

UTT/0351/05/FUL - LINDSELL .....	3
UTT/0358/05/FUL & UTT/0378/05/LB – WIMBISH.....	5
UTT/0737/05/FUL – LINDSELL.....	12
UTT/0459/05/OP - STANSTED.....	14
UTT/0710/05/CC - SAFFRON WALDEN.....	28
UTT/0646/05/FUL - SAFFRON WALDEN .....	31
UTT/0537/05/OP - LITTLE DUNMOW .....	33
UTT/0671/05/FUL – CLAVERING .....	39
UTT/0665/05/FUL – CLAVERING .....	41
UTT/0667/05/FUL - LITTLE HALLINGBURY.....	43
UTT/0605/05/FUL – NEWPORT .....	47
1) UTT/0026/05/FUL & 2) UTT/0028/05/LB – RADWINTER.....	50
UTT/0306/05/FUL - GREAT DUNMOW .....	52
1) UTT/0723/05/FUL & 2) UTT/0724/05/LB - CLAVERING .....	56
UTT/0487/05/FUL – BARNSTON.....	59
UTT/0600/05/FUL - CLAVERING.....	62
UTT/0657/05/DC - LITTLE BARDFIELD .....	66

**PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 8 JUNE 2005**

APPL NO: **UTT/0351/05/FUL**  
PARISH: **LINDSELL**  
DEVELOPMENT: Two-storey side extension  
APPLICANT: Mr R Whitman  
LOCATION: 1 Slatted Cotages Holders Green  
D.C. CTTE: 18 May 2004 (see report copy attached)  
REMARKS: Deferred for Site Visit  
**RECOMMENDATION:** **Refusal**  
*Case Officer:* *Mr N Ford 01799 510468*  
Expiry Date: 27 April 2005

---

APPL NO: **UTT/0358/05/FUL & UTT/0378/05/LB**  
PARISH: **WIMBISH**  
DEVELOPMENT: Erection of stable block and manege for commercial livery  
APPLICANT: David Hawkes  
LOCATION: Wimbish Hall Farm  
D.C. CTTE: 18 May 2005 (see report copy attached)  
REMARKS: Deferred for Site Visit  
**RECOMMENDATION:** **Refusal**  
*Case Officer:* *Mr G Lyon 01799 510458*  
Expiry Date: 29 April 2005

---

**UTT/0351/05/FUL - LINDSELL**  
**(Officers' Interest)**

Two-storey side extension.  
1 Slatted Cottages, Holders Green. GR/TL 632-285 Mr R Whitman.  
*Case Officer: Mr N Ford 01799 510468*  
Expiry Date: 27/04/2005

**NOTATION:** Outside Development Limits ULP Policy S7.

**DESCRIPTION OF SITE:** 1 Slatted Cottages forms a semi detached two-storey dwelling fronting west onto the land between Richmond's Green and Holder's Green in Lindsell. There are two dwellings located on the opposite side of the road named Lower Sweetings and Bandana-Lee. The area is surrounded by open countryside.

**DESCRIPTION OF PROPOSAL:** The scheme relates to the erection of a two-storey side extension to the north elevation to provide a kitchen and utility room at ground floor level and a bedroom and en-suite over at first floor level resulting in a four-bedroom dwelling. The footprint of the extension would be approximately 32sqm with a ridge height of 6m and an eaves height of 4m. The parent dwelling has a ridge height of 7m and an eaves height of 4.5m. Materials proposed consist of matching render and second hand natural grey slates.

**RELEVANT HISTORY:** In 1999 planning permission was granted for the erection of two-storey and single-storey extensions (UTT/0115/99/FUL). In 2001 planning permission was granted for a single-storey rear extension, detached double garage and garden store (UTT/0402/01/FUL).

**CONSULTATIONS:** None.

**PARISH COUNCIL COMMENTS:** No objection.

**REPRESENTATIONS:** None received. Notification period expired 22 March 2005.

**PLANNING CONSIDERATIONS:** **The main issue is whether the scale, design and materials of the proposed extension would respect the original dwelling and if there would be any material detrimental impact to the amenity of neighbours (ERSP Policies C5 & ULP Policies S7, H8 and GEN2).**

The site lies within the open countryside outside of any settlement limit where in accordance with policy S7 (and its structure plan equivalent Policy C5) the countryside will be protected for its own sake from inappropriate development. However subject to complying with policies GEN2 and H8 extensions to dwellings in the countryside need not be inappropriate.

Policy GEN2 is a general policy relating to design and lists nine criteria all of which proposals are required to comply with in order to be granted permission. In general terms the proposal complies with all criteria, with the possible exception of criterion a) which among other things requires proposals to be in scale with surrounding buildings. The attached dwelling is significantly smaller than the resultant dwelling on this site.

The issue of scale is also important in the consideration of Policy H8. This requires that the extension must be in scale with the original building. The original dwelling was only a small proportion of the dwelling that would result if this extension was permitted i.e. the area shown as Living room and bedroom 2 on the floor plans. This house has already more than

doubled in size, plus had a conservatory erected and the proposal would provide a further two storey element that is itself comparable to the size of the original dwellings. Therefore if permitted the original dwelling would be about a third of the size of the resultant dwelling and the extensions could not be said to be in scale with that original dwelling. Members will also note that the property has a modern large double garage and store above within its curtilage, occupying a footprint comparable to the original dwelling. It is therefore considered that the proposal would not be proportionate or in scale with the existing dwelling and as such does not accord with ULP Policy H8.

**RECOMMENDATION: REFUSAL REASONS**

1. This proposal is unacceptable because the extensions would result in a development of a scale and design that would not respect that of the original building and appear as a dominant feature in the street scene that would neither protect nor enhance the character and appearance of the countryside contrary to Policy S7, H8 and GEN2 of the Uttlesford Local Plan 2004.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0358/05/FUL & UTT/0378/05/LB – WIMBISH**

Erection of stable block and manege for commercial livery  
Wimbish Hall Farm. GR/TL 590-366. David Hawkes.  
*Case Officer: Mr G Lyon 01799 510458*  
Expiry Date: 29 April 2005

**NOTATION:** Uttlesford Local Plan: Outside Development Limits. Grade II listed building.  
Public footpaths and bridleways to south, north and east.

**DESCRIPTION OF SITE:** The site is located on the western side of Maple Lane between Tye Green and Radwinter, approximately 5km east of Saffron Walden, as the crow flies. At the entrance to the site are three private dwellings, Wimbish Lodge and Mariners on the western side of Maple Lane and Aldridges on the eastern side opposite the entrance. The application site is accessed via a 350 metre long private single width track, which passes by a further private dwelling known as Farm Cottage, which is not in the ownership of the applicant. The access road splits into two, one road going to Wimbish Hall, All Saints Church and Old Vicarage whilst the other continues onto the application site, which is part of the historic farmstead of Wimbish Hall. The application site includes a grade II listed barn of C17 origins, a more modern open fronted barn, a rendered and slate roof building currently used for stabling and an open fronted cartlodge with accommodation above, which was given consent to be converted to a dwelling in 2000. Other adjacent farm buildings include a Dutch barn and a large modern atcost barn, both of which are used in connection with the functioning farm at Wimbish Hall, which has a holding of 700 acres. Behind the atcost barn the land slopes down to a field, which itself lies adjacent to a stream beyond.

**DESCRIPTION OF PROPOSAL:** The applicant is seeking full permission to erect a stable block and manege for use as a commercial livery yard. The proposed stable would be 22.95 metres long and 5.3 metres deep with a height to eaves of 2.7 metres and a height to ridge of 5.55 metres. The building would be attached to the southern wall of the grade II listed barn and would accommodate five stables and a tack room including a tea point and disabled toilet. The open fronted barn opposite would be converted to provide eight stables. Works would involve new block work and translucent sheeting to block up the open side with new central sliding doors and hardwood internal stable partitions. The yard would be secured with post and rail fencing with two new five-bar gates. The manege would be sited beyond the atcost barn in the field and would be accessed across an existing concrete track, which would require an extension. The manege would be 50 metres long and 30 metres deep and be enclosed by a 1.2 metre high post and rail fence. The manege would have a surface of sand and will require some ground works to create a level surface. No details of ground level works have been submitted. The livery yard itself would accommodate a maximum of 13 horses and would be a full livery service.

**APPLICANT'S CASE:** The applicant has submitted a supporting statement to accompany the submitted plans. A copy of the report can be inspected on the Council's website or at the Council Offices.

**RELEVANT HISTORY:** Relocation of stables approved 1989. Conversion of agricultural store to dwelling; erection of oil tank; 1.1m high post and rail fence and 0.3m high brick wall approved 2000.

**CONSULTATIONS:** Essex County Council Highways and Transportation: no objections.  
Anglian Water: No comments received to date (To be verbally reported at the meeting).  
Environment Agency: Standard Advisory comments regarding Stables

UDC Specialist Design Advice: The proposed new structure would be traditional in terms of design, detailing and materials. It would have a steeply pitched roof with natural roof cladding and weather boarded walls. In principle such a range would be in keeping with the character of such a rural site and would not detract from the setting of the farmhouse or the listed existing farm buildings. No design objections subject to conditions.

Environmental Services: No objection subject to conditions.

**PARISH COUNCIL COMMENTS:** The Parish Council would like to support the proposed application for a commercial livery. The Parish Council agrees with supporting local rural businesses in line with the Wimbish Parish Plan, which is in preparation.

**REPRESENTATIONS:** The application was advertised with both press and site notices. Five neighbours were notified of the proposed development. Advertisement expired 19 April 2005. One letter has been received to date. Summary of comments: - No objections in principle to the plan to open a commercial livery but do have two concerns. The existing single track road leading to Wimbish Hall known as Church Lane serves only four properties and the church. The church has an ever decreasing congregation and typically has about two weddings a year so generates little traffic. Would not want to see a DIY livery service as there would be a substantial increase in traffic. I would like to see a condition restricting the use to full livery only. The manege should not be lit.

**ON SUPPLEMENTARY LIST OF REPRESENTATIONS (18 MAY 2005):** 1 further letter has been received:

I am a neighbour of Mr David Hawkes, Wimbish Hall Farm, Wimbish and am writing to you in support of his planning application for a livery yard. There has been a suggestion that this will unreasonably increase the traffic in Maple Lane. I have been practicing in this area for over 30 years and a lot of time has been spent with horses and in livery yards. In my experience there is a considerable difference between traffic created by full livery and part livery yards. In part livery yards the owner is responsible for the welfare of the horse and might visit twice or more times a day. With full livery the owner of the yard takes responsibility for the care of the horse. Frequently the horse owner lives some distance away and may only visit when wishing to ride. This may be as little as once or twice a month. There are already horses, owned by Mr & Mrs Hawkes, at the farm and so there would be no increase in traffic from feed deliveries or farriers when extra horses come on to the premises.

**PLANNING CONSIDERATIONS:** The main issues are whether: -

- 1) the principle of a livery yard and associated development is acceptable on this rural site (PPS 7, ERSP POLICY CS1, CS2, CS3, CS4, CS5, C5, HC3, BIW3, LRT3, RE1, RE2, T1 and T3, Uttlesford Local Plan Policy S7, GEN1, GEN2, GEN8, E4, E5 and ENV2);
- 2) the impact of the development on highway network would be acceptable and comply with the principles of sustainability (PPS 7, ERSP Policies T1, T3, T12, Uttlesford Local Plan Policy GEN1, GEN8, E4, E5),
- 3) the proposed development would cause material harm or disturbance to surrounding dwellings beyond the holding (ERSP Policy CS4 C5, RE1, RE2, Uttlesford Local Plan Policy GEN2, E4, E5);
- 4) the development would have an adverse impact on the character and appearance of the countryside (PPS 7 ERSP Policies C5, Uttlesford Local Plan Policy S7),
- 5) the design of the proposed development is acceptable (ERSP Policies HC3, Uttlesford Local Plan Policies GEN2, ENV2) and
- 6) there are any other material considerations.

1) The principle of development on this site needs to be considered within the context of policy basis, that being in this case, Central Government Guidance contained within PPS 7: Sustainable Development in Rural Areas, Structure Plan guidance contained in ERSP (Policies C5, RE1, RE2) and local guidance in the form of Uttlesford Local Plan, most notably policies S7, E4 and E5.

PPS 7, places a strong emphasis on the principles of **sustainability** whilst seeking to raise the quality of life and the environment in rural areas through the promotion of thriving, inclusive and sustainable rural communities, ensuring people have decent places to live by improving the quality and sustainability of local environments and neighbourhoods; sustainable economic growth and diversification; good quality, sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside; and continued protection of the open countryside for the benefit of all, with the highest level of protection for our most valued landscapes and environmental resources.

PPS7 also seeks to promote more sustainable patterns of development by focusing most development in, or next to, existing towns and villages; preventing urban sprawl; discouraging the development of 'greenfield' land, and, where such land must be used, ensuring it is not used wastefully; promoting a range of uses to maximise the potential benefits of the countryside fringing urban areas; and providing appropriate leisure opportunities to enable urban and rural dwellers to enjoy the wider countryside.

Paragraphs 30-32 of PPS 7 focuses on farm diversification and equine related activities. It states that local planning authorities should be supportive of well-conceived farm diversification schemes for business purposes that contribute to sustainable development objectives and help to sustain the agricultural enterprise, and are consistent in their scale with their rural location. However it also states that a supportive approach should not result in excessive expansion and encroachment of building development into the countryside and LPAs should encourage the re-use or replacement of existing buildings and have regard to the amenity of nearby residents or other rural businesses that may be adversely affected by new types of on-farm development.

Paragraph 32 states that horse riding and other equestrian activities are popular forms of recreation in the countryside that can fit well with farming activities and help to diversify rural economies. There should be support for equine enterprises that maintain environmental quality and countryside character and provide for a range of suitably located recreational and leisure facilities and, where appropriate, for the needs of training and breeding businesses. They should also facilitate the re-use of farm buildings for small-scale horse enterprises that provides for a useful form of farm diversification. The definition of small-scale as defined in PPS 7 are enterprises involving up to ten horses.

Essex Replacement Structure Plan Policy C5 focuses on rural areas and states that the countryside will be protected for its own sake, which includes its recreational value. This will be achieved by the restriction of new uses to those appropriate to a rural area required to support agriculture, forestry or other rural uses. Development should be well related to existing patterns of development and of a scale, siting and design sympathetic to the rural landscape character.

Uttlesford Local Plan Policy S7 again repeats the aims of the Structure Plan Policy C5 by protecting the countryside for its own sake and only allowing development that needs to take place there, or is appropriate to a rural area.

Members will no doubt be aware that, although the Uttlesford Local Plan was adopted on 20 January, this was developed in accordance with the older PPG7. Clearly the arrival of PPS 7

and its clear emphasis on the principles of sustainability mean that this document must be given significant weight over and above the recently adopted Local Plan when determining this application.

In terms of this application, it is the opinion of officers that PPS7 would clearly support the principle of appropriate agricultural diversification including equine related activities provided that such development would accord with the principles of sustainable development, as stated above, and provided that it would not result in excessive or other rural expansion or encroachment into the countryside or adversely affect the amenity of any nearby residents or other rural businesses.

2) PPS 7 has clearly established a strong emphasis towards the principles of sustainability. Access to the site in terms of location and associated highways arrangements form a fundamental part of this sustainability principle. The application site, although certainly not isolated, is none the less located away from development limits on the rural road network. The site is 1 km from the B1053 to the north and 3 km from the B184 to the south. The nearest settlement is Tye Green, 1.7km to the south (which does not have a defined settlement limit) Radwinter is 1.9 km to the north, the edge of Saffron Walden is 7.8 km and the edge of Thaxted is 7.7 km using existing road networks by the quickest route. To reach the B-roads one would have to travel along a country lane, which becomes very narrow in places, most notably near to the junction with the B1053. Certainly it cannot be guaranteed that the users of the livery yard would be local or would use any means other than the private motor car. This means therefore that one must assume that every trip into and out of the site would be via the private motorcar. One must also add vehicular movements associated with the delivery and collection of horses and veterinary care etc. Furthermore, riders may choose to exercise their horses on the public road in addition to using the bridleways and footpaths and this additional traffic will add to the potential hazards on the road network.

The application involves the erection of 13 stables. It is not unfeasible that there could be thirteen vehicle movements into and out of this site each day (91 per week) during the summer months, more if the owner of the horse is very keen. This would represent a material increase in traffic generation. The applicants supporting statement, pages 16-19, makes reference to the overall impacts on the countryside including highways considerations. This suggests that there would be only 26 vehicle movements per week assuming twice weekly visits. This might well be the case in the winter months when the weather is poor and the nights are long but the summer months would provide a greater opportunity to ride the horses and this is the period when activity would be at its highest, especially when attending shows or dressage events.

Essex County Council Highways have commented on the submitted plans but have raised no objections stating that it is not contrary to the policies contained with the Structure Plan. As stated above in 1), the weight given to the Structure Plan policies has shifted since the emergence of more recent Planning Policy Statements from central government, most notably PPS 7, which has a strong emphasis on the principles of sustainability. It is therefore the opinion of officers that the proposed development would undermine the principles of sustainable development by virtue of its heavy reliance on trips to and from the site by private motor vehicle with no guarantee that users of the facility would either walk or cycle to the site. Public transport is available along the B-roads to Radwinter and Thaxted but users would be faced with a 1-3 km walk to Wimbish Hall Farm and this would preclude even the most ardent fan of public transport.

In terms of highway safety, officers are concerned that the increase in traffic along the rural road network could increase the potential for traffic conflicts, particularly at narrow points along Maple Lane, to the detriment of highway safety.



3) Given the potential material increase in traffic associated with the proposed development, one also has to consider the impact on adjoining neighbours or businesses outside of the holding. PPS 7 clearly states that in determining such applications, local authorities should have regard to the amenity of any nearby residents or other rural businesses that may be adversely affected by new types of on-farm development. In this instance there are three properties immediately adjacent to the entrance to Wimbish hall Farm and one further dwelling close to the main farmyard. Clearly the coming and going of vehicles at this site associated with the livery yard would give rise to a material loss of amenity. The applicants report (pages 18-19) refers to this issue but suggests that there would be no detrimental impacts to any of the dwellings, especially in comparison to the existing traffic levels created by the church. In fact the report implies that at times when there are weddings the church creates significant levels of traffic and hence disturbance to the adjacent neighbours. In reality there are on average two weddings per year. Therefore, although the occasional weddings may give rise to disturbance, their infrequent occurrence would not mask any traffic increases associated with the proposed development. Officers are therefore of the opinion that the frequent presence of traffic entering and leaving the site in association with the proposed development would give rise to a material loss of amenity to adjacent residents close to the site entrance. The lack of neighbour objections to the proposed development is not in itself an indicator of development acceptability.

