

UTT/0988/05/FUL - SAFFRON WALDEN	3
1) UTT/1054/05/DFO, 2) UTT/1057/05/DFO, 3) UTT/1059/05/DFO, 4) UTT/1062/05/DFO, 5) UTT/1065/05/DFO, 6) UTT/1066/05/DFO & 7) UTT/1067/05/DFO – TAKELEY/LITTLE CANFIELD	7
UTT/1254/05/GD - SAFFRON WALDEN.....	28
UTT/1068/05/FUL - GREAT DUNMOW	38
1) UTT/1287/05/FUL & UTT/1288/05/LB - SEWARDS END.....	43
UTT/2134/03/OP – THAXTED	49
UTT/1247/05/FUL - SAFFRON WALDEN	54

PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 21 SEPTEMBER 2005

APPL NO: **UTT/0988/05/FUL**
PARISH: **SAFFRON WALDEN**
DEVELOPMENT: Erection of Five Houses
APPLICANT: Echo's Ltd
LOCATION: Pinewood Debden Road
D.C. CTTE: 31 August 2005 (see report copy attached)
REMARKS: Deferred for Site Visit
RECOMMENDATION: **Approve**
Case Officer: *Mr T Morton 01799 510654*
Expiry Date: 19 August 2005

UTT/0988/05/FUL - SAFFRON WALDEN

(Referred by Cllr Bayley)

Erection of five houses
Pinewood Debden Road. GR/TL 537-378. Echo's Ltd.
Case Officer: Mr T Morton 01799 510654
Expiry Date: 19/08/2005
ODPM classification: Minor application

NOTATION: Within Development Limit.

DESCRIPTION OF SITE: The site stands on the infilled cutting of the former railway line and currently has a single bungalow standing on the plot. To the north side are high density terraced houses in Stephen Neville Court, somewhat downhill, and to the south is Bridge Bungalow, a site with planning permission for the development of two houses. To the west are the rear gardens of houses in Boyton Acres. Access to the site is via an unadopted roadway to Debden Road, which is shared by several of the backland sites. Mature trees run along the north boundary and at the west end of the site is a mature sycamore that adds considerable landscape value to the area.

DESCRIPTION OF PROPOSAL: Demolition of the bungalow and development of five two-storey houses in a terrace of three houses and a terrace of two houses facing each other across a central courtyard. Parking is provided in a separate yard close to the site entrance.

APPLICANT'S CASE: The development has been designed in discussion and with advice from the Local Planning Authority. The houses are modest in size and will be constructed of gault brick with red brick arches. Parking for 10 cars is provided adjacent to the parking area of Stephen Nevill Court, with the central court intended for loading or unloading. The majority of the trees on the north boundary are retained, as is the sycamore at the west of the site, and an Ash on the southern boundary.

CONSULTATIONS: Landscape Officer: There are no individual trees on the site worthy of a Tree Preservation Order, but the trees on the north boundary have an amenity value worthy of being retained in the scheme.

Essex County Council archaeological advice: The proposal lies adjacent to the old railway line and is unlikely to impact on any known archaeological deposits. No archaeological recommendations are made on the proposal.

Essex County Council Highways: At the time of writing the County have recommended refusal. This appears to be inconsistent with their earlier acceptance of the access for additional development of the Bridge Cottage site. Clarification is being sought.

ECC Highway & Transportation: See letter dated 19 August 2005 attached in full at end of report.

TOWN COUNCIL COMMENTS No objection is made.

REPRESENTATIONS: Consultation period expires on 18 July 2005.

Four representations have been received, raising a number of concerns in common. The issues that are raised are;

Concern at the type of fence to be provided to the adjoining house at 4 Boytons Acre.

Ensure the sycamore is not felled.

The development will involve a loss of privacy to the garden and rear facing bedrooms of 4 Boytons Acre.

The development would substantially increase traffic in the lane with dangerous turning to Debden Road. Only a maximum of 5 houses is allowed to use a private drive.

The open car park will cause disturbance to The Paddox facing the bedroom window. The rights of access to the site are disputed.

The Council should keep the character of Saffron Walden and the mix of large and small properties in the area, to extend the density of Stephen Neville Court would adversely impact on the character of the area and destroy a quiet backwater.

Disturbance from construction work.

COMMENTS ON REPRESENTATIONS: The issues raised are understood, and these are discussed further in the sections that follow.

PLANNING CONSIDERATIONS: The main issues are

- 1) **Principle of development (ERSP Policy CS1, & ULP Policies H3, H4);**
- 2) **Amenity of adjoining occupiers (ULP Policy GEN2);**
- 3) **Parking, highways and traffic issues (ERSP Policy T3. & ULP Policy GEN1);.**
- 4) **Design (ULP Policy GEN2) and**
- 5) **Other material planning considerations.**

1) The land is located within the Development Limit of Saffron Walden, and in principle development would be considered acceptable, subject to compliance with the character of the setting and protecting the amenities of adjoining occupiers, and normal planning standards. Advice in PPG3 supports the principle of making better use of land within towns to meet housing needs, but makes it clear that the government's aim is to make the best use of previously developed land *and* improve the quality and attractiveness of residential areas; designs should not compromise the quality of the environment.

The site is located in a sustainable position, with access possible on foot to the town centre shops and services.

Policy H4 addresses development of land that has no road frontage, and strikes a positive attitude where more effective use is made of land, where there would be no material overlooking or overshadowing of nearby properties, would not have an overbearing effect, and where access would not cause disturbance to nearby properties.

The issues and problems with development of backland sites such as this are that the development can potentially introduce noise and disturbance to a tranquil area. Unlike many backland proposals however, the site is already served by an access road, albeit unadopted and unsurfaced, serving two houses, (The Paddox and Bridge Bungalow), as well as providing rear access to houses in Borough Lane. The rights of use of this are disputed, but as such that is not material to planning. If a satisfactory access could be physically provided, other legal issues have to be addressed separately through whatever mechanism is appropriate. The access has served the rear of properties in Borough Lane for vehicles, and two houses as well as the application site itself. Vehicle movements here would not be a new phenomenon, but obviously the intensity of use would rise along the first section of the road from Debden Road to the entrance to the application site. (see section 3 below)

Other constraints on the development of the site are posed by the surrounding pattern of development.

2) The site lies between surrounding houses, which currently have the benefit of the mature landscaped area that is the subject of the application as the backdrop to their gardens. The trees on the site add landscape character to the area, but apart from those that would stand between the end of the new terraces and the terraces in Stephen Neville Court, all significant trees are retained, offering screening and protecting the amenity of adjoining properties.

The impact on the amenity of the existing surrounding houses from the occupation of new dwellings in this backland position, is a material issue. Placing the terraces in line with those in Stephen Neville Court minimises any impact upon that development. On the western boundary the proposal places gardens adjacent to the garden of 4 Boytons Acres, with the house placed at right angles so that there is no facing window-to-window view. There is an objection from the occupiers of that house, but their windows will not be overlooked, and although their garden will be overlooked, it is already overlooked from other existing properties, principally 3 Boytons Acre. On the south side, the site of Bridge Bungalow is set slightly higher up the hill, and permission exists for two replacement houses here. The adjacent house within that proposal was designed to minimise windows overlooking Pinewood, and that design also minimises any potential impact from this development towards that new house, which will stand beside the proposed central courtyard square. Some disturbance from vehicle noise might occur, but it is proposed to condition use of this area for deliveries only and not for everyday parking.

3) The existing access has been an unsurfaced track adjacent to the parapet of the old railway bridge on Debden Road, with a grass verge on the north side of the surfacing. That verge is owned in conjunction with the application site, and it is claimed that the site also has the benefit of access rights over the surfaced track. In dealing with an earlier application for development of two houses on the site of Bridge Bungalow, the Highway Authority required the access to be improved by the removal of the projecting section of the railway bridge wall in front of the grass verge, and this would leave an opening of 5.8m width at the junction with Debden Road, widening out rearwards from this. This would be wide enough to meet the design width requirements for a Type 6 Minor Access Way or Type 7 Mews. If permission is granted it should be subject to a condition requiring the access track to be made up to full adoptable standard prior to commencement of the development.

The principal parking provision has been kept close to the front of the site, to avoid the penetration of vehicles into the depth of the site, except for deliveries. The downside of this is that the appearance presented to the view from Debden Road will be of the car park rather than the buildings.

4) The design is for two groups of houses facing each other across a central square, picking up the layout of Stephen Neville Court. This arrangement will create an attractive private space within the development, and minimises the external interaction with adjacent houses. The development will however present a rear elevation to the approach from Debden Road. The houses are fairly simple small urban 'cottages' which is an arrangement found within Saffron Walden in developments over the last hundred years or more. The small units proposed meet the need for starter homes in the area.

The access width provided is sufficient for a fire tender or refuse freighter.

5) The effect upon wildlife is an issue, though no Protected Species are thought to be involved with this site, the large existing garden undoubtedly provides nesting areas for birds and mammals. No other issues are considered to arise.

CONCLUSIONS: The proposal is seen as an acceptable development of a backland site with existing access, striking a reasonable balance with the constraints of the surrounding properties.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.2. Details of materials to be submitted agreed and implemented.
4. The access to the site between the proposed new houses and Debden Road is to be widened to the maximum extent of the available width and constructed to provide a roadway of adoptable standard, with removal of the existing bridge parapet wall on the north side of the access. Detailed drawings of this are to be submitted and approved in writing by the local planning authority before commencement of development.
REASON: To ensure that adequate access and sightlines are provided.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. C.4.6. Retention and protection of trees and shrubs for the duration of development.
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission.
9. The parking area hereby approved shall be used for the parking of domestic vehicles in connection with the normal residential use of the dwelling to which it relates and shall not be converted for any other use or purpose, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification. The area between the two approved rows of houses shall be used for deliveries to and collections from properties only and shall not be used for the parking of vehicles.
REASON: To ensure that satisfactory provision for off road parking is provided and maintained.
10. C.19.1. Avoidance of overlooking – 1.
11. Slab levels.

Background papers: see application file.

1) UTT/1054/05/DFO, 2) UTT/1057/05/DFO, 3) UTT/1059/05/DFO, 4) UTT/1062/05/DFO, 5) UTT/1065/05/DFO, 6) UTT/1066/05/DFO & 7) UTT/1067/05/DFO – TAKELEY/LITTLE CANFIELD

- 1) Details following outline application (UTT/0816/00/OP) for Infrastructure to include Spine Road, two balancing ponds and public open space
 - 2) Details following outline permission (UTT/0816/00/OP) for erection of 18 No. dwellings and associated parking/garaging
 - 3) Details following outline permission (UTT/0816/00/OP) for erection of 25 No. affordable dwellings and associated parking/garages
 - 4) Details following outline permission (UTT/0816/00/OP) for the erection of 20 No. affordable flats and houses with associated parking areas
 - 5) Details following outline permission (UTT/0816/00/OP) for erection of 38 No. dwellings including associated parking/garages
 - 6) Details following outline permission (UTT/0861/00/OP) for erection of 54 No. dwellings and associated garages/parking
 - 7) Details following outline permission (UTT/0816/00/OP) for erection of 90 No. dwellings and associated garages/parking
- Prior's Green (Phase 1). GR/TL 574-212. Countryside Properties Plc.
Case Officer: Mr M Ranner 01799 510556
Expiry Date: 01/09/2005
ODPM classification: Major application

NOTATION: Takeley/Little Canfield Local Policy 3 – Priors Green.

DESCRIPTION OF SITE: The area subject to these applications lies to the north of the B1256 (old A120) and to the east of Takeley and Smiths Green. It comprises seven individual interlocking sites that cover an overall area of 9.647 hectares and consists of predominantly rough grassland with a small area of agricultural land within the sites northeastern corner. The area is relatively flat, although gradually descends and drops away to the east of the site. It is crossed by a network of private unmade roads (Warwick, Clarendon and Hamilton Road), which serve a sporadic pattern of residential properties, referred to as the 'island sites'. A By-Way known as Jacks lane borders the northern most site boundaries and a public footpath traverses the sites, linking the B1256 with Jacks Lane to the north. In addition to the 'island sites' that are located towards Jacks Lane, a number of residential properties also abut the southern boundaries of the sites, including those facing the B1256 and also those grouped around Hamilton Road. The prevalent style comprises small bungalows set in reasonably spacious plots, although a mix of dwellings exist and includes a variety of two storey dwellings of varying periods of design. An existing motel also lies just to the east of the entrance to Hamilton road. The land to the north beyond Jacks Lane (agricultural land) and to the west, including Takeley Nursery (now derelict) forms part of the land allocated for housing under the Priors Green Local Plan Policy 3 and is likely to be subject to future reserved matters applications as part of an overall phasing plan. Members visited the site prior to the last meeting.

DESCRIPTION OF PROPOSAL: This submission encompasses seven separate reserved matters applications all pursuant to outline planning permission recently granted on 23rd June 2005 (UTT/0816/00/OP) following the completion of a section 106 legal agreement. This permission was for a new residential neighbourhood, including residential development, a primary school site, local centre facilities, open space, roads, footpath/cycle ways, balancing ponds, landscaped areas and other ancillary related facilities and infrastructure. All matters pursuant to the outline permission were reserved.

