

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 29 JUNE 2005

APPL NO: **UTT/0605/05/FUL**
PARISH: **NEWPORT**
DEVELOPMENT: Enlargement of existing bungalow by the formation of the first floor and attic and a single-storey rear extension
APPLICANT: Mr G J Morris
LOCATION: Hayling Cambridge Road
D.C. CTTE: 8 June 2005 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: Approve
Case Officer: Mr T Morton 01799 510654
Expiry Date: 8 June 2005

APPL NO: **UTT/0306/05/FUL**
PARISH: **GREAT DUNMOW**
DEVELOPMENT: 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
APPLICANT: Hutchinson 3G (UK)
LOCATION: Broadbean Field off A120 Adjacent to Ash Grove
D.C. CTTE: 8 June 2005 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: Approve
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 20 April 2005

APPL NO: **UTT/0646/05/FUL**
PARISH: **SAFFRON WALDEN**
DEVELOPMENT: New dwelling with detached single garage
APPLICANT: Mr D Stacey
LOCATION: Land to the rear 51 Newport Road
D.C. CTTE: 8 June 2005 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: Approve
Case Officer: Mr T Morton 01799 510654
Expiry Date: 16 June 2005

APPL NO: **UTT/0487/05/FUL**
PARISH: **BARNSTON**
DEVELOPMENT: Erection of detached dwelling and garage
APPLICANT: Mr & Mrs Hammond
LOCATION: Sakers The Chase
D.C. CTTE: 8 June 2005 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: Approve
Case Officer: Consultant South 2 telephone 01799 510452/510471
Expiry Date: 17 May 2005

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 than 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.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS:

3 further letters have been received:

1. Cllr Wilcock: The proposed extension by reason of its size, bulk, design and siting is considered to be an unsatisfactory form of development which is not compatible with the scale, form, layout and appearance of surrounding buildings, and would result in the loss of setting of the property and would be out of character in the street scene, contrary to the aims of policy GEN2 of the Uttlesford Local Plan.

2. Over development. The proposed house is far too large for the plot and is considerably higher than the existing bungalow and Bulters.

At the back, the dormer windows in the top floor are the main problem overlooking the rear properties. I have no problem with the velux windows but in the additional plans for the Velux windows have been removed but the dormers retained.

The ground to the rear of the property falls away thus making the new house higher and the drawing shows the ground line at the junction of the house wall, which gives a false impression of the overall height.

I fail to see why if the previous plans were deemed unsuitable for the area what makes the current plans more acceptable.

3. The earlier plans for a chalet type bungalow having been refused on the basis that it was out of character with adjacent properties. What was a row of five bungalows and one house is becoming a row of executive type houses. What is needed is a mixture of housing to suit all sections of society, not everyone will be able to afford these executive type houses.

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.

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 45m² 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.

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).

ON SUPPLEMENTARY LIST OF REPRESENTATIONS:

Drainage Engineer: The proposed dwelling is situated over or very close to the line of a culverted ordinary watercourse and a public surface water sewer. The watercourse in question drains a large portion of the Herberts Farm development and down through St Johns Close and Friends Walk before running between the rear gardens of Summerhill Road and Rowntree Way. At the rear of 48 Summerhill Road it enters a small diameter pipe placed in it by an owner/occupier some years ago. This pipe runs to a manhole by the rear corner of the double garage at the rear of 49 Newport Road. From here a 375mm diameter public surface water sewer runs southwards to the system in Rowntree Way. This is indicated on the attached plan attached at end of this Supplementary List of Representations.

The small diameter pipe is one of a number of constrictions on the watercourse and its small capacity together with its propensity to become blocked with debris washed down the open ditch has caused flooding to properties on Rowntree Way on a regular basis.

One way in which this problem could be alleviated would be for the existing pipe to be replaced by a larger one. It is therefore important that this development should not prevent this improvement being implemented in the future.

The new dwelling should be located so as to allow access to the watercourse for these works.

In any event a separate consent is required under the Public Health Act to build over any watercourse and the riparian owner is responsible for maintaining the free flow of water in the watercourse under the Land Drainage Act.

Building over or adjacent to the public sewer is subject to additional legislation under Part H of the Building Regulations and Anglian Water's Bylaws.

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/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.

ON SUPPLEMENTARY LIST OF REPRESENTATIONS:

The application should be refused because: The building is too large for the site and it will loom over adjacent properties. The gardens will be too small in both Sakers and the proposed new dwelling. The front of the proposed dwelling extends beyond the building line of adjacent houses. There has been too much infilling by building on gardens. Another building in The Chase would generate further traffic along a road that is both unadopted and incapable of handling current weight of traffic. The proposal constitutes overdevelopment of the site.

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.

1) UTT/0762/05/FUL & 2) UTT/0761/05/REN - LANGLEY

- 1) Variation of conditions to planning permission UTT/0785/03/FUL for alteration of user, extension of use by one hour & retention of two portacabins.
- 2) Renewal of temporary planning permission for change of use of agricultural land to rally driving school for eighty days per year until 31.12.2006.
Langley Park Rally School Langley Lower Green. GR/TL 425-348. Simon Clark.
Case Officer: Mr G Lyon 01799 510458
Expiry Date: 13/07/2005

NOTATION: Uttlesford Local Plan: Outside development limits.

DESCRIPTION OF SITE: The site is located at the edge of the district to the west of Langley Lower Green on farmland associated with Langley Lawn. The track to be used is situated approximately 250 metres east of Langley Lawn and is accessed along a rough track from the farm. The track, used as part of the existing rally school, is approximately 450 metres in length and is located between two agricultural fields. The site is quite open in character with some trees to the south and east providing screening. Nearby is Nuthampstead airfield and associated hanger building.

DESCRIPTION OF PROPOSAL: The applicant is seeking consent to renew the existing temporary planning permission for use of the site as a rally school for eighty days per year up to 31 December 2006. The applicant also wishes to vary the terms of the original planning consent (UTT/0785/03/FUL) to enable a different user, the extension of the use of the site by one hour and retention of two portacabins, toilets and flag poles. The two portacabins are stacked one on top of the other to provide briefing facilities for drivers and spectator, changing rooms and refreshment facilities. The toilets are adjacent to the portacabins. There are four flag poles on site, two either side of the portacabins and two at the entrance to the circuit from the farm track.

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

RELEVANT HISTORY: Change of use of agricultural land to rally driving school for eight days per year approved on 04 December 2004 on a temporary basis until 30 May 2005.

CONSULTATIONS: UDC Environmental Services: No comments (no noise complaints received from existing operation).

North Hertfordshire District Council: No comments.

East Hertfordshire District Council: No Comments.

PARISH COUNCIL COMMENTS: To be reported (due 8 June 2005).

REPRESENTATIONS: Three neighbours were notified. Advertisement expired 12 June 2005. No comments have been received.

PLANNING CONSIDERATIONS: The primary issues of concern are whether

- 1) **renewal of the temporary permission until 31 December 2006 is acceptable;**
- 2) **the alteration of the user is acceptable;**
- 3) **extension of the use of the site by one hour would be likely to affect the amenity of any residents; and**
- 4) **the retention of portacabins and other structures are acceptable on the site.**

1) **Renewal** - The original application was approved by the Council in 2003 on a temporary basis so as to enable a full assessment of any detrimental impacts on the residential amenity of local residents through noise etc before allowing a permanent application to be granted. In this instance, the applicant is not seeking a permanent approval but is seeking to renew a temporary permission until 31 December 2006. In assessing the suitability of this site for rallying purposes, given the sites close proximity to other local authorities, officers have consulted environmental health teams in both Uttlesford, East Herts Council and North Hertfordshire District Council regarding statutory nuisance issues. Comments received suggest that there have been no complaints from members of the public about noise emanating from this site. This would therefore suggest that the site is being operated within acceptable scales and is not significantly harmful to the amenity of local residents. On that basis, it would seem reasonable to renew the temporary consent subject to similar conditions as the 2003 application. Officers are therefore of the opinion that renewal of the temporary permission would be acceptable in this instance.