4) Other than the issues considered above, the impacts on the countryside would be limited to the presence of new development and additional members of public seeking recreation. The new built form would consist of the stable block, manege and associated fencing. The stable block and fenced enclosure would be located within the confines of existing built development and would be viewed with the context of the farm. However, Council policy would support re-use of rural building but would strictly control the construction of new buildings for commercial purposes. The increased built form in this rural location for non-agricultural purposes would not be acceptable.

The manege would result in a 1500 square metre area of field being developed with a new sand surface and associated post and rail fencing surrounding it to a height of 1.2 metres. The applicant has suggested that levelling works would need to take place but these details have not been provided and therefore it is not possible to comment in detail on how the proposed manege would affect countryside character. However, such facilities have been developed elsewhere in the district and these facilities, although appearing quite stark following initial construction, do weather down and their visual presence diminishes. However, compared to the existing open field, the proposal would increase the sense of built development on the site and may be viewed from a bridleway and public footpath that runs adjacent to the site.

Members of the public using the site would, most probably, ride along the local bridleways, footpaths and roads. Horse riding is not an uncharacteristic activity in rural locations and, other than the comments referred to above in 2) and 3), would not have a detrimental impact on the character and appearance of the countryside in principle.

5) In terms of actual design quality, the proposed stable has been considered by the Conservation Officer to ensure that it is appropriately detailed in relation to the grade II listed building that it would be physically attached. Conservation advice has confirmed that the design of the stable block is acceptable in this instance subject to the imposition of relevant conditions to secure appropriate materials etc in its construction. No design advice was given in relation to the fencing or manege but these should be considered in relation to the comments in 4).

6) It is evident that policy advice contained in PPS 7 favours sustainable forms of development. However, the development proposed in this application would clearly be in breach of those laudable sustainability aims. Nonetheless, the proposed livery yard is a use that one would reasonably expect to take place in the countryside. The question is therefore, if such a use cannot take place here then where can it reasonably take place? Ideally, from a sustainability perspective, such recreational activities would take place adjacent to existing settlements thus reducing the trip length and heavy dependence on the private motor vehicle through the availability of public transport that the larger settlements can support. But if such sites on the edge of settlement limits are not available to accommodate recreational activities, does that provide sufficient justification to approve a less acceptable solution in terms of sustainability? Council policies would support the re-use of rural buildings with an emphasis of support towards community and/or business uses. However, it would be probable that such uses may in fact create their own significant levels of traffic above that of the livery yard hereby proposed.

With the change in emphasis that PPS7 brings, Members may face the task of making difficult decisions to support the sustainability objectives clearly laid down by central government. The applicants report makes no reference to the diversification on this farm being essential to support the future viability of Wimbish Hall Farm. Indeed one could assume that the 700-acre farm is a success. Having visited the site it is the view of officers that the livery yard is a diversification to provide employment for family relatives of the owners of Wimbish Hall Farm. Although creating employment for family members would not be a cause for material concern in itself, the intensification in use on the farm would be. PPS7 makes reference to small-scale horse enterprises being those involving up to ten horses. This application involves 13 horses and it is the opinion of officers that this may be considered too many on this site given its distance away from settlement limits. It is not apparent that the development is anything less than speculative and there is no supporting information to justify the need to keep 13 horses rather than 10 or less. However, the number of horses as part of the livery yard would need to be commensurate with the future financial sustainability of the enterprise but, without these details, it would be impossible to comment further.

**CONCLUSIONS:** It has been demonstrated that, given the policy shift and guidance from central government, Members should take care to ensure that proposals for farm diversification accord with the principles of sustainability contained throughout PPS 7. Whilst this guidance would support the principle of farm diversification, there is a clear need to consider whether such diversification is indeed sustainable and would not in fact be better located closer to established settlement limits where there are alternative access means other than the private car.

The countryside provides an ideal place for equestrian recreational activities to take place but, in this instance, the distance needed to travel along country roads where provision of means other than the private motor vehicle is at best limited would lead to the long-term pattern of unsustainable development continuing in the district.

This additional traffic on the rural road network would also give rise to potential conflicts to the detriment of highway safety.

Furthermore the presence of vehicles entering and leaving the site would give rise to a loss of amenity to neighbours adjacent to the entrance to the Farm.

### **RECOMMENDATION UTT/0358/05/FUL & UTT/0378/05/LB: REFUSAL REASONS**

It is the policy of Central Government PPS7, ERSP (Policy CS1, CS2, CS3, CS4, CS5, C5, HC3, BIW3, LRT3, RE1, RE2, T1, T3, T12), Uttlesford Local Plan (Policy S7, GEN1, GEN2,

GEN8, E4, E5, ENV2) to ensure that proposed development in the countryside is appropriately located and of a size commensurate with the sustainable rural development principles clearly identified in PPS7. Furthermore, such development should not have an adverse impact on adjacent properties nor increase the potential for highway dangers on the rural road network.

In this instance, although the proposed development is in an area where one would reasonably expect equestrian activities to take place, the sites distance from the larger established settlement limits would mean that there would be a heavy reliance on the private motor vehicle due to the lack of alternative transport means. Furthermore, the size of the proposed livery yard would contribute to excessive vehicle movements on the rural road network to the detriment of highway safety.

Importantly, such additional traffic entering and leaving the site would have a detrimental impact on the amenity of adjacent residential dwellings that are located outside of the agricultural holding but on the entrance to the site.

Planning policy would support the re-use of rural buildings for commercial purposes, but this proposal also includes a significant element of new build, including a large riding arena. Although located in part within a complex of other buildings, the new build would be unnecessary built form in this rural setting, to the detriment of the countryside as a whole.

It has not been demonstrated that the proposed diversification would support the long-term viability of Wimbish Hall Farm, but instead would be a separate commercial enterprise in the countryside.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0737/05/FUL – LINDSELL**

***(Officer Interest)***

Change of use agricultural to residential.

Land adj. 1 Slatted Cottages, Holders Green. GR/TL 632-285. Nicola Wittman.

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 01 July 2005

**NOTATION:** Outside Development Limits ULP Policy S7.

**DESCRIPTION OF SITE:** 1 Slatted Cottages forms a semi-detached two-storey dwelling fronting west onto the land between Richmond's Green and Holder's Green in Lindsell. There are two dwellings located on the opposite side of the road named Lower Sweetings and Bandana-Lee. The area is surrounded by open countryside and is very open in nature. Land to the rear of Slatted Cottages is characterised by cornflower fields leading east some distance away to a bank of trees.

**DESCRIPTION OF PROPOSAL:** The scheme relates to the change of use of an area of agricultural land to the rear of the curtilage of the existing dwelling of approximately 75.5sq.m x 15 (greatest width) to residential (domestic garden).

**RELEVANT HISTORY:** None specifically relevant to the proposal.

**CONSULTATIONS:** None.

**PARISH COUNCIL COMMENTS:** To be reported (due 9 June 2005).

**REPRESENTATIONS:** None. Notification period expired 31 May 2005.

**PLANNING CONSIDERATIONS:** **The main issue is whether the change of use to a domestic garden, given its scale, does not result in a material change to the character and appearance of the surrounding countryside (ERSP Policies C5 & ULP Policies S7 and ENV6).**

Policy ENV6 of the Uttlesford Local Plan 2005 relates to the change of use of agricultural land to domestic garden and states that this will be permitted if the proposal, particularly its scale, does not result in a material change in the character and appearance of the surrounding countryside. Those proposals that are not likely to change the character or appearance of the surrounding countryside are those which for instance are unworkable corners of fields and do not create wedges of domestic garden intruding into an agricultural landscape.

The dwelling already has a more than adequate garden area for a dwelling of its size of approximately 750sq.m running north in a strip away from the property. The size of this change of use is considered excessive and would encompass a large swathe of agricultural land. This could not be considered to be a modest extension to a small or irregular shaped garden that would provide an adequate amenity area for this dwelling (which Policy ENV6 is aimed) and is not an unworkable corner of a field. As such it is considered that the proposal would drive a wedge of domestic garden into the agricultural landscape and lead to a material change in the appearance of the countryside in this location providing an unwelcome introduction of an expanse of land with a manicured appearance. The open rural character of this area would therefore be eroded.

Such a change of use would therefore also be contrary to the provisions of Policy C5 of the Structure Plan and Policy S7 of the Uttlesford Local Plan 2005, as the scheme would not protect for its own sake such that the appearance of the countryside would neither be protected nor enhanced.

**RECOMMENDATION: REFUSAL REASON**

This proposal is unacceptable as the use of the land as garden, with its manicured appearance and possibility of the erection of sheds, greenhouses, garages and other outbuildings, or uncharacteristic planting, would have the effect of adding to the urbanisation in the area. These buildings, or the planting of vegetation to screen the garden land from public view, would result in the erosion of the existing open rural character and appearance of the countryside contrary to Policy C5 of the Essex and Southend-on-Sea Replacement Structure Plan 2001, Policy S7 and ENV6 of the Uttlesford Local Plan 2005.

*Background papers: see application file.*

\*\*\*\*\*

## UTT/0459/05/OP - STANSTED

Proposed auction room, service & turning area, car parking for 200 vehicles, cycle parking facilities, landscaping & alterations of existing access to B1383 including works to carriageway and construction of footpath & cycle way  
Land to the West of Alsa Lodge, Cambridge Road. GR/TL 514-262. G E Sworder & Sons.  
*Case Officer: Ms H Lock 01799 510486*  
Expiry Date: 13/05/2005

**NOTATION:** Countryside beyond Development Limits. Access onto Class B road.

**DESCRIPTION OF SITE:** This application relates to a 3.38ha former sand and gravel quarry located on the eastern side of the B1383 Cambridge Road, some ½ km north of Stansted, and immediately north of Alsa Street. There is existing vehicular access which served the former quarry, and continues to provide access to land and buildings to the north used by a private rifle range/shooting club.

There is mature vegetation to the roadside and to the southern boundary with Alsa Street. The land rises to the east, and beyond a plateau there is vegetation to the eastern boundary. There is fencing separating this site from the shooting club. There are few dwellings in the vicinity, with the nearest being 150m away.

**DESCRIPTION OF PROPOSAL:** This is an outline application with all matters other than access reserved for subsequent approval. The proposal is to construct a new building as auction rooms, to relocate an existing business which operates in the centre of Stansted at present. The indicative plans show a building with a footprint of approximately 1300sq.m (main section 35.8m x 28.7m and wing of 13m x 20.5m), and containing two auction rooms, valuation office, general offices, library/meeting room, stores and strong room, toilets and showers, a reception foyer with small café area. It would have a maximum ridge height of 8.4m, plus a small lighting lantern to part of the building.

To the north and east of the building an area of 200 parking spaces would be provided, plus areas for staff and visitor cycle parking. A service yard to the east would also serve as overflow parking.

The vehicular access to the site would be improved, including works to the carriageway (provision of 10m junction radii to facilitate ease of entry/egress, widening of the access and internal access road, provision of visibility splays 4.5m x 160m, localised widening of the Cambridge Road (east side) to provide a ghost island right turn facility to enable straight ahead movements to pass stationary right turning vehicles, provision of a footway tie-in to the north and a combined footpath/cycle way to the south to link to High Lane). The internal access track would be widened to 4.8m (6m for the first 20m). No significant planting would be removed to accommodate these changes (one tree to the north of the entrance, and some trimming back of overhanging vegetation to achieve site splays). Access to the rifle range would be retained. A Green Travel Plan is proposed. Within the site security gates would be installed.

The landscaping of the site would be enhanced, and new planting would be of a type to aid security, and prevent vehicular access to the building beyond the security gates. A ha ha (a ditch and embankment) would be created in front of the building to reinforce the security arrangements. The building and parking areas would be located on a part of the site presently devoid of any planting.

**APPLICANT'S CASE:** There are detailed supporting statements, including a pre-application consultation report, ecological survey, transport assessment and green travel plan available for inspection at the Council offices.

In summary: The site is located in the countryside but there are important considerations that justify making an exception to policy. G E Sworder & Sons has a long history of association with the area. It is a major employer, makes a significant contribution to the local economy and the auction room is becoming increasingly important as a tourist attraction. The site is 'brownfield' land, has good access, is spacious and development will have no visual impact on the countryside. The design and height of the new building will produce the character of a group of farm buildings. The applicant will be willing to use sustainable building materials in construction. Parts of the wooded area around the periphery of the site could be managed and the trees ultimately used to provide a source of fuel for a wood-burning appliance for the purpose of space and water heating. The advantages of the proposed development outweigh any possible harm to the countryside. This type of use is a unique activity, and buildings with planning permission for an auction room are uncommon and very difficult to find.

#### Pre- Application Consultation

This outlines the extent of consultation with Parish and District Council representatives, the Stansted Mountfitchet Business Luncheon Club, existing and potential new neighbours, and visitors to the auction house events. The results indicate widespread interest and support for the relocation.

#### Ecology – Preliminary Implication Study

The report outlines the findings of a Level I Habitat survey (to identify the presence or likely presence of significant species and habitats and identify further detailed survey requirements) and desktop survey, which confirms that the site has no statutory conservation status and is not a local wildlife site.

The site survey identified a generally poor quality habitat and little vegetation within the filled central areas, however tree and shrub regeneration around the periphery was generally species rich. There was evidence of two protected species within the site: one Common Lizard, and an active Badger Sett on the northern part of the site, with badger activity elsewhere on site. Detailed badger and reptile surveys required to identify the extent and population in order to identify appropriate mitigating measures.

Subject to the siting of the development, a badger population and activity survey and reptile survey, and an assessment of suitable accommodation and mitigation measures, the presence of these protected species need not exclude the development of this site.

The Common Lizard survey can only be undertaken between late April and September, when they are out of hibernation and active, and therefore no detailed survey information is available at present. *[NB: This is currently being done and the results will be available before the Committee meeting.]*

#### Badger Survey

Following from the preliminary survey. It was concluded that the proposed development would not fall within 30m of the badger sett, and therefore an English Nature licence would not be required for work to proceed. The proposed entrance road to the site is very close to the 30m zone, and the positioning of this road should not be moved any further north or west. If it were to be moved in these directions an English Nature licence would be required. Temporary construction fencing would be required. Badger friendly fencing and low intensity lighting should be used across the development site during construction and in the final design.

### Transport Assessment

Traffic and pedestrian counts have been done at the existing site to determine accumulative levels of activity and parking demand. Automotive traffic counts have also been undertaken on the B1383 to record volumetric flows adjacent to the site. Personal injury accident data has also been assessed. A stage 1 Road Safety Audit Engineering check and Transport Assessment review was undertaken by Mouchel Parkman acting for ECC TOPS.

Summary of situation at G E Sworder existing premises: there is considerable potential for conflicts to arise between pedestrians and vehicles at the site access. There has been a reported accident. The site access is constrained and visibility onto the main road is often obstructed by parked vehicles. There is inadequate parking provided on-site to meet the existing surveyed demand. This results in overspill parking onto local roads and a significant take up of spaces at the adjoining public car park off Chapel Hill. The substantial and legitimate use of the public car park by visitors to G E Sworder & Sons limits the opportunity for parking by other members of the public.

Summary of Proposed Development: see attached Summary and Conclusions

### Green Travel Plan

This proposes a package of measures to reduce reliance on car journeys and to promote alternative more sustainable forms of travel. A senior member of staff at G E Sworder would act as Travel Plan Co-ordinator, with a budget to encourage staff to use alternative modes of transport. Will develop staff co-operation and liaise with local bus companies, and facilitate car sharing. Interest-free travel and cycle purchase loans will be available to staff. Travel information will be distributed to staff and be displayed on site, and will be included in auction particulars and on company website. Customers will be encouraged to use public transport, which will be subsidised with a minibus link on sale days to the Bishop's Stortford railway station. Secure covered cycle storage will be provided for employees and customers. Cyclists regularly visiting will have CTC membership reimbursed. Lockers, showers and drying facilities on site will be available to staff and customers. Transport home for staff in case of emergency will be provided. Negotiations continue on the siting of a bus stop and lay-by next to the site. Targets are set for reducing car travel, and a means for monitoring.

Please see agent's letter dated 13 May 2005 which addresses the additional points raised by Members following the Prior Reporting of the application to the Development Control Committee meeting on 27 April 2005 attached at end of report.

**RELEVANT HISTORY:** The whole site, including the land and buildings currently occupied as a rifle range has extant permission for use as a rifle and pistol range with clubroom (granted 1980). The land had previously been used as a sand and gravel quarry since the 1940s, without any planning condition requiring the land restoration. As such, the site can be regarded as previously developed land ('brownfield') within the definition set out in PPG3.

**CONSULTATIONS:** TOPS: No objection. See letter attached at end of report.

Water Authority: To be reported.

Environment Agency: No objection subject to conditions.

English Nature: Development is not likely to affect a Site of Special Scientific Interest (SSSI). A licence would be required for any development affecting badgers setts. Broadly satisfied that the development would not impact on badgers, provided that the advice and recommendations in the Badger Survey report are adhered to. A further survey should be carried out immediately prior to commencement. Common Lizards are present on site, and are protected species. Further survey required, which should clarify the presence and population level of all protected reptiles on the site. Mitigation measures will be required. The timing of any works affecting habitats, such as hedgerow trimming and clearance of grassland that may affect birds, shall take this into account.



Essex Wildlife Trust: Generally content with the findings of the Preliminary Ecology report. The layout of the proposed buildings, associated service area and car parking appears to be on land of least significance in terms of ecology. This is a good approach and the impacts will be minimal. Badger sett area should be securely fenced from the internal access road, especially during construction. Concerned about badger welfare at the established crossing point of the internal access road close to the gates. Given the anticipated traffic movements there must be effective protection of the badgers main run(s) across the road. Ecological issues on this site will not necessarily prohibit development, but the full details are not yet known [*NB later lizard survey had not been received at the time of response – further comments to be reported*]. Mitigation measures cannot yet be worked up and this is not a satisfactory position from which to determine the application. The general avoidance of sensitive ecological areas is welcomed however.