UTT/1054/05/DFO is a reserved matters application for infrastructure and is identified on the phasing plan as phase one. The application proposes a central spine road that will provide access from the B1256 via a new roundabout and follow the approximate route of Warwick Road, which is routed south to north. The road will also follow the routes of Clarendon and Hamilton Roads and is designed to provide a link to future phases to the north and west of the site areas. The carriage widths of the roads are approximately 7 metres for the main spinal road and approximately 5 metres for the connecting minor estate roads serving the individual phases. These have been designed to allow for a two-way flow of traffic with the wider carriage width of the spinal road reflecting the larger volumes of traffic, larger vehicles i.e. buses and the greater speeds at which traffic is expected to be travelling. Access for existing residents along the private rights of way will be maintained by the proposed development, although the applicants have informed officers that access from phase 3a to Hamilton Road will be for pedestrians only and vehicles will be prevented from exiting the estate via Hamilton road. Two balancing ponds are proposed either side of the entrance to sites fronting the main highway. The smaller will cover an area of 0.125 hectares and the larger 0.330 hectares and will be bordered by a footway on their northern edges and separated by a low brick wall and balustrade. The southern edges will be gently sloping and vary in gradient from between 1 in 2 and 1 in 5 and the ponds will have a permanent water body of at least 1.5 metres in depth, which will be able to fluctuate to a high water level of a depth of 3 metres. Public open space is proposed in the form of two areas located centrally between residential phases 2 and 3b each covering an area of 0.176 hectares. These will comprise of open grassed landscaped areas and two separate play areas containing play equipment and facilities. A separate soft landscaped area of 0.161 hectares is also proposed nearby adjacent to the boundaries of existing properties 'Ir Frach' and Broadmead' and will accommodate extensive planting.

UTT/1057/05/DFO is a reserved matters application for 18 dwellings comprising two and three bedroom homes all arranged in terraces of three. Garaging in the form of doubles, triples and a block of six also form part of the application. The site is referred to as phase 3c, and is located approximately 50 metres to the south of Jacks Lane.

UTT/1059/05/DFO is a reserved matters application for 30 affordable dwellings comprising 3 three-storey blocks of flats each accommodating 6 one bedroom and 3 two bedroom flats. A single terrace comprising 2 three bedroom dwellings and 1 four bedroom dwelling also forms part of the proposal as does a local play area and associated parking areas. The site is referred to as phase 4a, and is situated between Jacks Lane immediately to the north and phase 3c to the south.

UTT/1062/05/DFO is a reserved matters application for 20 affordable dwellings comprising a terrace of 6 three bedroom dwellings, a terrace of 4 two bedroom dwellings, a pair of two bedroom and a pair of three bedroom semi detached dwellings and a single two storey block of flats comprising 2 one bed and 4 two bed units. A local play area also forms part of the proposal as does associated parking areas, which are arranged in the form of parking courts. The site is referred to as phase 4b and is situated on the eastern side of the Priors Green area adjacent to Thornton Road.

UTT/1065/05/DFO is a reserved matters application for 38 dwellings comprising of three terraces of 3 two bedroom dwellings, three terraces of 3 three bedroom dwellings, and 20 four bedroom dwellings of detached, semi detached and terraced forms. Garaging both attached to the dwellings and in the form of detached garages and garage courts also forms part of the proposal. The site is referred to as phase 3b and is located within the southern part of the Priors Green area immediately to the south of 'Broadmead', which forms one of the island sites.

UTT/1066/05/DFO is a reserved matters application for 54 dwellings comprising of 4 two bedroom dwellings, 19 three bedroom dwellings and 31 four bedroom dwellings. These comprise of terraced, semi detached and detached properties. Garaging of varying types and design will serve all of these properties and forms part of the application. The site is referred to as phase 3a and is located directly to the north of the existing properties on Hamilton Road.

UTT/1067/05/DFO is a reserved matters application for 90 dwellings comprising of 15 two bedroom dwellings, 36 three bedroom dwellings and 39 four bedroom dwellings. These will comprise of small terraces, semi detached and detached properties. Open parking courts and garaging of varying types and design form part of this application as does a play area sited within the northern section of the site to the east of the main spine road. The site is referred to as phase 2 and is located either side of the main access road along the current route of Warwick Road.

Design

The layout of the development has been largely informed by a number of site constraints that include the private rights of way such as Warwick Road, Clarendon Road and Hamilton road, which have had to be maintained. The existing pockets of development known as the 'island sites have also influenced layout and design as has the public footpath that crosses the sites, which again must be kept clear of obstruction. This has resulted in a formal layout, however to add interest, features have been added, most notably the use of curved terraces and small greens. The balancing ponds have also been sited at the entrance to the development so as to create an attractive feature when entering the site or viewed from the B1256. The applications propose 250 dwellings in total and these are to comprise of sixteen different house types. The dwellings are characterised by simple design and traditional proportions with a varied use of materials including brick, render and painted brickwork. Detailing includes the use of traditionally proportioned sash type windows in some house types, bay windows, pitched and flat roof canopy porches, jetted first floors on one house type and brick banding and other brick detailing to elevations.

Parking

A minimum of two and a maximum of three spaces have been allocated to two and three bedroom dwellings and a minimum of two and a maximum of four spaces have been allocated to four bedroom dwellings. Affordable dwellings have been allocated a single parking space for each flat, with two spaces for all two, three and four bedroom houses. Visitor spaces include 9 for phase 4A and 3 for phase 4B. Parking provision in total equates to 579 spaces to serve the 250 units comprising 2, 3a, 3b, 3c, 4a and 4b.

Landscaping

Landscaping proposals include significant planting around the balancing ponds in order to create an attractive entrance into the development and to form a wetland habitat. An avenue of planting is proposed along the main spine road into the development and two areas of public open space totalling 0.352 hectares are to be provided between phases 2 and 3b either side of the existing route of Clarendon Road. Significant planting is also proposed adjacent to the eastern boundary of existing properties 'Ir Fach' and 'Broadmead'. As a conditional requirement of the outline planning permission for the site the applicant has submitted a landscape strategy, wherein the applicants state that the strategy demonstrates how the development will integrate with its surrounding environment and how mature hedgerows, existing trees and Jacks Lane will be sensitively managed and maintained. Also as part of the strategy perimeter structure planting comprising of tree belts varying between

10 to 15 metres wide and comprising native species to the area, are to be established on neighbouring agricultural land immediately to the east of phases 3a and 4b.

APPLICANT'S CASE: A supporting statement accompanies the development part of which is duplicated as follows: -

“A number of technical studies have underpinned the development proposals and these have included transportation studies, contaminated land and soil investigations, drainage, flood risk, ecology and a full Environmental Impact Assessment. The proposed development has taken into account these technical studies, which have helped to inform the design solution.

The site layout proposes to offer the new residents a safe, green and attractive place to live, with a wide range of facilities and high quality design that integrates well into the existing environment.”

RELEVANT HISTORY: On 23rd June 2005, outline planning permission (all matters reserved) was granted for the development of a new residential neighbourhood, including residential development, a primary school site, local centre facilities, open space, roads, footpath/cycle ways, balancing ponds, landscaped areas and other ancillary or related facilities and infrastructure (UTT/0816/00/OP). This permission is subject to conditions, a Section 278 (of Highway Act 1980) agreement and a Section 106 legal agreement to secure the provision of public open space, play areas, a community hall, community facilities, structural landscaping and sports and community facilities. Committee has also approved a Master Plan dated 10th August 2000 for the Priors Green site. There are no other applications of direct relevance relating specifically to the application sites however members may be aware of applications pertaining to the eight 'island sites'. All of these are subject to outline applications for residential development and resolutions have been passed to grant permission to all of these sites subject to section 106 legal agreements.

CONSULTATIONS: Essex County Council: offer the following specialist archaeological advice in respect of the development:

“The Historic Environment Management Team of Essex County Council have been monitoring the archaeological work on site for phase 1 of Priors Green, Takeley. I can confirm that all archaeological site work required on the phase 1 area has now been completed. There is now no archaeological reason why development should not proceed within this area.”

Thames Water: makes the following comments in respect of all seven applications:

“The drainage plans for this development, in principal, are as agreed between the applicant and Thames Water. The section of sewer downstream of the new foul water MHF051A (Drawing No.8984/2005) will require upsizing. This should be undertaken via a sewer requisition application to Thames Water. The applicant should contact Developer services on 0845 850 2777.”

Essex County Council 'Schools Related Services: have responded to consultation concerning the seven applications but do not make any specific observations concerning the proposals

Essex County Council Highways and Transportation: have responded to consultation on all seven applications, but have advised that they will be unable to respond within the time period and request that an extension be agreed to enable detailed comments to be submitted.

Essex Police: offer advice in respect of each of the applications as follows:

UTT/1057/05/DFO – No objections.

UTT/1059/05/DFO – Drawing No. N00170/4A/P/01 – I would require units A1, A3 3 bed and A12 have end gable windows included to overlook parking spaces. Other than this there are no objections.

UTT/1066/05/DFO – Drawing No. N00170/3A/P/01 Plot 160 – move gate east to end elevation of garage. This will remove unnecessary alley and bring area into control of plot 160 for security and safety. No objections.

UTT/1067/05/DFO – Drawing No. N00170/2/P/01 Plots 27 & 28 house type H & K – add end gable window to aid natural surveillance. Confirmation required regarding ease of access between parking bays 56 and 117. Request there is no access for safety and security. No objections.

UTT/1065/05/DFO – End gable windows to H & K units where possible. No objections.

UTT/1062/05/DFO – No objections.

A further letter has been received specifically in response to the amendments made applications UTT/1062/05/DFO and UTT/1059/05/DFO, which concern the two affordable housing phases (4A and B). No objections are raised but a request is made that each is subject to Secured by Design certification.

The Councils Housing Department have made the following comments in respect of phases 4a (UTT/1059/05/DFO) and 4b (UTT/1062/05/DFO) relating to the affordable housing:

1) The mix has not been discussed, and does not reflect our housing need. The following mix would be desirable, and would match the need for the area:

34 Rented units:

17 x 1 bed flats
10 x 2 bed flats/houses
6 x 3 bed houses
1 x 4 bed house

16 shared Ownership units:

6 x 1 bed flats
10 x 2 bed houses

2) The parking areas (especially in front of the properties on phase 4A) need to be more spread out – maybe spaces can be made on the front of properties rather than in large parking courts?

3) Both sites seem too cramped – how does the density compare to the phases with private properties?

4) Will the shared ownership properties match the affordability criteria in the Local Plan?

English Nature believes that the proposals are not likely to affect a Site of Special Scientific Interest, however advises that if protected species are suspected or present then further information should be submitted, usually in the form of an ecological survey by an appropriately qualified consultant, prior to the planning application being determined.

The Councils Drainage Engineer: has made the following comments:

“The Flood Risk Assessment (FRA) for the entire Priors Green site has been accepted by the Environment Agency.”

A condition is requested in addition to those advised by the Environment Agency in their letter to the applicant’s consultants. This is that all aspects of the F.R.A are incorporated in the design.

BAA (Safeguarding bird strikes etc): To be reported.

PARISH COUNCIL COMMENTS: Takeley Parish Council (TPC) has responded to consultation in respect of all seven applications and make the following comments:

“No objections subject to:

- TPC are given the opportunity to review and approve the developer’s plan for the development and introduction of appropriate landscaping, planting and fencing to the boundaries of the site. We believe this issue is a high priority and should be fully implemented before construction commences. This will offer some early protection to existing residents and their properties whilst preserving the character of the countryside and views.
- TPC are given the opportunity to review and approve the Planting Strategy for the common areas of the site and for this to be treated as an integral part of the first phase of the development.
- TPC are given the opportunity to review and approve the plans for improvements and upgrades to the water supply and drainage of water/sewage. We assume that these issues will be part of the initial phases of the development and could have a major affect and disturbance for our village and its environs.
- TPC are given the opportunity to review and approve the access restrictions to the site for vehicles and pedestrians during and following the development. A plan showing where points of access are permitted (including footpaths) is urgently needed and also to identify what protection is provided for Jacks Lane and its bridle path.
- Construction traffic at all times can only access and exit the site from/to the east along the B1256 (using A120 Dunmow Junction). Access through Takeley village is to be denied.
- Consideration is given to scaling down the height of the taller properties in order to make them more in keeping with the local area. If this is not feasible the resultant incompatibility with existing properties will definitely require early and significant screening and planting.
- TPC are given the opportunity to review and agree the developer’s standards and procedures for construction workers hours and the management and control of noise, dust and dirt.
- TPC to be provided with the appropriate assurances and guarantees by the developer against any detrimental consequences inflicted on Takeley properties as a result of the sites drainage and ground works.
- The predominance of brick/garages must be reviewed and changed to be more in keeping with a rural scene. Guidelines (ECC) expect a mix of external finishes in

rural areas with the majority finished in smooth render. Colour and type of external materials and surfaces to be identified, agreed and in keeping with this rural countryside scene.