2) **Alteration of user** - The applicant is seeking consent to alter the condition C.14.1 of application UTT/0785/03/FUL, which restricted the use of the site via a personal permission to Andrew A Clark. According to the submitted information, Mr A Clark is the joint landowner/farmer but Mr Simon James Clark operates Langley Park Rally School. The consequence of this change means that Mr Simon James Clark does not own the land surrounding the application site and, if the ownership situation at Langley Lawn changes in the future, this may result in the application site being landlocked from the highway network. However, it is not anticipated that this is likely to occur within the timescale of the temporary permission being sought and nor would the change in name be likely to have a detrimental impact on the operation of the Rally School. Officers are therefore content that the change of name as part of condition C.14.1 is acceptable in this instance.

3) **Hours of use** - The applicant is also seeking permission to vary the operating hours of the rally school because, according to the applicant, this will facilitate staff training after a days session and also enable more charity rides to take place, especially if technical difficulties delay the days planned schedule. The applicant is only seeking to vary the hours of operation during 01 April – 30 September. Currently the approved operating hours during this time are Monday to Friday 9am –6pm. The applicant wishes to vary this to Monday to Friday 9am –7pm, an additional 1 hour.

The primary issue is whether or not the additional hour of operation during the summer months would detrimentally affect the amenity of local residents. Given the lack of objections to environmental health about noise from this site, it would seem that the operation of this site is not detrimental to amenity of local residents. Therefore, it is the opinion of officers that the additional hour would not be unreasonable in this instance and, because of the temporary nature of the consent, the onus is on the applicant to ensure successful operation of the site without causing harm to neighbours.

4) **Structures** – The applicant is seeking consent to retain numerous structures on site including portacabins, toilets and flags. The portacabins are the largest and most obvious unlawful addition to the site being stacked one on top of the other. The quality of the buildings is certainly not akin to the type of structure normally approved in the countryside being in this instance temporary in nature with no vernacular qualities. The position of the buildings close to the existing hanger helps to lessen their visual impact on the countryside as their form is silhouetted in part against the hanger building, although the use of red paint does little to disguise the edges of the top portacabin. The adjacent portable toilets are less visually obtrusive in the open countryside. The four flags erected on site are certainly superfluous to the essential operation of the site and, in the case of the two erected at the entrance to the track, are visually obtrusive in the countryside. Although the applicant has

not formally applied for the retention of the flags, it would be sensible to include these as part of the application in order to deal with their required removal.

Having carefully assessed the unlawful structures on the site, officers are of the opinion that, given the temporary nature of the application, insistence on the erection of more permanent structures would seem unreasonable, especially given the uncertainty that the rally school will remain operational beyond the proposed temporary consent. If the school were to remain operational and a permanent permission is sought then the Council would be seeking more appropriate structures of higher design quality. The flags however, are considered unnecessary and officers would recommend their immediate removal.

CONCLUSION: The operation of this site for rallying purposes has occurred on this site already for 1½ years with apparent limited detrimental impact to neighbouring residents. The proposed variations to the original temporary consent are not considered likely to increase the potential harm to adjacent residents and, in any event, the temporary nature would place the onus on the applicant to ensure the successful management of the site in the interests of residential amenity. In line with Government guidance, any further applications on this site should be for a permanent consent, especially as the Council will have had adequate opportunity to fully assess the potential harm of this site.

RECOMMENDATIONS: 1) UTT/0762/05/FUL & 2) UTT/0761/05/REN - APPROVAL WITH CONDITIONS

1. The use hereby permitted shall be discontinued on or before 31 December 2006 and the site returned to its original condition unless an application has been received in writing by the local planning authority before this date for its renewal. All temporary structures shall be removed within 28 days of the cessation of the use hereby permitted.
REASON: To allow the impact of the proposed development to be assessed in terms of disturbance to local residents and allow any future request to use the site to be assessed on this basis at the time. Once the use ceases, the site should be returned to its original condition in the interests of preserving countryside character.
2. C.3.1. To be implemented in accordance with approved plans.
3. The Rally School hereby permitted shall not be used before 9am on Mondays to Saturdays nor after 7pm Mondays to Saturday, between the period of 1st April to 30 September. During the period 1st October to 31st March, the rally school shall not operate before 9am on Mondays to Saturdays and rally activity shall only take place during the hours of daylight. At no time throughout the year shall the rally school operate on Sundays and Bank and Public holidays, subject to the exemption set out in condition C.90H.
REASON: The use of this site outside these hours would be likely to cause nuisance and disturbance to adjacent residents.
4. C.14.1. Permission personal to applicant.
5. The Rally School hereby permitted shall be used by no more than one vehicle at any given time for the purposes of driver instruction and shall not be used for competitive racing of any type. Only one vehicle shall be used at any given time for the purpose of vehicle testing.
REASON: The site is situated in a sensitive rural location and is not appropriate for use as a competitive track in the interest of local amenity.
6. The use of the site for rally driving and rally vehicle testing shall not be used for more than eighty days per year, excluding Sundays and Bank and Public holidays, except as may be varied by condition C.90H.
REASON: In the interests of the appearance and character of the countryside.
7. No more than twelve visiting members of the public, including spectators, shall attend the rally school hereby permitted at any one time.

- REASON: In the interests of the appearance and character of the countryside.
8. Within one month of the date of this permission, details of visitor, staff and rally car parking areas shall be submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details within three months of the date of the planning permission. Such areas shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: To ensure adequate parking spaces are available and in the interests of the appearance and character of the countryside.
 9. The application site shall be used for the servicing and general repair of rally vehicles only during the approved hours of operation, and not for the servicing and general repair of any other vehicles.
REASON: In the interest of the appearance and character of the countryside.
 10. The Rally School hereby permitted shall not be used for the purpose of holding any events except that a single charity event may be held during one weekend, including the Sunday of that weekend, in each calendar year.
REASON: In the interest of the appearance and character of the countryside and the residential amenity.
 11. Within one month of the date of this permission, the four flag poles unlawfully erected on the site shall be completely removed.
REASON: The flag poles appear as unnecessary visual clutter in the countryside to the detriment of visual character and are superfluous to the essential operation of the site.

Background papers: see application file.

UTT/0580/05/FUL - LITTLE DUNMOW

Provision of 48 residential units- 46 units of affordable housing, retail space, doctors surgery and associated car parking.

Village Centre, Oakwood Park. GR/TL 665-208. Colonnade Residential Ltd.

Case Officer: Mr R Aston 01799 510464

Expiry Date: 03/06/2005

13 week date: 08/07/2005

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

DESCRIPTION OF SITE: The site is located centrally within the Oakwood Park Estate at the northern end of the Village green. The sites (main site and adjacent proposed car park) amount to 0.7 hectares and is designated for the provision of a general convenience store of about 180m² with the provision of two unit shops suitable for occupation by a newsagents or chemists for example, the provision of a Doctors' Surgery of approximately 360m² and a small car park for 27 car in the last revised Master plan. The site is bordered on its north, north western and south eastern sides by residential development and to the immediate east and south east lies the village green.