Uttlesford Badger Group: Reassured by conclusions drawn by OCA UK Ltd, in whom we have complete faith. In view of protracted and widespread nature of project and potential for increase in setts in vicinity following successful breeding season (between 1 December and 30 June), further survey would be required prior to commencement. Some concerns about impact on badgers during construction, and all personnel involved will need to be aware of protected species. Fencing should have openings for badger access. Request opportunity to make regular visits during preparation and landscaping stages.

UDC Policy: Proposal involves the construction of substantial new building in countryside and is contrary to Policy S7 unless there are special reasons why the development in the form proposed needs to be there. This type of business could be undertaken successfully in other locations such as an industrial estate – it does not need to be in the countryside but the current location leads to traffic congestion in centre of village and there would be benefit in moving the auction rooms out from centre of Stansted. This is an important consideration in this case. Site would appear to fall within the definition of previously developed land (*as land used for mineral extraction and waste disposal where provision for restoration has not been made through development control procedures*). Site is outside village where most visits would be made by car, but a green travel plan has been submitted in an attempt to address this and if measures are implemented this may result in a reduction of car use, in which case proposed parking would seem high. This is a local business which adds to diversity of employment opportunities within District, and allowing this use would comply with Council's corporate objective to stimulate a thriving, diverse and sustainable local economy. Proposal is contrary to policy, but there are other material considerations which need to be balanced against this, and the application could be approved as an exception to policy.

**PARISH COUNCIL COMMENTS:** Would not wish to see any coalescence with Ugley and hope that approval would not set precedent for further development beyond the Village Development Limit. On that basis, raise no objections. Would ask that County Highways now extend 30mph limit on High Lane to the junction with the B1383 as the road is bound to be more frequently used if consent is granted.

*[Response to PC comments: any applications for development outside Development Limits would need to be determined on their own merits, and as the circumstances of this case are quite specific they would not set a precedent for determining other applications. Changes to speed limits cannot be achieved through a planning application, and the Parish should make its own representations on this matter to Essex County Council as highway authority].*

**REPRESENTATIONS:** This application has been advertised and 20 representations have been received (1 objection, 19 in support). Period expired 2 May 2005.

CPREssex: Object. Contrary to Local Plan Policies S7 & GEN1. Site is in open countryside and well outside development limits, and policies protect countryside for its own sake. Scale and nature of proposed development is unsuited to non-urban setting. Would neither protect or enhance character of countryside but would result in visual and other harm. Access is onto B1383 which has high accident record. Access for development of this scale would

compromise road safety. Poorly located for public transport and would encourage use by private car, as indicated by size of car park. If permitted request condition limiting use of car park to those using auction rooms during normal opening hours and excluding airport-related parking.

Cllr A Dean: Support in principle. Present site causes congestion with traffic on auction days due to lack of parking and inadequate access from busy road. Relocation to edge of settlement would improve access to benefit of community and the business. Potential community gain from vacating existing premises. Proposed site can be readily accessed with improvements. It is well screened and should enhance area, provided good design and landscaping are applied. Would complement another commercial building in vicinity. Green transport plan should be carefully examined and conditioned.

Support (18): Would reduce congestion in village and make use of abandoned site, whilst ensuring continued and improved prospects for company and local economy. Would be disastrous if application refused and company needed to relocate. Former quarry and rifle club have been sources of nuisance in past, but this respected firm would provide degree of control over site. Improved highway safety in village. Potential for reuse of existing premises. Expansion of business could provide more local jobs. More visitors, both trade and tourist will boost local economy. As a visitor to the business, cannot park on sale days – relocation would bring substantial benefits to Sworders' dealer clients reloading/unloading facilities & local residents. Sworders is recognised in the field of fine art as a top auction house and brings interest to Stansted from whole country and Europe. Contribution to local and national economy. Proposed building would be significant architectural addition to county. Local businesses would enjoy spin-off trade but would also welcome easier local parking for their own customers. New site is close enough to existing to retain staff.

**COMMENTS ON REPRESENTATIONS:** These are addressed in the report. The re-use of the existing premises is not a material consideration to the determination of this application.

**PLANNING CONSIDERATIONS:** The main issues are whether

- 1) the use of this site for the purposes specified would accord with District Plan policy (ERSP Policies CS2 & C5, & ULP Policy S7);
- 2) the proposal would have any adverse impact on highway safety, and whether the Green Travel Plan would be sufficient to minimise the impact on use of the private car; and to consider the highway benefits of the relocation from the existing premises (ERSP Policies CS5, T3, T6 & T12, and ULP Policies GEN1 & GEN8);
- 3) the redevelopment of the site would have any unacceptable visual impact on the rural setting, or whether measures could be incorporated to mitigate such impacts (ULP Policies GEN2);
- 4) the redevelopment of the site would have any adverse impact on protected species (ERSP Policy NR6 & ULP Policies GEN7 & ENV8);
- 5) the impact of the relocation of the existing use on the vitality of the local economy in Stansted, and the impact on the retention of the existing auction business (ERSP Policy BIW3, BIW5, TCR2, TCR3 & TCR4);
- 6) the proposal would have any adverse impact on residential amenity (ULP Policy GEN2);
- 7) the proposal would contribute to tourism in the area (ERSP Policy LRT9)
- 8) there are particular opportunities to seek energy efficient construction and after-use (ERSP Policy EG4);
- 9) there are any other material considerations to outweigh any policy objection to the proposal.

- 1) The site is outside development limits, and the construction of a new building in this location would normally be contrary to policy. However, the site is a former quarry which was

not subject to any condition requiring its restoration, and as such can be considered a Brownfield site. In this instance, it is a brownfield site with good access to the local highway network, and relatively close to the edge of the settlement (approximately 350m). It is therefore considered that the re-use of the site would be an acceptable exception to policy, as a brownfield site in a sustainable location.

It is accepted that this would be a large building in terms of footprint, and the nature of its use requires a large car park. However, it is difficult to find buildings suitably designed for this type of use, and it is considered that there are other benefits (set out elsewhere in this report) which warrant acceptance of such a large development on this brownfield site.

2) The application includes proposals for a ghosted right-turn lane to minimise the impact on the free flow of traffic along this busy road. Visibility from the site is good, and combined with these additional highway works, the County Highway authority is satisfied that the proposals would be acceptable in safety terms. A footpath link to High Lane is also proposed, to improve the situation for pedestrians and cyclists.

A Green Travel Plan has been provided. The nature of the business is such that many people will continue to drive to the site, as it is often impractical to transport large or costly antiques by public transport. However, the travel plan involves the provision of a minibus service to the local rail stations, and encouragement of visitors to use such a facility. Measures to encourage staff to use non-car travel are also proposed. It is accepted that the nature of the use may mean relatively limited opportunities to reduce travel by private car, but the measures proposed are considered to be the most likely to generate such a reduction. It should be noted that high levels of traffic are generated at the existing site, and no travel plan is in place, and therefore the potential improvements by this scheme would be a highway benefit.

There is no question that the activities at the existing premises in Cambridge Road cause considerable parking and traffic congestion on auction days. The relocation of the business to a site with a safer vehicular and pedestrian access and its own accessible parking area could not fail to benefit the village, and indeed would free the existing public car parks for visitors to other businesses in the village.

The benefits of the improved facilities at the proposed site, the green travel plan, and the removal of the congestion from Stansted centre are considerable, and would be an improvement to local highway safety.

3) This is an outline application, but indicative plans provide considerable detail. The proposed building would need to have a large footprint due to the nature of the business. However, the indicative plans demonstrate that a building could be provided which would appear as a traditional rural building, in keeping with its setting. A height of 8.4m is indicated.

A building of the size proposed would inevitably have a visual impact, as would its car parking and service areas. However, this is a well-screened site, and although any building would be visible, the planting (which is to be enhanced) would soften these views. A development of the scale proposed will have an effect on the setting, but it is considered that the harm that would arise would be far outweighed by the benefits of the relocation the existing business to this site.

4) The site has a number of protected species on the site. The submitted surveys indicate that the development could take place without harming badgers, lizards, or any other species. Sufficient information has been submitted to determine the application, but if permission is granted, further surveys would be required in relation to badgers immediately

prior to commencement, to assess any changes since the earlier survey. Conditions could be imposed to ensure mitigating measures are in place to avoid any harm.

It should be noted that it is proposed to build on the higher plateau of the site. Although this may increase the visibility of the development, in terms of the impact on protected species, this would be the most sympathetic siting.

5) The existing auction rooms generate many visitors to Stansted village, and the applicants' own surveys suggest that this also generates trade for other businesses in the village. The existing premises are no longer suitable and alternative must be found. Whether permission is granted or not, it would seem likely that the company would need to relocate, and it would be regrettable to lose a business of this nature from the District. It is considered that the proposed location has the benefit of ensuring that the business remains close to its current site, but would enable the retention of links with the local economy. The Green Travel Plan ensures that the minibus would also stop in the village on sale days to enable visitors to visit other businesses. The relocation would also alleviate parking congestion and free up space for other visitors to the village. It is therefore considered that the relocation would not harm the vitality of Stansted centre, but has potential to improve the existing situation, and ensure that the business is retained in the District.

6) There are no dwellings close to the proposed site, the nearest being 150m away. It is not considered that the activity at the new site would be detrimental to residential amenity, particularly given the previous use a quarry.

In contrast, there are dwellings in closer proximity at the existing premises, and the relocation, with the removal of the parking/traffic problem, would benefit residential amenity in the village.

7) This application would have no direct impact on tourism, although the use generates a considerable number of visitors to the District. The potential to expand operations to hold more specialist seminars could enhance the potential for visits. The company has indicated a willingness to work with the local tourist office to promote local facilities, and although this cannot be controlled by condition, an informative is recommended.

8) Energy efficiency measures are recommended to be subject of a condition. The applicant proposes a woodland management plan to include the growing of trees specifically to serve a wood-burning appliance on the site (this would generate energy to supply some of the hot water and heating). This would be separate to, and not diminish, the screen planting around the site.

9) A number of benefits which outweigh the policy objection have been listed above: that this is a brownfield site, that there are benefits in relocating the existing use from its present site, but that it would be regrettable to the local economy if the business were to leave the District. The proposed site has good access and potential to accommodate this type of use without significant harm.

**CONCLUSIONS:** As 9) above

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.1.1. Submission of reserved matters: 1 (excluding access).
2. C.1.2. Submission of reserved matters: 2 (excluding access).
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. C.4.1. Scheme of landscaping to be submitted and agreed.

6. C.4.2. Implementation of landscaping – as standard condition, but to specifically include additional planting to boundaries, management scheme, details of earthworks to form the ha ha, badger-friendly fencing (with access gaps), surfacing of the car park area in materials appropriate to a rural area, & additional planting throughout the car park area.
7. C.4.6. Retention and protection of trees and shrubs for the duration of development.
8. C.5.2. Details of materials to be submitted agreed and implemented.
9. C.5.6. Clay pantiles.
10. C.5.9. Painted wood.
11. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented.
12. The development shall not be commenced until the applicant has entered into a legal agreement with Essex County Council to secure the implementation of the highway works shown on drawing no. 2004.2114.001 Rev A, date stamped as received 18 March 2005. The building shall not be used until the works have been undertaken in their entirety.  
REASON: In the interest of highway safety.
13. The building hereby permitted shall not be used until the car parking spaces and service areas shown on drawing no. 2004.2114.001 Rev A, date stamped as received 18 March 2005 have been surfaced and marked out on site, in accordance with a materials schedule first submitted to and approved in writing by the local planning authority. Such space shall thereafter be retained without obstruction for the parking and turning of vehicles visiting the site in connection with the use as an auction rooms.  
REASON: To ensure adequate on-site parking is provided and retained to meet the demand to be generated by the use, in the interests of highway safety.
14. No occupation/use of the development hereby permitted shall take place until a right turn lane facility and site access on the B1383 Cambridge Road, as shown in principle on drawing 2004.2114.001, and including traffic/pedestrian islands in the hatch markings either side of the site access, have been provided in a form agreed with the highway authority.  
REASON: In the interests of highway safety and efficiency.
15. No occupation/use of the development hereby permitted shall take place until bus lay-bys on both the east and west side of the B1383 Cambridge Road in the vicinity of the site access have been provided, each lay-by to be provided with raised kerbs, bus stop signs, timetable information and footway connections/road crossing facilities. All works shall be in a form agreed with the highway authority.  
REASON: In the interests of accessibility.
16. No occupation/use of the development hereby permitted shall take place until a 3 metre wide cycle way (to be designated as a multi use route) between High Lane and the application site has been provided. All works shall be in a form agreed with the highway authority.  
REASON: In the interests of accessibility.
17. No occupation/use of the development hereby permitted shall take place until secure parking for powered two wheeler vehicles has been provided within the site, in accordance with the Essex Planning Officers Association Vehicle Parking Standards dated August 2001. All works shall be in a form agreed with the highway authority.  
REASON: In the interests of accessibility.
18. No occupation/use of the development hereby permitted shall take place until secure and covered cycle parking on site has been provided in accordance with Essex Planning Officers Association Vehicle Parking Standards dated August 2001. All works shall be in a form agreed with the highway authority.  
REASON: In the interests of accessibility.
19. C.8.4. No deliveries except during hours specified.
20. C.8.22. Control of lighting.

21. C.8.23. Environmental Standards.
22. C.9.1. No outdoor storage.
23. C.13.7. Hours of use.
24. No development shall take place on the site until at least 48 hours notice (with as much advance warning as possible) has been given to the Uttlesford Badger Group, or any other agreed body, of the start of works, so that the impact of the works on protected species can be assessed throughout the construction period.  
REASON:
25. C.20.1. Acceptable survey and mitigation and management plan – Implementation of scheme.
26. No construction and excavation works or removal of hedgerows and grassland shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the local planning authority  
REASON: To protect breeding and nesting animals which may use the site.
27. Prior to the commencement of the development a further survey of the application site shall be carried out to establish the size of existing badger setts and the excavation of new badger setts formed since the September 2004 survey was undertaken. The findings and conclusions of the survey shall be submitted to the local planning authority for approval in writing within one month of the completion of the survey, and prior to the commencement of the development. The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.  
REASON:
28. 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. Furthermore, any such work within 30m of a badger sett will require a licence under the Protection of Badgers Act 1992.  
REASON: To comply with the requirements of the Habitats Regulations and other legislation to protect species of conservation concern.
29. Ban on Airport Related Parking.
30. The building shall not be used until the measures set out in the Green Travel Plan accompanying this permission are in place. The measures set out in that document shall remain in operation in their entirety unless alternative measures are first submitted to and approved in writing by the local planning authority. The applicant shall maintain records of the level of use of the measures for future inspection by the local planning authority should the necessity arise.  
REASON: in the interest of promoting alternative and more sustainable means of travel than the private car. The records are required to provide information on the effectiveness of the Green Plan, and to inform any revisions that may prove necessary.
31. During the construction period, no solid matter shall be stored within 10 metres of the banks of the Ugley Brook and thereafter no storage of materials shall take place in this area.  
REASON: To prevent solid materials from entering the Ugley Book and causing pollution.
32. Prior to the commencement of any development, a scheme for the provision and implementation of surface and foul water drainage shall be submitted and agreed in writing with the local planning authority. The works/scheme shall be constructed in their entirety in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.  
REASON: To prevent pollution of the water environment.

*Background papers: see application file*

\*\*\*\*\*

## UTT/0496/05/FUL – GREAT DUNMOW

Erection of 253 dwellings with associated garages and highway works  
Sector 2, Phase 4, Woodlands Park. GR/TL 614-222. Wickford Development Co. Ltd.  
*Case Officer: Mr M Ovenden 01799 510476*  
Expiry Date: 19 May 2005  
13 weeks: 23 June 2005

**NOTATION:** Within Development Limits ULP Policy S1. Outstanding Residential Commitments (Woodlands Park) ULP Policy GD5.

**DESCRIPTION OF SITE:** This application relates to an 8.2 hectare parcel of former agricultural land to the north of existing housing development at Woodlands Park, Great Dunmow. This area lies immediately to the south of the four sites considered at the last meeting. It is on the western edge of the estate with housing to its east and south, with the boulevard (a formal landscaped path running east-west) forming its southern edge. To the west is the completed section of the North West bypass. The land is largely flat and has no vegetation.

**DESCRIPTION OF PROPOSAL:** This submission is in full and proposes the erection of 253 dwellings as part of Sector 2. The layout is in the form envisaged in the Masterplan.

**RELEVANT HISTORY:** At the last meeting four applications were granted. One is subject to a legal agreement for affordable housing. Two were fully detailed applications and two were reserved matters applications, relating to 468 dwellings in total. Three of the four related to Sector 3, one related to an adjacent area of Sector 2. This application shares much in common with these applications.

In May 2003 planning permission was granted for the erection of 130 dwellings at plots 417-546 (part of Sector 2).

In September 2002 the latest version of the Masterplan was agreed by the Environment & Transport Committee following public consultation. This is a significant consideration in the determining of applications at Woodlands Park.

In December 1988 outline planning permission was granted for residential development (UTT/0733/88).

**CONSULTATIONS:** County Highways: This matter will be dealt with by the estates section.  
ECC Highways Estates Design: Various detailed comments on the estate roads and their layout relating to junction and visibility standards.

Water Authority: To be reported.

Environment Agency: Flood risk assessment required.

Police Architectural Liaison Officer: To be reported.

Ramblers Association: To be reported.

ECC Archaeology: No archaeological recommendations.

Essex Wildlife Trust: To be reported.

English Nature: No site specific comments.

UDC Environmental Services: To be reported.

UDC Drainage Engineer: No comment.

UDC Building Surveying: To be reported.

**TOWN COUNCIL COMMENTS:** Object:

- i. Any decision on the above applications should be deferred until Members have had full consultation with Officers;
- ii. the developer should provide architects drawing showing the full street scene for each application;
- iii. that full layout drawings be supplied for ease of identifying the type of dwellings and garages on the layout of the estate. It was recognised that the drawings were annotated but this did not give ease of identification;
- iv. that a meeting be convened between Members and the Planning Officer to study the applications in full to enable Members to make considered representations.
- v. House Type W.D.H. The roofline was disproportionate to the rest of the dwelling in that it was too high;
- vi. some of the designs of the dwellings are unsuitable for a small rural market town.

**REPRESENTATIONS:** These applications have been advertised and no representations have been received. Period expired 28 April 2005.

