodate 18 service users in dormitory style bedrooms but subsequent legislation changes in 1984 and 1990 raised the standards of care and, as a consequence, the number of residents in Orford House reduced to 6 people in a first floor. Further legislation changes in 2000 have meant that Orford House itself is not used to provide accommodation with Dove Cottage the only area of residential accommodation. Outbuildings around the site have been used to provide day care facilities with activities such

as pottery and woodwork and Home Farm Trust operates a small-scale garden centre, which is open to the public.

DESCRIPTION OF PROPOSAL: This application consists of two distinct parts. Firstly, the conversion of a large proportion of existing buildings to form six open market dwellings (UTT/1397/04/FUL & UTT/1398/04/LB) and secondly, the erection of a two storey building to provide residential care and the erection of a day centre (UTT/1393/04/FUL). This application has arisen due to changes in Government legislation concerning the provision of care facilities through the Care Standards Act 2000. The applicants assert that the existing accommodation would not enable such standards to be met and the disposal of a large proportion of the unsuitable assets would enable the construction of accommodation fit for purpose in line with the new legislation.

1. UTT/1397/04/FUL – Change of use of existing residential care home and associated outbuildings to 6 no. residential dwellings & UTT/1398/04/FUL – Alterations to openings and internal and external works to convert main building and outbuildings to six dwellings.

This application concerns the conversion of a large proportion of existing structures to form six dwellings. These include:

Orford House – The applicant is proposing to change the use of the principle grade II* listed building from residential care home to two separate dwellings, one unit would have nine bedrooms with the other unit would have 4/5 bedrooms. The original house was a double pile square plan with projecting closets at ground and first floor level. The majority of the original dwelling forms the larger nine-bedroom property and includes the early C20 eastern south facing wing. The basic shapes of the rooms in this property would be little changed apart from the removal of some later partitions to form the family/kitchen and bedroom3/ensuite. This property includes one of the original closets on the northern elevation and will encompass a new small conservatory. The dwelling would have a garden to the east; roughly 1 hectare in size and a double garage would be built as part of a group of four to the north.

The 4/5-bedroom proposal is formed from later extensions to the original dwelling house, which are probably of late C18, early C19 origin and certainly are evident on the earliest historical maps. The only element of the original property is the western closet on the northern elevation, which is proposed to be altered to accommodate en-suite and bedroom facilities on the ground and first floor, although The applicants are proposing quite extensive changes to form this property with new stairwell arrangement to form the bedroom/study and bedroom 4 at ground floor level with new construction at mid-floor level to form bedroom 3 and changes to the partitions at second floor level to form bedroom 4 and its associated dressing room and en-suite. The extent of changes to the original property has been reduced following consultation responses. The dwelling would have a garden area to the north in excess of 500 square metres. This property would also have a double garage to the north.

Orford House Cottage (Coach House and Stables) – The applicant is proposing to convert the existing building into a single dwelling house containing five bedrooms. This building is already partly in residential occupation and therefore only minor alterations are required including new internal partitions to create the kitchen, family and living room with the insertion of a new chimney above. The important feature of this building is the clock tower, which will be retained. Garden area would be provided to the east of the building of approximately 1,500 square metres.

Barns – The applicant is proposing to convert the barns into two separate dwellings, both of which would have three bedrooms. A new floor would be inserted in both of the barns with the central section of each barn floor to ceiling in height. New windows would be inserted, Eight on the southern elevation plus fully glazed openings to replace the old barn doors, 13 on the northern elevation plus a fully glazed opening to replace the existing barn door, three windows on the western elevation and four windows on the eastern section. The plans do not give details of how the conversion works would be undertaken but one must assume extensive amounts of new materials and a general loss of the patina of age. The existing roof is clay tiled and this would be re-used. No information has been submitted regarding foul drainage. The barns would each have a double garage, which would be sited to the south east of the barns as part of a small garage/parking complex. Gardens would be provided to the north of the barns and include a large number of mature trees.

Stables – The applicant is seeking consent to convert the existing stable into a residential dwelling with two bedrooms. The property would be single storey with alterations to the internal space. The covered loggia would remain. Additional windows would be inserted in the north and south elevations but an existing window on the west elevation will be removed. The granary store to the north of the stables would be removed and, subject to a structural survey, could be relocated into the garden of one of the barns. This would be replaced with a new double garage serving the Stables. A garden would be provided to the north of the building.

Workshop and water store – The existing workshop and water storage tank building is to be demolished.

2. UTT/1393/04/FUL – Erection of two-storey building to provide residential care. Erection of day centre with parking and alterations to access.

This application concerns a proposed new residential care building and a new day care centre to accompany the existing accommodation known as Dove Cottages.

Residential Unit – The applicants are proposing to erect a six bedroom residential unit, all of which would provide en-suite facilities. The building would be L-shaped and form a courtyard arrangement in conjunction with the existing Dove Cottages. All the bedrooms would be provided at ground floor level with the managers accommodation in the roof space above. The building would also include a communal living room, dining room and kitchen and large entrance hall. In terms of size, each of the wings would be 11.5 metres wide and approximately 26-27 metres in length. The height to eaves would be 2.5 metres with a height to ridge for each wing of 5.2 metres. The central section would extend upwards to form a pyramidal shape with a height to ridge of 8.3 metres.

Day Centre – The applicants are proposing a day centre to the south east of Dove Cottages and the new residential unit on the site of the Dutch walled garden. The garden would be demolished to make way for the building but the overall shape and position of the building would reflect the location of the previous use and the existing sundial would be relocated. The building itself would be roughly C-shaped and two-storey in height with a uniform width of 6.5 metres and a maximum length of 28.5 metres. The eastern wing projects 4 metres and the western wing projects by 10.5 metres. The building would have a height to eaves of 4.7 metres with a height to ridge of 8.6 metres. In terms of positioning, the applicant has asserted that the building is located away from the residential units to ensure that users of both buildings are not confused or disorientated and to ensure that the day centre, which would attract external users, does not detrimentally affect the residential amenity of the users of Dove Cottages and the new residential unit.

New/Altered Access – Access to the Home Farm Trust site would be solely via the eastern entrance, which currently serves as a goods entrance for the garden centre. This access would be altered to improve safety and visibility, as indicated in the applicants submitted traffic assessment. However, not all land required to achieve such changes are within the applicants control and this could reduce the scope of any potential planning conditions.

APPLICANT'S CASE: The applicant submitted various documents with the application including a traffic assessment, architectural appraisal and supporting statement, copies of which are available for inspection at The Council Offices, London Road, Saffron Walden.

RELEVANT HISTORY: The site was changed from residential dwelling to home for the mentally handicapped following approval in 1980. Various alterations have been approved to the internal arrangements of the existing buildings on site in relation to its current use. Dove Cottages were apparently approved in 1986 but there is no planning history for this particular building.

CONSULTATIONS: Essex County Council Highways and Transportation:

1) UTT/1393/04/FUL – Recommend Refusal due to unsatisfactory width alignment of road leading to B1383. Should members approve the scheme, a S106 agreement would be required to secure off-site highway improvements to junction with B1383 (works to be agreed with ECC Highways).

2) UTT/1397/04/FUL and 3) UTT/1398/04/LB - No objections subject to conditions.

English Heritage: 1) UTT/1393/04/FUL - No comments. 2) UTT/1397/04/FUL and 3) UTT/1398/04/LB - No objection subject to various changes (Now made by applicant).

Ancient Monuments Society: No comments.

The Garden History Society: No comments.

CABE: No resources available to comment.

English Nature: No objections.

Environment Agency: No comment.

Thames Water – No comments received.

UDC Local Plans: Given the relatively contained nature of the development I think a case can probably be made to support this development providing the conservation aspects of the proposal are acceptable and information is presented which provides a clear justification for the care facility to remain in this location rather than relocating to a site within a settlement and evidence that alternative solutions have been fully examined.

UDC Landscaping: Recommend Area Order.

UDC Environmental Health: No objections/comments.

UDC Building Control: No objections.

UDC Drainage Engineer: No comment.

TOWN/PARISH COUNCIL COMMENTS: No comments

REPRESENTATIONS: The applications were advertised with both press and site notices. Four (UTT/1393/04/FUL) and Nine (UTT/1397/04/FUL & UTT/1398/04/FUL) neighbours were consulted and the period for the return of comments expired on 23 September 2004. Seven letters have been received to date, all concerning UTT/1393/04/FUL and mostly from friends and relatives of those living on the site. Summary of comments – Concerned that if HFT are forced to leave the site that it would be damaging to the residents, who would feel insecure in a changed location. The spacious grounds of the site allow my son to walk around without fear of conflict with traffic etc. The day services also help my sons behaviour as he does not travel well. Orford House is home to a lot of people and we have moved ourselves to be near him. We understand the need to improve the facilities on the site and strongly support the application. A cramped urban location would inhibit the development

and quality of life of the residents with a negative consequence of social behaviour. Space is a very important commodity, which would be severely lacking in an urban centre.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) **The proposal meets with the environmental, historic and architectural quality criteria relating to the residential conversion of rural buildings (PPG7, PPG15, ERSP POLICY RE2, ADP Policy C6 and DLP Policy H5),**
- 2) **The arrangement of the new buildings and the impact of the development on the countryside would be acceptable (ERSP Policies CS2 & C5, H4, ADP Policy S2, C2 and DLP Policy S7),**
- 3) **The applicants have met the sequential test regarding the availability of other sites for a similar use (ERSP C5, BE1, BIW5, RE1, RE2, ADP Policies S1, C5, C6 and DLP Policies S7, H5)**
- 4) **The highway access and parking arrangements are acceptable (ERSP Policies T3, T8 and T12, ADP Policies T1, T2 and DLP Policies GEN1 and GEN9)**
- 5) **The juxtaposition of the uses is acceptable.**
- 6) **There are material circumstances to consider (Section 54 Town and Country Planning Act, PPG1, PPG15, Care Standards Act 2000)**

- 1) Environmental, historic and architectural quality

Deposit Plan Policy H5 states that the conversion of rural buildings to dwellings will be permitted if **all** the following criteria apply:

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

These are addressed below:

- a) When considering the conversion of rural buildings for other uses it is normally desirable to first seek a suitable commercial use such as B1 office and light industry before pursuing residential conversion. In this instance, the existing buildings are being used as part of the care facilities at Orford House. Orford House and the Coach House have, in the past, been used for pure residential purposes. The buildings themselves are in a varying degree of condition and, in part, are showing signs of some neglect due to a lack of extensive maintenance. Given the listed status of the buildings, in particular Orford House, it is considered that the changes needed to make the buildings suitable for B1 office purposes would have a significant impact on the fabric of the listed building. Orford House is grade II* and therefore there would be a severe restriction on the type, nature and extent of changes made to this building. It is therefore considered that Orford House and the Coach House would be best suited to residential uses.