UTT/1054/05/DFO No objections subject to:

- New road surfaces must be of the type that minimises road noise.
- Installation of adequate road calming measures as each phase of development is completed.
- Commitment by the developers to keep the new roads and the B1256 clean at all times whilst under construction.
- No vehicles associated with the development will park on the B1256 or its pavements.
- Planting must include a significant percentage of established trees and shrubs.

UTT/1067/05/DFO, UTT/1066/05/DFO, UTT/1065/05/DFO, UTT/1057/05/DFO.

No objections subject to:

- Acceptance of the recommendations under the general heading.
- Commitment from the developers to keep all roads and access areas clean at all times during the construction phases.

UTT/1059/05/DFO & UTT/1062/05/DFO.

No objections subject to:

- Acceptance of recommendations under the general heading.
- Adequate landscaping, planting and fencing along the boundaries especially along Jacks Lane track.
- Improvements to the external design, especially the 2 blocks of flats, to be more attractive and less austere and forbidding. Using a rendered or combination of brick and render would help towards a solution.

Little Canfield Parish Council raise a number of concerns with regard to the proposals, which are listed below:

- The new plans show a second balancing pond adjacent to the rear boundary of a property in Hamilton Road where ten metres of landscaping had been shown. This has disappeared. The developers did not inform local residents in Warwick and Hamilton Roads of this fact, or consult with them on the proposed changes. The residents were originally told it was to be an open area.
- Hamilton Road was meant to continue to be a cul-de-sac. It now seems that it is destined to be opened up as a through road. It is a private road, and should remain so if the residents want it to be, with no access for through traffic.
- The haul road for the site crosses a private road, Thornton Road, and encroaches on a local hostelry. It is not even in the development area shown on the original plan. Why cannot the actual site road be used for this purpose?
- Local residents are concerned as to how the development will affect the efficient operation of their septic tank drainage. Has this question been considered?
- What plans will be made to ensure that there is sufficient water pressure in the area?
- Landscaping to screen existing properties should be undertaken immediately, and the whole site screened as soon as possible.

- Houses coming under the bracket of “affordable” should be integrated across, and not bunched into their own sections.
- Speed restrictions on the B1256 should be fully implemented before any construction is started.

REPRESENTATIONS: Twenty-two letters of objection have been received from fourteen local residents. Many of these letters relate to the Priors Green site in general and so have been copied onto all seven-application files. Four of the letters of objection including a 15-signature petition largely refer to the proposed spine road shown on the master plan crossing Broadfield Wood. This however does not relate to the seven applications now before committee, which concern only phases 1 to 4b. This matter is likely to be subject to a future reserved matters application and it is at this time that this element of the overall scheme will be considered fully as part of the application process. The objections raised in the representations can be summarised as follows:

- Poor bland design.
- Density of the development too high.
- Excessive amount of roads in the layout.
- The development will result in environmental destruction.
- Construction noise is likely to cause disturbance to existing residents.
- Concerns regarding the affect of the development on the domestic water supply.
- The character of Jacks Green should be preserved by the development.
- The development will be harmful to neighbouring residential amenity, particularly by virtue of overlooking and general disturbance caused by future occupants.
- Lack of structural landscaping to screen existing properties.
- The balancing ponds are too close to existing residential properties and the larger of the two is not shown on the approved master plan. This will inevitably result in danger to existing residents by virtue of the hazard of nearby deep water.
- At all times construction traffic should be routed along the B1256 from the east and not through Takeley.
- Residents should be advised of the working hours.
- Appropriate standards and procedures for the management of noise, dust and dirt must be implemented and carried out by the developers.
- Construction traffic is likely to damage existing services.
- A secure hedge should be planted along the boundary of Thornton Road and the development in order to prevent unauthorised access onto Thornton Road and benefit wildlife.
- Objections to the development of a sewage farm.
- The colour and type of external materials and surfaces to be used in the development should be in keeping with the rural country scene.
- New road surfaces should be of a type to minimise road noise.
- There should be an early introduction of adequate road calming measures.
- No vehicles associated with the construction site should be allowed to park on the B1256, Smiths Green or Jacks Lane.
- The development should have no access onto either Thornton Road or Hamilton Road.
- Affordable housing should be integrated throughout the site rather than within phases.

COMMENTS ON REPRESENTATIONS: The issues raised in the third party representations will be addressed in the considerations to this report.

PLANNING CONSIDERATIONS: The main issues identified by officers are whether:

- 1) these applications provide a form of housing development which accords with the requirements of the Priors Green Master Plan and Local Plan Policy 3 in terms of providing comprehensive residential development.**

The land subject to these applications, benefits from outline planning permission for residential development pursuant to application UTT/0816/00/OP. This permission followed the Committees approval of the Priors Green Master Plan in November 2000, which provides a basis for considering subsequent planning applications and Section 106 agreements. The proposed layout of the development in respect of the position of the main access into the site, the routing of the internal roads and roundabouts, the areas of public open space and general areas of housing closely follows the approved details of the Master Plan. The layout of the general infrastructure as proposed by application UTT/1054/05/DFO is therefore considered by officers to be consistent with the anticipated planning of the site. An exception to the master plan is the inclusion of a second larger balancing pond, which is to be sited on the eastern side of the main access into the site. Only the smaller balancing pond to the west of the main access is shown on the approved Master Plan. This particular matter has been raised by officers with the applicants who state that both ponds are required, based on specialist advice received prior to the submission of the reserved matters applications; in order to ensure that sufficient capacity exists to cope with surface water run-off and drainage of the site. Thames Water raises no objections to the proposal in this respect although the Environment Agency has yet to formally respond to consultation. Their comments will be reported verbally to members at Committee if received prior to the meeting. A letter, dated 5th July 2005, from the Environment Agency to the applicants does however accompany the application, which states that they are satisfied that the Flood Risk Assessment carried out at the Outline stage of the planning process is acceptable and meets the requirements of PPG25. Consequently they have indicated in writing that provided there are no material amendments to the proposals, the Agency will not object to the development on the grounds of flood risk.

With regard to affordable housing, the master plan detailed that 25% genuine affordable housing be provided in small groups of 20-25 dwellings dispersed throughout the development. Application, UTT/1062/05/DFO, proposes a single phase consisting of 20 units, which accords with this layout principle. Application UTT/1059/05/DFO however proposes 30 units, which exceeds the 25-unit masteplan maximum by five units. This is largely due to the fact that the latter application comprises largely smaller flat units which reflects the district's need for smaller affordable units in the form of flats, as expressed by the councils Housing Department. The inclusion of these five extra flats is not considered by officers to be significant in this case and although strictly not in accordance with the Master Plan, the application is not considered to prejudice the aims and objectives of the plan or the conditional requirements of the outline permission. In terms of provision, the proposals equate only to 20% affordable housing when assessed against the total provision of 250 dwellings that comprise phases 2 to 4b, which falls short of the Master Plan and conditional requirements of the outline permission which require a provision of 25%. These seven applications however only relate to the first seven phases, with reserved matters applications still required to be submitted for the remaining 15 phases on land to the north and west. The shortfall can therefore be made up on the remaining phases to ensure the Priors Green development as a whole meets the 25% provision in accordance with the master plan and the conditional requirements of the outline permission.

Turning firstly to policy S2 of the adopted Local Plan, this identifies the development limits/policy areas of the proposed Priors Green development in Takeley and Little Canfield as defined on the proposals map, wherein development will be permitted if it is in accordance with the Plan. Reference therefore has to be made to Local Policy 3, which lists

a number of criteria that development proposals must satisfy. Some of these criteria relate to matters that will be considered following the submission of further reserved matters applications such as the provision of a local centre and primary school and the management of Broadfield Wood for example, which although of importance to the planning of the new neighbourhood as a whole, are not of direct relevance to the consideration of the applications now before Committee. Turning to part a) officers are satisfied that the phases now for consideration provide for a mixed and balanced community. A variety of dwelling types and sizes will be accommodated within phases 2 to 4b including a significant number of small one and two bedroom units, which are to be located in close proximity to and intermixed with the larger three and four bedroom house types. Looking at market housing in isolation the overall mix will equate to 17% two bed, 38% three bed and 45% four bed houses, which officers consider will provide an adequate mix of smaller market housing in accordance also with Local Plan Policy H10. Overall officers consider that the development will attract a diverse mix of residents and encourage the establishment of a mixed and balanced community.

With regard to part c) of policy 3, which concerns landscaping, detailed landscaping proposals are contained with the submissions in addition to a landscape strategy as required by conditions contained on the outline planning permission. These details include structural landscaping both on and off site including perimeter structural planting comprising tree belts varying between 10 to 15 metres wide and comprising native species to the area. One such tree belt is proposed outside of the site on the opposite side of Thornton Road close to the boundaries of phases 3a and 4b, which will aid in screening the development from the east and assimilate the development more successfully in its countryside setting. Significant planting is proposed around the balancing ponds in order to create an attractive entrance to the development and to form a wetland habitat. An avenue of planting will also form a prominent and attractive feature along the entrance spine road and the more significant areas of soft landscaping comprise a small green adjacent to the eastern side of the main spine road opposite the junction with Clarendon Road and open spaces between phases 2 and 3b. An extensive area of planting is also proposed adjacent to existing properties 'Ir Frach' and 'Broadmead'. The provision of landscaping and open space and their maintenance thereafter are encompassed by the Section 106 legal agreement entered into between the developer and the Council in connection with the outline permission.

Turning to part d), it is acknowledged that a development of this scale will impact on existing residential and community interests. In terms of existing residential amenity, residents will undoubtedly experience a change to their local environment with the development of a large residential development in close proximity to their dwellings as many properties presently border and overlook open undeveloped land. Despite local opposition, officers are however satisfied that the scheme has been designed in order to mitigate the effects on residential amenity as much as possible. Limited overlooking of existing dwellings will occur, which will inevitably reduce levels of privacy; however officers consider that the degree of overlooking will not be unacceptable or significant enough to warrant the refusal of the residential applications pertaining to phases 2, 3a, 3b, and 4b. Similarly officers are satisfied that the proposals are acceptable in terms of outlook, sunlight/daylight etc. With regard to the wider community, the aforementioned section 106 legal agreement will mitigate the wider impacts on the existing community by the provisions it secures. These include a new 3500m² community hall, a financial contribution for the enhancement of local sports and or community facilities, the provision, 0.8 hectares of land, for local retail commercial and health facility and/or day nursery at the local centre on site, the provision of a school site, an index linked contribution for transport enhancement, works to Jacks Lane, the enhancement of existing bus stops and the provision of a new bus service between Bishop's Stortford and Priors Green.

2) these applications provide an appropriate density of development taking into account Government advice contained in PPG3 and the conditional requirements of outline planning permission UTT/0816/00/OP.

The seven applications cover an overall site area of approximately 9.6 hectares, which is to accommodate infrastructure and a total of 250 residential units. This equates to an overall density of 26 dwellings per hectare. PPG 3 advocates that local planning authorities should avoid development which makes inefficient use of land (those less than 30 dwellings per hectare net) and encourage housing development, which makes more efficient use of land (between 30 and 50 dwellings per hectare net). In this respect, despite concerns from residents regarding high density, the development makes for an inefficient use of land under the provisions of PPG3. Planning condition C.90C of the outline planning permission also requires that in order to comply with government advice, an overall net density of 30 dwellings per hectare shall be achieved within the site defined by the planning application. As with the provision of affordable housing, these seven applications however only relate to phases 1 to 4b and reserved matters applications are still awaited for the remaining 15 phases on land to the north and west. The consequence of this is that the density of the development should be assessed as a whole and the initial phases not considered against density criteria in isolation. The existing density can therefore be balanced with future phases of the development. The phasing plan that has been submitted by the applicants in response to the conditional requirements of the outline permission, suggests at this stage that the overall development will satisfy the requirements of PPG3 and condition C.90.C by providing a density of 30 dwellings per hectare when measured across the entire Priors Green site. This will however have to be monitored and assessed as details of the later phases are submitted.

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

As previously outlined in the background to this report, the rather formal layout has largely been informed by the site constraints in this case, which comprise of the private rights of way and public foot path that cross the site and the sporadic nature of existing development, most particularly the 'island sites.' Despite these constraints, officers consider that an acceptable scheme has been produced by the applicant's in compliance with policy GEN2 of the Local Plan and supplementary planning guidance 'The Essex Design Guide'.

Certain aspects of the scheme are particularly pleasing and likely to create a pleasant living environment for the future occupants. For example, the balancing ponds and associated landscaping framed by the detached dwellings to the rear, whose design achieves a good degree of articulation and demonstrate a good use of external materials, has the potential to provide an attractive focal point and entrance into the site. This then leads to an attractive tree lined boulevard bordered by a variety of dwelling types, with garaging hidden in the most part individually or in well concealed garage courts to the rear of the properties. A central green situated mid way along the boulevard, will contribute further to what should be a very attractive street scene. A focal development is lacking at the end of the boulevard to terminate the view, however the plot of land immediately to the north of this junction comprises an island site that does not fall within the ownership or control of the applicants. This site does however fall within the boundaries of the Priors Green site wherein Policy 3 applies and so could potentially be developed in the future. Open space is incorporated centrally within the development, which should provide attractive green spaces, and a sense of identity for those properties that border these areas. Three further equipped play areas are proposed to be located strategically in other parts of the development and aesthetically the use of curved terraces will provide further interest and relief from the rather rigid road layout. As a whole, the dwellings are characterised by simple design and traditional

proportions with good use of fenestration and materials. Articulation varies between house types and detailing includes the use of sash type windows on some house types, bay windows, pitched and flat roof canopy porches, jettisoned first floors on one house type and various brick detailing.