DESCRIPTION OF PROPOSAL: The proposal details the erection of 48 residential units comprising 3 bed 3-storey town houses (9) and 1-bed flats (19), and 2 bed flats (20), two shops and Doctors' surgery on two floors. Parking provision for the scheme is 120 spaces, 8 being for dedicated use by the doctor's surgery and 27 shared with the proposed public house. The main building curves around the south west corner of the site and would contain all the flats, Doctors and two retail units (275 & 74 sqm) in a block which rises from three storeys at its west end up to four storeys in the middle descending slightly to three and a half storeys at the eastern end. To the rear of the main block, 2 rows of a total of 9x3 storey town houses are proposed forming a courtyard around the footway that connects Phase 1 and 2 with the village centre, and the bulk of the car parking would be sited in this area.

APPLICANT'S CASE: See 3-page design statement copy attached at end of this 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. Variation to allow construction of up to 350 dwellings, prior to opening of A120. Redevelopment up to 655 dwellings, being a net addition of 170. Revised Master plan approved January 2002. **Detailed application (UTT/1828/03/FUL) for 54 dwellings, Doctors, shops and parking refused 2004 for reasons of poor design, over development and lack of parking and turning. An appeal has been submitted.**

CONSULTATIONS: ECC Highways: Unable to comment within the time available.

Environmental Services: Query provision of refuse storage and collection facilities.

Inventures – Innovation for Healthcare: To be reported

Environment Agency: No comments other than further details required if the retail units were occupied as food premises.

Police Architectural Liaison Officer: To be reported

Essex County Council IA & UD Group (Design): To be reported.
Commission for Architecture and the Built Environment (CABE): Do not have the resources to comment on the scheme.

PARISH COUNCIL COMMENTS: Little Dunmow: Neither support nor object to this proposal however there may be a problem with car parking.
Felsted: Referred to a full Parish Council meeting.

REPRESENTATIONS: This application has been advertised and 5 representations were received. Period expired 12 May 2005.

1. Suggest there is no need for retail premises or Doctors and support provision of affordable housing so long as they are in keeping with the style of current buildings.
2-5. Very unhappy with the overall height of the main building. With the possible exceptions of wind and river-mills, I can think of no Essex village houses that tall. I don't believe that the proliferation of three-storey buildings, elsewhere in the estate gives the planners carte blanche to go higher. The obligation to retaining the style and feel of an Essex village (as defined in the Essex Design Guide) goes far beyond purchasing local materials and using pretty roof tiles. This building is just too tall and should be restricted to the height of existing dwellings in the estate as a matter of course. The greatest potential for overlooking comes from the block of four three-storey houses which are only a few yards from my house. The access road to the development runs adjacent to the side of my property for the entire length, and I cannot imagine the inconvenience this is going to cause for my family and myself. The simplest solution would be the addition of some sort of noise barrier fence or wall, and as this was discussed as a private matter between Colonnade and myself as part of the previous planning application, I should now expect this to become a planning requirement. Light pollution also seems to be a problem. I would expect that the planning application should contain specifics in this matter, including the precise location and wattage/spread of proposed lighting so that we can make an informed comment. I am not of the opinion that this design is "the only game in town". I believe that alternative designs are possible, but that the planners have not made the effort to consider them. For example the access road should be entirely re-sited to provide entry to the rear of the main building from the existing main through road, which runs along the front of the main building. A redesign of housing at the northern edge of the development could result in their gardens backing onto my garden. Summary: This most recent proposal differs from previous designs by only a few cosmetic points and I am of the opinion that these differences are insufficient to warrant planning permission being granted.

PLANNING CONSIDERATIONS: The main issue is whether the proposal overcomes the reasons for refusal of the previous scheme. The previous application was refused for four reasons:

- 1, The proposal by virtue of its scale, form, mass, density, design of the buildings would result in over-intensive development of the site, detrimental to the visual interests of its surroundings and out of context with the existing and intended character for the site, contrary to Policy C5 of the Essex & Southend-on-Sea Replacement Structure Plan, April 2002, Policy DC1 of the 1995 Adopted District Plan, policies GEN2 and Oakwood Park Local Plan 1 of the Uttlesford Local Plan Revised Deposit Draft, October 2002 and The Essex Design Guide for Residential and Mixed Use Areas, 1997.***
- 2. The proposed development by virtue of its density, height, scale and form would have an overbearing impact on the outlook of the residents of adjoining dwellings and would be detrimental to their residential amenity, contrary to Policy DC14 of the 1995 Adopted District Plan and Policy GEN4 of the Uttlesford Local Plan Revised Deposit Draft, October 2002.***

3. The proposed development by virtue of the proposed car parking allocation is unacceptable given the sites rural location and level of public transport provision and would result in a level of on street car parking which would be detrimental to highway safety, public safety, the residential amenity of residents and the character and appearance of the streetscene, contrary to Policies T1, T2 and DC14 of the 1995 Adopted District Plan and Policies GEN1, GEN9, GEN4 and Oakwood Park Local Policy 1 of Uttlesford Local Plan Revised Deposit Draft, October 2002.

4. The proposal by virtue of its layout provides insufficient access, circulation and turning space for service vehicles associated with the use of the site and would be detrimental to highway safety, contrary to T3 of the Essex & Southend-on-Sea Replacement Structure Plan, April 2002, T1 of the 1995 Adopted District Plan and Policy GEN2 of the Uttlesford Local Plan Revised Deposit Draft, October 2002.

1 & 2) The Master plan provides for the creation of a Village Centre to include shop units, a Doctors' Surgery and a small car park. No residential units were proposed in the Master plan, but for reasons of increasing viability and vitality it is considered acceptable in principle to have a small amount of residential development on the site. The inclusion of affordable units is also acceptable. However the proposal is for 46 of the 48 residential units to be affordable. This would not create a mixed and balance community and represents a worsening of the balance of affordable/open market from the previous scheme (49/52). A key issue therefore is whether the number of proposed units and the resultant design and form of the buildings is appropriate given the context of the site and the existing and intended character. The Master plan emphasises the need for good design to create harmonious character areas. Development Plan policies also require high standards of design.

The scale and overall bulk of the main building at 4 storeys, with a high point of 15 metres on the curved element fronting the highway result in a scale and mass of building which far exceeds that of the surrounding buildings. The Village Centre should become the focal point of the site, but this should be achieved through a high quality landmark building and not simply by increasing the overall scale of the development, which as a result does not fit comfortably with its surroundings. Furthermore, the Village Centre site occupies a prominent position not only within the site but also in the wider rural landscape and can be viewed from Station Road on the outskirts of Felsted Village. It is likely that a development of this form and height would appear visually over dominant when viewed from the surrounding rural area and therefore be detrimental to the visual interests of the locality. The scale and form of the town houses to the rear are not out of keeping with the scale of other dwellings in the area, but through their location and form are indicative of the over development of the site. The central footpath appears to have been an after thought as its route is monotonous, it would not be attractive to use and it emerges opposite the vehicular access of the overflow car park. There appears to be no account taken of pedestrians wishing to use the existing footpath in phases 1 & 2 travelling to or from the south east corner of the site.

With regard to the external appearance of the buildings, the main block includes a mansard roof and an expanse of dormer windows. The mansard roof with its many dormers is too 'bulky' and unattractive in this curved shape. Furthermore, the increased depth of the block at the lower level results in the building having a bulky stepped appearance. The fenestration of the ground and first floors is monotonous and utilitarian and in no way provides an attractive frontage as a focus for public amenities. In addition, dormer windows should be minor elements on the roof not of the size and number shown.