**PLANNING CONSIDERATIONS: The main issues are whether:**

- 1) **this application provides a form of housing development which accords with the requirements of the Woodlands Park Master Plan and Policy GD5 in terms of comprehensive design, townscape, dwelling form and materials, vehicular and pedestrian access, open space and landscape and services.**

There is an approved Master Plan relating to Sectors 1, 2 and 3. This was approved by the Council in 2002 following public consultation. The Council may reasonably expect that a submitted application will be in accordance with the Master Plan. Furthermore, the applicant may reasonably expect that if it submits an application that is in accordance with the Master Plan that there will be a positive recommendation, subject to acceptability of details not covered by the Master Plan.

In addition Policy GD5 requires the development to be carried out in accordance with the Master Plan, therefore adding weight to the approved Master Plan.

**Design**

The layout consists of detached, semi detached and terraced dwellings as well as town houses. There would be a mix of 2, 2½ and 3 storey houses. At the last meeting, Members attached conditions to the permissions for the adjacent phases to remove house type P – a three-storey house with central chimney. This house is not proposed for this phase although there is a similar one – GG. This house type is used as part of a block e.g. plot 195 (southern end of the circus) and as a detached unit (e.g. plots 245-250). Members should decide whether this type is acceptable, but given the decision to remove the similar type P from the adjacent phases the detached examples of GG (a dozen are proposed) should be replaced. Likewise a condition relating to materials on the house types using dormer windows (types F, H, L and P – 37 units) is proposed as per the four applications considered at the last meeting.

Some dwellings would be located off private drives and cul-de-sacs and some in character areas such as a square and a circus around areas of public open space. There would be limited use of small parking courts principally to allow the creation of terraces that enclose the highway frontages.



## **Affordable Housing**

In accordance with the agreed Masterplan, the quota of housing required for Sector 2 (and part of Sector 3) has been transferred to Estuary Housing Association and is nearing completion.

## **Parking and Access**

Dwellings would have a minimum of 2 parking spaces for dwellings up to three bedrooms apart from the one-bedroom units (10 units) that would have 1 space each. Two-wheeler parking is also proposed within garages, parking spaces or rear gardens. Architectural liaison raises concern about the use of parking courts, lighting and the location of individual spaces in them. The courts permit the use of terraces which are close enough to the highway to enclose it. There are approximately 11 courts mostly serving up to half a dozen units. The lighting can be covered by condition and precise location of spaces could be covered by condition if needs be.

A footpath will require diversion should permission be granted. The applicant states that the necessary Diversion Order will be sought should this be the case.

Various bends are incorporated to limit traffic speed to 20 mph with table junctions near pedestrian crossings. Streets, squares and circuses will form access to dwellings.

## **Landscaping**

Landscape margins are proposed adjacent to the north west by-pass with additional planting to be provided. Additional planting is also proposed to open spaces. The layout is generally considered to follow the indicated layout shown in the Master Plan in terms of roads, formal open spaces and landscaping strips. The Master Plan is clear in the broad layout of dwellings and does not provide for any other community facilities or retail use and in this context the applicant has provided a scheme that responds to its requirements.

### **2) these applications provide an appropriate density in accordance with PPG3 and the Woodlands Park Mater Plan.**

The schemes are considered to provide an adequate density of about 30 dwellings per hectare.

### **3) the scale, form, design, layout, appearance and proposed materials of the dwellings accords with the character of the area and surrounding buildings (ULP Policy GEN2).**

As a whole, the scheme provides a clear sense of identity compared to earlier phases of more standard house types. Terraces front squares and streets and particular character areas are created. Traditional designs and features are proposed to dwellings that draw on Georgian and Victorian architecture, the character of the layout and design of which is considered an improvement to earlier development. Generally, garages are set back from dwellings but are occasionally sited in conspicuous positions. Two examples are in the northeast corner and along the boulevard to the south. Revised plans of the relevant four plots are proposed to be required by condition to address this matter.

Chimneystacks play an important architectural role in the composition of houses and such features punctuate rooflines and provide visual interest. In this context there are some house types that do not provide this feature and consequently are considered to suffer aesthetically. However, Members should be aware that the lack of chimneys has been

accepted elsewhere on Woodlands Park, including on the phases approved at the last meeting and Officers consider that on balance continuing this approach is acceptable.

There are also several instances where garden sizes are small for two and three bedroom dwellings but this could if necessary be controlled by condition so as to restrict permitted development rights, thereby avoiding the erosion of already small gardens.

**4) the proposed developments provide an adequate mix of smaller market housing in accordance with ULP Policy H10.**

The schemes provide a range of dwelling sizes between one and six-bedroom properties.

10	1 bedroom dwellings
2	2 bedroom dwellings
141	3 bedroom dwellings
4	3 bedroom (plus study) dwellings
42	4 bedroom dwellings
4	4 bedroom (plus study) dwellings
21	5 bedroom dwellings
7	5 bedroom (plus study) dwellings
19	6 bedroom dwellings

Policy H10 states that developments of three or more homes must include an element of small two and three-bed homes, which must represent a significant proportion of the total, for those households who are able to meet their needs in the market and would like to live in a new home. In this context 59% of dwellings are three-bedroom or less, which is considered to satisfy this requirement.

**5) there would be any detrimental harm to the amenity of neighbouring dwellings (ULP Policy GEN2).**

Throughout the site the dwellings are considered to be adequately spaced to prevent material overlooking or detriment to residential amenity to existing or proposed dwellings.

**6) there is appropriate parking and access (ULP policies GEN1 and GEN8).**

The parking provision for the applications is stated as a minimum standard, but planning policy states that this should be a maximum. The provision for some of the plots is generous, often due to the provision of double width hardstandings outside double garages. It is considered difficult to argue that it is not appropriate given the lack of public transport to the area.

The applicant considers that it would be irresponsible not to make 'proper' allowance because this would lead to indiscriminate parking on residential roads and the provision for parking is made in this context. Members are asked to consider the parking provision and the applicant's justification for such a departure in relation to the above comments and the integration of the schemes as a whole. It is acknowledged that Members have been concerned about perceived under provision of car parking on developments elsewhere. A similar point was considered at the last meeting and Members considered that the provision in excess of the PPG3 minimum was appropriate.

**CONCLUSION:** The schemes are considered to accord with the requirements of the Master Plan and Policy GD5 relating to the development of Woodlands Park and are therefore recommended for approval subject to conditions.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time Limit for commencement of development.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.4.1. Submission of landscaping scheme.
- 4 C.4.2. Implementation of landscaping.
5. C.6.7. Excluding conversion of garages.  
REASON: In the interests of highway safety and to prevent over development.
6. C.7.1. Submission of details of slab levels.  
REASON: In order to ensure a satisfactory standard of development.
7. C.11.6. Layout of parking before occupation.  
REASON: In the interests of highway safety.
8. All electrical and telephone services to the development shall be run underground. All service intakes to dwellings, apart from gas, shall be run internally and not visible on the exterior. All meter cupboards shall be positioned on the dwellings in accordance with details, which shall have been previously submitted to and approved by the local planning authority. All buildings containing flats shall be equipped with a communal TV and radio aerial and satellite dish in positions, which shall have been previously submitted to and approved by the local planning authority (unless the development is in an area served by cable distribution). On all buildings satellite dishes shall be of dark coloured mesh unless fixed to a light coloured, rendered wall, in which case a white dish should be used. Satellite dishes shall not be fixed to the street elevations of buildings or to roofs. All soil and waste plumbing shall be run internally and shall not be visible on the exterior. Rainwater goods shall be black. The rights of utility companies to deemed consent under the General Permitted Development Order to construct electrical substations and gas governors within the development are withdrawn and planning consent will be required.  
REASON: In order to ensure a satisfactory standard of development.
9. No development shall take place until full details of the lighting to be used in the parking courts have been submitted to an approved in writing by the local planning authority. The approved lighting shall be fully provided prior to the first use of the parking courts.  
REASON: In the interests of public safety and reduction of crime.
10. All house types featuring dormer windows shall have roofs clad with clay tiles.  
REASON: In order to ensure a satisfactory standard of development.
11. House type GG shall be omitted and replaced with an alternative to be agreed in writing with the local planning authority prior to the commencement of the development hereby permitted.  
REASON: House type CG is considered to be of a height and design that would be inconsistent with the character and appearance of adjacent approved house types such that the street scene would be detrimentally affected.
- 12 No development shall take place until revised details of the dwellings and garages to be erected on plots 127 and 128 and 41 and 62 used in the parking courts have been submitted to an approved in writing by the local planning authority. The approved lighting shall be fully provided prior to the first use of the parking courts.  
REASON: In the interest of residents' and public safety and security.
13. C.5.2. Details of materials to be submitted.  
REASON: In order to ensure a satisfactory standard of development.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0710/05/CC - SAFFRON WALDEN**

Redevelopment to provide a new Civic Amenity & Recycling Centre, estate road infrastructure & associated junction to the B184 Thaxted Road, incorporating the creation of a new link road to Public Byway No. 18 Saffron Walden (without alteration to the Byway). Land off Thaxted Road. GR/TL 551-372. Essex County Council.

*Case Officer: Mr G Lyon 01799 510458*

Expiry Date: 31/05/2005

**NOTATION:** Inside development limits, allocated for employment uses in the ULP.

**DESCRIPTION OF SITE:** The site lies to the north-east corner of the wider Granite site, 130m north of Thaxted Road and has an area of 0.764ha including the access road. It is currently occupied by a single vacant dwelling which sits in a large plot with vegetation of varying degrees of height and a well-established native hedge to the northern and eastern boundaries.

To the north and east is arable land with the existing Civic Amenity and recycling Centre (CARC) 150m to the north-west fronting the slip road which runs parallel with Thaxted Road at this point.

**DESCRIPTION OF PROPOSAL:** This application is submitted by Granite Property Development to the County Council who are the determining authority. If permission is granted it is proposed to close the existing CARC and the Waste Licence terminated. The existing CARC is proposed for redevelopment as live-work units, subject to planning approval.

It is proposed to relocate the existing CARC which does not meet modern high standards. The existing facility is poor and detrimental to visual amenity on the frontage of Thaxted Road. Containers and bins can only be removed when the facility is not in use, hence it has to be closed to the public every time a large container is replaced which can lead to significant queuing of vehicles on the main road.

The new site would be built to all current codes of practice, British Standards and Regulations to meet statutory requirements. The design has been developed with Essex County Council, based on experience of new CARCs at Chelmsford and Canvey Island. The layout may be subdivided into 2 areas – the open recycling area and the bin bays area.

The bins or skips would be arranged in 7 pairs to the north of the drop off area and be 1.6m lower than the central road and hardstanding. This will enable people to drop waste into bins rather than lift it into skips or climb stairs high enough to deposit it. There would be a 1m fence around the bin bays, which would cater for green waste, plastic, timber, cardboard, metal, textiles and general rubbish.

The open recycling area would accommodate the separate paper, magazine, cans and glass recycling bins. In addition there would be space for hardcore and soil deposits, a small waste oil tank, household appliances and car batteries.

Access would be taken from a new main spine road built to adoptable standards. Traffic would enter the site and move around in a clockwise direction. The loading and unloading area would be completely segregated from the area accessed by the public. The hedge surrounding the site would be retained, reinforced and supplemented by evergreen planting inside the boundary to ensure year round cover. Within the boundary and surrounding the

site would be a 2.1m palisade steel fence which would act as security and as a litter trap. It would not be visible outside the site.

There would be two standard cabins on the site, one for an office and restroom and the other a store. Hours of operation would be:

08.00 – 17.00 every day from 1 February to 31 October  
08.00 – 16.00 every day from 1 November to 31 January  
17.00 – 20.00 extended opening on Tuesdays from 1 May to 31 August  
Closed on Christmas Day, Boxing Day and New Year's Day

In terms of traffic the average weekday flow would be 300 vehicles a day. The busiest day would generate 1000 vehicles visiting the site with a peak flow of 100 vehicles per half hour – the busiest days being Sundays and Bank Holidays. The average number of bin removals will create 4 commercial vehicle movements a day with up to 16 per day at peak times. All bin deliveries and removals would take place during operational hours.

A Traffic Impact Assessment (TIA) accompanies the application. This concludes that Thaxted Road currently carries 6,500 vehicles per day past the site, which is below 50% of the design capacity of the road.

This application includes a new access road serving the rear of the frontage plots on adjacent land. Development on this part of the site, with the exception of the road, is to be considered under separate applications.

**APPLICANT'S CASE:** See Planning Supporting Statement and Traffic Impact Assessment both available for inspection at the Council Offices, Saffron Walden.

**RELEVANT HISTORY:** There is an extensive planning history of retail and employment permissions on this site. In addition planning permission was refused in December 2003 for the relocation of the civic amenity and recycling centre and residential development. On 9 August 2004, Members recommended No Objections to a County Matters application for a similar CARC development on this site (UTT/1252/04/CC).

**PLANNING CONSIDERATIONS:** The main issues are

- 1) **whether the proposal is satisfactory when assessed against the planning considerations listed in PPG10 that need to be taken into account by the County Council in determining the application, namely:**
  - a) **transport, traffic and access**
  - b) **dust**
  - c) **odour**
  - d) **vermin and birds**
  - e) **noise**
  - f) **litter**
  - g) **protection of surface and underground water**
  - h) **land instability**
  - i) **visual intrusion**
  - j) **nature and archaeological conservation**
  - k) **historic environment**
  - l) **hours of operation**
  - m) **duration of the operation of the site**
  - n) **reinstatement of the site to an appropriate after use of relevant; and**
  - o) **compatibility with adjacent developments**
- 2) **whether Members consider the addition of the internal roadway acceptable.**

1) In determining the application the County Council will of course need to be guided by the policies of the Development Plan which includes the Waste Local Plan (WLP). The points raised here are set out in PPG10 and augmented by the WLP. Given the location of the site in relation to other development (existing or proposed) and the route of the proposed access road, together with the operating experience of the present site, it is considered that there would be no adverse environmental effects that could not be contained by sound management. The site will be staffed at all times during operating hours and there would clearly be an improvement in safety from a modern layout.

If the County Council is minded to approve this application then it will need to be sure that there would be no adverse consequences for the residents of Saffron Walden from increased traffic. Given the Environment Agency's earlier comments about surface water run-off alleviation on the applications for determination by this Council on the rest of the Granite site elsewhere on this schedule the County Council should also seek and adhere to the Environment Agency's requirements for development of the site.

2) Members may recall that on 9 August 2004, the Council recommended no objection to a proposed CARC on this very site at Thaxted Road. This application is near identical in detail to that application with the exception of the additional 135m of roadway with turning head providing access to the remainder of the Granite site. Given the minimal change in policy since that date, with the exception of the now adopted Local Plan, the only issues with this application is whether or not the addition of the roadway and resultant increase in traffic using the proposed junction is acceptable. Given the comments raised above in 1) and the fact that the site is allocated for employment uses, this proposal would limit the number of accesses into the employment site to two, one into this part of the site and one serving the Southgate House and the 60 live/work units. This would help improve highway safety and reduce the risk of traffic conflict on the B184.

Since the submission of the earlier application (UTT/1252/04/CC) a wildlife survey has been submitted. This has identified the presence of Common Lizards on the site and therefore the Council would recommend that Essex County Council, as determining authority, place the relevant conditions to ensure that a programme of mitigation to prevent harm or damage to Common Lizards that could not reasonably have been avoided.

**CONCLUSIONS:** It is considered that no objection should be raised to this proposal subject to the County Council being satisfied that it complies with national and local policies.

**RECOMMENDATION: NO OBJECTION**

That Essex County Council be advised that Uttlesford District Council has no objections to the application provided that it complies with national and local policies. Particular regard should be had to the effect of increased traffic on the amenity of residents of Saffron Walden and to the comments of the Environment Agency. Care should also be taken to ensure that protected species on site such as the Common Lizard are appropriately protected and mitigated to prevent harm or damage that could not reasonably have been avoided.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0646/05/FUL - SAFFRON WALDEN**

*(Referred by Cllr. Bayley)*

New dwelling with detached single garage.  
Land to the rear 51 Newport Road. GR/TL 535-375. Mr D Stacey.  
*Case Officer: Mr T Morton 01799 510654*  
Expiry Date: 16 June 2005

**NOTATION:** Within Settlement Boundary.

**DESCRIPTION OF SITE:** The site is an area of open garden land set behind the frontage house in Summerhill Road, Newport Road and Rowntree Way.

**DESCRIPTION OF PROPOSAL:** The application proposes a new single-storey 3 bedroom dwelling, with new garage, using an existing access onto Summerhill Road, shared with other properties.

**CONSULTATIONS:** Environment Agency: A standard advice letter has been sent relating to any culverting that may be required, and general comments on sewerage provision, soakaways and prevention of oil pollution into the drainage network.

Building Control: Fire access inadequate (NB: applicant now proposes sprinkler system, which would overcome this concern).

**TOWN COUNCIL COMMENTS:** No representations received. Notification period expired 22 May 2005.

**REPRESENTATIONS:** Notification period expired 16 May 2005.

Objections have been received from four adjoining occupiers. They raise as issues:

The minimal private amenity space available to the dwelling.

Another dwelling would put more pressure on road parking on the busy Summerhill Road. The proposed house would not be in keeping with the general ambience of Summerhill Road.

Concern about later addition of another floor to the house.

The Beech hedge on the eastern boundary should remain as existing.

Timber boarding should be painted, but not white.

The proposal should be regarded as 'backland' development.

Due to the slope of the land it is in an elevated position related to Rowntree Way.

The proposal is too tall and a maximum height should be specified (the objector does not specify a figure).

The detached garage would be remote from the house, visible and intrusive to all neighbouring residencies. It should be placed next to the existing garage.

The access is narrow and visibility restricted, the width does not allow vehicles to pass one another; and the restricted nature of the access, which is shared by five occupiers makes turning difficult.

The new boundary fence should follow the existing hedge.

**COMMENTS ON REPRESENTATIONS:** Principle, design and amenity issues are discussed below. New fences or hedges would have to follow existing legal boundaries. The proposed garden area is about 150 sqm. On the south side of the house, this is considered adequate. Retention of the existing beech hedge has been mentioned, it is not known whose ownership this lies within, but is shown on the drawings as retained.

**PLANNING CONSIDERATIONS: The main issues are**

- 1) principle of development /backland development (ULP Policy H3, H4),
- 2) design (ULP Policy GEN2),
- 3) residential amenity (ULP Policy GEN2) and
- 4) vehicle access (ULP Policy GEN1).

1) The site is within the settlement boundary for Saffron Walden and residential development is acceptable in principle. Policy H4 on backland development accepts this in principle, but requires there be no material overlooking or overshadowing of nearby properties, nor have an overbearing effect on neighbouring properties, and access would not cause disturbance to nearby properties.