Members have raised the issue of design, in particular with regard to the affordable flats. Officers have subsequently held negotiations with the applicants to secure a better design and in response amended drawings have now been received. The applicants have attempted to add interest to the designs by use of detailing and choice of materials, which officers consider has been achieved. Phase 4 now largely comprises of flats, which has had the benefit of freeing up more space for soft landscaping to be incorporated within the development. The height of the flats has also been reduced from the original submission from 12m to 10.9m to the ridge which will ensure that they do not appear incongruous within the development or overbearing in relation to nearby dwellings, which are of a height of up to 8.1 metres, only 2.8 metres lower than the flats themselves. Overall it is acknowledged that the designs of the affordable dwellings are not of the high standard as demonstrated elsewhere within the other phases of market housing, however on balance both phases are considered acceptable.

In terms of existing properties in the vicinity of the site, it is difficult for the development to be compatible with the scale, form, layout, appearance and materials of surrounding dwellings due to their loose knit form and variety of house types present, which includes a number of post war bungalows. Much of the existing development in closest proximity to the site does benefit from various outline planning permissions for residential redevelopment, which if pursued by the individual applicants, will result a more comprehensive planning and design approach for the Priors Green area as a whole.

With regard to Secured by Design the Essex Police do not have any fundamental objections to the respective proposals, however they do make a number of recommendations largely to secure better natural surveillance in certain areas. These recommendations have been put to the applicants who at the time of writing have indicated that they will amend the details accordingly to comply with Essex Police requirements, with the exception of the requests for windows to the gables of plots 27 and 28 and to the gables of all H and K units. The applicant's state that these revisions are unnecessary as there will be natural surveillance from pedestrians and cars entering onto the estate from the Dunmow Road and there will not be any access between the parking courts containing bays for plots 56 and 117. Also all of the H and K units have side parking with surveillance for houses opposite as well as clear views from the estate roads. Officers are satisfied with the changes proposed and consider there to be insufficient justification to insist that all of the requested amendments are made as natural surveillance already exists in these locations as picked up on by the applicant.

Turning to matters of water and energy efficiency and waste production, the development will not be solely reliant on the car, with the provision of bus services and footway/cycleway links planned. This will aid in significantly limiting the emissions of carbon dioxide. With regard to building layout, despite the constraints on the site the housing is generally laid and orientated in ways that will result in good levels of sunlight being received by main habitable rooms. This will also ensure that buildings are passively heated by the winter sun which should significantly benefit energy use for heating. Other matters that are not apparent as part of the submission that could be employed include the use of high-mass materials inside space (masonry internal wall, stone tile flooring), that could act as overheating controls in summer. Solar Hot Water systems can be used, which can provide upwards of 50% to 70% of a homes' domestic hot water needs and the use of grey-water recycling and rain water capture can reduce household water use. An appropriately worded condition has been recommended at the end of this report in order to ensure that the developer constructs the buildings with energy and water efficiency in mind.

4) the proposed developments provide an adequate proportion of affordable housing in accordance with ULP Policy H9.

As outlined in section 1), these proposals when viewed together, makes a 20% provision of affordable housing. This falls significantly short of that required by policy H9 which dictates that the Council should seek to negotiate on a site by site basis an element of affordable housing of 40% of the total provision of housing. This is however a relatively new policy, which forms part of the current Local Plan, as adopted in January of this year. The resolution to grant outline planning permission for the site was made in 2002 and so pre-dates the current policy and its requirement for a 40% provision. The approved Master Plan and the conditional requirements of the Outline Permission reflect the prevailing policies concerning affordable housing at the time and require a provision of only 25%. At this reserved matters stage it is not possible to revisit the issue of the proportion of affordable dwellings taking into account the provisions of the Master Plan and Outline Planning Permission pertaining to the site. As outlined earlier, the 5% shortfall can be made up in future phases and as such the 25% requirement should be addressed against the Priors Green development in its entirety.

With regard to the mix of affordable dwellings, the Councils Housing Department were critical in this respect and advised officers that the house types proposed did not reflect the housing need for the area. As a consequence, discussions took place between officers and the applicants and subsequently amended drawings were submitted concerning both affordable phases (4a & 4b ref: UTT/1059/05/FUL & UTT/1062/05/DFO). These now comprise a mix that largely complies with housing advice and represents a scheme that meets the local needs, with the provision of predominantly smaller one and two bedroom units.

An Affordable Housing Strategy has recently been submitted by the applicants as required by condition C.90R of the outline planning permission, which details the arrangements and provision of affordable housing throughout the priors green development. This is currently with the Councils Housing Department for comment.

5) there is appropriate parking and access in accordance with ULP Policies GEN1 and GEN8.

Firstly with regard to parking, policy GEN8 dictates that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location. Appendix 1 indicates a maximum of 2 spaces per properties up to 3 bedrooms and a maximum of 3 spaces for properties with 4 bedrooms or more. The scheme provides a minimum of two and a maximum of three spaces for two and three bedroom dwellings and a minimum of two and a maximum of four spaces for four bedroom dwellings. Affordable dwellings have been allocated a single space per each flat and two spaces for all dwellings, in addition to visitor parking. In total parking provision equates to 579 spaces for the 250 dwellings. From these figures it can be seen that there is some variance with the parking provisions for the different house types, when compared with the Appendix 1 figures. These figures are exceeded on occasions and with an average parking provision in total of just over 2 spaces per dwelling this exceeds the 1.5 off street car parking spaces advocated by Planning Policy Guidance Note 3: Housing. Officers consider however that the total provision is realistic and not unsustainable taking into account the rural location of the development. Provision for cycle and motorcycles are not apparent on the submitted drawings and a condition is recommended to ensure that these vehicles are provided for within the respective phases.

With regard to access and highway safety, the comments of the highway authority, Essex County Council, are still awaited. If received, these will be reported verbally at committee.

Vehicular access to the phases will be reached via the existing junction of Warwick Road, in accordance with the details of the Master Plan. A roundabout is proposed at this junction, which will in turn access the main spine road into the development. The County Council have been fully involved with the outline permission pertaining to the site and the applicant has entered into a section 278 notice with the County Council to ensure that highway works are carried out to the satisfaction of the highway authority. The provisions of the notice require amongst other things that a priority access be formed at the junction of Warwick Road and Dunmow Road, a new roundabout and all associated works at the junction of Warwick Road and Dunmow Road, new pedestrian crossings and new bus shelters, footway/cycle connections to the site and the implementation of a 30 miles per hour speed limit on Dunmow Road through the village of Takeley.

6) it has been adequately demonstrated that the development would not lead to an increased risk of flooding (ULP Policy GEN3).

The outline planning application was accompanied by a Flood Risk Assessment (FRA), which covers the whole Priors Green site. A copy of a letter, dated 5th July 2005, from the Environment Agency concerning this FRA accompanies the applications which states that:

“We confirm that your FRA is considered by the Agency to meet the requirements of Planning Policy Guidance Note 25 and that the proposed development is in accordance with the guidelines contained therein. Please accept this as a ‘Letter of Compliance’ by the Agency, which should accompany your FRA together with your Planning Application.”

The Agency go onto state that they will not object to the development on the grounds of flood risk, subject to the imposition of conditions concerning surface water drainage works and surface water source control. A condition already exists on the outline planning permission of the site, which requires the submission of further details from the applicant concerning surface and foul water drainage. A condition requiring that all aspects of the FRA be incorporated into the design is recommended at the end of this report.

With regard to the second balancing pond, which does not form part of the approved Master Plan, the applicant states that this is required to match the catchment characteristics of the existing site, and to meet Environment Agency criteria of restricting outflow to existing ditches to no more than a 1 in 1 year green field run off rate (for storms up to 1 in 100 occurrence). The ponds 1A and 1B are needed to provide storage at the lowest level on the southern sector of the development. The applicants go on to state that calculations have been submitted to the Environment Agency and approved, which indicates that there would be insufficient volume in pond 1A alone.

7) the proposed developments would have a harmful affect upon protected species, habitats or other wildlife (ULP Policy GEN7)

The sites do not form part of a SSSI or other site of wildlife interest, however it has been recognised that the area accommodates protected species. English Nature raise no objections to the application however offer advice on protected species.

The outline application for the site was accompanied by an Environmental Impact Assessment (EIA), which concluded that the impact of the development (as a whole) would include ...”the loss of some hedgerows and ditches and potential pond pollution. There could be a loss of food opportunities for bats and the loss of habitats for some birds, reptiles and common mammals. The Great Crested Newts habitat will be improved. Effects will be of some significance “

Mitigation measures advised by the EIA included an engineering solution to protect ponds from pollution. Boxes provided for bats and sources of food considered. The Great Crested Newts habitat to be enhanced and new ones created and a translocation programme for reptiles introduced to combat the loss of scrub land.

Using the EIA as a basis, the applicants have submitted an ecological strategy for the whole Priors Green site, as a response to the conditional requirements of the outline planning permission. This sets out a programme of mitigation works for the resident flora and fauna and a plan for future management and programme of works. It includes mitigation and enhancement measures for the impacts on protected species, in particular Great Crested Newts, reptiles, bats and breeding birds. Also included are the objectives and principal management prescriptions for the future management of retained and created areas of habitat. This information is being considered by officers and advice has been sought from the relevant ecological groups.

8) the proposed developments would adversely affect landscape elements such as protected trees, tree belts and hedgerows and provided for the appropriate new indigenous species as part of the applications (ULP Policies ENV3 and ENV8).

The areas subject to the current reserved matters applications comprise of scrubland and agricultural land and so the interiors are largely open in nature and free of trees and hedgerows except along some of their exterior boundaries at the edge of the phases. Affects on existing trees and hedgerows will therefore be minimal and not to a degree that will be harmful to the area. Significant planting is proposed, and will include perimeter structure planting comprising of tree belts varying between 10 to 15 metres wide and comprising native species to the area, located adjacent to the eastern boundaries of phases 3a and 4b. Existing landscaping is also proposed where possible to be strengthened with similar and native species. A Landscape Strategy has been submitted by the applicants as a conditional requirement of the outline permission and is currently being considered by officers.

9) the proposed developments will affect the private rights of way to existing dwellings and the public footpath that traverse the site.

The layout of the development respects the existing private rights of way to the 'island sites' along Warwick Road, Clarendon Road, Hamilton Road and Thornton Road, by following these existing routes. Control will need to be exercised where the proposed surfaced road at Phase 3a meets Hamilton Road in order to prevent vehicles from the estate accessing the B1256 via Hamilton Road. The applicants have indicated that signage could be used in addition to other means of control, such as a timber gate with separate pedestrian access. A condition however has been recommended at the end of this report to ensure that general vehicular access by residents of the development is not achievable via Hamilton Road and the details of control are submitted to and approved by the Local Planning Authority.

The public right of way that traverses the site has been accommodated within the development to ensure that the right of way is maintained. Representations from the relevant bodies concerning this right of way are still awaited and will be reported verbally if received prior to the committee.

10) other matters of material importance are acceptable in light of the submissions.

With regard to archaeology, condition C.16.2 of the outline planning permission for the site requires the developer to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and

approved by the Local Planning Authority. Such details are now with officers and archaeological works have been progressing on site for some time. The Historic Environment Management Team of Essex County Council have been monitoring the archaeological work on site for phase one of the Priors Green development, which includes the areas subject to the seven reserved matters applications now before committee. They have indicated that all of the works required have now been completed and there is no archaeological reason why development should not proceed within this area.

Turning to water supply, comments from Three Valleys Water are still awaited. If any representations are received prior to the committee meeting then these will be reported verbally to members. As a safeguard, condition C.90G of the outline permission, indicates that no development shall take place until a programme of works for the provision of a water supply and surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority, following consultation with the relevant water and drainage authorities. Subsequently, the works are required to be implemented as approved, including any phasing in relation to the occupation of buildings. This information has now been submitted by the applicants, which has been forwarded to Thames Water and Three Valleys Water whose responses are still awaited.

Concern from residents has been expressed with regard to the safety of the balancing ponds. This issue has been raised by officers with the applicants who have indicated that the proposals ensure that surrounding properties will be significantly and safely separated from the balancing ponds. A significant level of structural landscaping and planting is designed to prevent access from Hamilton Road and other surrounding properties to the ponds. They are intended to be surrounded on the north and western sides by substantial fencing fixed upon gabion walls and in order to meet with public concerns the applicants have indicated that the slope of the balancing ponds are being redesigned to reduce the overall gradient of the ponds. Officers consider that these concerns can be overcome by the imposition of an appropriately worded condition as recommended at the end of this report requiring further details of safety measures be submitted to and considered further by the Local Planning Authority, prior to the commencement of works.