3) PPG3 advocates that lower levels of car parking provision may be appropriate particularly in urban areas where public transport is available or where there is a demand for car free housing. It suggests that parking policies should be framed to achieve good design and recognise that car ownership varies with regard to demographic group household type,

type of housing and its location'. PPG 3 advises Local Authorities to reassess their parking standards to allow for significantly lower levels of off street parking provision, particularly for developments: in locations, such as town centres, where services are readily accessible by walking, cycling or public transport. However Oakwood Park is located within rural open countryside with the nearest town centre providing services other than a doctors, chemist and shop being Great Dunmow, some four miles away.

Members will note that recent permissions in Great Dunmow, which is one of the District's biggest settlements have been granted on the basis of 1.5 spaces per dwelling. Public transport to and from this site is restricted to two bus services with the main service operating every hour on Mondays to Saturdays between Braintree, Felsted, Great Dunmow Takeley and Stansted and every two hours in the evenings and on Sundays and a 'Village Link' service which operates on a similar timetable. These circumstances do not fit comfortably with the provisions of PPG3 and PPG13 and there is not a sufficient highly accessible public transport infrastructure to warrant such a reduced parking provision on this rural site. Parking problems are clearly evident on Phases 1 and 2 of the estate, especially in the evenings and weekends, the number of cars increase, causing on street parking problems, affecting highway safety and reducing accessibility for both pedestrians, vehicles and bus services. With this lack of provision, on street parking problems would be significantly exacerbated by the proposal, to the detriment of highway safety, residential amenity and the character and appearance of the streetscene.

COMMENTS ON REPRESENTATIONS: See above.

CONCLUSIONS: The proposed development at a density of 68 dwellings per hectare plus retail plus doctors and associated parking represents overdevelopment of the site. The design is inappropriate design, inadequate car parking is proposed. Whilst this scheme differs from the last scheme in matters of detail fundamentally it is similar and therefore remains unacceptable. Officers have suggested to the applicant that the scheme needs significant revision but as the required revisions would make the scheme fundamentally different it would be appropriate to determine the application. It is not proposed to refuse the application on the grounds of poor turning facilities, as we have had no comments from Highways on the matter.

RECOMMENDATION: REFUSAL REASONS

1. The proposal by virtue of its scale, form, mass, density and design would result in over-intensive development of the site, detrimental to the visual interests of its surroundings, its rural setting and out of context with the existing and intended character for the site, contrary to Policy C5 of the Essex & Southend-on-Sea Replacement Structure Plan, policies GEN2 and Oakwood Park Local Plan 1 of the Uttlesford Local Plan 2005 and The Essex Design Guide for Residential and Mixed Use Areas, 1997.
2. The proposed development by virtue of the proposed car parking allocation is unacceptable given the site's rural location and level of public transport provision, resulting in high levels of on street car parking which would be detrimental to highway safety, public safety, the residential amenity of residents and the character and appearance of the streetscene, contrary to Policies GEN1, GEN9, GEN4 and Oakwood Park Local Policy 1 of Uttlesford Local Plan 2005.
3. The proposed development by virtue of its density, height, scale and form would have an overbearing impact on the outlook of the residents of adjoining dwellings and would be detrimental to their residential amenity and contrary to Policy GEN4 of the Uttlesford Local Plan 2005.

Background papers: see application file.

UTT/0771/05/FUL - CLAVERING

Proposed erection of eight dwellings and garaging.
Land at Barlee Close. GR/TL 474-314. Mr & Mrs J Noble.
Case Officer Mr T Morton 01799 510654
Expiry Date: 13/07/2005

NOTATION: Within Development Limit.

DESCRIPTION OF SITE: The site stands on the corner of Barlee Close and Stortford Road and comprises an area of 1763 sq m. of open land, and also includes part of the rear gardens of the existing houses at numbers 1 and 2 Stortford Cottages. On the opposite of Barlee Close is the village shop, with two-storey houses at the eastern end of the site facing towards it across the width of the road.

DESCRIPTION OF PROPOSAL: Redevelopment to provide 8 new dwellings in a terrace form, with a garage court to their rear.

APPLICANT'S CASE: A supporting statement has been submitted that sets out the rationale of the design, following Essex vernacular styles, providing a mix of dwellings in size and appearance, and creating a positive frontage onto both Barlee Close and Stortford Road, with parking concealed to the rear. A 2½ storey house has been incorporated to add variety and break up the repetitive stagger of rooflines as the site descends the slope eastwards. The two end plots are designed to 'turn the corner' and present positive elevations to both frontages, with the character of the large front gardens in Stortford Road retained.

CONSULTATIONS: Essex County Council Highways. To be reported.

PARISH COUNCIL COMMENTS: Object on the following grounds:

Over development of the site which is believed to be too small for 8 houses.

Car parking allocation appears to be too small for 8 houses.

Size of house at three-storeys is out of keeping with the style of other nearby houses.

There could be danger to children crossing the road in the vicinity with the increased traffic this house would generate.

REPRESENTATIONS: Six objection letters received. Notification period expired 10 June 2005. These letters raise a number of issues in common.

There is concern at the amount of development, one respondent suggests or 3 houses being appropriate for the site, another calls for separate houses with their own garage to the side.

There is concern at increased levels of vehicle traffic and possible on street parking causing obstruction and safety hazards, mention is made of children using the area. Conflict with vehicle movements to and from the shop is mentioned as a concern. Access to the garage court is in front of existing houses and will lead more traffic past these. There will be an air pollution effect from the garage court. The pavement should be extended up to the garage court.

The garage block is seen as a crime risk.

The new development should also provide parking space for existing residents in Barlee Close.

The form of the design is considered inappropriate; it would be more appropriate to a town or city than a village setting, unsightly on the approach from Berden.

The development would affect light to rooms facing the development in the existing houses at the east end of the site.

The construction site should be made secure and no builders' materials should be left on the road.

COMMENTS ON REPRESENTATIONS: Design issues, amenity issues and traffic issues are dealt with in the following section. The developer of this site can be required to make provision to meet the parking needs of the development itself, but making additional provision to benefit the occupiers of existing properties would not be seen as reasonable in terms of planning law. Construction sites have to be secured to meet Health and Safety law, and if necessary this would be enforced by the Health and Safety Executive. Depositing any materials on the adopted highway would constitute an obstruction and could lead to prosecution by the Police or the Highway Authority. The movement of the 17 vehicles for which parking provision is made is unlikely to lead to any measurable increase in air pollution. The garage court is visually supervised from the rear windows of some of the new houses, as well as some existing houses, providing a measure of security against crime. The presence of more occupied houses in this street would also be a deterrent to crime.

PLANNING CONSIDERATIONS: The main issues are:

- 1) **principle and density of development (ERSP Policies CS1, CS2, ULP Policies S3, H3);**
- 2) **design and amenity (ERSP Policy BE1, ULP Policy GEN2);**
- 3) **parking provision and traffic issues (ERSP Policies T3, T12, ULP Policy GEN);**
- 4) **other material planning considerations.**

1) The development site lies within the Development Limit of Clavering and therefore in principle the proposal is acceptable. Compliance with planning standards and other policies is discussed further below. The proposed 8 houses equate to a density of 44 dwellings per hectare, which is within the range of 30 to 50 dwellings per hectare set out in PPG3, and cannot therefore be seen as an overdevelopment of the site. In terms of sustainable location, the nearby village shop and school will provide reasonable access to shops and services without need for the use of the car, and the development would help to support local services and facilities.