The single storey nature of the proposal, together with its semi courtyard form with inward looking windows, means that there will be no overlooking, or loss of daylight issues. The separation to the nearest house in Summerhill Road is 30m and a similar distance to houses Rowntree Way, which is more than adequate. Use of the existing access will increase slightly with the new house.

2) The design is a single storey house with ridges of 4.5m and 5.5m height. The frontage houses are set at quite a distance, and coupled with the substantial planting in the surrounding gardens, those houses are barely visible from the site of the proposed house. The roof will be visible from surrounding houses, but merely being able to see a proposed development is not a material reason for its refusal. The cladding is shown as painted timber boarding, and objections have been made to this. As this is a freestanding building there is no particular design reason to require any specific treatment, and white painted boarding would be an attractive finish.

3) The form of the house is inward looking, thereby minimising interaction with adjoining property, and there is no material impact on daylight or amenity of the surrounding houses. The single garage is not directly attached to the house, but is only 7 metres from it. If it were placed beside the existing double garage on the site, (serving another house) it would not be possible to turn in and out of it. There may be some disturbance from vehicle headlights at night, but normal height garden fences would remove this problem. Details of these should be required by condition before occupation of the house. The new house itself would have satisfactory levels of amenity in terms of its own design and layout, and garden area.

4) The existing access to the highway has adequate sightlines, and there is room within the site to turn a vehicle so as to enter and leave in forward gear.

**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.19.1. Avoidance of overlooking – 1.
- 4. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission.
- 5. C.5.2. Details of materials to be submitted agreed and implemented.
- 6. C.12.1. Boundary screening requirements.
- 7. C.4.1. Scheme of landscaping to be submitted and agreed.
- 8. C.4.2. Implementation of landscaping.

*Background papers: see application file.*

\*\*\*\*\*



## **UTT/0537/05/OP - LITTLE DUNMOW**

The reclamation of despoiled land and redevelopment for up to 98 dwellings (being a net addition of up to 20 dwellings to those approved under ref UTT/0023/03/OP) together with, associated open space, highway, engineering works and landscaping at the former Sugar Beet Works.

Phase 6, Oakwood Park. GR/TL 663-207. Enodis Property Developments.

*Case Officer: Mr R Aston 01799 510464*

Expiry Date: 27 May 2005

**NOTATION:** ULP: Outside Development Limits/Part of Oakwood Park Residential site.

**DESCRIPTION OF SITE:** Oakwood Park is approximately 2.2km to the south of the A120. The application site is irregular in shape, with a total area of 7.49ha. To the north of the application site are Phases 1,2 and 4 together with the land intended for the village centre. To the south lies Phase 3 and the land comprises a mix of reclaimed land, unreclaimed land with stockpiles of fill material relating to the earlier reclamation phases.

**DESCRIPTION OF PROPOSAL:** This revised proposal seeks outline planning permission for the reclamation of despoiled land and redevelopment up to 106 dwellings, (being a net addition of up to 28 dwellings of those approved pursuant to UTT/0023/03/OP, together with associated open space, highway, engineering works and landscaping at Phase 6, Oakwood Park, Little Dunmow.

**APPLICANT'S CASE:** See letter dated 29 March 2005 from GL Hearn attached at end of report.

**RELEVANT HISTORY:** Outline application for reclamation of despoiled land and demolition of redundant structures approved 1996. Temporary storage of soil reclaimed from settlement lagoons, allowed on appeal 1999. Amendment to condition to allow 250 dwellings to be constructed prior to completion of A120 approved 2000. Erection of 80 dwellings and associated garaging approved 2000. Erection of 85 dwellings and associated roads approved 2000. Reserved matters for 69 dwellings approved 2000. Variation of Condition 12 of UTT/0302/96/OP to allow occupation of not more than 305 dwellings prior to opening of A120 approved 2002. Redevelopment up to 655 dwellings, being a net addition of 170 dismissed on appeal in October 2002 for reason of inadequate affordable housing. Outline planning permission for the reclamation of despoiled land and redevelopment up to 216 dwellings (being a net addition of up to 160 dwellings) approved 2004. Revised Masterplan approved June 2004.

**CONSULTATIONS:** Local Plans: The increased number on of units would be contrary to Oakwood Park Local Policy 1. The additional dwellings would however bring the overall density more in line with Government Guidance. No policy objections subject to provision of affordable housing as proposed.

Environmental Services: No additional comments.

Police Architectural Liaison Officer: No objections subject to SBD certification.

English Nature: No objections.

ECC Highways: Makes standard comments in relation to drainage, road specifications, longitudinal gradients, provision of footways, carriageways and pedestrian visibility splays as per previous applications. For detailed requirements see letter received 5 May 2005 attached at end of report.

**PARISH COUNCIL COMMENTS:** Object to the application as it would be further development of the area. Any spare land would be better used for additional car parking and play areas.

**REPRESENTATIONS:** This application has been advertised and 1 representation has been received. Period expired.

Summary: Concerned feel Oakwood Park has enough dwellings already and surrounding countryside will decrease further. I feel that this estate should not be increased further.

**PLANNING CONSIDERATIONS:** The main issue is whether the proposal is in accordance with Oakwood Park Local Policy 1 and the June 2004 Masterplan. In addition, whether any material considerations exist.

In considering the report of the Planning Inspector, who recommended allowing the appeal for the reclamation of despoiled land and redevelopment for up to 655 dwellings (being a net addition of 170 dwellings to those previously approved, making a total of 820) in October 2002, the Secretary of State identified three main issues:

- Whether it would be unsuitable to grant permission for an additional 170 dwellings bearing in mind the provisions of the Development Plan, the progress towards adoption of the emerging Local Plan and the supply of housing in the district;
- Whether the proposed development would make an appropriate contribution towards meeting the identified need for affordable housing in the area; and
- Whether there would be reasonable prospect of the Sewage Works *cordon sanitaire* being reduced sufficiently to allow the development to proceed within the lifetime of the permission.

The Secretary of State agreed with the Inspector that no sustainability arguments existed to justify refusal of the proposal, concurred that there was no reason why permission should not be granted in advance of completion of the Local Plan review process and agreed that allowing the additional dwellings at a higher density would avoid the wasteful use of an existing Brownfield site. The Secretary of State also concluded that there was reasonable prospect of the *cordon sanitaire* being removed within the lifetime of the permission.

In summing up, the Secretary of State made it quite clear that the sole reason for dismissing the appeal related to the proportion of affordable housing proposed by the developer. The permitted scheme would have made a contribution of 17.2%, however the Development Plan states that airport-related housing schemes should provide for up to 25% Affordable Housing. The Secretary of State took the view that the proportion of affordable housing being offered across the whole of the site was less than he would have expected for a development of this size, particularly in respect of the apparent failure of Low Cost Market Housing to meet affordable housing need in the District. In summing up, the Secretary of State considered that the proposed contribution would therefore be inadequate, with no clear reason given as to why a higher level could not be provided, and that the Council's insistence on 25% was not unreasonable. When considered together with the significant need for affordable housing in the area and the recommended contribution of 25% in the ADP, the Secretary of State considered this reason alone, enough to warrant a refusal and dismissed the appeal.

It is considered that the Secretary of State came to the view that if sufficient Affordable housing was provided then there was insufficient justification to refuse the additional 170 dwellings, which would have brought the total number of dwellings on the site to 820.

Subsequently, planning application UTT/0023/03/OP was approved in 2003 subject to a Section 106 legal agreement for outline planning permission for the reclamation of despoiled land and redevelopment up to 216 dwellings, (being a net addition of up to 160 dwellings following appeal decision APP/C1570/A/01/1072542 and subsequent dismissal by Secretary of State on 24 October 2002), public house, and associated highway, engineering and landscaping works. This has resulted in total permission for 810 dwellings.

This proposal seeks permission for an extra 28 dwellings, which would bring the total to 830 and amounts to 18 more than was indicated as being appropriate by the Secretary of State, if the required level of affordable housing were to be provided. The application also proposes that of the 28 additional units, 40% would be affordable and delivered through a Registered Social Landlord in line with the ULP. The reason for this application for additional units is to allow for a higher density of development in Phase 6 and to ensure that the density is not so low as to compromise the design objectives for the estate. Notwithstanding the fact that an area of extra low density housing is proposed in Phase 6, the current density of Phase 6 under the 810 dwelling scheme amounts to 22 dwellings per hectare. If the current proposal were approved, this would rise to 30.8 dwellings per hectare, which is a more efficient use of the land. In order to assist members with the application, the densities and numbers of dwellings on each phase are set out as follows:

NB: All densities are calculated using the Net Site Density approach as per PPG3 and are approximate.

**Phase 1**

165 dwellings = 25-27 per hectare

**Phase 2**

133 dwellings = 29-32 per hectare

**Phase 3**

120 dwellings = 23-24 dwellings per hectare

**Phase 4**

120 dwellings = 26-29 dwellings per hectare

**Phase 5**

97 dwellings = 37-39 dwellings per hectare

**Neighbourhood Centre**

48 dwellings = 69-72 dwellings per hectare

A total of 683 dwellings have planning permission and at present there have been approximately 345 – 350 occupancies. This leaves a total of 127 dwellings outstanding from the 810 permission that have yet to be built and this figure would rise to 155 if planning permission for the current scheme is approved.

In order for members to see the difference in density that an additional 28 dwellings would make, the existing and proposed figures are as follows:

## **810 Scheme (approved)**

### **Phase 5B**

56 dwellings on 1.50 hectares = 37.3 dwellings per hectare

### **Phase 6**

71 dwellings on 3.21 hectares = 22 dwellings per hectare

## **838 Scheme (Proposed)**

Phase 5 would remain the same density as per the 810 scheme.

### **Phase 6**

99 dwellings on 3.21 hectares = 30.8 dwellings per hectare

Members should be aware that the densities of each phase are not uniform and reflect the objectives of the Oakwood Park Design Guide, i.e. to achieve different character areas throughout the site with a higher density core around the neighbourhood centre and a medium to low density towards the rural edges of the site. Whilst overall, the number of dwellings is important, the Council uses a design led approach on each of the individual phases, which means that the number of dwellings per phase is not critical so long as the layout is satisfactory, there is adequate space, good relationship of dwellings and spaces, varied character and visual quality of the streetscene, appropriate design and style of dwellings, adequate parking provision and minimal impact on residential amenity amongst others. This approach allows for a greater flexibility within a phase in order to achieve a mix of house sizes, styles and designs that adds variety and character to an area, rather than a uniform density and character as per 1980's/1990's developments, which do not create sufficient sense of place or identity and is inappropriate in this rural area.

The proposal is contrary to Oakwood Park Local Policy 1 and the June 2004 Masterplan which restricts the number of dwellings to 810. However, whilst members may be against any increase in the number of dwellings on the development, it is considered that the proposal would not cause any demonstrable harm as a further 28 dwellings can be satisfactorily integrated into the remaining phases without compromising the objectives of the Oakwood Park Design Guide or the June 2004 Masterplan to such a degree as to warrant refusal. Furthermore, the provision of an extra 12 affordable units (40% of 28) is a material consideration that would provide additional much needed affordable units, controlled through a Registered Social Landlord. Officers consider a further 28 dwellings can be satisfactorily accommodated without any adverse impacts with regard to density, design and layout, and that the affordable housing benefit would outweigh the fact that the proposal is contrary to the existing Masterplan and Oakwood Park Local Policy 1 of the ULP.

**CONCLUSIONS:** Members must carefully consider the proposal, as on the one hand it is strictly contrary to Oakwood Park Local Policy 1, which limits the amount of dwellings to up to 810. On the other, the proposal includes an offer of a further 12 affordable housing units, with a minimal change in the density of the development, that would not have an adverse impact on the layout, design and visual appearance of the estate, subject to reserved matters approval. However, because the number of units indicated for the neighbourhood centre have not been reduced in accordance with officer recommendations, it is not unreasonable to consider that if the amount of dwellings in the village centre were reduced, then these could be used in Phase 6 to increase the density, as opposed to applying for additional dwellings. On balance it is recommended that subject to all previous conditions

relating to UT/0023/03/OP being imposed and a supplemental Section 106 Agreement, it is recommended that planning permission be granted

**RECOMMENDATION: APPROVAL WITH CONDITIONS AND SUPPLEMENTAL SECTION 106 AGREEMENT SECURE AN ADDITION 12 (40%) AFFORDABLE DWELLINGS**

1. C.1.1. Submission of reserved matters: 1.
2. C.1.3. Time limit for submission of reserved matters.
3. C.1.4. Time limit for commencement of development.
4. No development pursuant to this permission shall take place until a revised Masterplan setting out a comprehensive scheme for the redevelopment of the former sugar beet works site has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Masterplan subject only to any amendments that have been approved in writing by the local planning authority.  
REASON: To ensure a satisfactory standard of future development
5. No development shall commence until full details of proposed reclamation works (including associated landscaping requirements) relating to the development and a programme for the implementation of those works (including removal of any contaminated material for disposal off site and measures for the elimination of any landfill or other gas) have been submitted to and approved in writing by the local planning authority. Such works shall be carried out in accordance with the approved details, unless agreed in writing by the local planning authority.  
REASON: To ensure a satisfactory standard of development
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. Within twelve months after the date of this permission a fully detailed programme of works, with timetable, relating to nature conservation and management, shall be submitted for the written approval of the local planning authority. The works and management shall be carried out in accordance with approved programme, subject only to any amendments that have been approved in writing by the local planning authority.  
REASON: To ensure the protection of the natural environment
10. No works, in relation to the development hereby permitted, shall be undertaken on the land to the south of Stebbing Brook until the Felsted Fen site of importance for Nature Conservation has been protected through the erection of fencing in accordance with BS 5837 and the approved plans. The fencing shall be maintained until all equipment, machinery and surplus materials associated with these works have been removed from the area to the south of Stebbing Brook. In relation to these works, nothing shall be stored or placed in the fenced area and the ground levels within that area shall not be altered or any excavation made, or any tree cut down, uprooted, damaged or destroyed without the prior written consent of the local planning authority  
REASON: To ensure the protection of the natural environment
11. Not more than 305 dwellings constructed on the former sugar beet works site shall be occupied until the new A120 road has been completed and opened for public use. In this connection, 'the new A120 road' shall mean the proposed new highway from Junction 8 of the M11 Motorway to the existing Rayne Bypass A120 at Dunmow Road roundabout or such other road as may be constructed for the purpose of relieving traffic on the existing A120 between these points. The Certificate of Essex County Council shall be conclusive as to when the new A120 road has been constructed and opened for public use.  
REASON: To ensure traffic generation on the local road network does not have a detrimental impact on highway safety

12. During the period of construction of the development hereby permitted and except in emergencies, no deliveries of materials shall be made to the site and no work shall be carried out on the site before 0730 or after 1800 on weekdays (Mondays to Fridays inclusive). before 0800 or after 1300 on Saturdays, at no time on any Sunday, Bank or Public Holiday.  
REASON: To protect the residential amenity of existing and future residents
13. No works on any phase shall be commenced until details of a dust suppression scheme relating to construction work on that phase have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved scheme.  
REASON: To ensure a satisfactory standard of development in the interests of rural and residential amenity
14. No phase shall be commenced until a scheme for the provision and phased implementation of surface water and foul drainage systems (including associated landscaping requirements) for that phase has been submitted to and approved in writing by the local planning authority. The drainage works shall be constructed in accordance with the approved scheme.  
REASON: To protect the surrounding countryside and to prevent pollution of the water environment.
15. Not more than 650 dwellings shall be occupied on the former sugar beet works site until a doctor's surgery, a public house and shopping facilities have been constructed (but not fitted out) thereon, in accordance with schemes submitted to and approved in writing by the local planning authority.  
REASON: To enable the provision of services in accordance with the Masterplan.
16. No building pursuant to this permission shall be constructed within the existing cordon sanitaire as shown on TA Millard Partnership drawing SK700/09/01, without the prior written consent of the local planning authority  
REASON: To enable the local planning authority to fully assess the impacts of the future development of this area
17. C.8.13. Restriction on hours of construction.
18. The design and layout of the development hereby permitted shall be in accordance with the provisions of The Association of Chief Police Officers' 'Secured By Design' guidance.  
REASON: To ensure a satisfactory standard of development.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0671/05/FUL – CLAVERING**

*(Member Interest)*

Proposed two-storey side extension.

1 Butts End Cottages, Butts Green. GR/TL 454-337. R W & G S Abrahams.

Case Officer: Mr T Morton 01799 510654

Expiry Date: 20 June 2005

**NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** One of a pair of narrow fronted semi-detached houses, located far outside of any defined Village Development Limit and standing by the road behind a small front garden.

**DESCRIPTION OF PROPOSAL:** The application proposes a two-storey side extension, set 6m back from the front face of the building as a wing at right angles to the existing house, 8m wide on ground floor level, with a hipped end roof, and 4.2m deep, with a single-storey garden room/conservatory set in the rear corner between the new extension and the existing house.

**PARISH COUNCIL COMMENTS:** No objections to this application. Notification period expired 25 May 2005.

**REPRESENTATIONS:** No representations received. Notification period expired 16 May 2005.

**PLANNING CONSIDERATIONS:** The main issues are

- 1) extension of a dwelling outside of Development Limits (ERSP Policy C5, CS2, ULP Policy S7, H8),
- 2) design ( ULP Policy GEN2) and
- 3) amenity of adjoining property (ULP Policy GEN2).

1) Outside of defined development limits policy places strict control upon development, except for that required to support agriculture or forestry, the aim being to protect the countryside for its own sake, for its landscapes, natural resources and areas of ecological historic, archaeological, agricultural and recreational value. Development should be of a scale, siting and design sympathetic to the rural landscape character. The existence of buildings in the countryside is recognised and some alteration and extension to them is possible, but this has to be judged in terms of the impact upon the appearance of the countryside. The existing house, together with its other half, form a narrow fronted building in otherwise open countryside, but the proposal would increase the width of the house from 4m to 12m, significantly increasing the bulk of the house. In terms of floor area, the increase is from about 105sq.m to 180sq.m, representing a significant expansion. This is considered to be too large a change in the bulk and presence of the house, which would have a negative impact upon the appearance of the countryside. It should be noted that an application for the enlargement of the attached house has also been submitted, again representing a significant expansion in the size and impact of that house, and the two taken together would produce a very much larger structure with a combined front elevation length of 11.5m, with the set back wing adding another 8m, giving a total change of frontage length from the existing 8m to 19.5m. The visual impact of the structure in the countryside would be damaging to the aim of policy to protect the openness of the countryside.