The barns and buildings to the north of Orford House are more agricultural in character and it would be conceivable that these structures could be converted for B1 office usage. The applicant has marketed the structures in the Estates Gazette on Saturday March 06th 2004 for commercial or tourist related uses, as indicated in Appendix 7 of the supporting statement. Although there were 20 enquiries about the property, according to the submitted information, there was no formal interest.

Officers are therefore of the opinion that, although residential use is considered acceptable, the applicant has not clearly demonstrated that there is no significant demand for business use or tourist accommodation etc.

b) It is evident that the existing buildings are generally in sound condition and will not require substantial reconstruction. The only building of questionable structural rigidity is the granary, to the north of the stable and this will only be retained and relocated if considered to be structurally sound.

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

d) The proposed works would generally respect and conserve the characteristics of Orford House, the Coach House and the barn and stables. Orford House is a landmark building on the B1383. Outside of the site, the internal and most of the external changes to building will not be visible and the building will retain most of its original character. The Coach House will again see very little external change with only the internal alterations affecting the space subdivision. In terms of the barns, they are generally by character fairly dark inside with full height space to provide ample storage in connection with the now defunct farming use. The insertion of a first floor will unfortunately break up this sense of space, but there would be sections that would remain floor to ceiling in height. With any conversion works, it is the detailing that really contributes towards the quality and character of the finished building. At the advanced report stage, Members asked whether the barns could become a single residential unit rather than two units. Although this would be possible, given the fact that the barns are two independent structures, conversion into one unit would require the removal of historic timbers to create internal openings. This would consequentially damage and/or impair the special characteristics of the barns and would be contrary to the requirements of Policy H5.

The stable block would, it is considered, retain most of its original character with only a change to the window opening.

Officers are satisfied with the revised submitted details relating to the buildings.

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

2) Effect on the Countryside

In line with the Proposed Modifications to the Deposited Plan (Policy H5) there is a general presumption against substantial extensions to rural buildings that are being converted into residential use. In this instance, the only major element of new build for the residential conversion involves the provision of domestic garages, one linked double garage block serving the 2 units at Orford House, one double garage unit serving the Coach House, one linked double garage block serving Barn 1 and 2 and one double garage serving the stable. Although the linked double garage blocks are large (12 metres long, 6 metres wide, 3.5 metres to eaves and 6.1 metres to ridge) the buildings would help to delineate the different proposed uses on the site (east/west) and would help to break up what is currently a large open graveled parking area between Orford House and the Barns. Their positioning would

not detract from the overall setting of the listed buildings provided that suitable materials are used in their construction. The double garage serving the Coach House would be built adjacent to the existing wall surrounding the garden area and would effectively block the existing access road running from the eastern side of the site. Its location, being set back from the Coach House, would not detract from the setting of the listed building.

The new double garage serving the "Stable" would be sited on the location of the former granary building, which is to be located elsewhere, subject to structural surveys. The building would have a simple hipped roof with weatherboard finish to the walls. The garage would be the first building visible when entering the site but, provided that suitable materials are used in its construction, the building would not detract from the overall historical ambience of the site.

Officers are therefore happy that the level of new build associated with the proposed residential conversions complies with the policy requirements.

In terms of the new build associated with the HFT application, these include the proposed new residential unit and day centre, dimensions of which are described above. The residential unit, although much wider than the existing building known as "Dove Cottages", combines with the existing to form a courtyard arrangement and the courtyard, with its mature tree specimens, provides a focus for the residential element, which would help to create a sense of place for the residents. The design of the new unit is quite different to the existing structure, which is partly governed by the internal space requirements of the Care Standards Act 2000 and the need for ground floor only accommodation. In terms of the position of the residential unit, it will effectively replace the existing linear structure, which housed the water tank and workshop. The new unit would be set further away from Orford House than the existing buildings and this would help to delineate the different proposed uses on the site. This delineation would be assisted with the erection of a brick wall, which would run from the proposed garage for the Coach House, curving around to the northern flank elevation of the new residential unit. This would enable the creation of a private space for the residents of the unit. Placing the new unit between Dove Cottages and Orford House helps to prevent the spillage of built form out into the open countryside. Any views of the new building would be seen within the context of the original built form rather than extend the proliferation of building on the site into surrounding green fields.

The new day centre would be located on the site of the "Dutch Garden" between the existing garden centre to the east and the Coach House to the west. The day centre is isolated away from the residential units to allow a degree of separation and to allow privacy for the residents, particularly as external users would visit the day centre. At the advanced report stage, Members were seeking to push the day centre back to retain the Dutch garden. Although this is clearly possible, pushing the building to the south will further its separation from existing structures with a resultant protrusion into the open countryside. The Dutch garden is an attractive feature but there is concern about unnecessarily increasing the spread of built form across this site, to the detriment of countryside character.

Policy S7 of the Proposed Modifications to the Deposited Plan, which is a reflection of PPS7 at Central Government level and C5 at Structure Plan level, seeks to protect the countryside for its own sake. Planning permission will only be given for development that needs to take place there or is appropriate to a rural area. There is a strict control on new building and development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

On a strict policy basis the proposed development does not need to take place in the countryside as it does not relate to agriculture, forestry, appropriate outdoor recreational

uses, or appropriate changes of use of suitable existing buildings compatible with a rural area. It is difficult to see any justification for the proposed development based on this fact. However, given that the majority of new buildings are contained within the context of existing built form on the site, officers are of the opinion that the proposed development would generally protect the overall character of the surrounding countryside, which is a requirement of Policy S7. In terms of whether there are any special reasons why the development in the form proposed needs to be there, these issues will be considered below in parts 3) and 6).

3) Sequential Test

When considering the expansion of sites outside of established settlements, it is necessary for the applicants to have successfully demonstrated that they followed the sequential approach. In this instance, it is necessary that the applicants have explored the option of relocating to another site within the district, before considering expansion. The sequential approach is based on the principles of sustainability and seeks to focus development in existing settlements where there is access to a range of facilities and a broader range of transport, other than the private motor vehicle. The applicants need to have clearly demonstrated that they have considered sites within the town centres, the re-use of previously developed land within urban areas, re-use of other land in inner urban and suburban areas; and planned peripheral development. Then, and only then, should isolated sites be considered.

On page 32 of the applicants supporting statement, the issue of the sequential approach is considered. The applicants have stated that their search was restricted to a radius of 8 miles from the site, which took into account the location of the HFT's residents families and where their employees live. This eight mile radius included the larger settlements of Saffron Walden, Great Dunmow and Stansted Mountfitchet along with smaller settlements such as Thaxted, Newport, Takeley and Elsenham etc within the District of Uttlesford. The site search requirements (2-3 acres) were advertised in the Estates Gazette on 06th March 2004 and a broad contact of estates in Hertfordshire. Appendix 7 of the applicants supporting statement contains Humberts Leisure Marketing Report in respect of this matter. Following the marketing exercise, the applicants had identified one potential site on the edge of the village of Elsenham, which is 8.5 acres in size. The site is located within the Countryside Protection Zone, within which there is a strong policy of restraint and this would preclude most forms of new development. According to the applicants, no other suitable sites were found within an eight mile radius of Orford House.

4) Access and parking

Current access arrangements at Orford House are focused on the northern entrance, which is approximately 45 metres to the east of the junction with the B1383. This entrance serves the majority of traffic visiting the site. On the eastern boundary is a secondary access, which currently is used by occasional goods traffic. There is also a third access on the western boundary, which would have originally been the formal entrance to Orford House. This is no longer used by traffic.

The applicants are effectively seeking to split the site in two, based on the differing uses. The western side of the site, which would contain six residential dwellings, would be served by the existing primary northern access. The eastern side of the site, which would contain all of the HFT development, would be served by the eastern access following some changes to improve visibility etc.

Essex County Council Highways and Transportation have been consulted and have made the following comments/observations. In terms of the residential access there are no objections to the use of this provided that the associated driveway is not laid out and

constructed to adoption standards and remains in private ownership. ECC Highways recommend standard access conditions.

In terms of the proposed revised HFT access, Essex County Council initially forwarded a recommendation of refusal, concerned that the road leading to the B1383 has an unsatisfactory width alignment. However, these comments were made without reference to the applicants submitted traffic impact study.

Further comments from Essex County Council Highways have suggested that there may be scope for a mitigating condition, should members be minded to grant approval. This condition should require the widening of the road leading from the B1383 to the second access, to the satisfaction of ECC Highways and the LPA prior to the commencement of development. However, as the road is outside of control of the applicants, this would require a S106 legal agreement to secure the off-site highway improvements.

Provided that these requirements and the terms of any agreement can be met, the access arrangements are generally considered acceptable.

In terms of parking provision, the proposed residential dwellings would all be served by double garages with spaces in front giving four parking spaces in total for each dwelling. This level of parking provision meets and even exceeds the maximum standards required. Given the isolated nature of the site and even though there is bus stop nearby, it is anticipated that most, if not all of the trips made to and from the site will be via the private motor vehicle.

In terms of on-site turning for the residential dwellings, there is more than sufficient space for this function to occur without detriment to any aspect of highway safety.

The HFT site, which includes the day centre and garden centre has a requirement to provide 1 car parking space per resident staff and 1 space per three bed spaces/dwelling units for the residential element and 1 spacer per staff and 1 space per 4 persons attending the day centre. The garden centre would need to provide 1 parking space per 20m² of floor area.

The new residential unit contains six bedrooms and Dove Cottages contains five unit thus requiring 4 parking spaces. From the submitted information there will be at least 14 members of staff on site during anyone day. Staff work to a shift pattern, which overlaps in part to enable full cover. On this basis, there will need to be at least eleven car parking spaces to cater for the overlap of shift patterns. This gives a total requirement for the residential element of 15 parking spaces.