2) The design is based upon the principles of the Essex Design Guide, which aims to promote the use of traditional forms of building appropriate to Essex, whilst achieving the more efficient use of land called for in PPG3 to meet sustainability objectives. The principles call for parking provision to be made to the rear of houses, rather than intruding into the street, and the houses themselves are to be linked to create a street scene rather than perpetuate the 'just detached' form of layout found on housing estates of the past. The proposed houses are thus arranged as a linked terrace with a varied front elevation and varied height with end units that make corner features and relate to both frontages. Given the high public profile of Barlee Close in terms of the number of customers of the shop that pass the site, the elevation will be an attractive addition to the village. The development will not be seen from the countryside on approach from the Bishops Stortford direction because of the intervening new housing development and the village shop.

The houses in Barlee Close are separated from the proposed development by the width of the road and the length of their own front gardens, and at this distance their windows will not suffer any material loss of daylight. Traffic to the garage court will have to pass along the road in front of those houses.

The gardens of the houses at 1 and 2 Stortford Cottages are reduced in length by about half, but the remaining area is considered to be more than adequate for houses of this size.

3) New development should be designed to make appropriate provision for access for all forms of transport and should promote high standards of road safety. Parking provision is to be made in accordance with published parking standards. The parking standards suggest that 19 spaces be provided, and 22 spaces are shown. A new garage is also shown for the existing 1 Stortford Cottages. There is no need for any occupier to park on the street.

4) No other issues arise.

CONCLUSIONS: The proposed development is considered to be well designed and to make good use of the available site, with no material harmful effect upon the amenity of the locality.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted agreed and implemented.
6. C.6.3. Excluding Permitted Development extensions and erection of freestanding buildings without further permission.
7. C.6.7. Excluding conversion of garages.
8. C.8.27.Drainage Details to be submitted agreed and implemented.
9. C.10.7.Standard highway requirements.
10. No construction shall take place except between 8 and 5pm Mondays-Fridays and 9.00am-1pm on Saturdays.

REASON: In the interests of residential amenity.

Background papers: see application file.

UTT/0571/05/OP - HATFIELD HEATH
(Referred at the requested of Cllr Lemon)

Erection of detached single-storey dwelling.
Grange Farm Stables, Sparrows Lane. GR/TL 545-141. H Dick.
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 02 June 2005

NOTATION: Within Metropolitan Green Belt.

DESCRIPTION OF SITE: The site is located 78m to the south of the A1060 approximately 1.5km to the southeast of Hatfield Heath village. On the site is a range of existing buildings arranged in a courtyard style which include a mobile home, stables, building currently being renovated for office use and a steel framed agricultural type building. The buildings are all visible from Sparrows Lane.

DESCRIPTION OF PROPOSAL: This outline application relates to the replacement of a mobile home with a single-storey dwelling. All matters are reserved for subsequent approval.

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

RELEVANT HISTORY: Certificate of Lawful Use of land for the stationing of a residential mobile home approved 1999. Change of use of farm building to dwellinghouse and of agricultural land to garden withdrawn by applicant 2002.

CONSULTATIONS: Water Authority: No objections.
Environment Agency: Advises that surface water run-off should be controlled via sustainable drainage methods.

PARISH COUNCIL COMMENTS: After careful consideration the PC feel that the proposed development would be a considerable improvement on the existing mobile home which has been occupied on this site for at least 30 years and would outweigh the fact that this property is in the Green Belt area. The PC therefore supports this application.

REPRESENTATIONS: One letter from Cllr Lemon. Notification period expired 2 May. I feel that there are very special circumstances to support this application, the establishment of a permanent dwelling will give added incitement to the applicants to put down long term roots to make the site their home for the long term including building up the 'horsey' enterprise, settling their children into local schools and invest in visual improvements to the site such as the introduction of meaningful structural landscaping and the repair of existing buildings. Indeed much of this has been and is being done.

The most important attribute of a Green Belt, its openness, will scarcely be compromised. An importance rural visual gain will be achieved by replacing the existing mobile home with a permanent single-storey building. This can only improve the site.

COMMENTS ON REPRESENTATIONS: See planning considerations.

PLANNING CONSIDERATIONS: The main issues are whether the proposal would comply with Green Belt policies and guidance (PPG2 – Green Belts & ERSP Policy C2).

The currently on the site is a mobile home. Whilst this mobile home can be occupied, under planning law it does not have the status of a dwelling. The issues relating to this application are whether the replacement of the mobile home with a dwelling complies with policies relating to development within the Green Belt or whether there are material considerations that constitute “very special circumstances” to outweigh national and local policy objections.

Guidance issued in PPG2 – Green Belts specifies that there is a general presumption against inappropriate development within the Green Belts and such development should not be approved except in very special circumstances. PPG2 sets out the types of development which are appropriate within the Green Belt and states that inappropriate development is by definition harmful to the Green Belt.

The proposal of the types listed as “appropriate development” within the Green Belt and this is recognised by the applicants in their supporting statement. The replacement of an existing mobile home with a dwelling does not constitute a replacement dwelling and is therefore the proposal is for a new dwelling within the Green Belt. Consequently based on planning policy at national level the application should be refused. All of this is accepted by the applicant.

It is necessary to then consider whether there are “very special circumstances” which would outweigh the harm policy object and caused to the MGB by the new dwelling. Planning law is very clear, personal circumstances rarely outweigh policy objections to unacceptable forms of development and this is the case in relation to this application. This too is accepted by the application. The information submitted is sparse and states that it is the intention of Mrs Dick to reintroduce a commercial riding establishment and stud. There are no details relating to when this may take place or whether residential accommodation would be required on the site in association with any future proposals. This information in no way represents very special circumstances and therefore do not overcome the clear policy objection. The proposed should therefore be considered in the context of Green Belt policy and refused.

CONCLUSIONS: The proposed replacement of the existing mobile home with a single-storey dwelling would constitute inappropriate development within the Metropolitan Green Belt contrary to guidance issued in PPG2 – Green Belts and ERSP Policy C2 and there are no very special circumstances which would outweigh the harm this would cause to the open and rural character of the green belt.

RECOMMENDATION: REFUSAL REASON

The proposed replacement of the existing mobile home with a single-storey dwelling would constitute inappropriate development within the Metropolitan Green Belt contrary to guidance issued in PPG2 - Green Belts and ERSP Policy C2 and there are no very special circumstances which would outweigh the harm this would cause to the open and rural character of the green belt.

Background papers: see application file.

UTT/0701/05/FUL - STANSTED
(Referred by Councillor Sell)

Proposed erection of dwelling and single garage
Site Adjacent to Flint Cottage 20 Bentfield Road. GR/TL 508-252. The Battlement Trust.
Case Officer: Mr T Morton 01799 510654
Expiry Date: 24/06/2005

NOTATION: Within Settlement Boundary / Within Conservation Area

DESCRIPTION OF SITE: The site is an area of open garden land forming part of the site of Flint Cottage and screened from the road by a red brick wall. The site is on the inside of a corner on a fairly busy road linking the Bentfield Green area to the centre of Stansted. The east boundary of the site has a line of tall trees running along it, with a chalet-style house east of the trees, whose roof is the only part visible from the street. The principal house itself, Flint Cottage, has recent planning permission for reconstruction and extension, which will also provide a new vehicle access, and the proposed house here will share that access.

DESCRIPTION OF PROPOSAL: The application proposes a new one-and-a-half-storey three-bedroom dwelling, with brick and timber clad elevation and clay plain tile roof, with shared vehicle access onto Bentfield Road.