Also with regard to the balancing ponds, despite not yet making formal representations, Stansted Safeguarding have expressed concerns to officers in respect of them attracting birds, and thus increasing the risk of bird strikes. Areas of water will inevitably attract birds, however measures could be undertaken to reduce the attractiveness of such sites to large numbers of birds. The type of planting around the ponds is important as certain species provide food sources for birds and the design of the pond and surrounding areas should limit areas as much as possible where birds can safely roost, feed and nest. The position of the ponds is beneficial in this case as they are located close to the main road and neighbouring properties and so are likely to suffer from a degree of disturbance, which is likely to deter a number of species of bird from regularly inhabiting the ponds. A suitably worded condition is recommended requiring the applicants submit further details and measures employed to discourage the use of the ponds by birds in order to ensure that the safety of aircraft using nearby Stansted Airport are not prejudiced.

Many residents have expressed concerns regarding disturbance due to construction works. These matters have already been considered as part of the outline planning permission for the site and consequently a number of conditions have already been imposed at the outline stage, which the applicants are required to comply. These include controls on construction noise, restrictions on the routes that construction vehicles can take, restrictions on delivery times to site, and a requirement of the applicant to submit details of a system to limit as far as possible the amount of mud and dust carried onto the highway by vehicles and plant leaving the site.

The issue of 'Lifetime Homes' was raised by members at the initial reporting stage. The Council have formulated Supplementary Planning Guidance on this matter; however this has not yet been adopted and is currently out to consultation. This document is not therefore a statutory document and so does not hold much weight at this stage. This issue has been discussed with the applicants who have chosen not to amend the scheme. Unfortunately until a statutory document is in place, the Council cannot insist that these applications comply with these principles.

With regard to air noise, a degree of noise will be apparent from flying aircraft associated with nearby Stansted Airport; however this is not considered to be to a degree that could not be overcome by the use of such measures as sound insulation and double glazing to the properties

CONCLUSIONS: In light of the above considerations the schemes are considered to accord with the requirements of the Master Plan, the outline permission for the site (UTT/0816/00/OP), Policy 3 pertaining to Priors Green and all other matters of material importance. The applications are therefore recommended for approval subject to the following conditions.

1) UTT/1054/05/DFO

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.1. To be implemented in accordance with approved plans.
2. C.10.15. Standard Highway Requirements.
3. C.20.3. If Protected Species discovered get Licence from DEFRA
4. There shall be no vehicular access, except for those existing properties with a legal entitlement, from the site onto the section of Hamilton road located outside of the site boundaries. Details of control at this point, e.g. gates or other means shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
REASON: In the interests of existing residential amenity and highway and pedestrian safety.
5. All aspects of the Flood Risk Assessment that accompanied the application shall be incorporated in the design, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the increased risk in flooding.
6. Prior to the commencement of the development hereby approved, details of the safety measures to be included in the design of the balancing ponds shall be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of public safety.
7. Prior to the commencement of the development hereby approved details of measures to be employed to deter birds from inhabiting the balancing ponds, shall be submitted to and approved in writing by the Local Planning Authority.
REASON: In order to prevent numbers of birds from inhabiting the area that are likely to cause a nuisance and danger to over flying aircraft.

2) UTT/1057/05/DFO

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.1. To be implemented in accordance with approved plans.
2. C.5.1. Samples of materials to be submitted agreed and implemented.
3. C.10.16. Standard Highway Requirements.
4. Prior to the occupation of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans

accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.

REASON: To ensure adequate off street parking provision for the development, in the interests of highway safety.

5. Cycle facilities shall be provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.

REASON: To encourage the use of cycles as means of transport.

6. C.20.3.If Protected Species discovered get Licence from DEFRA.

7. All aspects of the Flood Risk Assessment that accompanied the application shall be incorporated in the design, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent the risk of flooding.

8. Prior to the construction of the dwellings hereby approved, details of the energy and water saving measures to be used in both the internal and external construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure that the dwellings are energy efficient, in the interests of the environment.

9. Details of refuse storage facilities shall be submitted to and approved in writing the Local Planning Authority prior to the commencement of development and implemented accordingly.

REASON: In the interests of amenity.

3) UTT/1059/05/DFO

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.3. To be implemented in accordance with original and revised plans.
2. C.5.1. Samples of materials to be submitted agreed and implemented.
3. C.10.16. Standard Highway Requirements.
4. Prior to the first occupation of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.
REASON: To ensure adequate off street parking provision for the development, in the interests of highway safety.
5. Cycle facilities shall be provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
REASON: To encourage the use of cycles as a means of transport.
6. C.20.3.If Protected Species discovered get License from DEFRA.
7. All aspects of the Flood Risk Assessment that accompanied the application shall be incorporated in the design, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the risk of flooding.
8. Prior to the construction of the dwellings hereby approved, details of the energy and water saving measures to be used in both the internal and external construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure that the dwellings are energy efficient, in the interests of the environment.
9. The dwellings hereby permitted shall be occupied only as affordable housing, in accordance with the terms and conditions of an approved Affordable Housing Strategy.

REASON: to ensure the development provides sufficient genuinely affordable houses.

10. Details of refuse storage facilities shall be submitted to and approved in writing the Local Planning Authority prior to the commencement of development and implemented accordingly.

REASON: In the interests of amenity.

4) UTT/1062/05/DFO

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.3. To be implemented in accordance with original and revised plans.
2. C.5.1. Samples of materials to be submitted agreed and implemented.
3. C.10.16. Standard Highway Requirements.
4. Prior to the first occupation of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.
REASON: To ensure adequate off street parking provision for the development, in the interests of highway safety.
5. Cycle facilities shall be provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
REASON: To encourage the use of cycles as a means of transport.
6. C.20.3.If Protected Species discovered get License from DEFRA.
7. All aspects of the Flood Risk Assessment that accompanied the application shall be incorporated in the design, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the risk of flooding.
8. Prior to the construction of the dwellings hereby approved, details of the energy and water saving measures to be used in both the internal and external construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure that the dwellings are energy efficient, in the interests of the environment.
- 9). The dwellings hereby permitted shall be occupied only as affordable housing, in accordance with the terms and conditions of an approved Affordable Housing Strategy.
REASON: to ensure the development provides sufficient genuinely affordable houses.
10. There shall be no vehicular or pedestrian access to the development hereby permitted from Thornton Road.
REASON: In the interests of highway safety and to safeguard the residential amenities of existing residents.
11. Details of refuse storage facilities shall be submitted to and approved in writing the Local Planning Authority prior to the commencement of development and implemented accordingly.
REASON: In the interests of amenity.

5) UTT/1065/05/DFO

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.1. To be implemented in accordance with approved plans.
2. C.5.1. Samples of materials to be submitted agreed and implemented.
3. C.10.16. Standard Highway Requirements.

4. Prior to the occupation of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.
REASON: To ensure adequate off street parking provision for the development, in the interests of highway safety.
5. Cycle facilities shall be provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
REASON: To encourage the use of cycles as means of transport.
6. C.20.3.If Protected Species discovered get Licence from DEFRA.
7. All aspects of the Flood Risk Assessment that accompanied the application shall be incorporated in the design, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the risk of flooding.
8. Prior to the construction of the dwellings hereby approved, details of the energy and water saving measures to be used in both the internal and external construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure that the dwellings are energy efficient, in the interests of the environment.
9. Details of refuse storage facilities shall be submitted to and approved in writing the Local Planning Authority prior to the commencement of development and implemented accordingly.
REASON: In the interests of amenity.

6) UTT/1066/05/DFO

RECOMMENDATION: APROVAL WITH CONDITIONS

1. C.3.1. To be implemented in accordance with approved plans.
2. C.5.1. Samples of materials to be submitted agreed and implemented.
3. C.10.16. Standard Highway Requirements.
4. Prior to the occupation of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.
REASON: To ensure adequate off street parking provision for the development, in the interests of highway safety.
5. Cycle facilities shall be provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
REASON: To encourage the use of cycles as means of transport.
6. C.20.3.If Protected Species discovered get Licence from DEFRA.
7. All aspects of the Flood Risk Assessment that accompanied the application shall be incorporated in the design, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the risk of flooding.
8. Prior to the construction of the dwellings hereby approved, details of the energy and water saving measures to be used in both the internal and external construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure that the dwellings are energy efficient, in the interests of the environment.
9. There shall be no vehicular or pedestrian access to the development hereby permitted from Thornton Road.

REASON In the interests of highway safety and to safeguard the residential amenities of existing residents.

10. Details of refuse storage facilities shall be submitted to and approved in writing the Local Planning Authority prior to the commencement of development and implemented accordingly.

REASON: In the interests of amenity.

7) UTT/1067/05/DFO

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.1. To be implemented in accordance with approved plans.
2. C.5.1. Samples of materials to be submitted agreed and implemented.
3. C.10.16. Standard Highway Requirements.
4. Prior to the occupation of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.
REASON: To ensure adequate off street parking provision for the development, in the interests of highway safety.
5. Cycle facilities shall be provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
REASON: To encourage the use of cycles as means of transport.
6. C.20.3.If Protected Species discovered get Licence from DEFRA.
7. All aspects of the Flood Risk Assessment that accompanied the application shall be incorporated in the design, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the risk of flooding.
8. Prior to the construction of the dwellings hereby approved, details of the energy and water saving measures to be used in both the internal and external construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure that the dwellings are energy efficient, in the interests of the environment.
9. Details of refuse storage facilities shall be submitted to and approved in writing the Local Planning Authority prior to the commencement of development and implemented accordingly.
REASON: In the interests of amenity.

Background papers: see application file.

UTT/1254/05/GD - SAFFRON WALDEN

Improvements to the existing junction of Duck Street and the B1383, a new 130 space car park including 12 disabled spaces, a 7 space coach park, a 90 space overspill car park, and the adaption of the existing historic Coach House to provide new ticketing arrangements Audley End House, Audley End. GR/TL 520-384 . English Heritage (Mr A Glass).

Case Officer: Mr T Morton 01799 510654

Expiry Date: 26/09/2005

ODPM classification: Minor application

NOTATION: Outside Development Limit / Conservation Area/ Historic Park and Garden / Scheduled Monument / Affecting the setting of a Listed Building.

DESCRIPTION OF SITE: The notification concerns Audley End House and the gardens surrounding it, the development will be in the walled Orchard on the east side of the B1383, to the north west of the Audley End site as a whole.

DESCRIPTION OF PROPOSAL: Proposed car park, new access and ticketing building.

APPLICANT'S CASE: The existing access entails vehicles passing in front of the house and parking in an inadequately sized car park within the historic landscape of the Deer Park, causing vehicle / pedestrian conflict. Coaches park on adjoining land. The new car park will be to the west of the Kitchen Garden, with pedestrian access to the house via that garden and a new ticket office formed in the Coach House. The area used as car park at present will be returned to parkland.

The area for the new car park was formerly an orchard but is not currently in use for this purpose. The overspill car park area is partly planted as an orchard. The access road coach park and car bays are to be surfaced in bound gravel, the aisles in tarmac. The overspill car park will remain as grass surface.

RELEVANT HISTORY: UTT/1250/04/GD Report deferred from Committee 20 September 2004 and then withdrawn by the applicant.

CONSULTATIONS: Essex County Council Highways: The formal comments of the County Highway Authority have sought, but are not available at the time of drafting this report, and they have asked for an extension of time.

Essex County Council archaeological advice: The proposed development is in an area of significant archaeological deposits within the Scheduled Ancient Monument of Audley End. The archaeological evaluation shows a potential of surviving deposits in the area of proposed development. The construction of the road will have an impact on an area which has not been evaluated. A detailed programme of archaeological work will need to be agreed prior to any commencement of work on site.

RECOMMENDATION Archaeological Monitoring:

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

[NOTE: Whilst this approach would be valid with a normal application, the Council cannot apply conditions to comments upon Government Development, we can only make comments or recommendations]

Uttlesford Area Access Group: Have no objections to the proposed access route and provision for accessible parking and provision of electric buggies. The inclusion of W.C.s at the ticketing office would be an additional benefit.

Campaign to Protect Rural Essex: The proposal will result in serious harm to the surrounding open countryside and parkland and traffic dangers on a scale that outweigh the benefit to the Grade I Listed house gardens and parkland. The proposal is contrary to Local Plan policies S7, GEN2, ENV2, ENV9 and Structure Plan policies on transport T8, and to PPS7. Issues then discussed in detail include the upgrade of a trackway to a full road, the hole to be made in the boundary wall, traffic hazards and pedestrian safety, and the lack of problems with the existing arrangements.

The Georgian Group: The group welcomes the decision to remove the existing car park which detracts from the setting of the house and damages Capability Brown's landscape, as well as restoration of the drive in front of the house to its pre-twentieth century character. We hope this will encourage visitors to walk along the entrance drive as was originally envisaged. Views from the Springwood column to the orchard car parking may need further protection to safeguard the relationship between the column and core of the registered landscape.