The proposed day care facility would be used not only by residents on site but also by external visitors, who would most likely be dropped off and picked up by car. The applicants have indicated a maximum of 10 additional persons. Given the parking space already allocated for residents and staff, there would be a need for a further 3 parking spaces as well as an area reserved for collection and delivery of clients.

The garden centre, with a floor area of more than 100sqm, would require at least five parking spaces to cater for public use. This is necessary considering the supporting information is suggesting an expansion of this enterprise. These spaces could also act as an overspill to cater for short-term parking when undertaking care placement review meetings at the site.

In summary therefore, the HFT site would require at least 23 car parking spaces in line with maximum policy standards. At present there are only ten spaces indicated on the submitted plans. Given the generally poor access to public transport, there will be a heavy dependence on vehicular access to and from the site. Car parking spaces should not be unduly prominent

and this may require additional planting/screening to lessen the potential visual impact of parked vehicles on the character and appearance of the open countryside.

5) Juxtaposition of uses

The two proposed uses, although essentially both residential in character, are inherently different when placed side by side. The change of use of the existing buildings to form six residential units would create its own small residential community. The scale of the dwellings proposed, in particular the 9 bedroom unit in Orford House is in stark contrast to the small scale units of Dove Cottages and the additional new development.

The presence of HFT on adjacent land may affect the commercial viability of the sale of Orford House as potential buyers, particularly those interested in Orford House itself, would expect a degree of separation from neighbouring users. This is not a planning consideration but may undermine the purpose of the sale of Orford House to fund the development of the residential unit and day centre. Both of the sites should be low noise producers and therefore there is no reason why the two uses could not co-exist successfully side by side.

Members were uncertain about the separation between the two sites and although they sit close to one another, the additional planting and screening would delineate the two uses effectively and allow existing residents of Orford House to be clear where their new site begins and their old site (Orford House) ends. This delineation would be enhanced by the separation of entrances.

Officers consider that the juxtaposition of the two uses would not cause demonstrable harm to the amenity of either user.

6. Other Material Considerations

It has already been argued that the residential conversion of the listed buildings broadly complies with the requirements of Policy H5. However, the proposal does not comply with the requirements of Policy S7. Therefore in line with Section 54a of the 1990 Act, one needs to consider whether there are any material considerations to justify the proposal.

It is apparent that this application has been brought about solely by changes to care legislation as highlighted through the requirements of the Care Standards Act 2000. The HFT have a duty of care to their residents (service users) and must therefore provide accommodation that at least meets the basic standards and requirements as set out in the Act. The Act is designed to ensure the protection of service users and safeguard and promote their health, welfare and quality of life.

The principle issues focus on the quality of care provision and seek to allow service users to live in a homely, comfortable and safe environment. Bedrooms should promote their independence and suit their needs and lifestyles. Bathrooms should provide sufficient privacy and meet their individual needs. Shared space should complement and supplement service users' individual rooms and they should have the specialist equipment they require to maximise their independence. The home should always be clean and hygienic.

It is apparent that the existing buildings at Orford House do not meet all of the requirements of the Care Standards Act 2000. To meet some of the standards, the buildings would require extensive adaptation and alteration far beyond acceptable limits to comply with the listed building policy criteria. HFT can therefore only meet the requirements of the Act through the provision of purpose built units either on this site or elsewhere.

As part of the consultation process, the Council has received seven letters, all of which were from relatives of residents (service users) at Orford House. The common theme throughout these letters focused on the ambience of the site, which is enhanced by the sense of space through the countryside setting. It was felt by relatives that the freedom of space positively contributed towards a homely, comfortable and safe environment, which is a fundamental requirement of the Care Standards Act 2000. It was felt that relocating to an urban site would inhibit the development and quality of life of the residents with a negative consequence of social behaviour. They would also feel insecure in a changed location.

Conclusion

It considered that the proposed development meets with the policy requirements of the Proposed Modifications to the Deposited Plan, as discussed in parts 2 and 3 above. Members therefore need to consider whether they feel that the benefits to the residents (service users) of Orford House and the desire of HFT to meet the requirements of the Care Standards Act 2000 in a countryside setting outweigh the policy requirements, in particular those of Policy S7, to be considered as material circumstances.

Officers are of the opinion that there are material consideration which comprise the justification for an exception to Policy S7 and therefore the very special reasons which enable the development to comply with the Policy.

RECOMMENDATIONS:

1) UTT/1393/04/FUL – APPROVAL SUBJECT TO CONDITIONS AND SECTION 106 AGREEMENT TO SECURE OFF-SITE HIGHWAY IMPROVEMENTS TO THE SATISFACTION OF ESSEX COUNTY COUNCIL HIGHWAYS AUTHORITY AND THE LOCAL PLANNING AUTHORITY

1. C.2.1. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.5.8. Joinery details.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. C.4.7. Detailed landscaping survey to be submitted.
8. C.4.6. Retention and protection of trees and shrubs for the duration of development.
9. All existing trees, shrubs and hedges indicated in the conditions above shall be protected by suitable fences to a height of not less than 1.5 m for the duration of the construction period of the development hereby permitted at a distance equivalent to not less than the spread of the branches from the trunk. No materials shall be stored, no rubbish dumped, no fires lit, no buildings erected inside such fences, nor any changes in ground levels be made unless the local planning authority gives written consent.
REASON: In the interests of the appearance of the site and the surrounding area.
10. Any new fencing erected around the boundaries of the dwellings hereby permitted shall be post and rail type. The fence shall be planted with indigenous species outside of the fence, in accordance with the submitted scheme as part of Condition C.4.1. Any variation to this fencing arrangement shall be agreed in writing with the local planning authority prior to the commencement of development.
REASON: To ensure that the boundary treatment is appropriate in relation to the open countryside.
11. The six bed residential unit shall be used for care home purposes only and for no other purpose (including any other purposes in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that

Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: To prevent the inappropriate use of the building.

12. The day centre shall be used for day centre purposes only in relation to HFTs provision of care facilities and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: To prevent the inappropriate use of the building.

13. C.17.1. Revised plan required.

14. C.19.1. Avoidance of overlooking.

15. The first floor window (managers accommodation) in the southern elevation of the residential unit shall be obscure glazed with glass of obscuration level 4 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall be retained in that window at all times unless a revised proposal is submitted to and approved by the local planning authority which prevents the overlooking of adjacent residential amenity areas.

REASON: The first floor window would overlook the residential amenity area of the Coach House. This is considered unacceptable and this window therefore needs to be amended

16. C.7.1. Slab levels.

2) UTT/1397/04/FUL – APPROVAL SUBJECT TO CONDIITONS

1. C.2.1. Time limit for commencement of development.

2. C.3.3. To be implemented in accordance with original, revised and additional plans.

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

4. All new roofing materials shall either be natural slate or hand made clay tiles, samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Subsequently, the development/works shall be carried out using the approved materials. Where possible, all existing tiles should be re-used.

REASON: To ensure that appropriate materials are used on the buildings hereby approved for conversion and new build, without damaging the historic character of the site.

5. All external timber and all external windows to the barns hereby permitted shall be stained or painted black. External weather-boarding shall be feather-edged.

REASON: To ensure that the external materials have an appropriate finish.

6. C.5.8. Joinery details.

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

8. C.5.15 Side hung timber garage doors.

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

10. No development shall take place until a comprehensive survey and associated mitigation plan has been undertaken of the area covered by this application in order to identify Bats or any other wildlife likely to be present on the site. This survey shall be submitted to and approved by the local planning authority in writing and the mitigation plan shall be implemented prior to and during any proposed development/works approved as part of this application.

REASON: The presence of protected species has been suggested on this site and their protection is required in accordance with the Wildlife and Countryside Act 1981.

11. C.4.1. Scheme of landscaping to be submitted and agreed.

12. C.4.2. Implementation of landscaping.

13. C.4.7. Detailed landscaping survey to be submitted.

14. C.4.6. Retention and protection of trees and shrubs for the duration of development.
15. All existing trees, shrubs and hedges indicated in the conditions above shall be protected by suitable fences to a height of not less than 1.5 m for the duration of the construction period of the development hereby permitted at a distance equivalent to not less than the spread of the branches from the trunk. No materials shall be stored, no rubbish dumped, no fires lit, no buildings erected inside such fences, nor any changes in ground levels be made unless the local planning authority gives written consent.
REASON: In the interests of the appearance of the site and the surrounding area.
16. Any new fencing erected around the boundaries of the dwellings hereby permitted shall be post and rail type. The fence shall be planted with indigenous species outside of the fence, in accordance with the submitted scheme as part of Condition C.4.1. Any variation to this fencing arrangement shall be agreed in writing with the local planning authority prior to the commencement of development.
REASON: To ensure that the boundary treatment is appropriate in relation to the open countryside.
17. 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), the garages hereby permitted as part of the approved works shall not be converted to another use without express planning consent.
REASON: The site is located in a sensitive location where the space for any further development is limited and further outdoor car parking would impact on the open countryside.
18. C.8.27.Drainage details.
19. No construction works shall take place before 8am Mondays to Fridays and 9am on a Saturday. No construction works shall take place after 6 pm Mondays to Fridays or after 1 pm on Saturdays nor at any time on a Sunday or Public Holiday.
REASON: In the interest of residential amenity.
20. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
21. The existing granary store, to the north of the stable, shall be the subject of a full structural survey, a copy of which shall be submitted to the local authority. Depending on the outcome of the survey, the granary store shall be relocated within the amenity area of Barn 1 and details of its proposed location shall be submitted to and agreed in writing with the local planning authority prior to the commencement of development. In any event, the 11 "mushroom" stones and steps shall be re-laid in the amenity area of Barn 1 to reflect the shape of the granary store, the exact position of which shall have been agreed in advance, as stated above.
REASON: The granary store is of historical interest and its loss would be considered unwarranted, without careful consideration.
22. C.6.14.Restriction on rebuilding.
- 3) UTT/1398/04LB – APPROVAL SUBJECT TO CONDIITONS**
1. C.2.2. Time limit for commencement of development ,
2. C.3.3. To be implemented in accordance with original, revised and additional plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. All new roofing materials shall either be natural slate or hand made clay tiles, samples of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Subsequently, the development/works shall be carried out using the approved materials. Where possible, all existing tiles should be re-used.
REASON: To ensure that appropriate materials are used on the buildings hereby approved for conversion and new build, without damaging the historic character of the site.