RELEVANT HISTORY: UTT/1920/04/FUL. Erection of two-storey and single-storey side extension erection of detached garage, creation of vehicular access.

CONSULTATIONS: Environment Agency. No objection.
Local Plan and Conservation: No objection subject to conditions.

PARISH COUNCIL COMMENTS: Members object on grounds of overdevelopment of the site. Members also raised concerns about the proposed access/egress which is located between two blind corners and opposite to another unsuitable access. Members third objection to this application is detrimental to the Conservation Area.

REPRESENTATIONS: This application has been advertised and one representation has been received. Period expired 27 May 2005.

The respondent objects to additional traffic using the new access, which is adjacent to his own home and drive. There is concern about the sight line, in view of the road being very dangerous. It is suggested the road be made a 20 MPH zone. He is concerned that there might be a requirement for his fence to be reduced in height to provide a sightline.

COMMENTS ON REPRESENTATIONS: The road outside of the property is narrow here, close to a junction, and is taken very carefully by motorists. The new access has already been approved as part of the previous proposal for the reconstruction of Flint Cottage itself, and will be constructed between the end of the donor house itself, and the boundary fence to the adjoining house. There is no requirement to lower the boundary fence. A comparable access arrangement currently exists for the adjoining house, immediately next to the proposed access, which apparently does not cause problems.

PLANNING CONSIDERATIONS: The main issues are

- 1) principle of development. (ULP Policy H3;
- 2) design (ULP Policy GEN2);

- 3) residential amenity (ULP Policy GEN2);
- 4) vehicle access (ULP Policy GEN1).

1) The site is within the settlement boundary for Stansted and residential development is acceptable in principle. Government policy does encourage more intensive use of land within towns, though this should not be achieved at the expense of the existing character of the area. The suggested density of development within towns is in the range of 30 to 50 dwellings per hectare. The total site area of the Flint Cottage site is 753 sq.m. and with two houses on it the density will be equivalent to 26 dwellings per hectare. Such a low density cannot be regarded as overdevelopment.

2) The design is based upon traditional cottage forms, and is modest in height, and related in scale to Flint Cottage itself. The brick boundary wall to the road will limit views of the house, with the roof and its dormers being the most visible element. This building design is considered appropriate for a Conservation Area setting, making a positive contribution to the character of the area.

3) The main impact upon amenity would be between Flint Cottage itself and the new dwelling. The proposed layout places the garage for the new house between the two houses, to contain the rear garden of Flint Cottage and protect its amenity. The new house has one ground floor window to a dining room facing towards Flint Cottage at a 45 degree angle, the closest window in Flint Cottage will be a kitchen window in the new extension to be built as part of the approval for that house. With a typical garden fence in between the two no overlooking would result. The garden area for the new house is protected by the new garage from overlooking from Flint Cottage, and is of satisfactory size, though the garden will be somewhat overshadowed by the existing tree canopy.

4) The new access to the highway has acceptable sightlines, comparable to the existing access immediately adjoining at 22 Bentfield Road, and there is room on the shared driveway for both houses 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
- 6-10. Design requirements.

Background papers: see application file.

1) UTT/0277/05/FUL & 2) UTT/0321/05/LB - HATFIELD HEATH

(Referred by Cllr Lemon)

1) & 2) Alterations to 'Grooms Cottage' and incorporate adjoining stables, tack room, garage and greenhouse to form into house.

Grooms Cottage, Gladwyns, Sheering Road. GR/TL 514-144. D G Wilson.

Case Officer: Mr N Ford 01799 510468

Expiry Date: 18 April 2005

NOTATION: Metropolitan Green Belt ULP Policy S6. Grade II curtilage listed building ULP Policy ENV2.

DESCRIPTION OF SITE: Gladwyns is a Grade II listed dwelling located on the north side of Sheering Road between Sheering and Hatfield Heath. The curtilage contains a number of outbuildings associated with the dwelling stretching predominantly in a linear fashion south west from Gladwyns.

These applications specifically relate to 'Grooms Cottage', which is of C19 origins and attached to a stable block. Both structures are within the curtilage of Gladwyns and are therefore considered to be listed by virtue of their curtilage status.

The structure illustrates the rationale of past farming methods where a groom lived in proximity to the animals he was looking after. The structure is modest in the context of Gladwyns, fitting snugly between the stable block and the walled garden. It has two substantial chimneys onto the wall of the garden, a rendered timber frame and a hand made clay plain tile roof. It incorporates the south garden wall and the north stable wall into its fabric. The interior is mainly C20 with rafters, lath and plaster of late Victorian or early C20 origin. It is in a poor state of repair.

DESCRIPTION OF PROPOSAL: This application relates to the alteration and extension of Grooms Cottage, incorporating the conversion of an attached stable block and cart shed to form a three bedroom dwelling. The main entrance to the dwelling would be from the original stable access (closing the entrance to Grooms Cottage by forming an extension). A kitchen, dining room, living room, conservatory, study, music room (and en-suite), w.c. and utility room (formed by an extension) would be created by using existing spaces and internal partitioning.

The first floor of Grooms Cottage would incorporate two bedrooms, a bathroom and an en-suite (formed by an extension over the utility room). Windows and doors would be opened up through the garden wall that incorporates the side elevation of Grooms Cottage to provide access and views to the walled garden. The two substantial chimneys to Grooms Cottage would be removed. The conservatory would also require demolition of part of the wall in order to open into the garden. No parking area has been indicated.

APPLICANT'S CASE: See copy agent's letter dated 23 May 2005 attached at end of this report.

RELEVANT HISTORY: In October 2004 planning permission and listed building consent was refused for the demolition of Grooms Cottage and the erection of a replacement dwelling (UTT/1032/03/FUL and UTT/1033/03/LB).

CONSULTATIONS: ECC Highways: No objection.

Water Authority: No objection.

Environment Agency: None received (due 31 March 2005).

UDC Specialist Design Advice: No objection subject to conditions.

UDC Building Surveying: No adverse comments.

UDC Landscaping: None received (due 7 March 2005).

PARISH COUNCIL COMMENTS: None received (due 23 March 2005).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 24 March 2005.

PLANNING CONSIDERATIONS: The applicant is suggesting that the building is a lawful separate dwelling in its own right. The building appears to have been unoccupied for many years and therefore its status is uncertain. It may be that it might have been occupied as staff quarters (i.e. Grooms accommodation). This may give it the status of ancillary accommodation rather than a separate dwelling. It is because of this doubt over status that it would not be appropriate to deal with the proposal as a house extension under Policy H8. However the building that would result if the development subject to this application were to be carried out would have all the facilities of a separate dwelling. Consequently it is appropriate to consider the proposal against Policy H6 conversion of Rural Buildings to Residential Use. The main issues therefore are

whether the conversion of this listed rural barn accords with policy relating to conversion of rural buildings to residential use and consists of alterations that do not impair the special characteristics of the listed building (ERSP Policies C2, RE2, HC3, HC4 & ULP Policies H6, GEN2 and GEN8).

In respect of the principle of a residential use for this listed building, Policy H6 of the Uttlesford Local Plan 2005 is relevant. This asks applicants to accord with ALL of five criteria for schemes relating to the conversion of rural buildings to residential use. Therefore, if a scheme does not meet one or more criteria it would be considered unacceptable development.

Criteria a): *It can be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses.*

Criteria A of policy H6 closely follows the Structure Plan (Policy RE2) and Government guidance provided in PPS7 (Sustainable Development in Rural Areas). Para 17 identifies that it is the Government's policy to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. It is stated that the re-use of rural buildings for economic development purposes will usually be preferable over a residential conversion.