2) The design of the extension treats the front elevation as a rendered wall, with the setback from the existing front building line, to distinguish the extension from the original house, and perhaps thereby to break up the total visual mass of the building. The first-floor is slightly shorter than the ground floor, which has a lean-to roof structure. This does not really succeed in making the building look smaller than it really is, and the extension would add significant visual bulk to the building. The combination of the lean to ground floor extension and the hipped end make the end of the extension into an almost continuous slope, which looks rather odd. The rear conservatory section would be hidden behind the two-storey front section and would have less visual impact. The extension would significantly alter the character of this small cottage.

3) The extensions do not adjoin the attached house, and there would be no direct impact upon the amenity of the occupiers.

**CONCLUSIONS:** The proposed extensions are considered to be detrimental to the character and appearance of the countryside.

**RECOMMENDATION: REFUSAL REASON**

The proposal, by reason of the resultant size of the dwellings and the height, bulk and design of the proposed extension, would be harmful to the character and appearance of the dwelling and the low-key rural character of the house. As such, the development would be contrary to policy CS2 and C5 of the Essex and Southend-on-Sea Structure Plan and policies H8 and S7 of the Uttlesford Local Plan, having an intrusive impact upon the appearance of open countryside.

*Background papers: see application file.*

\*\*\*\*\*



## **UTT/0665/05/FUL – CLAVERING**

*(Member Interest)*

Two-storey side extension and garden room.  
2 Butts End Cottages Butts Green. GR/TL 454-338. Mr P A Abrahams.  
Case Officer: Mr T Morton 01799 510654  
Expiry Date: 20 June 2005

**NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** One of a pair of narrow fronted semi-detached houses, located far outside of any defined Village Development Limit, and standing by the road behind a small front garden.

**DESCRIPTION OF PROPOSAL:** The application proposes a two-storey side extension, just under half the total depth of the house, and a single-storey garden room/conservatory at the rear of the ground floor extension linked by a new entrance hall. The side extension would be 3.5m wide (the existing house is 4m) by 6m deep at first-floor. The ground floor extension would add a further depth of 6.4m.

**PARISH COUNCIL COMMENTS:** No objections to this application. Notification period expired 25 May 2005.

**REPRESENTATIONS:** None received. Notification period expired 16 May 2005.

**PLANNING CONSIDERATIONS:** The main issues are

- 1) extension of a dwelling outside of Development Limits (ERSP Policy C5, CS2 ULP Policy S7, H8),
- 2) design (ULP Policy GEN2) and
- 3) amenity of adjoining property (ULP Policy GEN2).

1) Outside of defined Development Limits policy places strict control upon development, except for that required to support agriculture or forestry, the aim being to protect the countryside for its own sake, for its landscapes, natural resources and areas of ecological, historic, archaeological, agricultural and recreational value. Development should be of a scale, siting and design sympathetic to the rural landscape character. The existence of non-agricultural buildings in the countryside is recognised by policy, and some alteration and extension to them is possible, but this has to be judged in terms of the impact upon the appearance of the countryside. The existing house, together with its other half, form a narrow fronted building in otherwise open countryside, but the proposal would increase the frontage width of the house from 4.0m to 7.5m, significantly increasing the visual bulk of the house. In terms of floor area, the increase is from about 105sq.m to 170sq.m, representing a significant expansion. This is considered to be too large a change in the bulk and presence of the house, which would have a negative impact upon the appearance of the countryside. It should be noted that an application for the enlargement of the attached house has also been submitted, again representing a significant expansion in the size and impact of that house, and the two taken together would produce a very much larger structure with a combined front elevation length of 11.5m, and a further set back wing to the adjoining house adding another 8m, giving a total change of frontage length from the existing 8m to 19.5m. The visual impact of the structure in the countryside would be damaging to the aim of policy to protect the openness of the countryside.

2) The design of the extension treats the front elevation as a timber board clad building, with a slight setback from the existing front building line, to distinguish the extension from the original house, and perhaps thereby to break up the total visual mass of the building. The side elevation would only be board-clad on the upper floor over a rendered ground floor wall. This does not really succeed in making the building look smaller than it really is, and the roofplane of the extension is contiguous with that of the existing house, adding significant visual bulk to the building. The rear conservatory section would be hidden behind the two storey front section and would have less visual impact. The extension would significantly alter the character of this small cottage.

3) The extensions do not adjoin the attached house, and there would be no direct impact upon the amenity of the occupiers.

**CONCLUSIONS:** The size and scale of the proposed extensions are considered to be detrimental to the character and appearance of the countryside.

**RECOMMENDATION: REFUSAL REASON**

The proposal, by reason of the resultant size of the dwelling, and the height, bulk and design of the proposed extension, would be harmful to the character and appearance of the dwelling and the low-key rural character of the house. As such, the development would be contrary to policy CS2 and C5 of the Essex and Southend-on-Sea Plan and Policies H8 and S7 of the Uttlesford Local Plan, having an intrusive impact upon the appearance of open countryside.

*Background papers: see application file.*

\*\*\*\*\*

## UTT/0667/05/FUL - LITTLE HALLINGBURY

Replacement 25 metre lattice tower, relocation of existing Orange and Vodafone antennae dishes from existing column mast, addition of 3 No O2 antennae at 20.9m to midpoint, 1 No O2 600mm dish at 21.3m to midpoint and 1 No. O2 600 mm dish at 20.5m to midpoint. Addition of 2 No. Nokia outdoor cabinets each measuring 790mm x 770mm x 1940mm high. All within the existing compound area.  
Lock Farm, Dell Lane. GR/TL 490-173. Orange PCS Ltd.  
*Case Officer: Mr M Ranner 01799 510556*  
Expiry Date: 20 June 2005

**NOTATION:** Outside of development limits/Metropolitan Green Belt.

**DESCRIPTION OF SITE:** The site is located in open countryside just within the districts western boundary to the east of the village of Spellbrook. The Stort Navigation and the London Liverpool Street railway line are located close by and a number of dwellings and small commercial businesses are located along Dell Lane to the north. The site comprises an existing telecommunications compound, which houses a 20m high column with associated antennae. The field boundaries around the site comprise mature hedging and a number of trees, some reaching approximately 16m in height.

**DESCRIPTION OF PROPOSAL:** This application seeks full planning permission to replace the existing 20m high column with a new 25m steel lattice tower on a new tower base adjacent to the existing column. The tower will accommodate the existing Orange and Vodafone antennae and dishes, which will be re-located from the existing column mast. The existing 6no. Orange antenna will be sited at the top of the tower with 24m centres and 4no. existing 600mm dishes will be relocated, 1 no. at 24.4m and 3no. at 23.6m. The existing 6 no. Vodafone antennae are to be re-located at 17.1m centres on the new tower with the existing 2 no. 600mm dishes also at 17.1m. The proposed new equipment for O2 will consist of an additional 3 no. antennae at 20.9m to midpoint and 2 no. additional 600mm transmission dishes, 1 no. at 21.3m to midpoint and 1 no. at 20.5m to midpoint.

The ground based equipment for Orange and Vodafone will remain unchanged but, there will be a requirement for two additional Nokia Outdoor cabinets for O2 each measuring 790mm x 770mm x 1940mm high together with associated feeder cabling and ancillary equipment including power cabinet. All of the equipment will be situated within the existing compound area

**APPLICANT'S CASE:** The applicant has submitted a detailed supporting statement, site-specific supplementary information, a UMTS coverage plot information and a health and safety statement all of which can be inspected on the planning file contained at the Council Offices, Saffron Walden. In brief summary the following extracts are replicated below: -

“The radio coverage requirements of the proposed site sharer O2 are to provide new 3G coverage to Spellbrook the surrounding area and in particular the nearby railway line to the west of the site.”

“The telecommunications installation proposed as set out in this application has been designed and sited, having regard to technical, engineering and land use planning considerations, in order to minimise its impact on the local environment. Accordingly, the proposed development is considered to conform to national and local planning policies.”

**RELEVANT HISTORY:** UTT/1661/01/FUL. Erection of 20m mast with 6 antennas, 4 transmission dishes, 10 equipment cabinets, fenced compound and access road. Permission Granted subject to conditions 02<sup>nd</sup> April 2002.

**CONSULTATIONS:** Essex County Council: advise that the proposed development will have no impact on any known archaeological deposits and so make no archaeological recommendations.

The Environment Agency: No objections.

English Nature: Responded to consultation although do not wish to make any comments.

**PARISH COUNCIL COMMENTS:** Great Hallingbury Parish Council raises no objections to the application.

**REPRESENTATIONS:** Nearby properties have been notified by individual letters. No responses have been received (due 18 May 2005).

**PLANNING CONSIDERATIONS:** The main issues for consideration in this case are: -

- 1) whether the proposed development is appropriate within the Metropolitan Green Belt wherein the site is located,
- 2) whether it is consistent with the requirements of Development Plan policies concerning telecommunications and Government guidance contained in Planning Policy Guidance Note 8 entitled 'Telecommunications' (PPG8) and
- 3) other matters of material importance.

Policies C2 (Green Belts) and BE8 (Telecommunications) of the Structure Plan and policy T4 (Telecommunications Equipment) of the Adopted Local Plan are of particular relevance to this application.

1) The site is located within the Metropolitan Green Belt where particular care should be taken to ensure that development does not prejudice the open appearance of an area. The proposed development is satisfactory in this respect as it will be located wholly within the existing compound and will involve no intake of extra land. Consequently it will preserve the openness of the Green Belt and will not conflict with the purposes of including land within it. The proposal therefore constitutes appropriate development within the Green Belt.

2) Policy T4 of the Local Plan states that permission will be permitted for telecommunications equipment when there are no alternatives such as mast sharing; there is a technical requirement for the equipment that outweighs its visual impact; the equipment is designed and located so as to reduce its impact as far as possible and the proposal complies with the safety requirements of the international Commission on Non-ionising Radiation Protection (ICNIRP). Officers are satisfied that the proposal for consideration complies with policy in all these respects.

Firstly, the proposal makes use of an existing telecommunications facility and will thus negate any need for O2 to erect an additional mast within the area. This should therefore keep the number of such installations down to a minimum and prevent the proliferation of masts within the countryside, which is encouraged by central government guidance (PPG8).

Secondly, officers are satisfied that there is a technical requirement for a taller installation, which outweighs its visual impact. O2 intend to provide better 3G coverage of the surrounding area and GIS modelling plots accompanying the application indicate that the proposal will improve coverage and 'infilling'. In order to achieve this, the applicants state that a minimum height of 20.9m is required for the installation of the O2 equipment, which in

turn will require an increase in tower height to provide sufficient separation between different operators antennae.

Thirdly, with regard to the visual impact of the development, the tower is of a lattice design, which achieves a degree of transparency and limits the visual impact of the structure. A solid pole structure, which would have to be of considerable width to accommodate the equipment, would by virtue of its design likely have a greater impact on the visual amenities of the area. Similarly, due to the proposed height of the installation and species of tree in the locality, a mock tree design is unlikely to have the desired effect of 'blending' into the landscape and thus reducing its visual impact. The site location was previously considered acceptable by this authority to accommodate a 20m installation without appearing intrusive within the landscape. The increase in height of 5 metres and the extra equipment will inevitably increase the visibility of the installation however this will not be to a degree that would be considered harmful to the landscape to the point where the harm would outweigh the technical justification for the installation. When viewed from the east the site is set up against a backdrop of land, which rises steadily to the west. Also a number of trees up to 16m in height located in the vicinity of the site provide effective screening, particularly when viewed from the south. Views will be obtainable of the installation from the western part of the village of Spellbrook to the west, however it will not be visible to a point where it will appear intrusive within the landscape.

Finally, a Declaration of Conformity with ICNIRP Public Exposure Guidelines accompanies the application, which confirms that the installation is designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP).

3) With regard to the ecology of the site English Nature do not make any comments and there are no reasons to suggest that the proposal will be harmful in any way. Essex County Council has also confirmed that the proposal has no impact on known Archaeological deposits.

Turning to public health, PPG8 states: "it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."

**CONCLUSIONS:** The proposed development constitutes appropriate development within the Metropolitan Green Belt. It will provide a further opportunity for mast sharing and its visual impact will be outweighed by the technical need for the installation. In all respects the proposal complies with both Development Plan policies and central Government guidance.

**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. All of the telecommunications apparatus and associated development hereby approved, shall be removed and the site reinstated in accordance with details to be first agreed in writing with the Local Planning Authority, in the event that the apparatus becomes obsolete.

REASON: In the interests of the visual amenities of the area.

5. The existing 20-metre column structure shall be dismantled and removed from the site within 14 days following the erection of the lattice tower hereby approved.  
REASON: In the interests of the visual amenities of the area.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0605/05/FUL – NEWPORT**

*(Referred by Cllr. Wilcock)*

Enlargement of existing bungalow by the formation of the first floor and attic and a single-storey rear extension.

Hayling, Cambridge Road. GR/TL 521-346. Mr G J Morris.

Case Officer: Mr T Morton 01799 510654

Expiry Date: 08 June 2005

**NOTATION:** Within Settlement Boundary.

**DESCRIPTION OF SITE:** The house is a single-storey bungalow with long low ridge set parallel to the road and hidden behind a tall flint front boundary wall. To the north is a two-storey house of traditional design, and to the south another bungalow.

**DESCRIPTION OF PROPOSAL:** The application proposes extensions to a bungalow to create two-storey plus attic five-bedroom dwelling, with retained garage and access onto Cambridge Road. The eaves height of the resultant house would be 5.3m and ridge height 8.4m. A minimum 4.6m would be retained to the southern boundary, and 7.6m between the resultant house and adjacent bungalow beyond.

**APPLICANT'S CASE:** A supporting statement has been submitted. The recent application for a gable fronted bungalow was refused on design grounds, and the planning authority have suggested that a full two-storey design would be more in keeping with the surrounding area. This includes a diverse mix of house and bungalow styles, but the proposed house reflects others on Cambridge Road and complements others by creating a double fronted house reflecting the bay frontage of Redriff to the left. There are no windows in the north or south elevations to create overlooking.

**RELEVANT HISTORY:** UTT/0005/05/FUL – Two-storey side/rear extension refused 18 February 2005.

**CONSULTATIONS:** ECC Specialist Archaeological Advice: The site lies on the very edge of the historic town of Newport, and it is unlikely that the small extension will have any significant impact upon the archaeological deposits. No archaeological recommendations are being made on this application.

No representations received from County Surveyor, Water Authority or Environment Agency.

**PARISH COUNCIL COMMENTS:** Object. The proposed extension, which is extensive, would be out of keeping with the adjoining properties in the Newport Conservation area. This is contrary to policy ENV1 of the ULP.

The proposed extension, because of its size and design would form an unacceptable interference with the two neighbouring properties to the north of the site. This is contrary to Policy GEN2 of the ULP.

The proposed extension is an even larger scheme that that originally proposed on this site, and which application was refused.

The Parish Council ask for a Site Visit by members so that they can see for themselves the wholly negative impact this proposed development would have on the area.

**REPRESENTATIONS:** Two. Notification period expired 3 May 2005.

Representations have been received from the adjoining properties on both sides, who raise the following points:

This proposal, together with others recently passed, are turning this row of five bungalows and one house into a row of executive type houses. The bungalows were built because a lower profile was preferred. A mixture of housing is needed to suit all sections of society, not everyone will be able to afford executive homes. I object on the grounds that the total character of this part of Newport will be done away with forever.

The proposed house will reduce light to Redriff and should be aligned in line with Redriff. The proposal is not in keeping with the street scene, where all the homes are bungalows or two-storey dormer properties. The previous proposal was acceptable to neighbours, this proposal is not. The proposed dormer window will overlook the rear gardens of adjoining house, Velux window would be preferable.

**COMMENTS ON REPRESENTATIONS:** The comments are noted and addressed in the consideration section below.

**PLANNING CONSIDERATIONS:** The main issues are

- 1) principle of development. (ULP Policy H3);
- 2) design (ULP Policy GEN2);
- 3) residential amenity (ULP Policy GEN2) and
- 4) vehicle access (ULP Policy GEN1).

1) The site is within the settlement boundary for Newport and residential development is acceptable in principle, if compatible with the character of the settlement.

2) The northern part of Newport along Cambridge Road and Water Lane comprises a mix of older houses, which tend to be two-storey, and more recent bungalows and chalet bungalows of the last 20 to 40 years period. This site lies outside of the Conservation Area. Whilst the older buildings give the area its character, the more recent dwellings do not make any strong design statement, and do not give the street a distinctive character. Many of the bungalows are set behind a tall front wall, and the only element that is visible is the roof, which tends to "read" as a gap in the street frontage. The recent application for a chalet bungalow was refused mainly for design reasons, since that type of house design attempts to disguise a two-storey house as a bungalow, and this compromise results in an over-heavy front gable and an over-dominant area of roofslope.

The proposed design of this new house echoes the form of the adjacent two-storey Redriff, and also the form of the two-storey house already approved the other side of Redriff, at Pineacre, but not yet built. This section of Newport forms an important gateway to the town, and whilst the older buildings give it an individual recognisable character, the modern houses do not. When opportunities for redevelopment come up, the local planning authority should promote good quality design to improve the townscape of the area.

Some of the representations received from the adjoining occupiers relate to design and character, and they perceive the proposal as damaging to the existing character of the area. This is an opposing point of view to that of your officers.

3) The representations that have been made by the adjoining occupiers about amenity issues are summarised above. The adjacent bungalow 'Butlers' has no windows in its flank wall to be adversely affected by overlooking. The same is true on the other side with the two-storey house 'Redriff'. Both occupiers have raised concern about their rear gardens being overlooked but in most urban situations gardens will be overlooked to some extent, and this



could not form the basis for a refusal. The occupiers of 'Redriff' have raised the issue of reduced daylight to their property, however the extended house stands to the side of 'Redriff' and will not obstruct daylight to its rear or front windows, which will continue to receive their daylight from the front and rear uninterrupted as at present.

4) The access to the highway remains as existing, has good sightlines, and is 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.5.2. Details of materials to be submitted agreed and implemented.
- 4. C.19.1. No further windows in side elevations.

*Background papers: see application file.*

\*\*\*\*\*

## **1) UTT/0026/05/FUL & 2) UTT/0028/05/LB – RADWINTER**

- 1) Conversion of cottage to two dwellings. Creation of new access.
- 2) Conversion of cottage to two dwellings; internal alterations including the blocking of 3 doors & additional staircase.