5. All external timber and all external windows to the barns hereby permitted shall be stained or painted black. External weatherboarding shall be feather-edged.
REASON: To ensure that the external materials have an appropriate finish.
6. C.5.8. Joinery details.
7. C.5.17.Window and door details and sections to be submitted and agreed.
8. All rainwater goods i.e. soil, vent and waste pipes to the barn conversions hereby permitted shall be concealed internally.
REASON: To safeguard the environmental, historical and architectural qualities of these buildings.
9. The existing brick plinth to the barns shall be repaired with matching materials, brickwork and bonding.
REASON: To safeguard the environmental, historical and architectural qualities of these buildings.
10. The necessary repairs to the buildings shall be carried out in timber of matching type and cross sections.
REASON: ensure the appropriate materials are used for the approved works.
11. C.5.14.Black rainwater goods.
12. C.5.13.Historic Brick Bonding.

Background papers: see application file.

UTT/1738/04/FUL - GREAT DUNMOW

Erection of 14 no. dwellings with garages. Construction of new access.
Land at Godfrey Way/Berbice Lane. GR/TL 625-226. Moody Homes Ltd.
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 09 December 2004

NOTATION: ADP - Within Development Limits / Policy GD10.
DLP – Within Settlement Boundary / Policy GD4.

DESCRIPTION OF SITE: The site is located adjacent to the junction between Godfrey Way and Berbice Lane and covers an area of 0.368ha. The site and both Godfrey Way and Berbice Lane slope up away from the east to the west. The site is therefore at a higher level than properties on Godfrey Way and is prominent when viewed from the junction with The Causeway. The properties on Berbice Lane are also on higher ground than the site and the properties on Godfrey Way.

The character of the area surrounding the site is that of two-storey detached dwellings with some semi-detached dwellings on Godfrey Way. The site is currently disused and overgrown with close-boarded fencing along part of the south and west boundaries. There is also a retaining wall around the south and east boundaries of the site where the site is at a higher level than Godfrey Way and Berbice Lane.

DESCRIPTION OF PROPOSAL: This application relates to the erection of 14 dwellings with garages and the construction of a new access. The density of the development would be 38 dwellings per hectare. It is proposed that the housing mix would consist of:

- 4 x two-bedroom semi-detached dwellings
- 4 x three-bedroom semi-detached dwellings
- 1 x three-bedroom detached dwelling
- 5 x four-bedroom detached dwellings.

The application does not meet the threshold for requiring a provision of affordable housing as the size of the site is under 0.5ha and there are less than 15 dwellings proposed on the site. Notwithstanding this, the proposal does involve a mix of house sizes including 2-bedroom dwellings.

Seven house types are proposed in order to achieve a mix of designs and styles and would have ridge heights ranging from 7.5m to 8.3m. The properties on the south of the site would have lower ridges while the dwellings located on the north of the site would have higher ridge heights. It is proposed that each dwelling would have parking provision for at least two vehicles with an allocated single garage and off-street parking.

Proposed landscaping is indicated on the site layout plan and shows a close-boarded fence erected along the eastern boundary of the site. This fencing would be set back to allow for planting along the boundary in order to soften the impact of the boundary treatment and the development when viewed from the junction with the Causeway and Godfrey Way.

APPLICANT'S CASE: See letter dated 8 October 2004 attached at end of report.

RELEVANT HISTORY: Erection of nine dwellings and garages and creation of new access conditionally approved 1996.

CONSULTATIONS: ECC TOPS: To be reported (due 31 October).

Water Authority: To be reported (due 31 October).

Environment Agency: To be reported (due 31 October).

English Nature: To be reported (due 31 October).

Essex Wildlife Trust: To be reported (due 31 October).

Engineer: We will be looking for sustainable drainage where possible. Condition that surface water disposal be approved in writing by local planning authority before construction commences.

TOWN COUNCIL COMMENTS: Support.

REPRESENTATIONS: This application has been advertised and two representations have been received. Period expired 18 November.

1. As the owner of a property which directly borders this proposed development, I do not want this proposed development to take place. I would like to point out that the proposed plot 1 has the wrong fence lines. I am also concerned that the garage block for plot 2 and 3 are very close to my border fence. This fence has a structural retaining wall as my plot is 1 metre above the bordering land and so the proposed garage. I need assurances that this will not disturb the foundations nor the fence itself. I also need to know what provisions have been allowed for maintenance of the wall the garage seems to be very close and access to the wall needs to be maintained. I am concerned about planting near to the edge of my property. This boundary has a retaining wall, and I would not want this undermined by any planting. I am assuming that there is no weekend working, however I would like to know what hours have been suggested for the use of machinery on site and what site security will be in place during this period. Two sides of my back garden are bordered by the site, along with most of my front garden. I feel that unless there is a good level of site security in place my home's security will be compromised.

2. I have no objection to the development or to the design of houses. However, I make the following points: -

There is an existing retaining wall to the Berbice Lane and Godfrey Way boundaries which is already cracking. Will this be replaced and who will be subsequently responsible for it? Will it become part of each individual property?

A wooden garden fence is shown to the Godfrey Way side immediately adjacent to the existing brick retaining wall. I feel that this should be a brick wall similar to the existing Godfrey Way boundary of no. 1, Berbice Lane.

Who will responsible for the land between the retaining wall and the fence/garden walls. Will it be the house owners or the council?

As this site is in residential area there should be a restriction on hours of work including no Sunday working and only half day Saturday.

PLANNING CONSIDERATIONS: The main issues are whether the proposed development would accord with Development Plan policies relating to:

- 1) General Amenity and Design (ADP Policies DC1 & DC14; DLP Policy GEN2),
- 2) Housing Mix and Density (ADP Policy GD10; DLP Policies H9 and GD4) and
- 3) Vehicle Parking Standards (DLP Policy GEN9).

1. The proposed development has been designed in order to minimise the potential impact to both the existing properties surrounding the site and the relationship between the new dwellings. The orientation of the existing and proposed dwellings and the distance between the dwellings would ensure that there is no material overlooking, loss of privacy or loss of daylight to adjacent properties. In order to ensure that no overlooking or loss of privacy occurs between the proposed dwellings, it is intended to impose a condition requiring obscured glazing in windows to the first floor side elevations of the dwellings on Plots 1, 4, 11, 12, 13 and 14.

The style and design of the proposed dwellings varies between the different plots. This would ensure that there is some individual character to the dwellings and that the development reflects the broad character of the existing dwellings surrounding the site. The applicants have verbally indicated that the proposed dwellings would not be set into the ground along the eastern boundary but would be constructed at the height of the retaining wall. Although this ground level would be higher than that on the opposite side of Berbice Lane, it should not be detrimental to either the overall character of the area or the amenity of occupiers of existing dwellings surrounding the site.

2) The site is allocated for housing within both the Adopted District Plan and the Draft Deposit Local Plan and has previous permissions for residential development. In line with guidance issued in PPG3, DLP Policy GD4 specifically refers to the site being suitable for 11 dwellings in order to achieve a minimum density of 30dph. The proposed development achieves a density of 38dph which provides a better use of the land without having a detrimental impact on the character of the surrounding area.

The proposed mix of dwellings ranges from 2-bedrooms to 4-bedrooms with nine of the dwellings having 2 or 3 bedrooms. DLP Policy H9 requires all developments on sites over 0.1ha or 3 dwellings to have a significant proportion of small properties, particularly 2 and 3 bed homes. It is therefore considered that the proposal complies with DLP Policy H9, as 9 of the proposed 14 dwellings would be 2 or 3 bed homes.

3) The development has provision for at least two car parking spaces for each dwelling in the form of one garage space and one off-street parking space per dwelling. In addition, the four-bedroom dwellings on Plots 6, 7 and 8 would also have space for 2 off-street parking spaces. The deposit draft local plan parking standards require a maximum of 2 spaces for 2 and 3-bedroom dwellings and 3 spaces for 4-bedroom dwellings. It is therefore considered that the proposal meets the required maximum parking standards and would not result in on-street parking within Godfrey Way or Berbice Lane.

COMMENTS ON REPRESENTATIONS: It is proposed to impose a condition relating to landscaping details which will enable the comments regarding proposed landscaping to be addressed at this stage. In addition, it is proposed that planting would be put in, in front of the eastern boundary fence to soften the impact of the development.

Issues relating to land ownership, site security and maintenance of the buildings and boundary treatment are not matters that can be dealt with under planning legislation in relation to this application. They are matters which the occupiers of the adjacent properties are advised to discuss with the applicant.

CONCLUSIONS: The proposal complies with all the relevant development plan policies. Approval is recommended.

RECOMMENDATIONS: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.

2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and agreed.
6. C.6.7. Excluding conversion of garages.
7. C.19.1. Avoidance of overlooking – 1.
8. Prior to the commencement of development details of the proposed surface water disposal shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be implemented in accordance with the approved details.
REASON: To ensure that the development hereby permitted does not increase the risk of flooding to the surrounding area.
9. This permission does not relate to the garage types marked superseded on drawing numbers 1794.02 dated July 2004 and 100C dated November 2000.
REASON: The superseded garage details do not form part of this application as confirmed in the letter dated 5 November 2004 from the applicant.
10. No construction works shall be undertaken outside the hours of 0730 – 1800 Monday – Friday and 0800 – 1300 on Saturday. There shall be no construction works on a Sunday or on Bank or Public Holidays.
REASON: To protect the amenity of adjacent residents.

Background papers: see application file.

1) UTT/1475/04/FUL & 2) – UTT/1476/04/LB - GREAT CHESTERFORD

(Referred by Cllr Mrs Tealby-Watson)

1) & 2) Erection of first floor extension.

Carmelstead, Carmel Street. GR/TL 508-428. Mr & Mrs Cookson.

Case Officer: Mr T Morton 01799 510654

Expiry Date: 19/10/2004

NOTATION: Within Village Development Limit / Settlement Boundary / within area of Special Landscape Value / Within Conservation Area/ Listed Building

DESCRIPTION OF SITE: Carmelstead is located on the eastern side of Carmel Street, some 75m north of the crossroads with High Street and South Street. It is a substantial Listed house in a large plot, with a main 2-storey section at the front and a single storey rear extension with a low-hipped roof, running back into the rear garden along the boundary with the adjoining Carmelstead Cottage, which is also a Listed Building. The rear wing was added to the house with permission granted in 1990 and provided 2 additional bedrooms 2 bathrooms and utility space.