As there is a clear priority placed on the re-use of rural buildings for economic development, every effort should be made to achieve this. A commercial use such as holiday accommodation would serve this purpose. However, the applicant has made no reasonable effort to demonstrate that there is no demand for a commercial use and this is not reflected in a lack of evidence to show that it has been appropriately advertised and marketed for the economic uses promoted by planning policy.

The building is not within a reasonable walking distance of a comprehensive range of employment opportunities, facilities and services. In any event the considerable distance to the villages of Sheering and Hatfield Heath provide little more than a newsagents and public houses. It is therefore likely that its occupiers would be highly dependent on the use of a private car for access to facilities and services. This is considered to conflict the local and

national policies encouraging sustainability identified above. A commercial use would also be dependent on the use of a car, however, it is considered that its use say by holiday occupiers would result in fewer vehicle journeys than a residential use as, for example, it would not involve journeys to work and would be likely to result in few trips to community facilities and services.

In such circumstances it is considered that a residential use would be unsustainable and should not be permitted. Therefore, the application falls to be determined in accordance with national advice contained in PPS7, the Structure Plan and local plan policy H6 and is considered unacceptable in relation to criteria A.

Criteria B: *They are in sound structural condition.* Grooms Cottage has been vacant for a considerable period of time, which is evident from its outwardly shabby appearance. For the most part it appears that the walls and most of the roof are intact but to say that it is stable and of sound structural condition would be no more than an assumption. The applicant has not submitted a structural survey to confirm this.

Criteria C: *Their historic traditional or vernacular form enhance the character and appearance of the rural area.* Grooms cottage is a curtilage listed outbuilding of traditional design and construction and although in a dilapidated condition is not an uncharacteristic feature of a rural area and has merit for conversion as an historic structure.

Criteria D: *The conversion works respect and conserve the characteristics of the building.* The conversion works are detailed above and would require the removal of two substantial chimneys to the north west elevation, a two storey extension to the south west elevation and the addition of a new conservatory as well as the insertion of new door and window openings. Although the Conservation Officer does not object to the conversion, Members may wish to consider for themselves whether these additions and alterations would respect and conserve the characteristics of the building.

Criteria E: *Private gardens can be provided unobtrusively.* The application drawings show the layout of a private garden, which is considered to be of adequate size and shape for the dwelling proposed.

Bats have special protection under the Conservation (Natural Habitats &c.) Regulations 1994. Bats can be found in any building in the District. This means that in cases involving the conversion of all rural buildings to commercial, residential or other use, a bat survey MUST be submitted. Such a survey must also be carried out by a suitably trained and experienced specialist and at an appropriate time of year.

There has been recent case law which advises that it will no longer be acceptable for a local authority to grant a permission subject to a condition allowing the later submission of a bat survey and that the survey must be submitted and considered as part of the application process. The lack of a survey or the submission of an incomplete survey should result in the application being refused on the basis of inadequate information.

Members will wish to be aware that Officers have provided the applicant advice in relation to the information necessary to demonstrate demand and the requirement of a bat survey.

CONCLUSIONS: Officers consider that in principle, a commercial use as suggested above may be acceptable for this building as required by planning policy. The appropriate way of demonstrating otherwise (as required by the local plan) is to provide evidence such as marketing and financial information such that only then may a residential use be considered.

Harm has been identified in relation to planning considerations and it is further considered that it would be inappropriate to allow the alterations to the listed building without a planning permission in place for an acceptable use. Therefore, these applications are recommended for refusal.

RECOMMENDATIONS:

1) UTT/0277/05/FUL - REFUSAL REASONS

1. The proposed change of use of this building to residential use is unacceptable because it has not been satisfactorily demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses in the interests of promoting rural enterprise and economic activity in the countryside contrary to Policy RE2 of the Essex and Southend-on-Sea Replacement Structure Plan 2001 and Policy H6 of the Uttlesford Local Plan 2005.
2. The site is strongly suspected to harbour a Protected Species of wildlife for which no survey mitigation and enhancement plan has been submitted. Development that would have a harmful effect upon wildlife or geological features is not permitted by Policy GEN7 of the Uttlesford Local Plan, and Planning Policy Statement 9 Biodiversity and Geological Conservation requires information on the status of protected species and the impact upon them of a proposed development to be submitted with a planning application, so that policy may be properly applied. In the absence of adequate information a decision, other than refusal, cannot be reached upon the submitted proposal.

2) UTT/0321/05/LB - REFUSE LISTED BUILDING CONSENT

1. The proposed alterations to the building are unacceptable as the traditional character and appearance of the building would be adversely altered given that there is no planning permission forthcoming for a use, which constitutes an acceptable approach to preserving the buildings special architectural and historic characteristics contrary to Policy HC3 and HC4 of the Essex and Southend-on-Sea Replacement Structure Plan 2001 and Policy ENV2 of the Uttlesford Local Plan 2005.
2. The site is strongly suspected to harbour a Protected Species of wildlife for which no survey mitigation and enhancement plan has been submitted. Development that would have a harmful effect upon wildlife or geological features is not permitted by Policy GEN7 of the Uttlesford Local Plan, and Planning Policy Statement 9 Biodiversity and Geological Conservation requires information on the status of protected species and the impact upon them of a proposed development to be submitted with a planning application, so that policy may be properly applied. In the absence of adequate information a decision, other than refusal, cannot be reached upon the submitted proposal.

Background papers: see application file.

UTT/0810/05/REN - SAFFRON WALDEN

(Application by a member of staff)

Renewal of planning permission UTT/0789/95/DFO Erection of single storey dwelling
Land adjoining 23 The Wayback. GR/TL 544-388. Mr & Mrs S Millership.

Case Officer Mr G Lyon 01799 510458

Expiry Date: 12 July 2005

NOTATION: Uttlesford Local Plan: Within Development Limits of Saffron Walden.

DESCRIPTION OF SITE: The site is located at the end of a residential close known as The Wayback and currently forms part of the residential garden of No. 23, which is a detached dwelling occupying a plot of 0.0864 hectares. The application site has an area of 0.0445 hectares as is currently laid mostly to lawn but contains numerous fruit trees with establishing hedging around the site boundaries. The site is surrounded on all sides by existing residential development on Neville Road, Howard Road and The Wayback. The land rises by approximately 1 metre from the side of the existing house up to the lawned area of the application site but then levels out on the area of the proposed development.

DESCRIPTION OF PROPOSAL: The applicant is seeking consent to renew an existing planning permission to erect a two bedroom detached bungalow with integral garage. The building would be roughly L-shaped with a maximum width of 13.9 metres, a maximum depth of 10.8 metres, height to eaves of 2.9 metres and a height to ridge of 5.65 metres (6.35 metres to the top of the chimney). The dwelling would have two parking spaces and on site turning. The useable garden area would be in excess of 170 square metres. To gain access to the site from The Wayback, the original garage serving No.23 is proposed to be demolished. This access will serve both the existing dwelling and the proposed new one. The applicant wishes to erect a new single garage to serve No.23 along the side of existing dwelling. The existing dwelling would retain a garden area in excess of 150 square metres, which is well above the minimum standard and comparable with the general garden sizes on the rest of The Wayback.