The Society for the Protection of Ancient Buildings: Consider current plans for new access and car parking facilities to be a great improvement on the previous proposals. Most of our concerns have been satisfactorily addressed. We remain anxious however that alterations for the new vehicular access should not include unnecessary "urbanisation" of the area. The conversion of the coach house for ticketing facilities will provide the building with a viable new use.

Essex Gardens Trust: The Trust would like to make the following comments in support of this application. The proposals demonstrate a thorough consideration of this important Grade I site and its conservation. Traffic is to be removed from the centre of the site which both enhances the visitor experience and increases visitor safety, as well reducing the physical impact of vehicles upon the landscape, Improvements are to be made to car parking. These proposed arrangements will encourage visitors to explore more of the site than at present, and important buildings such as the Coach House will receive greater attention. This will allow visitors to gain a greater sense of the layers of history at this site.

TOWN COUNCIL COMMENTS: Consultation period expires 2 September 2005.

Saffron Walden Town Council: The Committee is still concerned regarding access, removal of a public right of way, loss of historic features, traffic passing through the orchard, and polluting an area of biodiversity. The Committee is concerned that Duck Street (a farm lane) will become a highway, traffic will interfere with pedestrians using the footpath and there will be a detrimental change to the historic landscape. Coaches may be visible when parked in the proposed parking space.

Littlebury Parish Council: It is hoped to show that this application shows a disregard for the English Heritage policies detailed below, road safety, the historic importance of the site and the ambience of the surrounding historic areas. For these reasons Littlebury Parish Council submits that the application should be rejected.

English Heritage Conservation Plan 2001

On policies for enhancement and improvement. Policy 3.1.3.

'The area (for car parking) should be accessible safely and easily from the public road, with the minimum of impact on the fabric of the site and its boundaries'

ROAD SAFETY

The ideal entrance to Audley End House is the existing one, which is in a 40 mph speed limit. It is served by the best visibility splays on any of Audley End's boundaries and enjoys traffic calming from the west by virtue of the Adam/Stone Bridge. Importantly it only serves

incoming traffic. Backing up of traffic in this position is very rare and in any case could easily be mitigated by moving the ticket kiosks further up the drive, a low key, environmentally safe solution. Traffic safety also benefits from the fact that vehicles exit the site from a separate position.

The junction of Home Farm Lane (leading to Duck Street) and the B1383 is a dangerous one, with poor visibility to the south on exiting. Currently it carries only farm vehicles and very occasional traffic. Traffic waiting to enter would be vulnerable to shunting accidents, again due to poor visibility from the south, whilst visibility from the north would be impaired by vehicles, especially coaches exiting at this point.

The B1383 not only carries fast traffic in both directions, it also bears the M11 traffic when that motorway is closed and is the lorry route for Saffron Walden. The new 50 mph limit which was requested jointly by Littlebury, Newport and Wendens Ambo Parish Councils over a year ago because of concerns about speeding has slowed some traffic but compliance cannot be guaranteed, and indeed impatient drivers now take advantage of the new limit to overtake law abiding drivers, Alas, there is no speed policing in this area. Visibility for approaching traffic at this point is compromised by the bends on the southern approach. A frequently used junction here would create a dangerous hazard.

Before application UTT/1250/04/GD was withdrawn an English Heritage representative asserted in the local press that the proposed junction would ensure the safety of road users and incur less signage. Evidence from Highways proved these remarks all too wrong, to the extent that the application had to be withdrawn, so it is not feasible that a major junction just a few yards further down the road would do either of those things. Children attending the County High School walk along the B1383 and a junction of this kind would pose a danger to them.

There are already three access points on the B1383 serving Audley End House, as well as the road leading to the Lion Gate entrance, Ice House entrance and that opposite the County High School.

An excellent coach park exists at Swan Meadow on Audley End's eastern boundary and coaches can park on the weekends at the County High School and at the miniature railway park opposite the House.

AMENITY

English Heritage Conservation Plan 2001

On local amenity values

'... on the west the views of the house and its setting from a public road make a significant contribution to the visual quality of life in the locality and the region'

On development proposals

'The site is potentially vulnerable to development proposals promoted by English Heritage to manage and improve its visitor attraction, to extend the scope of special events, or to provide facilities for Heritage hospitality. Equally some off site development promoted by others (or English Heritage) even at some distance could have an impact on the setting of the historic landscape.'

Home Farm Lane

The size of the proposed junction is out of keeping with any other that opens onto the B1383. The current opening would be increased by a factor of 5 and the visibility splays would nearly double the visual impact. Currently the junction is discreet and attractive in the

landscape, the Nursery Lodge nestling into the side of the hill behind the flint and brick wall, with a minimum of signage.

Illustration 1. The current opening at Home Farm Lane

Flint walls take over on either side of the road where the twin May hedges stop, exactly opposite each other in a unique arrangement.

Illustration 2. The B1383 between Littlebury and Nursery Lodge

Opposite the Home Farm Lane opening is a farm track, until 1811, the road to Littlebury. A junction of the size proposed would inevitably require signage to the degree that has recently been put in place at Sparrows End Hill, Newport. This would have an adverse effect on the visual amenity of the area.

Illustration 3. Sparrows End Hill/B1383

Waymarked, Home Farm Lane is very popular with walkers and joggers. To have it urbanised, the inevitable consequence of the creation of a junction and access for a car park would be a retrograde step. The increase of signage, lighting and noise pollution would also be inappropriate in this rural setting.

The proposed soil moving exercise would change forever the contour of the land, the idiosyncratic shape and prospect of the lane and the use to which it is put. Gates to separate the general public from Home Farm Lane will have an adverse impact on the use of it by the Home Farm and, being axially positioned across the lane, would further spoil the current pleasant aspect.

HERITAGE

English Heritage Conservation Plan 2001

On gaps and conflicts in understanding

‘There remains much to be discovered, and there is a continuing danger of initiating change with an inadequate basis of understanding’

This application illustrates precisely this very danger to the site. A clear lack of understanding of the importance of those areas, which are proposed to be fundamentally changed and put beyond any cultural use either for archaeological investigation in the future or reconstruction of their previous uses.

Home Farm Lane has developed only through its use as an access to the road for a farm that was built by John Griffin. Created by foot traffic and cartwheels, the lane has never been intended for heavy traffic.

The Countess of Portsmouth’s Kitchen Garden, made in the 1750s, close to which the applicant proposes to make a car park, is of historic value. Prior to the arrival of the Countess to Audley End the kitchen gardens were positioned close to the house. Their removal to this position and consequent alterations here, in the (current) kitchen garden and orchard area in the C18th form part of the Audley End story and are important indicators of national social trends for this period. Nearby, Sir John’s garden under cultivation since at least 1783 is of no less importance. This land and its interior walls have been allowed to become derelict by the current managers and this decay through neglect should not be allowed to form an argument for their removal or lack of reinstatement or to argue that the area is of no importance.

Illustration 4, Detail. Map of Saffron Walden and Littlebury. Thomas Warren 1783

ERO D/DQy 8

The Orchards

The area that occupies the land currently, and for decades, for orchards was developed, put into cultivation, and divided up into smaller gardens during John Griffin Griffin's tenure. Maps as late as 1904 show a particular interest in horticulture in this position. As such it is worthy of the highest level of preservation and understanding. Lack of knowledge of the agriculture and meaning of this area does not mean that it may be ignored and destroyed.

Illustration 5 Plan accompanying a 1904 lease ERO D/DU 1109/1

The Walls

The walls that surround the garden, made of flint on the outside and of brick within are original, exceptional and should not be dismantled for this or any other purpose. The walls of Audley End are part of its curtilage and Audley End is a listed building.

Nursery Lodge

Built in the 1830s this lodge is one of several that serve Audley End. Falling within the curtilage of a site of national importance its amenity and cultural importance would be severely compromised by the size and urban appearance of the proposed junction.

ECOLOGY

The orchards would no longer be able to keep their organic status with cars driving between the trees. A metalled road in an orchard is absolutely counter to the defining aspirations of organic cultivation. The kitchen garden in close proximity and the proposed car parking area would suffer similarly. The oil deposits of cars and coaches, the necessity for rubbish collection baskets would all contribute to a reduction in the ecological ethos so far obtained in these areas. It is sad to note that against the backdrop of the G8 summit meeting this year a Government body is pursuing proposals to encourage vehicles into the countryside when it has a golden opportunity to make a positive move towards train and bicycle travel, initiate bussing between Audley End station and the site and the Swan Meadow car park both inside and outside the site.

MARKETEERING

The current shop at Audley End is concealed discreetly behind high hedges.

The paying visitor, if the application is allowed, will be led into the site by the back door, have much further to walk to the mansion and disabled and elderly people will struggle to access it. The stable yard will have to accommodate toilets and the detritus of merchandising. The retail outlet, which is the point of the whole application, will have to be negotiated by the visitor to increase sales before access to the car park is regained.

In conclusion, this application will have a negative impact for the site, its history, the surroundings and the interested visitor if the application is allowed.

REPRESENTATIONS: This application has been advertised and 16 representations have been received at the time of drafting this report. Period expires 29 August 2005.

The issues raised are;

Access to the B1383 would not be safe due to poor visibility. This is a designated lorry route, and children who walk to school between Littlebury and Saffron Walden use the path.

Vehicles from the south will wait to turn right and cause a queue back making back-end shunt collisions probable. The 50 MPH speed limit is unpoliced.

Traffic using the new junction would more than double compared to the current exit.

Additional road signage would be detrimental to the amenity and rural appearance of the area, and if the junction is to be lit this would be very detrimental.

The new access would result in an unacceptable level of urbanisation in the tranquil Home Farm Lane, which is a public footpath.

Breaking down the ancient flint walls and loss of a stretch of the hedge will create an urban setting in this area, which is one of the finest routes in Essex.

The car park should not be illuminated; flood lighting would be totally out of place.

The car park would involve the destruction of parts of the orchard.

The site is outside of Development Limits. If approved this would set a precedent for further development and possible applications to enlarge the parking area.

English Heritage do not intend to alter their arrangements for event parking which causes far greater visual intrusion than the few cars passing the front of the house to use the current car park.

English Heritage have not listed to local objections and have left residents fighting to safeguard that which English Heritage should be protecting. This is destruction of our valuable heritage.

The proposal is a ploy to create a retail outlet. Development of the historic orchard would be vandalism and would destroy the possibility of re-creating the 18th century kitchen garden to complement the 19th century Henry Doubleday Kitchen Garden. The noise and pollution of traffic will affect the Kitchen Garden.

All access should use the gates opposite the County High School.

There is no parking for pedal cycles.

Coaches will be visible from the B1383, why cannot coaches be parked at Swan Meadow? It should be possible to buy goods from the shop without having to pay an entry fee.

The existing parking arrangements are adequate and have caused no problems, the site should not be altered to accommodate the ever dominant car.

English Heritage accept that its transport policy is not sustainable and there is no means of reaching the house on foot by bike or public transport, but then hands over all responsibility for achieving this to the council and continues to develop a 'car only' transport policy. Shuttle bus services should be provided from the railway station and Saffron Walden.

COMMENTS ON REPRESENTATIONS: The comments are noted, and they cover the wide range of concerns that this proposal raises. The issues are discussed further in the following section.

PLANNING CONSIDERATIONS: The main issues are

- 1) development in the open countryside (ERSP Policy C5 & ULP Policy S7),
- 2) effect upon the setting of the Listed Building, Ancient Monument, Historic Garden and Conservation Area (ERSP Policy HC2, HC3, HC5 & ULP Policy ENV1, ENV2, ENV8),
- 3) traffic generation and parking (ERSP Policy T8 & ULP Policy GEN1),
- 4) sustainable development (PPS7, & ERSP Policy CS2),
- 5) protected Species (ULP Policy GEN7) and
- 6) flood risk (ULP Policy GEN3).

1) The site lies within the Open Countryside, as shown in the Uttlesford Local Plan. The following policies are applicable:

ESSEX & SOUTHEND ON SEA REPLACEMENT STRUCTURE PLAN POLICY
POLICY C5 – Rural Areas not in the Green Belt.

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

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

UTTLESFORD LOCAL PLAN POLICY S7 THE COUNTRYSIDE

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

The proposed development would be largely contained by the walls around the orchard, however, part of the historic walls are lost in the provision of the new access, though this is on a less visually prominent section in Duck Street. The new access would be built into the wall with a matching new section of flint walling and entrance gates in the style of other gateways around the estate. The proposed development is extensive in nature and would alter the nature of the orchard, from a former part of a working estate into a car park, and every visitor would see this currently inaccessible area. Most of the rows of Apple trees would be retained however. In the Open Countryside the policies set out above do not make provision for construction of large new car parks, but Audley End House has to be viewed as an exceptional case. Countryside Policy supports existing rural uses, and the location must be taken as a matter of fact.