DESCRIPTION OF PROPOSAL: The application proposes to alter the single storey rear section into a two storey structure, by raising the ridge of the building and making it half hipped ended instead of the current hipped ended roof form. The ridge height is raised to 6.0 metres from the existing 5.3 metres. This provides the space for a bedroom and shower room.

The withdrawn version provided the same accommodation but raised the ridge height to 6.5 metres from the existing 5.3 metres and with gable ended roof form, which made the ridgeline much longer than at present.

APPLICANT'S CASE: this application follows upon the recently withdrawn application and seeks to address the issues raised. The applicants have responsibly tried to reconcile as far as possible the concerns of the adjacent owner. The alteration to the roof raises the ridge by a small amount, with the eaves level unchanged. There are no new windows proposed to the adjacent boundary line, and will not be overbearing. The proposal would provide an en-suite bathroom. Any proposals to extend the original building would lead to an unacceptable loss of the historic fabric of the building. The proposal would provide the opportunity to improve the appearance of the 1980s extension.

RELEVANT HISTORY: UTT/0991/04/FUL & UTT/0992/04/LB.

Extension of the rear section of the house. Withdrawn for further negotiation on design.

CONSULTATIONS: Design Advice: No objection. If no other planning objections, recommend approval subject to conditions.

PARISH COUNCIL COMMENTS: None received (due 23 September).

REPRESENTATIONS: This application has been advertised and one representation has been received. Advertisement expired 22 September 2004.

The adjoining occupier objected to the earlier withdrawn application on the grounds that the proposal will adversely affect the setting of a Listed Building, his own house: That the modern extension will dominate the existing building in scale; that it will adversely affect a tree in his own garden which overhangs the boundary; that the extension would have an

overbearing impact and would overshadow his property with a potential loss of privacy. It is pointed out that the submitted drawings do not include an elevation of the proposal from the side facing into the adjoining property.

These objections have been restated for the current application too. The extension is seen as too large and will materially affect the enjoyment of the garden by overshadowing. It represents a step too far in the growth of Carmelstead, which has increased in size by a series of alterations and additions from the original house. The submitted drawings are inaccurate in that they do not show an existing gable roof on the building. The policies of the local plan are quoted and the proposal is stated to be in conflict with those policies.

PLANNING CONSIDERATIONS: The main issues are the impact of the proposal upon the Listed Building, upon the Conservation Area and upon the amenity of the adjoining property (ERSP Policies HC3 & HC2, ADP Policies DC5, DC2 & DC14, DLP Policies ENV2, ENV1 & GEN4).

The rear extension forms part of the garden boundary wall with the adjoining house, Carmelstead Cottage, and although it already encloses the rear garden of that house to an extent, the existing low hipped roof form minimises the sense of enclosure. The proposed development would have a higher ridgeline, about 0.7 metres higher, and this would be exaggerated by the increased length of ridge, rising from 4.7 m with the current hipped end form, to 8.5m with the proposed half-hipped ends. The earlier proposed gable end roof would have been 11m long.

The current proposal still represents an increase in height and bulk of the roof from the structure that currently exists. Whilst not as bulky as the withdrawn version, this would still lead to some greater sense of enclosure. It would certainly be visible from the house, as well as from within the garden, but the question is whether this would create an unacceptable degree of enclosure, or would have a harmful effect upon the amenity of the adjoining property, and upon the character of the Conservation Area, or upon the Listed Building.

The effect upon day lighting to the windows of Carmelstead Cottage will be minimal, probably immeasurable, and this could not be the basis of a refusal. However, in terms of visual impact and the sense of enclosure, this will be increased, and given the position of the building on the boundary this is considered to be a significant impact. It seems likely that the accommodation that is to be provided at the new first floor level could have been provided within the existing roof space.

Given the setting at the rear of the main frontage houses, it is accepted that the extension will not be appreciable from the highway, and will have no impact upon the wider character of the Conservation Area. The design is considered appropriate for the Listed Building.

The issue is the impact which the enlarged building will have upon the amenity of the adjoining cottage and its garden, and this is considered to be significant enough to justify a refusal. On balance, refusal is therefore recommended.

COMMENTS ON REPRESENTATIONS: These are addressed above.

CONCLUSIONS: The proposal would be acceptable in terms of the impact on the listed building and the Conservation Area, but the increased height and bulk on the party boundary would be damaging to the amenity of the adjacent property.

RECOMMENDATIONS:

1) UTT/1475/04/FUL - REFUSAL REASON

Adopted District Plan Policy DC14 states that:

Development which would adversely affect the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of, (among other factors), loss of daylight or overshadowing, will not normally be permitted.

The proposed development would be unacceptable because it would adversely affect enjoyment of an adjoining residential property as a result of excessive bulk, scale and location which would be detrimental to the outlook and sense of enclosure of adjoining residential occupiers.

2) UTT/1476/04/LB - REFUSAL REASON

The proposed development would be unacceptable for planning reasons and the associated planning application UTT/1475/04/FUL has been refused. In these circumstances the alterations to the Listed building are unnecessary, and would be contrary to ERSP Policy HC3, ADP Policy DC5 and DLP Policy ENV2.

Background papers: see application file.

UTT/1662/04/FUL – FELSTED

Change of use of poultry unit to B1 (Building Use).
Pyes Farm Mole Hill Green. GR/TL 709-201. D J A Developments Ltd.
Case Officer Mr N Ford 01799 510468
Expiry Date: 06 December 2004

NOTATION: Outside Development Limits S2.

DESCRIPTION OF SITE: The site is located to the north of Hollow Road at Molehill Green (south east of Bannister Green). The application site (approximately 2.4ha) consists of a series of long single storey former chicken shed agricultural buildings running south east/north west. Toward the north west they are predominantly of timber construction but to the south east is a brick range and two modern steel framed buildings.

There is an access from the rear of the site onto Hollow Road but this is not much more than a narrow track. The main access runs north west through a cutting between a vacant dwelling and Pyes Farm Cottages, which are Grade II listed barns (currently subject to an application to convert into two dwellings). Pyes Farm Cottages front the road (Grade II listed). To the south east of the site fronting Hollow Road are two dwellings named Greyfriars and Belmont with a scattering of dwellings further south. To the north and west of the site the area is characterised by open countryside.

DESCRIPTION OF PROPOSAL: This planning application seeks the change of use of these existing agricultural buildings to B1 use (total floor area 4034 sq.m/43,360 sq.ft). The applicant has not provided any details of alterations required to the buildings to accommodate such use, and is stated "this cannot be pre-determined without end users being identified".

The main access to the site would be from Hollow Road. The applicant states that a passing place will be necessary.

APPLICANT'S CASE: See supporting letter dated 5 October 2004 attached at end of report.

RELEVANT HISTORY: In 1997 planning permission was approved for the erection of a poultry house (UTT/0464/97/FUL). In 1997 a further planning permission was approved for the erection of a poultry house (UTT/0465/97/FUL).

CONSULTATIONS: ECC Highways: Objection. There is insufficient information on the existing and proposed traffic flows generated as part of the application and the subsequent traffic impact on the surrounding roads in order to determine the application. A traffic impact assessment is necessary.

UDC Building Surveying: To be reported. (due 2 November 2004).

PARISH COUNCIL COMMENTS: Councillors are concerned about the increased traffic along Hollow Road, a quiet, narrow country lane should the site be developed for business purposes.

REPRESENTATIONS: This application has been advertised and four representations plus one petition have been received. Period expired 11 November 2004.

1. Petition: Objection signed by thirteen residents objecting to increased noise and traffic with access onto minor country roads.

2. Object relating to increased traffic on rural Hollow Road.
3. Object relating to noise and increased traffic and an unsuitable access.
4. Object. A blanket B1 use is inappropriate. Extra traffic would be generated. Concern to access off Hollow Road. Traffic would consist of lorries and vehicles unsuitable to a rural area.
5. Object. Concern relating to increased noise and traffic on unsuitable narrow roads.

PLANNING CONSIDERATIONS: The main issues are

- 1) **whether the proposal would form acceptable conversion of a rural buildings and not be detrimental to the rural character of the area (ESRP Policy C5 and RE2, ADP Policies S2, C5, DC1 and DC14 and DLP Policy S7 and E4) and**
- 2) **whether the proposal will create detrimental traffic and parking impacts (ESRP Policy T3, ADP Policy T1 and T2, DLP Policies GEN1, GEN2 and GEN9).**

1) Policy C6 states that the re use of soundly constructed (substantial building reconstruction not permitted) rural buildings for non residential purposes will normally be permitted. They should, however, comply with other relevant policies in the plan, have satisfactory accessibility and respect rural amenity and the important characteristics of the surrounding countryside.

These former chicken sheds are predominantly of dark timber weatherboarding set on a brick plinth with sheet metal roofing. There are two further more modern sheds to the south west of the site consisting of steel profile construction with intermittent plastic fans to elevations. Buildings of brick construction are located near to these (south east). As the proposal is speculative, no details of external alterations to the buildings have been provided.

There is concern that the buildings (particularly the chicken sheds of timber construction) are not soundly constructed buildings capable of conversion without substantial building reconstruction. From a site inspection it appears that each building has a notice warning that the roofs are fragile and dangerous. Further information from UDC Building Surveying relating to the ability of the buildings to comply with policy relating to their construction will be reported to members.

No information has been submitted with the application in relation to external alterations to the buildings or the circulation and layout of parking areas, as the development is speculative. It is considered that there is insufficient information in which to determine the impact such a development would have upon the character, appearance and amenity of the locality and the countryside without such information. It is not considered feasible that such detail as external appearance and parking may be controlled by condition with reference to such a large site and the amenity, character and appearance of the countryside. In such circumstances this application is considered unsustainable.

2) The application site is located in a rural area and the roads linking the site are also of a rural character and of narrow construction. No information has been submitted relating to previous traffic flows associated with the previous agricultural use of the site or any predicted traffic flow. Furthermore, no information has been submitted in relation to parking requirements or access alterations. Whilst it is not uncommon for applications for change of use to be speculative and therefore to be submitted without such information, it is not appropriate in this case due to the very large amount of floorspace included (4034 sq.m/43,300 sq.ft). In such circumstances, ECC Highways have objected to this application as there is insufficient information (lack of a traffic assessment) in order to determine the traffic impact upon the surrounding road network and recommend refusal of this application.