Saffron Cottage, Water Lane. GR/TL 605-378. Mr & Mrs R Anderson.

*Case Officer: Mr G Lyon 01799 510458*

Expiry Date: 01 April 2005

**NOTATION:** Outside development limits. Grade II listed building within flood plain.

**DESCRIPTION OF SITE:** The application site is located on the southern side of Water Lane, approximately 600 metres north of the crossroads at the centre of Radwinter. The existing property is a one-and-a-half-storey thatched dwelling, which has had various small additions. The property currently has vehicular access across the stream into the rear garden. Pedestrian access is also possible across a narrower bridge. The site is surrounded by various trees and hedges.

**DESCRIPTION OF PROPOSAL:** The applicant is seeking consent to convert the dwelling into two properties with the creation of a new vehicular access across the stream. The application has been amended and previously included a proposed garage with living accommodation above. This part of the application has now been omitted.

**APPLICANT'S CASE:** See letter dated 7 January 2005 attached at end of report.

**RELEVANT HISTORY:** Construction of vehicular access bridge and erection of carport and store approved 1997. The access has been constructed.

**CONSULTATIONS:** Environment Agency: Flood Risk Standing Advice – Zone 3 Operational development less than 1ha.

UDC Drainage Engineer: EA have requested a FRA for this proposal (I do not necessarily agree). Bridge over stream requires EA consent – in hand. No other comments.

Water Authority: No comments received.

UDC Building Surveying: B5 Access for fire brigade satisfactory.

UDC Design Advice: No objection to proposed subdivision back to two dwellings.

UDC Landscaping: No comments.

**PARISH COUNCIL COMMENTS:** No objections – site was originally two dwellings.

**REPRESENTATIONS:** Two neighbours were consulted and the application was advertised with both press and site notices. Advertisement expired 10 March 2005. No comments have been received.

**PLANNING CONSIDERATIONS:** This application has been referred to Development Control Committee because the proposal would create a new dwelling outside of development limits.

The principle policies are Uttlesford Local Plan Policy H5 – Subdivision of Dwellings and Policy ENV2 – Development affecting Listed Buildings. Since submission of the application, the nature of the proposal has been changed following concern from officers. The proposed garage has been omitted and the application now only proposes the subdivision of the property into two dwellings and the creation of a new vehicular access across the stream to provide additional vehicular access for the second dwelling.

It has been suggested that the property was originally two dwellings. Whilst the planning history of the site does not clarify this point, the ground floor plan suggests that this may have been the case. In any event, the Conservation Officer is happy with the proposed subdivision in terms of its impact on the listed building. Officers would accept this view and are of the opinion that the proposal would comply with Policy ENV2.

Given the fact that the subdivision of the dwelling would not cause demonstrable harm to the listed building, this would lend weight towards compliance with Policy H5. Clearly it is the boundary treatment dividing the curtilages that may affect the character of the area. Further details would be required with regard to the boundary treatment around the site. There would appear to be an existing fence on the western side of the building that does not have the benefit of planning consent. This fence is damaging to the character and appearance of the listed building and should be removed to be replaced by more appropriate boundary delineation. Officers would therefore suggest that, subject to the agreement of appropriate boundary treatment and removal of existing unlawful enclosures, the subdivision of the dwelling would not have an adverse effect on the character of the area.

The construction of new dwellings outside development limits would normally be contrary to Policy S7. However, given that it would appear that this application would reinstate the building to two dwellings, this would be a reasonable exception to policy. No identifiable harm would result from this proposal.

The new access across the stream would not raise undue concerns and would assist with providing off-road parking thus improving highway safety on Water Lane.

#### **RECOMMENDATIONS:**

##### **1) UTT/0026/05/FUL – APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. The garage with room above as indicated on drawing numbers 0415/PD/03 Rev A and 0415/PD/04 Rev A, dated Nov 2004 does not form part of this permission.  
REASON: The garage has been omitted from the application due to its detrimental impact on the setting of the principle listed building. For the avoidance of doubt.

##### **2) UTT/0028/05/LB – APPROVAL WITH CONDITIONS**

1. C.2.2. Time limit for commencement of development – listed buildings [conservation areas]
2. C.3.1. To be implemented in accordance with approved plans.
3. All new timber inserted into the building as part of this permission shall be of similar wood type with matching cross sections to those of the original building.  
REASON: To ensure that the intrinsic quality of the original listed building is not damaged by the use of inappropriate timber.
4. C.5.16. No historic timbers to be cut.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0306/05/FUL - GREAT DUNMOW**

Installation of telecommunications base station comprising 20 metre slimline lattice mast with 3 No. dish antennas, 3 No. antennas, equipment cabinet and development ancillary thereto. Broadbean Field off A120 Adjacent to Ash Grove. GR/TL 624-212. Hutchison 3G (UK) Limited.

*Case Officer: Miss K Benjafield 01799 510494*

Expiry Date: 20/04/2005

**NOTATION:** Outside Development Limits / ENV7 / ENV8.

**DESCRIPTION OF SITE:** The site is located approximately 166m north of the A120 and 244m south of the B1256, immediately adjacent to the southwest corner of Olives Wood. Access to the site would be gained via an existing track from Folly Farm. This runs south from Folly Farm to a point to the north of the A120 and then runs east to the site, following the boundary of Ash Grove.

**DESCRIPTION OF PROPOSAL:** This application relates to the erection of a 20m high slimline lattice mast with three antennas, three 300mm diameter dish antennas, equipment cabinet and ancillary development. The site would consist of a compound covering an area of 45m<sup>2</sup> with two cabinets at the base of the mast. The mast would be sited on a concrete base.

**APPLICANT'S CASE:** See copies of pages 7 – 13 (inclusive) of the supporting statement attached at end of report.

**CONSULTATIONS:** Essex Wildlife Trust: The siting of the telemast is directly adjacent to a designated non-statutory Wildlife Site W145 (Olives Wood) and the Contractors' access & maintenance route passes along the southern boundary of Ash Grove (W143). Wildlife Sites are protected in the recently adopted Local Plan under Policy ENV7. The policy requires that any proposals are not likely to adversely affect the integrity of the Wildlife Sites. While there is no supporting evidence from the applicants to that effect, we are of the opinion that the proposals are unlikely to harm the nature conservation features of these two Wildlife Sites. This statement does have a caveat however, as detailed below. We also wish to make it clear that we do not normally object to telemasts purely on visual impact.

In this specific case the mast is entirely outside the boundary of Olives Wood. However, it is likely that the tree roots extend beyond the woodland edge. Should this mast be consented we would wish to see a condition imposed that places a buffer of at least 5m (ideally 10m) between the mast compound and the woodland edge in order to protect the tree roots and any overhanging canopy. Similar comments apply to the access route where it passes along the edge of Ash Grove to the west, i.e. a condition to locate the access route at least 5m from the southern boundary of the woodland.

County Planner: To be reported (due 11 March).

Landscaping: Recommends that details of the proposed surfacing of the compound should be submitted and approved prior to the commencement of development.

**TOWN COUNCIL COMMENTS:** Support with the condition that the mast not be used for further installations of telecommunications equipment by Hutchison 3G or any other telecommunications company.

**REPRESENTATIONS:** 138 letters of objection. Notification period expired 5 April. Main points as follows:

- The mast would have a detrimental visual impact in an area of natural beauty adjacent to Ash Grove Woods and would be visible from the Lukins Mead Estate.

- Concerns relating to the health implications and unknown risks of telecommunications masts on children, the elderly, dog walkers and residents of the Lukins Mead Estate.
- There are other more suitable sites which should be investigated including mast sharing at Folly Farm, Station Road or other sites.
- The site is within the proximity of public rights of way and although Great Dunmow Town Council say the land is private, there are no “keep out” or “no trespassing” signs displayed on the land.
- The proposal would be detrimental to the value of dwellings in the vicinity.
- Yellow crested newts have been spotted (*letter does not specify where these were spotted or if it was near the site*)
- Future tree growth will obstruct transmissions and the adjacent trees will either need pruning or complete removal as a result.
- The quality of life of residents near the site has already been reduced by the new A120 and this will reduce the quality of life even more.
- Doubts relating to the proven technical and business case for the development.
- The pre-application consultation from LCC was misleading.
- Outdated maps have been used which do not show the A120 or Lukins Mead Estate in its entirety therefore some residents have been unable to relate the proposal to where they live.
- Should the application be approved suggest the use of timber rather than metal mast to blend in better with the surroundings.
- Other sites which are more visible from the A120 would be better.

#### **COMMENTS ON REPRESENTATIONS:**

- The site is adjacent to a county wildlife site however it is not within a designated area of natural beauty.
- The impact of development on house prices is not a material consideration when determining planning applications, nor are land ownership matters or issues relating to trespass.
- Pre-application consultation by telecom operators is advised for such applications however the local planning authority undertakes its own consultation process for planning applications and considers all comments made during the determination of the planning application.
- Ordnance Survey maps often do not include recently completed development.

See also planning considerations for other issues.

**PLANNING CONSIDERATIONS: The main issues are whether the proposal complies with the criteria specified in ULP Policy T4 (ERSP Policy BE8) or would have a detrimental impact on the adjacent County Wildlife Site contrary to ULP Policy ENV7.**

ULP Policy T4 specifies three criteria that proposals are required to comply with for planning permission to be granted. These are that:

- a) there are no practicable 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 reduces its impact as far as possible and the proposal complies with the safety requirements of the International Commission on Non-ionising Radiation Protection (ICNIRP)

Information provided by the applicant has stated that there is a technical need for a mast to provide coverage to the southern part of Great Dunmow, the A120 and the A130. This proposal follows a previous application on a site at Clapton Hall Farm which was considered

by Members to be acceptable however that site is no longer available to Hutchison 3G and an alternative site is required to meet the coverage objectives. This site meets the coverage objectives that Hutchison 3G require to meet their obligations and due to the location being adjacent to established woods, the majority of the mast and the equipment would be well screened.

A number of alternative sites have been investigated and information has been provided stating why these are not considered to be acceptable. Applications for telecommunications equipment should attempt to mitigate the impact of the development on the surrounding area and it is considered that the location of this site would achieve this. A number of the alternative sites that have been considered would result in the proposed equipment being more visible within the rural context of the area or would provide a lower quality of service than the application site. In addition, due to the location of the coverage requirements, it is not possible to utilise existing masts by mast sharing.

The applicant has specified that they would be prepared to paint the equipment in a colour which would further mitigate its impact and have suggested dark green. The use of a tree mast in this location has been explored and it is considered that this would result in the mast appearing more visually prominent, particularly in winter months, as the adjacent screening is a deciduous wood. Furthermore, the structure would be likely to be an additional 3–6m higher than currently proposed to accommodate the required equipment and “foliage” above the antennas.

The applicant has submitted a Declaration of Conformity with ICNIRP Public Exposure Guidelines. Guidance issued within PPG8 states that if an applicant is able to provide this declaration, then “it should not be necessary for a local planning authority to consider further the health aspects and concerns about them”.

The Essex Wildlife Trust has considered the details of the application and do not consider that the proposal would be harmful adjacent County Wildlife Sites (CWS). They recommend that the equipment and the access are resited a minimum of 5m from the edge of the CWS to ensure that the canopy and roots of the trees are not damaged. However the access is an existing farm track. In addition the Council’s Landscape Officer has considered the application and has advised that subject to details of the surface of the compound being submitted for approval prior to the commencement of development, the proposal would not be harmful to the roots or canopy of the trees. Furthermore, the inclusion of a buffer would increase the visual prominence of the mast and equipment.

**CONCLUSIONS:** The applicant has provided a technical justification for the proposal and has investigated a number of options to achieve their required coverage via a number of other sites which have all been considered to be unsuitable. The location of the site adjacent to Olives Wood would screen much of the mast and equipment and would not result in any detriment to the County Wildlife Sites. The proposal is considered to comply with the relevant policies.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Standard time limit and reason.
2. C.3.1. To be implemented in accordance with approved plans. Reason: a)
3. The telecommunications apparatus shall be removed from the land, building or other structure, as soon as reasonably practicable after it is no longer required for telecommunications purposes. Such land, building or structure shall then be restored to its condition before the development took place.

REASON: In order to prevent the proliferation of redundant equipment in the countryside.

4. The development hereby permitted shall not commence until details of the colour and finish of the mast have been submitted to and approved in writing by the local planning authority. The mast shall be painted/finished in accordance with the approved details within three months of the date of the installation of the equipment hereby permitted.  
REASON: To improve the appearance of the development in the interests of visual amenity.
5. Prior to the commencement of development details of the proposed surface materials to be used within the compound shall be submitted to and approved in writing by the local planning authority. Subsequently the development shall be implemented in accordance with these details and the compound surface materials shall not be altered without the prior written consent of the local planning authority.  
REASON: To ensure the development does not harm the roots of the adjacent trees.
6. 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 avoid adding to the prominence of this mast in this open and rural area.

*Background papers: see application file.*

\*\*\*\*\*

## **1) UTT/0723/05/FUL & 2) UTT/0724/05/LB - CLAVERING**

*(Referred by Cllr. Abrahams)*

1) & 2) Change of use from a flourmill to residential. Replacement two-storey extension. Tower Windmill, Clavering Mills. GR/TL 466-327. Mr & Mrs Davis.

Case Officer: Mr T Morton 01799 510654

Expiry Date: 29/06/2005

**NOTATION:** Outside Development Limit/Listed Building.

**DESCRIPTION OF SITE:** The application property is a brick built tower windmill, located in a visually prominent position in open countryside. The mill has a range of single-storey buildings attached around the northern side, and retains much original internal machinery, but has no sails. There is a single-storey building between the windmill and the road, and between these two buildings is a mobile home.

**DESCRIPTION OF PROPOSAL:** It is proposed to convert the windmill to residential use, with a two-storey extension wrapped around the northern side of the building on the footprint of the existing outbuilding.

**APPLICANT'S CASE:** The applicant makes reference to approvals in 1990 for mixed office and residential use with extensions of comparable overall form to those now proposed.

**RELEVANT HISTORY:** UTT/0047/81/LB - Change of use from disused windmill to residential - Approved 16 March 1981.

UTT/0521/90 and UTT/0522/90/LB - Demolition of two-storey building. Conversion from flourmill to residential with ground floor office - Approved 05 September 1990.

UTT/0935/02/LB - Internal alterations and installation of fan vent to granary - Approved 13 August 2002.

It should be noted that the local planning authority has had cause to review the validity of the 1990 consents, and has advised the current applicants that the 1990 consents were not lawfully implemented, because conditions which required the submission and approval of various matters before commencement of development were neither complied with nor discharged. Any works that were done were therefore not lawful, and cannot be claimed to have implemented those consents. Therefore those consents have lapsed.

**CONSULTATIONS:** ECC Archaeological Section: The Essex Historic Monument Record shows that the application is on a mill site (HER 3923). An archaeological programme of building recording has already been undertaken on the structure. Therefore, on our present knowledge, no archaeological recommendations are being made on this application.

The Garden History Society: No comment.

Conservation Officer: To be reported.

**PARISH COUNCIL COMMENTS:** No representation received. Notification period expired 4 June 2005.

**REPRESENTATIONS:** These applications have been advertised and two representations have been received. Both advise they have no objections. Period expired 2 June 2005.

**COMMENTS ON REPRESENTATIONS:** None.

**PLANNING CONSIDERATIONS:** The main issues are



- 1) **impact upon the Listed Building/design (ULP Policy ENV2, GEN2);**
- 2) **impact upon the amenity of neighbours (ULP Policy GEN2);**
- 3) **extension of building in the countryside (ERSP C5, ULP, S7).**

1) The windmill is a prominent local landmark and forms the focal point of many long views in the vicinity. The impression of the building in the landscape is the strong and simple silhouette of the tower, and this is its special architectural and historic interest. The proposed extensions would compromise this by adding bulky extensions rising to about half the height of the brick tower, and this would be very much at odds with the form of the windmill. The extension is based upon the footprint of the single-storey ground floor outbuildings, but these do not detract from the appearance of the tower. Internally, the need to connect the levels by accessible staircases requires cutting through the original floors and beams, and although the machinery in the centre of the tower, original wooden wheels shafts and the millstones, would be retained, the space around them would provide very awkward living areas. Although some kind of enabling development to secure the future of the mill may well be required, it is considered that these proposals are not correct for the building. The Council would be willing to continue discussions with the owners to devise a more sympathetic design, perhaps based upon single-storey buildings around the mill base.

2) The adjacent house, Mill Cottage, is sited close to the mill, and the extensions would be highly visible from there although they would be predominantly on the far side of the mill from the house itself. There are existing windows in the tower that look towards the house, and it is proposed to build an external platform outside the first floor opening. Presumably more active use of the mill would increase the level of incidental views from within the mill. An end elevation window of bedroom 2 would also look towards the house. The level of overlooking that would result is probably more of the garden of Mill Cottage, rather than direct window-to-window overlooking. There are other houses on the opposite side of the road, from which the extension would be prominently visible. These are situated at such a distance however, that loss of amenity would not be material.

3) The property is located outside of Development Limits where control upon development is strictly limited. Extensions to existing buildings can be accepted if their impact upon the openness of the countryside is minimal, and the extension is proportionate to the original building. The mill is a substantial building with a distinct form, and makes an important landmark feature in the landscape. Any alteration to the scale of the building overall would have a high impact in the landscape. The design of the extension is not subordinate to the form of the building to which it is attached, and this will read as intrusive in the countryside.

**CONCLUSIONS:** The proposal is not considered to be acceptable.

### **RECOMMENDATIONS:**

#### **1) UTT/0723/05/FUL – REFUSAL REASONS**

1. The development would be contrary to Policies CS2 and C5 of the Essex and Southend-on-Sea Structure Plan and policy S7 of the Uttlesford Local Plan, having an intrusive impact upon the appearance of open countryside, by virtue of detracting from the character of the countryside outside of the defined development limits specified in Policies S2 and S3 of the Local Plan.
2. The proposal by reason of its siting, size and detailed design would have an unsatisfactory relationship to the listed building, and would thereby be detrimental to its special architectural and historic interest, contrary to ERSP Policy HC3 and ULP Policy ENV2.

**2) UTT/0724/05/LB: LISTED BUILDING CONSENT REFUSAL REASON**

The proposal by reason of its siting, size and detailed design would have an unsatisfactory relationship to the listed building, and would thereby be detrimental to its special architectural and historic interest, contrary to ERSP Policy HC3 and ULP Policy ENV2.