2) The following policies are applicable:

ESSEX & SOUTHEND ON SEA REPLACEMENT STRUCTURE PLAN POLICY POLICY HC2 CONSERVATION AREAS;

Within Conservation Areas all those buildings, spaces, archaeological sites, trees, views and other aspects of the environment which contribute to their character, will be protected. Development in Conservation Areas, and within their setting, including any change of use of an existing building, should preserve and/or enhance the character or appearance of the Conservation Area as a whole. Schemes for the preservation and enhancement of the character and appearance of Conservation Areas will be promoted.

HC3 PROTECTION OF LISTED BUILDINGS;

Buildings, structures and features of special architectural, historic, archaeological or townscape importance, and their settings, will be protected from demolition, damage, and unsympathetic change.

HC5 PROTECTION OF ARCHAEOLOGICAL SITES;

Development which would damage or destroy a Scheduled Ancient Monument or other nationally important archaeological site, its character or its setting, will not be permitted. Other archaeological areas and sites, together with their settings, will be protected, conserved and enhanced wherever possible.

UTTLESFORD LOCAL PLAN POLICY ENV1 - DESIGN OF DEVELOPMENT WITHIN CONSERVATION AREAS

In Conservation Areas development will be required to preserve or enhance the character or appearance of the area. Outline applications will not be considered.

Development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation Area, including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features. Outline applications will not be considered.

Development involving the demolition of a structure which positively contributes to the character and appearance of the area will not be permitted.

POLICY ENV2- DEVELOPMENT AFFECTING LISTED BUILDINGS

Development affecting a listed building should be in keeping with its scale, character and surroundings. Development proposals that adversely affect the setting, and alterations that impair the special characteristics, of a listed building will not be permitted.

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics.

POLICY ENV8 – HISTORIC LANDSCAPES

Development proposals likely to harm significant local historic landscapes, historic parks and gardens and protected lanes as defined on the proposals map will not be permitted unless the need for the development outweighs the historic significance of the site.

These Policies clearly set a policy framework intended to give the highest protection to sites that have been designated for their historic or architectural interest, and it is difficult to think of a site that has a higher level of designation in this District than Audley End House. This proposal would result in a marked change in the appearance of the working gardens that form a part of the historic landscape of this large country house, as well requiring the removal of part of the flint boundary wall. The car parking and coach parking would be integrated into the existing landscape, with removal of far fewer trees than the previous proposal. The ticketing building would be a sympathetic adaptation of the existing building.

3) The comments of the County Highway Authority upon the application are awaited. Provision for cycle parking is made at the existing Lion gate entrance, which will still be available for walkers and cyclist, as well as cycle parking in the new car park. A travel plan has already been concluded with the operator of Audley End House in the context of the earlier application for the use of the house for weddings, and commitment to this is renewed in this submission. There is no bus service to the site, and the nearest public transport opportunity is Audley End Station, some 1.6 KM away. No proposal for provision of a bus link to meet trains at the station, or to Saffron Walden, has been advanced, though the Council made this suggestion last year at the time of the 2004 application.

In terms of access for people with disabilities, 12 parking spaces are provided close to the entrance point, where an intercom will enable contact with staff for an electric buggy to be provided.

4) ESSEX & SOUTHEND ON SEA REPLACEMENT STRUCTURE PLAN POLICY CS1 ACHIEVING SUSTAINABLE URBAN REGENERATION

Development and economic growth will be accommodated in a sustainable manner which counters trends to more dispersed patterns of residence, employment and travel by:-

1. Giving the emphasis to improving the quality of life in urban areas, and achieving a significant enhancement of the vitality and viability of the urban environment, making them more attractive places to live, work, shop, spend leisure time and invest;
2. Concentrating new economic and housing development and redevelopment within the existing urban areas, wherever possible, and maximising the use of spare capacity in terms of land, buildings and infrastructure within urban areas;
3. Applying a sequential approach when considering development requirements and proposals so as to give preference to development within urban areas;
4. Giving priority to infrastructure and transport proposals that will facilitate the development and regeneration of urban areas and increase choice of sustainable means of transport;
5. Reducing disparities between the economic prospects of different parts of the Structure Plan area;
6. Seeking to achieve a balance between housing and employment provision within local areas;
7. Promoting mixed-use neighbourhood development.

The Uttlesford Local Plan implicitly supports the UK national strategy for sustainable development but has no separate policy statement for this.

PPS7 for Sustainable Development in Rural Areas also lays emphasis on development taking place at locations within or close to defined settlements. The problem is that the house is located in the countryside, as with most 'stately homes', and leisure visits to them rely heavily upon the private car. If such transport were not available these tourist facilities could not function.

For most visitors the site can only be reached by car, and promotion of the site and expansion of the activities carried on here will all increase the use of the private car, with concomitant increase in Carbon Dioxide production and negative impact upon the environment. The location is inherently unsustainable, and any increase in visitor numbers emphasises this point. The applicant states that the provision for coaches will encourage more organised visits to the site, rather than individual visits, but it is questioned whether this would be an effective strategy. However, no serious attempt has been made to provide alternative transport facilities, like a bus link to the station or to Saffron Walden. Cycle parking is provided, but cycling will never make a major contribution to visitor trips, since so many visitors come from a long distance away.

5) Protected Species are not believed to be a significant issue in this context. Bats are known to fly in the area generally, foraging over the lake and around the parkland trees, but the application concerns a largely open area with small fruit trees where roosts are very unlikely to be involved. The low level of lighting that is involved would not be a significant cause of disturbance to Bats.

6) The application has a Flood Risk Assessment that concludes there will be a Sustainable Drainage Scheme approach to runoff, with infiltration of water into swales, posing no flood risk.

CONCLUSIONS: The amended design now before the Council does show a more sensitive approach to the design of a new parking area. The applicant organisation is the Statutory Advisor to Government on Listed Buildings and historic sites, and has the duty to act in a way that conserves and protects such sites. It is assumed that the scheme has been designed with conservation in mind, and the intended aim is to remove cars from parts of the site that are considered by the applicant to be more sensitive, and harmed by their current use for car parking. Removal of visitors' cars from the area around the house is seen as a gain in terms of the setting of the Listed Buildings, and a gain in terms of safety of pedestrians in that area.

The converse view is to say that the existing access and parking arrangements have worked well for many years, the car parking area is in a location that is not visually prominent, and the actual accident record appears to be very low, no records of actual accidents having been supplied.

The recommendation of the Highway Authority is not available at the time of writing, but is clearly an important material factor. When received, this recommendation will be added to the report. The new access junction will be a highly visible feature in the landscape especially as land levels will have to be raised to achieve better sightlines around the junction, and removal of the roadside hedge will increase the visual exposure, even though replanting on a setback line is proposed. This will be a negative impact upon the appearance of the countryside, and is contrary to the aims of countryside policy.

The sustainability argument is a complex one. Policy is seeking to reduce traffic growth for environmental reasons, but the location is poorly served by public transport, and any growth in visitor numbers must be in conflict with this aim.

On balance, it is recommended that a formal objection be made to the proposed development.

RECOMMENDATION: A FORMAL OBJECTION BE MADE TO THE PROPOSED DEVELOPMENT BY A GOVERNMENT DEPARTMENT, Reason;

1. The proposal is considered harmful to open countryside policy set out in the Essex & Southend-on-Sea Replacement Structure Plan the Adopted Uttlesford District Plan and the Uttlesford Local Plan, by reason of the visual impact of the proposed new junction in the landscape, introducing an urban feature into the rural countryside
2. The proposal is considered harmful to Conservation and Heritage Protection policy set out in the Essex & Southend-on-Sea Replacement Structure Plan and the Uttlesford Local Plan, as the proposals are considered on balance not be an improvement to the current visitor parking arrangements such as to justify the
3. The proposal is considered harmful to Sustainability policy set out in Planning Policy Statement 7 and the Essex & Southend-on-Sea Replacement Structure Plan the Adopted Uttlesford District Plan and Deposit Uttlesford Local Plan, by promoting a car dependant development without any significant provision being made for the improvement of other means of travel to the site.
4. Highways objection to be advised

Background papers: see application file.

UTT/1068/05/FUL - GREAT DUNMOW

Erection of 12 dwellings (5 two-bedroom, 5 three-bedroom and 2 four-bedroom)

Land off Counting House Lane. GR/TL 628-223. Messrs Broyd & Thompson.

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 26/08/2005

ODPM classification: Major application

NOTATION: Within Development Limits.

DESCRIPTION OF SITE: The site is located to the north of Counting House Lane and covers an area of 0.26ha. It has previously formed part of the rear garden to Brook House, North Street and has mature vegetation on the southern and northwestern boundaries. The site slopes down to the north from Counting House Lane towards the recreation ground. Since the previous applications have been considered the site has been cleared with some trees, boundary vegetation and topsoil removed.

DESCRIPTION OF PROPOSAL: This application relates to the erection of 12 dwellings on the site. They would comprise a mix of properties with 5 x two bed, 5 x three bed and 2 x four bed and would result in a density of 46 dwellings per hectare (dph). There would be 4 detached dwellings, 3 pairs of semi-detached dwellings and one building containing 2 flats on the site which would be comprised of 8 different styles of design. Chimneys would feature on all the dwellings and it is proposed that dormers would be a design feature on the rear elevations of plots 1, 2, 3, 4, 6 and 7. Further details of the proposed dwellings are set out in the table below.

There would be 26 parking spaces provided on the site through a combination of garages, carports and open parking areas. It is proposed that each dwelling would have two parking spaces with the exception of plots 6 and 7 which would both have 3 spaces. Access is proposed to be from the internal road network serving Counting House Lane.

Plot no.	Maximum ridge height	Area covered	No of bedrooms
1 & 2	8m	50m ² (each)	3
3 & 4	8.2m	39m ² (each)	2
5	7.9m	72m ²	3
6	8.2m	99m ² (incl. garage)	4
7	8m	73m ²	4
8 & 9	8.5m	73m ²	2
10	7.5m	79m ² (each)	2
11			3
12	8.3m	54m ²	3
Carport for plots 1 & 2	4.4m	63m ²	
Garage for plot 7	3.5m	20m ²	

APPLICANT'S CASE: See letter dated 30 June attached at end of report.

RELEVANT HISTORY: Outline application for erection of 24 no. two bedroom flats with all matters reserved refused January 2005 and dismissed at appeal September 2005. Outline application for erection of 14 dwelling withdrawn by applicant March 2005.

CONSULTATIONS: Environment Agency: provides guidance for the applicant regarding development and watercourses.

Water Authority: To be reported (due 21 September).

ECC Education: I estimate that this development, would result in four additional primary and two additional secondary school places being required. I formally request a developer contribution prior to the commencement of £60,048 which is in line with our adopted Supplementary Planning Guidance.

ECC TOPS: No objections subject to conditions.

TOWN COUNCIL COMMENTS: Strongly object.

- Many trees have been removed reducing the tree screen between the site and the Recreation Ground/Chelmer Valley to a minimum thus urbanising what was a rural area.
- A continuation of the tree screen that separates Chelmer Valley from The Maltings must be included on the northern boundary to separate any development from the Recreation Ground/Chelmer Valley, the screen to be planted on the applicant's land. Screening of the development on the northern boundary by fencing would not be acceptable. The planting of a tree screen would reduce the density of any development making it more acceptable.
- The proposed development contravenes PPG3 in that it is over dense particularly in comparison with Counting House Lane/The Maltings.
- The level of increase in traffic movements will be unacceptable in Counting House Lane with the proposed increase in density.
- There must be no access or provision for an access from the site to the Recreation Ground.

REPRESENTATIONS: This application has been advertised and 1 petition with 117 signatures against the proposed development and 33 representations have been received. Period expired 5 August.

Main points and concerns relate to:

- The development would result in an increase of 33% in the number of dwellings in Counting House Lane.
- The design of the development does not reflect the surrounding area.
- An increase in amount of traffic within the vicinity would result in a danger to residents and putting pressure on the surrounding road network in addition to noise disturbance to existing properties.
- Insufficient parking and turning area within the site would result in increased congestion around existing dwellings in addition to the loss of three existing spaces where the entrance of the site is proposed. No visitor parking is proposed.
- The density of the development is too high, not in keeping with the surrounding area and would result in dwellings too close together with some having very small gardens.
- The development would have a negative impact on the existing dwellings adjacent to the site boundaries.
- Trees and mature vegetation have been removed from the site boundaries resulting in far less screening of the site than the existing estate – any permission should require further planting along the site boundaries.
- The site is higher than the adjacent Recreation Ground and the development would be prominent and intrusive when viewed from the lower ground.
- The builders have gained access to the site and have caused damage to the kerb and road in addition to requesting that parked vehicles are removed.
- There are too many 2 bedroom dwellings proposed which are unnecessary and are catered for on other developments. They would be out of keeping with the existing estate.

- The developers have altered the spelling of their name on the application form.
- 3 properties adjacent to the site did not receive notification of the application.
- The deadline for submitting objections is such that the local council will not have had the chance to discuss this in a meeting prior to this date.
- Loss of amenity to existing dwellings due to overshadowing and loss of light.
- The development would devalue the existing Counting House Lane properties.