COMMENTS ON REPRESENTATIONS: Comments relating to traffic generation and noise are noted and are of concern. There is insufficient submitted information with regard to this matter.

CONCLUSIONS: It is considered that the applicant has provided insufficient information in order to determine the impact of B1 use on the surrounding rural road network, amenity, character and appearance of a significant area of countryside. Therefore, this planning application is recommended for refusal.

RECOMMENDATION: REFUSAL REASONS

1. There is insufficient information relating to external alterations, parking and access arrangements in order to determine if the buildings are sound and substantial construction being capable of conversion to B1 use and the effect of the proposal upon the amenity, character and appearance of the countryside in accordance with Policy C5 and RE2 of the Essex and Southend on Sea Replacement Structure Plan 2001, Policy S2, C5, DC1 and DC14 of the Adopted District Plan 1995 and Policy S7, E4 and GEN2 of the Proposed Modifications To The Deposited Plan 2004.
2. There is insufficient information on the existing and proposed traffic flows generated as part of the application and the subsequent traffic impact on the surrounding roads in order to determine the application in accordance with Policy T3 of the Essex and Southend on Sea Replacement Structure Plan 2001, Policy T1 and T2 of the Adopted District Plan 1995 and Policy GEN1 and GEN9 of the Proposed Modifications To The Deposited Plan 2004.

Background papers: see application file.

UTT/1655/04/FUL - STANSTED

(Referred by Cllr Sell)

Detailed application following outline planning consent (UTT/0787/04/OP) for one detached dwelling.

Land at 44 St Johns Road. GR/TL 513-252. Mr M Game.

Case Officer: Mr T Morton 01799 510654

Expiry Date: 26 November 2004

NOTATION: Within Village Development Limit / Settlement Boundary / Tree Preservation Order.

DESCRIPTION OF SITE: This is a large plot on the corner of St Johns Road and Brewery Lane, containing a large red brick 2 storey house set in substantial gardens. A row of 5 large trees on the Brewery Lane frontage are protected by TPO. The application proposes a new single storey dwelling on a section of the garden of this existing house. The whole plot is currently some 1850 sq. m in area, and the proposed plot would be about 470 sq.m. in area. The site is to be split along the line of an existing tall hedge within the garden, the development site currently forming the vegetable garden.

DESCRIPTION OF PROPOSAL: The application is for full planning permission, and proposes a new one and a half storey house, that is a house with 4 habitable rooms on the ground floor and with 2 rooms within the roofspace. Two trees to the frontage to Brewery Lane are to be removed and replaced with one new tree.

RELEVANT HISTORY: UTT/0787/04/OP Erection of one single storey dwelling. Approved 25 June 2004.

CONSULTATIONS: Environment Agency: No comment.

Essex County Council Arboricultural Officer. There are 2 mature Norway Spruce trees to the front boundary, the western most tree has been previously reduced to 4 metres with extension growth being consistent with the reduction being 3 – 5 years old. There is significant decay to the main stem following a large wound and confirmation of Honey Fungus. The second tree is approximately 10 metres tall and contains a higher proportion of deadwood than would normally be expected for a tree of this species and age.

Should the proposal be approved I would recommend it is preferable to remove both trees and require two suitable trees to be planted as replacement. I would recommend Horse Chestnuts, which would be in keeping with the landscape character of other trees in the immediate surrounding environment.

TOWN COUNCIL COMMENTS: members object to this application,. The suffix DFO is misleading as the outline for a single storey dwelling is what we wish to see built on that site. Some trees on the site bear TPOs and we seek assurance that these will be preserved. We object to the removal of the existing hedge between the garden of 44 St. Johns Road and the development site. Members would prefer to see a garage included, and query the size of the turning bay which appears to be inadequate. Our Ward Member Councillor Sell will be requesting a deferral of this application to the sub-committee and for those members to make a site visit. Consultation period expired 5 November 2004.

REPRESENTATIONS: Nine letters of objection have been received at the time of drafting the report. Notification period expired 28 October 2004.

The points raised are;

The previous Outline Approval limited the height to a single storey, and the submitted plan ignores this.

The application shows the replacement of the Beech hedge with a fence, but the Outline consent required the hedge to be retained.

Another nearby house has been extended on two levels resulting in overlooking from a large first-floor window and overshadowing the garden of the respondent's house, and another two-storey house will have the same adverse effect. A two-storey house will affect privacy in adjoining gardens.

The current frontage trees are protected by TPO and enhance the exclusivity of Brewery Lane, which will be lost by the new access. The two trees should be kept with the new entrance between them.

The new access could be a hazard to young children.

The driveway is not large enough to allow vehicles to turn on site.

Brewery lane is a private unadopted road and the applicant should be required to make a contribution to the upkeep of the road, to be held by the County or District Council for future maintenance.

Construction work should be limited to 8am to 5pm Monday to Friday. Another suggests 8am to 4pm.

The proposal is inappropriate backland development.

The proposed house is out of scale with its surroundings. It has a high roof.

PLANNING CONSIDERATIONS: The main issues are

- 1) The principle of the proposed development**
- 2) The effect upon the amenity of adjoining properties and the area in general.**
- 3) The proposed access and traffic safety**
- 4) Effect upon the trees and hedges**
- 5) The private unadopted road**

1) This is a large plot on the corner of St Johns Road and Brewery Lane, containing a large red brick 2 storey house set in a plot of some 1850 sq. m in area, and the proposed plot would be about 470 sq.m. in area, equating to a density of 21 dwellings per hectare. Government Planning Policy Guidance encourages the more efficient use of existing developed land within settlements. The existing plot is considerably larger than anything in the vicinity, and its division into two plots does not result in a pattern of development which is untypical of the area, or at unduly high density. Outline approval for one dwelling has already been approved here, albeit that the Outline application specified a single a storey dwelling. It should be mentioned that this was the applicant's choice, and not the result of a planning requirement or limitation. The surrounding houses are either two storey or chalet bungalow style, and in principle there is no planning reason why a two storey house could not be developed on this plot.

2) The house would be sited about half way back into the plot, with an 'L' shaped plan form. In this location, it is sited beside the garage of the adjoining house at 7 Brewery Road, which is set forward of that house itself. In this position there is unlikely to be any material effect upon the amenity of that house. The rear first floor window of the proposed new dwelling is offset at a very oblique angle to the front dormer window in Number 7, and there is no overlooking issue arising from this positioning. Again, the first floor rear window looks down the length of the rear garden towards other rear gardens and not towards windows of other houses. Some view over the adjoining gardens may well result, but there is no planning requirement to protect garden space from being overlooked; in towns it will be a rare garden that cannot be seen from neighbouring houses. The existing hedge gives protection to the donor house, and in any case the new house has no upper floor windows facing towards the donor house, only rooflights.

3) The means of access is shown from Brewery Lane, and since the plot has a road frontage it cannot be regarded as 'backland' development. The Lane is a private unadopted road, and has some very severe speed humps of a type which could not be accepted on a public highway. These do however slow traffic very effectively in the vicinity of the access virtually to a standstill over the humps. The new access is some 35 metres from the nearest junction. It is not considered that one extra access poses any hazard to pedestrians or vehicles. There is no planning requirement for vehicles to be able to enter and leave the site in forward gear, and no requirement for a turning bay within the site.

4) The new access will involve the removal of 2 Protected Maple trees on the frontage. These are not in very good condition, with the eastern most Maple tree showing extensive crown dieback, and the western one being heavily pruned in the past and now very stunted. On balance, their removal and replanting with a suitable species, probably Horse Chestnut to match the others on the frontage, would be satisfactory. The hedge across the existing garden should be retained to form the new garden boundary, and a condition to require this is recommended.

5) Several objectors have mentioned the status of the road, and have suggested that the developer be required to make payment for maintenance. This is a private unadopted road, and neither the County Council as Highway Authority nor the District Council have any responsibility for its maintenance or upkeep. The responsibility lies with existing occupiers who are served by the road, and if plots are sold or split and sold it is the responsibility of the vendor to incorporate the maintenance arrangements and any financial contribution in the deed of sale. It is not possible for the local planning authority to use a Section 106 Agreement to benefit another private owner, or group of owners in such a situation. It should be noted that even where a new house is approved on a public highway by division of an existing plot, the developer is not normally required to make a payment to the Highway Authority, save perhaps for the cost of constructing a new crossover.

COMMENTS ON REPRESENTATIONS: The issues that have been raised in representations have largely been discussed in the preceding section. Some have mentioned that this application is not consistent with the previous Outline approval, and that it why it has been treated as a fresh Full Planning Application and not as a reserved Matters application.

CONCLUSIONS: On balance, the proposal is considered to be acceptable in this location, and in density and form, with acceptable provision of garden space and parking provision.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.5.2. Details of materials to be submitted agreed and implemented.
3. C.4.1. Scheme of landscaping to be submitted and agreed, including replacement tree planting on the site frontage.
4. C.4.2. Implementation of landscaping.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. The existing Beech hedge that runs across the rear garden of the property, and will form the boundary of the new plot, shall be retained unless the local planning authority gives its written consent to its removal or variation. Should any part of the hedge die, be removed or become seriously damaged or diseased, it shall be replaced during the following planting season by a hedge planted in accordance with a specification previously approved in writing by the local planning authority.
REASON: To maintain visual amenity and the character of the area.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or

without modification), the area shown for car parking shall be retained for that purpose and no other.

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.

- 8. C.10.7. Standard highway requirements.
- 9. C.7.1. Slab levels.

Background papers: see application file.

UTT/1717/04/FUL – FELSTED

Replacement of existing 15m monopole with 18m monopole, installation of 3 No. additional antennae and 3 No. dishes, extend existing compound and install radio cabinets Sparlings Farm Braintree Road. GR/TL 695-226. 3 (formerly Hutchison 3G).

Case Officer: Mr N Ford 01799 510468

Expiry Date: 07 December 2004

NOTATION: Outside Development Limits S2.

DESCRIPTION OF SITE: Sparlings Farm is located south of the A120 between Great Dunmow and Rayne, about 3km north east of Felsted. The farm has a dwelling at the front of the site, with several large modern agricultural buildings to the rear. The mast would be erected behind a large agricultural building approximately 8m in height. Beyond the farm to the north west lies a dwelling and to the south west two further detached dwellings. To the north and east lies open countryside.