*Background papers: see application file.*

\*\*\*\*\*

**UTT/0487/05/FUL – BARNSTON**  
***(Referred at members request Cllr Flack)***

Erection of detached dwelling and garage.  
Sakers, The Chase. GR/TL 645-198. Mr & Mrs Hammond.  
Case Officer: Consultant South 2 telephone: 01799 510452/510471  
Expiry Date: 17 May 2005

**NOTATION:** Within the settlement limits.

**DESCRIPTION OF SITE:** The application site comprises part of the rear garden area of this detached dwelling that is located at the junction of The Chase and Chelmsford Road. In addition to this being a relatively spacious corner, a result of the existing building lines, a physical characteristic is that the site slopes gently downwards in a northerly direction. The site has an open and spacious character, albeit bounded by 1.8m high fencing, and has a large number of trees and other planting within it. The site has a road frontage to two minor estate roads.

**DESCRIPTION OF PROPOSAL:** The application seeks planning permission to erect a new two-storey cottage style dwelling. It would have a two-storey rearward projection and a single storey garage to the south, linked to the main dwelling by a two-storey element. The main two-storey part of the dwelling would be located centrally along the north west facing side of the site, positioned approximately 10m back from the front edge of the existing hard surfaced track. Also included is the re-laying of the front garden of the existing dwelling to provide parking and manoeuvring area and indicative details for a replacement garage to serve the existing dwelling. The existing and unsightly garage would be removed.

**RELEVANT HISTORY:** 1996/04 - detached dwelling with garage – Refused.

**CONSULTATIONS:** Water Authority: To be reported.  
Environment Agency: To be reported.

**PARISH COUNCIL COMMENTS:** To be reported.

**REPRESENTATIONS:** Four letters has been received. Period expired 13 April 2005.

1. Dwelling would be located to close to the junction making it dangerous for vehicles using the road; on-street parking that might result would lead to hazards to all vehicles using the Chase.
2. Objects on the grounds of a new access being created; additional traffic would damage the road and hazards where vehicles parked.
3. Increase damage to private road, danger of obstruction to other traffic, including emergency vehicles.
4. Design would be better if chalet style, parking could be improved within application site, removal of fence would help vehicles, object to loss of trees, concern about condition of private drive.

**COMMENTS ON REPRESENTATIONS:** see report

## **PLANNING CONSIDERATIONS: The main issues are**

- 1) principle of new dwelling (ERSP Policies H1, H2, H3, H4; ADP Policies S3, H3),**
- 2) design (ERSP Policies BE1, ADP Policy GEN 2) and**
- 3) neighbour's amenity (ADP Policies GEN2 and GEN4).**

1) In terms of general principle, there is no objection to the provision of a further dwelling within the existing settlement limits, however Policy H3 is clear that new development will only be permitted if it would be compatible with the character of the settlement. Therefore the success of this application falls to be determined on matters of detail comprising design and impact on neighbour's amenity. It should be noted that although this development is within a back garden, it is not appropriate to suggest that it would be backland development as it does have a road frontage.

2) In terms of design it should be noted that the locality is of a mixed character in terms of dwelling density and the detailed design of individual properties. For example, immediately to the north is a row of terraced dwellings but adjoining the application site to the southeast is a detached dwelling. Also, there are semi-detached dwellings close by. The architectural details of all of these dwellings are also varied with no clear and unifying theme which new development must exactly replicated.

The dwelling now proposed for this plot would be of an appropriate scale for this locality. The two-storey built form proposed would fit in with other two-storey buildings in the locality, and its footprint would also be comparable to other dwellings. In many instances, the footprint of this proposed dwelling would be less than that of others nearby. It should also be noted that the dwelling would be set back from the edge of the hard surfaced part of the highway providing a good sense of space at this corner plot. In particular, the dwelling would result in an improved sense of spaciousness by removing the existing rather bland and unsightly screen fence around this existing private rear garden. There is plenty of room to landscape this area and to ensure that some of the existing trees on the site are retained.

This new dwelling would still result in the existing dwelling at the site having a reasonable curtilage and satisfactory sense of space around it. Although, of course, the rear private garden area would be much reduced, it would nonetheless be approximately 100sq.m in area and in accordance with the council's standards. This would be comparable to some dwellings in the locality; acknowledging that some of the gardens are much larger. Nonetheless, the existing dwelling would retain its substantial frontage area which, given the landscape screening, provides a good sense of space and relief to the built form. Furthermore, it is also a relatively private area.

In summary therefore, it is considered that the dwelling would be compatible with the character of the area having had regard to the scale of built form proposed, the increased sense of space that would result at the corner, and the dwelling density.

3) In terms of impact on neighbours, this dwelling would not cause any serious impact on amenity. Although it would project forward of the neighbour to the east, there is an existing substantial row of conifer trees on this boundary and therefore the proposed dwelling would have no significant additional impact by way of loss of light or shadowing.

The comments of the neighbours about highway safety are noted, however adequate off-street parking would be retained for the existing dwelling, and proposed for the new dwelling. In addition, with the removal of the existing fence at the junction in this road, it is considered that highway safety would be improved due to the increased visibility that would result. Issues relating to wear and tear of the road are private legal matters. Nonetheless, it is considered that the additional further vehicle movements, on a short section of this road,

compared to the overall likely level of vehicle movements, would be very limited and not contribute significantly to additional wear and tear.

**CONCLUSION:** The proposed dwelling would be compatible with the character of the area, it would be of an appropriate design and layout and it would have no significant impact on the amenities of adjoining occupiers. Planning conditions controlling various matters are also proposed below.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with the 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.7.1. Site levels.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions shall be constructed (other than any expressly authorised by this permission or any other grant of express planning permission or any other grant of express planning permission), freestanding buildings greater than 10 cubic metres, shall be erected on any part of the site without the prior written permission of the local planning authority.  
REASON: To ensure that the impact of any further building work upon the amenities of neighbouring occupiers is properly controlled.
8. C.10.26. Standard highway requirements.
9. The parking and driveway layout indicated on the plans hereby approved must be implemented and available for use prior to the occupation of the dwelling hereby approved. Thereafter these areas shall remain available for the parking of domestic vehicles in connection with the normal residential use of the dwelling to which they relate and shall not be built over or similarly developed, notwithstanding Permitted Development Rights for extensions contained in the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification).  
REASON: In the interest of highway safety.
10. Notwithstanding any provision to the contrary within the Town and Country Planning (General Permitted Development) Order 1995, as amended, no fences, walls or other means of enclosure, over 0.6 metres in height, shall be erected on the site except in accordance with details as agreed under condition C.4.1. above.  
REASON: In the interests of visual amenity and highway safety.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0600/05/FUL - CLAVERING**

Change of use of a former agricultural building to a Class B1 Unit with ancillary storage for occupation by N A Rouse (Builders) Ltd.  
Brices Farm, Bird Green. GR/TL 451-338. Mr M Wilkinson.  
Case Officer: Mr G Lyon 01799 510458  
Expiry Date: 15/06/2005

**NOTATION:** ULP: Outside development limits. Protected Lane

**DESCRIPTION OF SITE:** The site is located on the northern side of an unclassified road running between Clavering (3.3km south east) and Langley Upper Green (1.4 km north east) and forms part of a group of four agricultural buildings associated with Brices Farm. Three of these buildings have already been converted for business use. The principle farmhouse is located on the southern side of the road. There are six dwellings immediately to the east of the application site.

**DESCRIPTION OF PROPOSAL:** The applicant is seeking full approval to change the use of the existing barn from agricultural to B1 use with ancillary storage. The applicant has indicated that they are seeking a personal permission for occupation of this building by N A Rouse (Builders) Ltd, who are a local building firm with a registered business address of The Bungalow, Clavering Farm Saffron Walden, approximately 2.6 km east from the Brices Farm by road. The proposal involves re-cladding the building with black feather-edged boarding and the insertion/alteration to form new openings on the northern, southern and western elevations. The large central roller doors on the northern and southern elevations would be retained. Internally, the works would involve some partitions to create offices and store with wc and kitchen facilities. The internal mezzanine floor on the eastern side of the building would be retained at a height of 3.1m. Access to the site would be via the existing serving the other three units on site. Five parking spaces are indicated on the site plan to the north of the building

**APPLICANT'S CASE:** The applicant has provided a supporting statement in conjunction with the submitted plans.

**RELEVANT HISTORY:** Unit 1 - Change of use of redundant barn to B1 light industrial use approved 1996. Change of use of farm building to light industrial (B1). Approved 1999. Unit 2 - Change of use of redundant agricultural building to prepared food manufacturing for catering service approved 1997. Unit 3 - Partial change of use from barn to B8 wholesale warehouse approved 1998. Continuance of use without complying with condition C14.2 of Planning Consent UTT/1284/98/FUL to allow alternative user approved 2004 (personal permission).

Unit 4 - Change of use of former agricultural building to B1/B8 Builder's Office including surplus materials storage (withdrawn by applicant).

**CONSULTATIONS:** None.

**PARISH COUNCIL COMMENTS:** Langley Parish Council: No objection subject to the same conditions as were stated in the approval of application UTT/1586/04/FUL.  
Clavering Parish Council: No objections.

**REPRESENTATIONS:** Nine neighbours were notified. Advertisement expired on 15 May 2005. One letter of objection has been received.

Summary of comments: We are vehemently opposed to this conversion. We feel that there is plenty of activity at this site and any further development will only amplify the problems that already exist. We do not envisage Butts Green becoming a light industrial area, which rapidly seems to be happening

**PLANNING CONSIDERATIONS: The main issues are whether**

- 1) the proposed development meets with the policy requirements for the re-use of rural buildings (PPS7, ERSP POLICY RE2, ULP Policy E5),**
- 2) there are any other material considerations.**

1) The main policy context for this application is Central Government Guidance contained within PPS7 and Uttlesford Local Plan Policy E5 which states that “The re-use and adaptation of rural buildings for business uses, small scale retail outlets, leisure uses or for tourist accommodation will be permitted in the countryside, including the Metropolitan Green Belt, the Countryside Protection Zone and beyond, if all the following criteria are met:

- The buildings are of a permanent and substantial construction;
- They are capable of conversion without major reconstruction or significant extension;
- The development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts;
- The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity)”.

PPS7 places a strong emphasis on sustainability but would support appropriately scaled business uses in the countryside provided that they would not cause demonstrable harm to neighbouring residents or businesses.

In this instance, running through the criteria of ULP Policy E5, the existing buildings would appear to be of permanent and substantial construction and would be capable of conversion without major reconstruction or significant extension.

*Character of the area*

The building would be re-clad with black stained feather edged boarding, which may serve to enhance the visual appearance of the structure, although its proportions are non-vernacular with a shallow pitch roof reflecting its modern agricultural heritage. The rear of the building is currently littered with remnants of agricultural paraphernalia that would be removed as part of this consent to be replaced by five parking spaces serving the unit. The site does sit next to an agricultural field and the applicant has not indicated any proposed boundary treatment. Officers would advise the planting of a native hedge around the northern and western part of the site so that it is screened from the open countryside and therefore would hide vehicles parked in the spaces. It is the opinion of officers that the increased visual impact of the building and car parking on the open countryside would therefore be minimal subject to the imposition of relevant conditions.

In terms of biodiversity, it is unlikely that protected species would be present on site but, as a precaution, care should be taken by the developer should protected species be found. The site is situated at the beginning of a protected verge. However, given the presence of the existing entrance serving units 1,2 and 3, it is unlikely that the proposal would adversely affect this verge, particularly as this entrance would be retained as part of this consent and would remain as the sole means of access.

### *Noise or Adverse Impacts*

With regard to noise or other adverse effects, in their supporting statement, the applicant has stated that they would be using the building as a base for the administrative element of the business and the “public face” of the company where clients would visit to discuss projects. The remainder of the building would be used for storage of tools and valuable plant and limited building materials left over from jobs. All activities would be contained within the building with no outside storage or use of power equipment on site (with the obvious exception of moving heavy equipment into and out of the building. Hours of use are specified as 8am –6pm Mondays to Fridays and 8am –1pm Saturdays. It is not envisaged therefore that the actual activities on site would cause demonstrable harm to the amenity of neighbouring properties or the character of the area.

### *Highways*

Comments from neighbours have raised concerns about vehicle movements and highway safety implications. When visiting the site it is fairly evident that the local highway network is far from ideal in terms of carriageway width and visibility. Its suitability for carrying large numbers of vehicles is therefore limited and the Council should not approve development that intensifies traffic movement to the detriment of highway safety. In this instance the applicant has stated that there would be 4-6 vehicle movements per day. Given the nature of the business, one would not assume a high level of traffic movement to and from the site except when equipment is being taken or brought back to the building for safe storage etc. Indeed, the process of discussing projects or giving quotations usually involves visits to the property to be renovated rather than meetings at the office. Even so, there would inevitably be some traffic created by clients etc visiting the site.

Given the information supplied in the supporting statement, the applicant has clearly stated that the proposal is not for a traditional builders yard and all storage would be contained within the building. Therefore it is not envisaged that there would be any deliveries of materials to the site other than the return of unused materials from completed projects and there should be no large vehicles or lorries using the road in connection with this application other than the applicants own vehicles.

In terms of sustainability, which is clearly emphasized in PPS7, the proposed occupier of the building is a local builder working within the immediate locality. By using this building, the journey time and trip length would be shortened (the applicant lives in Clavering) compared with operating a similar building within Saffron Walden or Newport for example. Therefore although the proposal may conflict with the sequential test for business development in the countryside, the re-use of the building in this instance would contribute towards the sustainable development agenda of PPS7 by reducing trip length. Additionally, the applicant is willing to accept a limiting condition for the sole benefit of NA Rouse. This would give the Council adequate control as to who operates from the site, should occupation change in the future.

2) The major material consideration when determining this application is the presence of the three existing business units on the adjacent site, also part of Brices Farm. Unit 4 is the last possible former agricultural building that can be converted. The use of these buildings are also strictly controlled by condition, again some of which have personal permissions to prevent inappropriate users. There were some problems on the adjacent site relating to outdoor storage etc. (unit 3) but the tenant has now left the building and it is under different occupation. Given the presence of the converted buildings, there is a clear precedent for similar development to take place provided that it is appropriate in scale. Given the comments in part 1) above, the overall detrimental impacts of this development should be limited subject to the use of appropriate conditions.



**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. The use hereby permitted shall be carried on only by N A Rouse trading as N A Rouse (Builders) Ltd in connection with the business of conversions and extensions in the structure marked in red on approved drawing no. 204335DWG003 Revision A, dated 14 January 2005, received 20 April 2005.  
REASON: To avoid other unacceptable uses of this barn.
4. C.8.1. No power tools or machinery to be used.
5. C.8.3. No outdoor working.
6. C.9.1. No outdoor storage.
7. C.8.4. No deliveries except during hours specified.
8. No retail or manufacture delivery of building materials, no storage of materials on behalf of a third party or selling or trading of surplus materials shall take place anywhere on site.  
REASON: Such activities would be likely to increase traffic movements to the detriment of the rural road network and highway safety.
9. C.13.7. Hours of use.
10. C.5.8. Joinery details.
11. C.5.9. Stained wood.
12. C.4.1. Scheme of landscaping to be submitted and agreed.
13. C.4.2. Implementation of landscaping.
14. Prior to the use of the building hereby permitted, the existing plinth to the building shall be repaired, rendered and painted.  
REASON: To improve the visual appearance of the building in the interests of visual amenity
15. C.8.27. Drainage Details.
16. 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.
17. C.20.3. If Protected Species discovered get Licence from DEFRA.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0657/05/DC - LITTLE BARDFIELD**

Service road for vehicular access rear of 1-4 Grid Iron Villas.  
1-4 Grid Iron Villas. GR/TL 660-308. Uttlesford District Council.  
*Case Officer: Madeleine Jones 01799 510606*  
Expiry Date: 17 June 2005

**NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** The site is located on the eastern end of the village on the Bardfield Road, which is a Class III road. The properties 1-4 are on an elevated position with an earth bank to the front boundaries of height approximately 2m from the road level. Vehicles park at present in a lay by to the west of the properties. Property number 1 Grid Iron Villas has parking to the side of the property and number 4 has parking to the side approached from access track to the west of the lay by. There is no pedestrian path outside the houses.

**DESCRIPTION OF PROPOSAL:** Construction of shared vehicular access. Removal of bank to provide visibility splays. A new access road would provide rear access to the properties. There would be two new hard standings (off this access road) created to serve numbers 3 and 4. Two areas of existing hedge would need to be removed to provide access. A new hedge would be planted along the entire length of the new proposed service road and the adjacent farmland.

**RELEVANT HISTORY:** Application for shared vehicular access to the front of the properties refused July 2003, due to the extensive bank and verge removal involved, and the visual impact this would have on the setting.

**CONSULTATIONS:** ECC Transportation & Operational Services: To be reported (due 11 May 2005). Any suggested conditions added subject to Member approval.

**PARISH COUNCIL COMMENTS:** To be reported (due 25 May 2005).

**REPRESENTATIONS:** None. Notification period expired 6 June 2005. Any received will be reported.

**PLANNING CONSIDERATIONS: The main issues are**

- 1) road safety,
- 2) nature conservation, and
- 3) impact on character of the countryside (UDP Policies S7, GEN2, GEN8, GEN7).

1) In view of the fact that there are no pedestrian pavements serving these properties and that the location is on the inside of a sweeping bend, the proposal would create a safer environment for access to these properties provided that the visibility splays meet the requirements of Essex County Council specification.

2) Whilst the proposal would involve the loss of part of the hedge to provide new access for number four, this would be more than compensated by the proposed new hedge-planting scheme. The previous refused scheme involved a far larger loss to the hedgerow to the front of the properties. In order to mitigate any harmful effect on wildlife it is proposed to condition the removal of any hedges to between the months of March and October.

3) As there is already an access (serving number 4) at this part of the site, there would be minimal visual impact on the landscape and character of the countryside and it is considered that on safety grounds there is a need for the development to take place. The proposed planting scheme would protect the particular character of the countryside. It is considered that the refusal reasons have been met and therefore the application should be approved.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.10.12. Standard highway requirements.
4. C.10.25. Standard highway requirements.
5. C.20.4. Condition for Restricting Construction Works to a Specified Season to Protect Breeding Birds etc.

*Background papers: see application file.*

\*\*\*\*\*