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

RELEVANT HISTORY: Outline application for one detached dwelling and garage and alteration to existing access approved 1992. Details following outline approval for erection of detached bungalow and detached garage approved 1995. Renewal of planning permission UTT/0789/95/DFO. Erection of dwelling, land adjoining 23 The Wayback, Saffron Walden, approved 2000

CONSULTATIONS: Anglian Water: No comments received to date (To be verbally reported at the meeting).

Environment Agency: Standard Advisory comments regarding residential development.

Fisher German: No comments

UDC Building Control: (B5) Access for Fire Brigade is satisfactory

TOWN COUNCIL COMMENTS: To be verbally reported at the meeting.

REPRESENTATIONS: Nine neighbours were notified of the proposed development. Advertisement expired 09 June 2005. One letter has been received. Summary of comments:
- Objection – the dwelling will obscure vision due to the height as it will back onto our garden and feel it would be an eyesore.

PLANNING CONSIDERATIONS: The main issues are whether: -

- 1) residential use on this site is considered acceptable (PPG3, ERSP POLICY BE1, H3, Uttlesford Local Plan Policy S3, S7, H1, H2, H3),**
- 2) the impact of the development on adjoining neighbours would be acceptable (ERSP Policies H3, Uttlesford Local Plan Policy GEN2),**
- 3) the proposed development respects the scale and characteristics of surrounding properties (ERSP Policy H3, Uttlesford Local Plan Policy H3, GEN2) and**
- 4) the access and parking arrangements are acceptable in terms of highway safety implications (ERSP Policies T3, T6, T7, T12, Uttlesford Local Plan Policy GEN1, GEN2 and GEN9).**

1) The site lies within the development limits of Saffron Walden and therefore the principle of residential development is considered acceptable subject to meeting all other relevant policy criteria.

2) The proposal involves the erection of a single storey dwelling. All windows and doors would be at ground floor level. Therefore there would be minimal opportunity for any overlooking of adjacent dwellings. The proposed new dwelling and the existing property would be 7 metres apart and, although the buildings are slightly angled towards each other, there should be no detrimental impacts on the existing property, provided that adequate boundary screening is constructed.

In terms of aspect, the site is a minimum of 1 metre from the northern boundary of the site. It is the opinion of officers that the proposal is unlikely to materially overshadow adjoining neighbours, especially given the presence of boundary fencing.

Overall, officers are content that any detrimental impacts on neighbouring residential properties can be controlled by condition, particularly preventing the insertion of roof lights or roof alterations etc.

3) The general character of this part of Saffron Walden is quite varied. The Wayback is a C20 estate type development surrounded by other residential properties, some of which are older, particularly the houses on Neville Road and Howard Road (circa 1950s). The application site, being a large open space open is significantly different in character to surrounding. That said, the use of the current garden area for residential purposes would represent a much more efficient use of urban land and would be of a scale and density comparable to surrounding properties (22 dwellings per hectare). Officers are of the opinion that the overall scale development is acceptable in this instance subject to relevant conditions.

4) In terms of access and parking issues, the only means of access to the site would be via a revised entrance in front of No.23 The Wayback. This revision would involve the demolition of the existing garage to create a shared access. The applicant has proposed a new single garage to the side of the existing property, which is set back approximately 5 metres from the front wall of the house to enable parking in front. The new dwelling would be served via a 2.7 metre wide access, which slopes upwards to the level area of the dwelling. The details of the slope are indicated in section AA. The new dwelling would contain a single garage and space in front with turning facility to enable vehicles to leave the site in a forward gear.

The intensification of the access may marginally increase the noise of traffic in front of No.23 and running along the side of No.25 The Wayback. Whilst this may not be desirable in terms

of amenity, such an increase in traffic movements would not be materially harmful to warrant refusal in its own right.

Officers are therefore of the opinion that, although the shared access involves vehicles travelling up a slope reach the new dwelling, the general access and parking arrangements are satisfactory in this instance.

CONCLUSIONS: This application has only been referred to members because it has been submitted by an employee of the Council and would ordinarily have been determined under delegated authority. The application is a renewal and there are no material changes in policy to warrant a different decision.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.5.1. Samples of materials to be submitted and agreed.
6. C.6.4. Excluding extensions without further permission.
7. C.12.3. Boundary screening requirements.
8. No development shall take place until details of a 1 metre high retaining wall to be erected in the position shown hatched in red on the approved drawing number 2-381-95, received by the local planning authority on 17 May 2005 have been submitted to and approved in writing by the local planning authority. Construction of the dwelling shall not commence until the approved retaining wall has been constructed in accordance with the approved details. Thereafter the retaining wall shall be retained in perpetuity.
REASON: To safeguard the amenities of the adjoining residential property.
9. The dwelling hereby permitted shall not be occupied until all car parking and manoeuvring areas serving the new and existing dwellings as shown on drawing number 2-381-95, received by the local planning authority on 17 May 2005, have been constructed and made available for use. Thereafter they shall remain available for use as car parking and manoeuvring areas in perpetuity and no car parking or manoeuvring shall take place elsewhere on site.
REASON: In the interests of residential amenity and highway safety.

Background papers: see application file.

UTT/0706/05/FUL - SAFFRON WALDEN

(Application by A member of staff)

Single-storey side extension.
47 Little Walden Road. GR/TL 539-391. Mr A Webb.
Case Officer: *Madeleine Jones 01799 510606*
Expiry Date: 30/06/2005

NOTATION: ULP: Within Development Limits.

DESCRIPTION OF SITE: The site is located on a road and is set back but parallel to the B1052 with a grass verge in between. The property is a semi-detached red brick house with detached garage and shed to the side. There is pedestrian access to the rear garden between the garage and the house. The existing garage has a corrugated metal-pitched roof and the walls and gable end of the roof of the garage appear to be made from asbestos panels. It has wooden double vertical hanging doors. The neighbouring property has an adjacent similar designed garage. The rear garden slopes away from the house quite severely and to the rear of the site is farmland. There is an approximately 8.3m by 3.7m drive in front of the garage and a further hard standing for one vehicle in front of the house.

DESCRIPTION OF PROPOSAL: The proposal is for the demolition of the existing garage and to replace it with a single storey flat roofed side extension. The dimensions would be 10.8m deep, 2.7m wide and 2.7m high. There would be windows to the front and side elevations and patio doors to the rear elevation. The extension would create a bathroom, an additional bedroom and a playroom. The walls would be brick to match the existing house and it would have a flat felt roof. There would be pedestrian access to the rear garden between the garage and the boundary with the neighbouring house. A 1.8m timber-boarded fence is proposed along this boundary.

RELEVANT HISTORY: Single-storey rear extension approved July 1998. Porch built as permitted development.

CONSULTATIONS: Fisher German Chd. Surveyors: Government pipelines may be affected by the proposal but following a site visit it was found that the extension would not affect the pipelines.

TOWN COUNCIL COMMENTS: Object to the appearance of this large flat roofed extension.

REPRESENTATIONS: None. Notification period expired 27th May 2005.

PLANNING CONSIDERATIONS: The main issues are:

1) design, scale and impact on neighbours. (UDP Policies GEN2, H8, S1);

1) The scale of the extension is considered to be proportionate to the original dwelling. Taking into consideration the Parish Councils comments and that there is a flat roofed garage the side of property number 53, the application proposal is considered to be an improvement on the existing garage building and the design is not considered detrimental enough to warrant refusal. Due to the distance between the extension and the neighbouring house and the screening provided by the neighbour's garage, the extension would not cause any material overlooking or overshadowing and therefore would have no significant impact on neighbours' amenities. Car parking provision would remain adequate.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.3. Matching materials.
4. C.19.1. Avoidance of overlooking.

Background papers: see application file.