DESCRIPTION OF PROPOSAL: It is proposed to erect a new replacement mast to accommodate 3 new antennae and 3 new dishes to accommodate mast sharing. The resultant mast would have 3 no. 0.6m dishes, 1 no. 0.3m dish, and 3 no. antennae plus transfer of the existing mast equipment. A new 1.8m chain link fence would enclose a compound with an equipment cabinet. The scheme would be sited in proximity to and replace the existing 15m monopole mast, which has 3 no. antennae and 1 no. 0.3m dish attached with a cabin adjacent surrounded by a chain link fence (2.4m). The compound would, however, be slightly larger than existing to accommodate the new equipment at 147 sqm. The application contains a declaration confirming that it meets ICNIRP guidelines for exposure to radiation.

APPLICANT'S CASE: See supporting statement dated October 2004 attached at end of report.

RELEVANT HISTORY: Erection of 15m telecommunications tower with 5 antennae and equipment building granted planning permission on 22 July 1999. On 17 May 2004 planning permission was refused on delegated powers for the erection of an 18m monopole with 3 antenna and 3 dishes because the size and bulk of the head frames were considered to be detrimental to the open characteristics and visual amenity of the countryside.

PARISH COUNCIL COMMENTS: No comment.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 11 November 2004.

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

- 1) **accord with the characteristics of the open countryside through appropriate design and siting, be exceptionally required for technical reasons, mitigate adverse effects on rural, amenity and utilise an existing mast (ADP Policy S2, DC13 and DLP Policy S7 and T4).**
- 1) Outside of development limits planning permission will only be granted for development that needs to take place there or is appropriate to a rural area (Policy S7 of the Revised Deposit District Plan 2002). Additionally, large telecommunications equipment, such as masts and other antennas, will not normally be permitted in the countryside except where

essential for technical reasons and appropriate measures are taken to mitigate adverse effects on rural amenity. The Council will expect existing masts to be utilised wherever possible (Policy DC13 of the Adopted District Plan 1995).

This proposal would utilise an existing telecommunications site and extend the compound beyond the poultry barn to the west. The new mast would be sited just in line with the south elevation of the poultry barn. The existing 15m mast is partly screened by the barn to the west but is visible from Braintree road to the south. The existing antennae and equipment is closely attached to the mast and does not form an overly dominant feature in the countryside with respect to views from Braintree Road and residential properties to the south.

Site sharing by operators is generally encouraged to satisfy planning policy in regard to the proliferation of masts; however, this must be balanced against its visual impact. The new mast is required to hold 3G equipment that will fill a gap in coverage around Bannister Green and Stebbing Green and provide additional capacity around Dunmow, Stebbing, Notley and Hartford End. The head frame required to support the antennae and equipment is more bulky than the existing mast, however, the existing mast cannot support any new antennae and the new design is an improvement over the refused scheme as it would be a less bulky and visually dominant feature in comparison. This is balanced against the benefits of sharing an existing mast to meet technical requirements which helps prevent new telecommunications sites in less acceptable locations such as the open countryside. This application is therefore recommended for approval subject to conditions.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.21.1. Excluding extensions to telecommunications masts without further permission.
4. Within 28 days of the first use of the mast hereby permitted, the existing mast shall be demolished and completely removed from the site.
REASON: In order to prevent a proliferation of telecommunications development and protect the character and appearance of the countryside.

Background papers: see application file.

UTT/1733/04/FUL - STANSTED

Erection of additional 16 bedrooms with car parking
Old Bell Hotel Pines Hill. GR/TL 508-245. Mr & Mrs J E Stewart.
Case Officer: Mr T Morton 01799 510654
Expiry Date: 10 December 2004

NOTATION: Within Development Limits/Settlement Boundary.

DESCRIPTION OF SITE: The premises consist of a hotel and its car park. The hotel building is two storey and sited partly on the road frontage and partly around the south and east sides of the site.

DESCRIPTION OF PROPOSAL: The application proposes 16 additional bedrooms in 2 blocks of two storey buildings, one continuing the range on the east side of the site and the other on the street frontage adjacent to the entrance. A central car park is provided with 52 parking spaces.

APPLICANT'S CASE: Approval was granted in 1990, and subsequently renewed in 1994 and 1999 for a 16-bedroom extension including a new restaurant, lounge and kitchen, and with the vehicle entrance moved to the north corner of the site. It is not economic to construct this, and the current proposals omit the restaurant, lounge and kitchen, placing the new bedrooms in buildings around the perimeter of the site and leaving the vehicle entrance in the existing position.

RELEVANT HISTORY: UTT/0384/90 Extension of hotel to provide 16 bedrooms, lounge restaurant and kitchen. Approved 04 May 1990.
UTT/1328/94/FUL renewal of UTT/0384/90/. Approved 17 January 1995
UTT1176/99/FUL renewal of UTT/1328/94FUL Approved 22 November 1999
UTT/0580/04/FUL Erection of additional 16 bedrooms with car parking. Withdrawn.
UTT/1296/04/FUL Erection of additional 16 bedrooms with car parking. Refused 21 September 2004 (For lack of car parking provision)

PARISH COUNCIL COMMENTS: None received (due 18 November 2004).

REPRESENTATIONS: Two representations have been received. One asks to be notified of the eventual decision. The other is from a house in Old Bell Close whose occupiers feel that Block A would have a huge visual impact from any aspect of their rear garden and rear facing windows resulting in loss of privacy and amenity. People occupying the end rooms in the new block would have clear views into a large part of the rear garden and rear bedrooms. The current fence would not provide screening to the new block. It is not clear whether the trees would lopped or felled. The new block would reduce daylight to the rear of their house.

Notification period expired 18 November 2004.

PLANNING CONSIDERATIONS: The main issues are

- 1) **The principle of the development**
- 2) **Siting and design of the buildings**
- 3) **Vehicle access and parking.**

1) The proposal provides the same number of bedrooms as with the earlier approvals, and therefore this raises no issues. The omission of the restaurant, lounge and enlarged kitchen makes the amount of building smaller overall than the existing approval.

2) The current proposals are an amendment of those submitted under UTT/0580/04/FUL, and UTT 1296/04/FUL. The first submission raised concern about the effect upon the daylighting to houses on Old Bell Close. That scheme involved placing one of the blocks across the north end of the site, only some 18 metres away from the rear wall of 4 Old Bell Close, and was considered to be detrimental to the amenity of the adjoining houses. The application was withdrawn upon Officers' request for a revised design to be negotiated.

The proposal now submitted has removed the block from the north end of the site and relocated it to a position on the frontage to the main road, adjacent to the entrance. This follows the arrangement of buildings approved in the 1990 scheme, which also placed the buildings along the road frontage.

This increases the spacing from the rear of 4 Old Bell Close to the new Block A to 23 metres, and the width of the end elevation presented to Old Bell Close is 4.5 metres. Although Block A will be visible from the houses in Old Bell Close, the fact that a development can be seen is not sufficient reason to refuse it. It has to be demonstrated that the proposal would cause harm to daylight or to privacy within habitable rooms. There would be no end windows in Block A so overlooking from rooms in that building cannot arise, and a condition is recommended to control later insertion of windows.

In terms of effect upon daylighting, the removal of the original northern block from this revised scheme would remove the problem of adverse effect upon daylighting to the houses in Old Bell Close. The new range of buildings in Block A would adjoin a telephone exchange to the east, and raise no daylighting issues on that side.

The new bedroom extensions would continue the courtyard form of the hotel and are in keeping with the overall design of the site. The frontage block is similar in overall height and massing to the 1990 scheme, and although this would be a rather plain elevation, it is considered acceptable.

3) The proposals retain the current vehicle access, which is satisfactory. The extensions bring the total number of bedrooms to 39, and the car park is laid out to provide 52 spaces, an increase over the 40 spaces proposed in the most recent application, which was refused due to concern over insufficient parking provision. The applicant has prepared an amended car parking layout in response to the recent refusal.

Looking at the floorspace of the bar and restaurant that are provided, at 130 sq m, the parking standard seeks 1 car parking space per 5 sq m, equating to 26 spaces, and the parking standard for the hotel at one space per one bedroom equates to 39 spaces, giving a total of 65 spaces. We note that in dealing with the earlier proposed extension (1990 version), the parking requirement was calculated at 90 spaces (higher standards then applied) but the provision accepted was 67 spaces, on the basis that there would be some crossover of usage, so a provision of 74% of the standard was accepted.

The amended layout shows 52 spaces, which is 80% of the figure suggested by current standards, so in percentage terms this is an improvement over the earlier scheme. This is considered to be a reasonable provision, taken in conjunction with central Government approach to tighter control on parking, but in order to make the position clearer the applicant has provided counts of current actual car park occupancy at typical times of the day, evening and weekend for comparative purposes. These show;

Lunchtime 13th and 15th October 10 cars on each occasion
Evening 16th October 39 cars
Evening 22nd October 46 cars – private function
Lunchtime 24th October 35 cars

The proposed parking provision and layout is considered to be satisfactory.

COMMENTS ON REPRESENTATIONS: The concerns of an occupier in Old Bell Close are noted and have been discussed above. The current proposals are considered to be satisfactory.

CONCLUSIONS: The proposal is considered satisfactory.

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. The north and elevation of the accommodation in Block A shall have no windows, doors or other form of opening inserted into it at any time.
REASON: To protect the amenity of properties in Old Bell Close which adjoins the site on the north side.
5. The additional bedrooms in the extensions hereby approved shall not be occupied until the car parking layout shown on the approved drawings has been constructed and marked out, and is available for use, and this parking layout shall be maintained available for use at all times thereafter.
REASON: To ensure that satisfactory off road parking provision is made in the interest of traffic safety and residential amenity on the highway in the vicinity of the site.
6. C.7.1. Slab levels.

Background papers: see application file.

UTT/1676/04/DC - LITTLE HALLINGBURY
(District Council Application)

New vehicular crossover and hardstanding
1 Grinstead Lane. GR/TL 504-168. Uttlesford District Council.
Case Officer: Mr N Ford 01799 510468
Expiry Date: 29 November 2004

NOTATION: Development Limits S1.

DESCRIPTION OF SITE: The site is located on Grinstead Lane in Little Hallingbury and forms the end dwelling of a linear row of semi detached dwellings on the eastern side of the road leading toward Lower Road.

DESCRIPTION OF PROPOSAL: The application relates to the creation of a vehicular crossover to the front curtilage of this dwelling. The scheme would involve removing a section of railing and hedge to provide a 2.6m wide access and the bridging of a stream.

RELEVANT HISTORY: In 1986 outline planning permission was granted for the erection of a dwelling and construction of a new access.

CONSULTATIONS: ECC Highways: Under the terms of the current deminimus agreement, this application is one where the highway aspects are left for determination by your authority.
Environment Agency: No comment.

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

REPRESENTATIONS: None. Notification period expired 29 October 2004.

PLANNING CONSIDERATIONS: The main issues are

1) **whether the creation of a new vehicular crossover in this location would create a traffic hazard, cause unreasonable delays and inconvenience to other road users or lead to a significant reduction in the environmental quality of the area (ADP Policy T1 and DLP Policy GEN1).**

1) A tributary of the River Stort turns from the bend in the road near 1 Grinstead Lane toward Motts Green. Off this and running southwest to the front of Grinstead Lane is a stream, which is culverted along the road to provide access to each of the dwellings fronting the road.

The subject dwelling currently has no separate access onto the Highway. Access to the dwelling is gained via no.2 Grinstead Lane. As such, the scheme proposed the formation of an access and crossover involving the creation of a further culvert over the stream to facilitate this. To allow this, the proposal would also involve the removal of a section of railing and an existing hedge.

It is considered that the creation of a further access to the road at this location is unlikely cause a material hazard to road safety. It is likely that vehicles that currently park on the highway would use the hard standing provided within the curtilage and thus provide an improvement in terms of road safety and the environmental quality of the area. ECC Highways have no comments on the application in this regard.

A further culvert would be created to channel water under the new access. It is considered reasonable to provide such a culvert. Other dwellings have such a feature to the front of the Highway and the Environment Agency has no adverse comment to make in this regard. It is further considered that the appearance of the street scene would not be unduly affected by the proposal.

CONCLUSIONS: The formation of a new vehicular crossover in this location is not considered likely to contribute to a traffic hazard or lead to a reduction in the environmental quality of the area and this application is therefore recommended for approval.

RECOMMENDATION: APPROVAL WITH CONDITIONS

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

Background papers: see application file.

UTT/1721/04/REN - SAFFRON WALDEN

Renewal of planning permission UTT/1229/03/FUL for temporary installation of 15m high telecommunications mast, 3 no. antennae, 2 no. dishes, equipment cabin, ancillary equipment and compound.

Shirehill Works. GR/TL 548-381. Airwave MM02 Ltd.

Case Officer: Mr G Lyon 01799 510458

Expiry Date: 07/12/2004

NOTATION: ADP and DLP: Within Development Limits of Saffron Walden and within an area safeguarded for employment purposes.

DESCRIPTION OF SITE: The application site is located on land within Shire Hill Industrial Estate associated with Pedley Furniture. The site is partially fenced-off from Shire Hill with 1.8 metre high metal fencing with some landscaping in front. There are numerous vehicles parked and stored in connection with the Furniture business on the site. There is an existing mobile telecommunications mast adjacent to the site in question and lighting columns are also visible in the skyline.

DESCRIPTION OF PROPOSAL: It is proposed to retain for a further year a 17m high telecommunications mast, comprising a 14.5m high monopole supporting 3 antennae and 2 transmission dishes. The size of the proposed compound would measure approximately 12m x 9m and be enclosed by a temporary fence. All associated equipment is located within the proposed compound. The mast is to be constructed of painted grey steel.

APPLICANT'S CASE: The purpose of this proposed temporary installation is to offer coverage for the Police Force to the Saffron Walden area until a permanent site-share solution becomes operational with Uttlesford District Council at the Council Offices, London Road. Consent was granted at the Council Offices for a replacement 27-metre high lattice tower and equipment cabin with secure compound (UTT/0437/03/FUL) on 18 March 2003. The applicants are still in negotiations with the Council regarding the use of the Council office site and until the outcome of these negotiations is established, they wish to seek a further temporary site solution. It is not clear as to the exact date of when an agreement will be reached and indeed if an agreement to use the Council office site will be resolved in the foreseeable future.

RELEVANT HISTORY: On 22 September 2003, Members agreed to the temporary approval of this mast for one year. This time limit expired on 30 September 2004.

CONSULTATIONS: UDC Environmental Health: No comments.

PARISH COUNCIL COMMENTS: No comments received (due 12/11/2004).

REPRESENTATIONS: This application has been advertised with press and site notices and 24 neighbour notifications. Advertisement expired 11th November 2004. No comments have been received to date.

PLANNING CONSIDERATIONS: The main issue is whether the proposed temporary mobile telecommunications base station remains an acceptable form of development at the proposed location (ADP Policy DC13 & DLP Policy T4).

Proposed Modifications to the Deposited Plan (Policy T4) states that Telecommunications equipment will be permitted if the following criteria are met:

- a) *“There are no practical alternatives such as mast sharing;*
- b) *There is a technical requirement for the equipment that outweighs its visual impact;*
- c) *The equipment is designed and located so as to reduce its impact as far as possible; an*
- d) *The proposal complies with the safety requirements of the International Commission on Non-ionising Radiation Protection (ICNIRP).”*

The key considerations therefore are whether there are any practicable alternatives such as mast sharing and whether the technical requirement for the equipment outweighs its visual impact.

The development provides radio coverage for the Police Force in and around Saffron Walden. The coverage maps supplied with the original application show the situation without the proposed mast, with the proposed mast and the mast in isolation. The yellow areas show the greatest strength of coverage. The developers are currently involved with achieving a site sharing agreement at the Council Offices in Saffron Walden regarding the use of a mast already approved on this site but, in the meantime, a further temporary solution is required to provide coverage in this area until the permanent system is in place. It is envisaged that the development will only be required for a period of no more than a further twelve months and will be removed afterwards.

The development meets the safety guidelines stipulated by ICNIRP (International Committee for Non-Ionising Radiation Pollution).

From a visual perspective, the mast is satisfactory within the context of its surroundings. Landscaping schemes would seem inappropriate for a temporary structure and the general visual quality of the area could not justify an alternative to the design. Other masts have been approved in close proximity to employment areas within the district and indeed there is a mast within twenty metres of this one, which has a greater visual prominence.

CONCLUSION: On balance, it is considered that, in view of the constraints regarding the provision of communications facilities in Saffron Walden to cater for the Police Force within the immediate timescale as well as the technical need for such facilities, such requirements should outweigh the visual impact of the proposed development. The temporary nature of the proposal could be confirmed with planning conditions to prevent long-term use of this site for other mainstream users. This site is not appropriate for long-term use and should be limited to a maximum of one year. On balance therefore, the renewal of this scheme considered acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. The development and uses hereby permitted shall cease operation on or before 31 December 2005 and any apparatus or structure provided in accordance with the permission shall be removed from the land within 28 days of the expiry of this permission or cessation of the use (whichever is the sooner) and the land shall be restored to its original condition before the development took place, unless agreed otherwise in writing with the local planning authority.
REASON: The application is approved on a temporary basis only in view of technical and operational requirements for the equipment and its intended use.
2. 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 extensions shall be constructed to this mast without the prior written permission of the local planning authority.
REASON: To protect the character and appearance of the area.

3. The mast hereby approved shall only be used by the Emergency Services.
REASON: The site is not suitable for a mast for commercial mobile telecommunications use.

Background papers: see application file.

UTT/1672/04/FUL – MANUDEN

(Application is submitted by a Council employee)

Erection of two storey side extension
31 Stewarts Way. GR/TL 485-268. Mr J Johnson.
Case Officer: Consultant North 2 telephone 01799 510469/510478
Expiry Date: 29 November 2004

DESCRIPTION OF SITE: The application site comprises a two-storey dwelling located within the main built up part of this village. The dwelling is at broadly similar levels as its neighbours, but is elevated from the street by approximately 1.5m.

DESCRIPTION OF PROPOSAL: Application seeks permission to erect a two-storey side extension. It would be located on the west end elevation of this dwelling and it would have a footprint 4.2 metres wide and 6.3 metres deep. It would be finished with a pitched and ridged roof tied into the existing dwelling. The front and rear wall of the extension would be flush with the front and rear wall of the existing dwelling.

PARISH COUNCIL COMMENTS: None received (due 3 November).

REPRESENTATIONS: No representations have been received. Period expired 25 October

PLANNING CONSIDERATIONS: The main issues are design and impact on adjoining occupiers (ADP Policies DC1, H7 & DC14, and DLP Policies GEN2, H7 & GEN4).

In terms of design, this would be a substantial addition to the dwelling that would elongate its frontage to the street scene. However, the bulk of this extension would be screened from the street by an existing double garage and, in this well built up part of the village, a more intensive level of built form on this land would not be wholly out of keeping with the prevailing character. Although there is no articulation at ground and first floor from the existing front and rear walls of the dwelling, this is not of particular concern given that the first floor would be rendered and therefore capable of a good match. Matching materials for the roof tiles and ground floor brickwork in particular, can be required by planning condition.

In terms of impact on neighbours, the additional bulk would not cause any significant impact on the amenities of adjoining occupiers. For the dwelling to the rear (the south), there is a four-metre high conifer hedgerow on the neighbours side which would effectively screen this extension. For the neighbour to the west, the extension would have a limited impact on outlook, however the extension would be set against the existing end wall of the main dwelling and there is a double garage in the curtilage of that neighbour, to the front. Furthermore, there would remain a distance of approximately 11 metres between the front wall of that neighbour and the side wall of this extension. On balance, these circumstances are sufficient to ensure a reasonable degree of outlook from the front elevation of that neighbour would be preserved, and to ensure that direct overshadowing or loss of light to habitable rooms would not be significant either. As there are front facing habitable rooms on that neighbouring dwelling, it is appropriate to prevent first floor windows being inserted in the west elevation of this extension. A condition is therefore proposed.

There is a garage and two off-street parking spaces.

CONCLUSIONS: The design is acceptable and whilst there would be some impact on the amenities of adjoining occupiers, no significant harm, such that planning permission should be refused, would arise.

RECOMMENDATION: APPROVAL WITH CONDITOINS

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. C.19.1. Avoidance of overlooking – 1.

Background papers: see application file.