COMMENTS ON REPRESENTATIONS:

- If the application were to be acceptable, it would be possible to impose conditions requiring landscaping of the site including additional planting.
- The damage to the road and kerb from the builders clearing the site is a matter for ECC Highway and is not relevant to the consideration of this planning application.
- The application has been widely advertised with two site notices and newspaper adverts in addition to notification letters being sent to all properties likely to be affected by the proposal and anybody who wrote regarding the previous applications on the site.
- Property values are not a material consideration when determining planning applications.
- See also planning considerations below.

PLANNING CONSIDERATIONS: The main issues are

- 1. whether the development of this site is acceptable in principle, (ULP Policy S1);**
- 2. whether the density, number of units on the site and mix of units would be acceptable and compatible with the surrounding area without having a detrimental impact on the amenity of adjacent properties, (PPG3, ERSP Policy H3, & ULP Policies GEN2, H10) and**
- 3. whether the access would be suitable for the likely number of vehicle movements and the parking provision would be satisfactory in terms of numbers, design and layout (ERSP Policies T3, T12, & ULP Policies GEN1, GEN8).**

1. The site is located within Development Limits and therefore the development of this site is acceptable in principle subject to the proposal complying with other Development Plan Policies.
2. The character of the area surrounding the site is primarily one of detached and semi-detached two-storey dwellings. There are no buildings above two-storeys in height within the surrounding estate and the density of Counting House Lane equates to 33 dph. PPG3 advocates making the best use of land when proposing residential development however, this should be in keeping with the character of the surrounding area. As a general guide, development should result in densities between 30 and 50 dwellings per hectare (dph). The development proposes a higher density on the site than exists within the existing estate and is close to the upper recommended limit of 50dph advocated in PPG3. However this does not necessarily indicate that the proposal is unacceptable provided the overall scheme is satisfactory and would also comply with other relevant Development Plan policies. Notwithstanding this, the proposed layout of the development is cramped and has resulted in the location and size of the parking and garden areas being compromised in order to achieve the number of dwellings on the site. It is therefore considered that the proposal would constitute overdevelopment of the site and would fail to respect the character and density of the surrounding estate.

The proposed garden areas vary greatly between different plots and a car dominated streetscene is proposed with the parking to plots 1, 2, 3, 4, 6 and 7 located to the front of

the dwellings. An example of this is that the garden areas to plots 8 and 9 measure approximately 45m² for each property and the area for plot 7 is almost twice the size of the garden area for plot 6 despite the dwellings being the same size. It is recommended in the Essex Design Guide that private usable garden areas are 100m² for each dwelling and only 4 of the proposed dwellings would achieve this amount. In addition, due to the lack of space between the dwellings, it is not possible to relocate the parking spaces to areas between or behind the properties and the provision of a four bay carport to the front of plot 1 would result in a loss of amenity to the occupiers of No. 29 Counting House Lane due to the noise and disturbance arising from the vehicles using the carport.

Further harm to the amenity of the occupiers of No. 40 Counting House Lane would occur as a result of the dwelling on Plot 12 present a blank side elevation to the rear garden of No. 40. The new dwelling would be wider than the rear garden to No. 40 and as a result it would appear overbearing when viewed from the rear garden of No. 40.

It is not considered that the development would result in a loss of amenity in terms of loss of privacy or overlooking either to existing properties or between the proposed properties due to the design of the dwellings with few windows located in the side elevations. The majority of windows in side elevations that are proposed would be obscure glazed to bathrooms. It is also not considered that the development would result in any loss of light or overshadowing of existing properties due to the site being located to the north of Counting House Lane.

In relation to the design of the proposal, a total of 8 property designs are proposed on the site and it is considered that the design for plots 5, 8, 9 and 12 are broadly acceptable. However the proposed asymmetrical roof forms and bulky dormer windows of the buildings on plots 1, 2, 3, 4, 6 and 7 would appear as dominant and unsatisfactory features of the development when viewed from properties along North St and from the Recreation Ground. In addition, these are not features which are typical of the dwellings in the surrounding area.

The housing mix proposed on the site complies with the requirements of ULP Policy H10 in that a range of 2 bed, 3 bed and 4 bed dwellings would be provided.

4. ECC Highways have been consulted on the proposal and have no objections subject to conditions being imposed. It is therefore considered that the proposal would not have a detrimental impact on the surrounding transport network and would comply with ULP Policy GEN1.

The proposed layout plan indicates that a minimum of 2 car parking spaces would be allocated to each dwelling on the site. The spaces would have satisfactory dimensions to comply with standard vehicle space sizes and would be acceptable in terms of their location relative to the dwellings on the site. In addition, the parking standards contained in the Uttlesford Local Plan specifies the maximum number of parking spaces associated with residential development and this proposal would comply with those standards. The proposal would comply with the requirements of ULP Policy GEN8.

CONCLUSIONS: The development of this site is acceptable in principle however the proposal would constitute overdevelopment of the site with a density which would be out of keeping with the surrounding estate. In addition, the garden areas would vary in size and would fail to meet the standard of 100m² in relation to 8 of the plots and the parking layout would result in a car dominated streetscene. The amenity of the occupiers of Nos. 29 and 40 Counting House Lane would also be harmed by noise and disturbance resulting from the carport adjacent to No. 29 and the overbearing impact of the dwelling on Plot 12 in relation to No. 40. The design of the dwellings on Plots 1, 2, 3, 4, 6, and 7 would include bulky dormers and asymmetrical roofs which would not be characteristic of the area and would

appear as dominant and unsatisfactory features when viewed from outside the site. However, the proposal would comply with ULP Policies H10, GEN1 and GEN8 and ERSP Policies T3 and T12.

RECOMMENDATION: REFUSAL REASONS

The proposal would constitute overdevelopment of the site with a density of 46 dwellings per hectare which would be out of keeping with the surrounding estate. The layout would also be cramped and would result in garden areas which would vary in size and would fail to meet the standard of 100m² in relation to 8 of the plots. The parking spaces to the front of plots 1, 2, 3, 4, 6 and 7 would also result in a car dominated streetscene due to the cramped layout preventing any alternative parking locations. Furthermore, the amenity of the occupiers of Nos. 29 and 40 Counting House Lane would also be harmed by noise and disturbance resulting from the carport adjacent to No. 29 and the dwelling on Plot 12 appearing overbearing as a result of having a width greater than the width of the garden to No. 40. In addition, the design of the dwellings on Plots 1, 2, 3, 4, 6, and 7 would include bulky dormers and asymmetrical roofs which would not be characteristic of the area and would appear as dominant and unsatisfactory features when viewed from outside the site. The proposal would therefore be contrary to PPG3, ERSP Policy H3 and ULP Policy GEN2.

Background papers: see application file.

1) UTT/1287/05/FUL & UTT/1288/05/LB - SEWARDS END

Conversion of outbuildings (cowshed & piggery) to two single storey dwellings
Sewards End Farm 13 Redgates Lane. GR/TL 570-385. Mr S Grimes.

Case Officer: Mr T Morton 01799 510654

Expiry Date: 30/09/2005

13 weeks: 14/11/2005

ODPM classification: Major application

NOTATION: Outside Settlement Boundary.

DESCRIPTION OF SITE: The property consists of a two storey brick built house, Listed Grade II, with two brick outbuildings in the grounds to the side of the house. The house is in poor condition, with its roof removed and protected under a temporary scaffold, the outbuildings are partially collapsed, with partially repaired roofing.

DESCRIPTION OF PROPOSAL: Removal of the house roof, repair conservation and refurbishment of the house and internal alterations to the layout of the first floor (LB), and conversion of the outbuildings to form two, single storey, dwellings (LB) and (FUL).

APPLICANT'S CASE: A substantial supporting statement has been submitted and is available for inspection available at Council Office, London Road, Saffron Walden. This includes a lengthy schedule of works to the house, indicative of the extensive repair and rebuilding that will be required. The statement also describes the conversion of the outbuildings, which are curtilage Listed. The document quotes from PPG15, Planning and the Historic Environment to support the proposals. The conversion works include the restoration of previously demolished parts of the outbuildings to bring them back to viable use and retain the overall plan and outlook of the historic farmstead. The document quotes PPS7, PPG15, ULP Policy ENV2, H6 and S7, ERSP Policy RE2 in support. The need for 'enabling development' is set out, against English Heritage criteria. The farmstead is a considerable historic feature of the area and should be conserved. A section 106 Agreement is offered to ensure full restoration of the farmhouse to ensure all monies raised from the new dwellings is used to fund restoration of the farmhouse.

RELEVANT HISTORY: UTT/2194/04/LB Demolition of dwelling. Withdrawn by applicant. UTT/0053/05/LB Renewal of barn/outbuilding roof. Approved 23 May 2005. Note: this application was retrospective, the repair works to the roof of the two outbuildings already having been partially carried out. These repairs have not been completed.

CONSULTATIONS: Essex County Council Highways: Recommendation of Refusal. The highway authority wish to raise objection to the proposals which would intensify the use of a substandard access onto a classified highway where the aim function is that of carrying traffic freely and safely between centres of population. The existence of an access in this position is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of the conflict an interference which this proposal would engender would lead to a deterioration in the efficiency of the through road as a carrier of traffic and be detrimental to highway safety. There is insufficient information on the expected traffic flows generated as a result of this application and subsequent traffic impact on the surrounding highway network in order to determine the application.

Contrary to Structure Plan Policies T7 and T8.

Essex County Council archaeological advice: The proposed conversion of farm buildings lies on the site of a moated enclosure (HER 156). It is possible that groundworks will identify

early buildings associated with the moated enclosure. A rapid record should be made of the structures prior to their conversion.

RECOMMENDATION; Detailed monitoring and building recording.

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

A professional team of archaeologists should undertake the work to comprise of an initial phase of rapid building recording followed by detailed monitoring of groundworks and associated with the conversion and new build to allow for the recording of the surviving archaeological deposits.

English Heritage: No response at the time of drafting this report.

Society for Protection of Ancient Buildings: We are generally very satisfied with the current plans to repair the farmhouse. It is expected that the full extent of necessary repairs may only become apparent once work has begun. Your council may want to consider employing a consultant, to oversee the project be necessary to ensure the removal of fabric only takes place where required. The conversion of the cowshed and piggery to form two new dwellings will undoubtedly have an effect on the character of the building and on the setting of the farmhouse itself. However, we appreciate that some form of enabling development may be necessary. Should your council approve of the conversion scheme, listed building consent should not be granted until the legal agreements are in place to ensure that the main house would be fully repaired and occupied before the newly converted dwellings could be inhabited.

PARISH COUNCIL COMMENTS: Not received at the time of drafting this report.

REPRESENTATIONS: These applications have been advertised and one representation has been received. Period expired 1 September 2005.

The proposals would be outside of the village plan. The house roof has already been removed and timbers burnt without authority. Any dramatic changes would be detrimental to the historic aspect of the area. The bends in the lane are very restricted and access to any additional residential units would be very dangerous. The plans do not show the existing brick and flint wall on the west side of the site and do not show the detail of the rebuilding of the old cart and pony house, proposed to be a garage. The restoration of the farm and outbuildings in the only planning that should be approved.

COMMENTS ON REPRESENTATIONS: Noted and discussed below.

PLANNING CONSIDERATIONS: The main issues are

- 1) **The historic and architectural interest of the property (ERSP Policy HC3, ULP Policy ENV2);**
- 2) **Countryside Policy (ERSP Policy C5, H2, RE2. & ULP Policy S7);**
- 3) **Highways issues (ERSP Policies T7, T8. & ULP Policy GEN1) and**
- 4) **Other material planning considerations.**

1) An application for the demolition of the farmhouse was made in 2004, and the supporting statement for that concluded that, “.... regrettably there is nothing left of historic interest or architectural interest that is capable of repair *in situ*, demolition is the only practical option. Should consent be granted the historic fabric would be salvaged where it retains a degree of integrity.” English Heritage objected to the proposed demolition and has called for restoration of the house.

The current proposals have been prepared in response to English Heritage opposition to compete demolition. The case is based upon a need for enabling development to provide funding to pay for the restoration of the principal Listed Building, and this is in the form of two additional dwellings achieved by the 'conversion' of two existing outbuildings. These have 'curtilage Listed' status, by virtue of being there in 1948, but one has a date stone of 1911 set into the end wall, and the other is believed to be of similar date, being of similar construction. Old photographs of the site show the southern building to have been attached to other farm outbuildings in the past, though these have now collapsed to separate remnant walls and do not form a structure. The outer wall of this building forms the boundary wall to Redgate Lane, heavily overgrown with Ivy. The outbuildings are of no intrinsic architectural or historic interest. The applicant claims that their restoration would contribute to the setting of the farmhouse, but arguably their complete removal would be a greater benefit.

Part of the case concerns the concept of Enabling Development. There is no guidance on this in PPG15, however English Heritage have produced a guidance note in which they define the concept as;

“ Enabling development is development that is contrary to established planning policy – national or local – but which is occasionally permitted because it brings public benefits that have been demonstrated clearly to outweigh the harm that would be caused. The benefits are paid for by the value added to land as a result of the granting of planning permission for its development, so enabling development can be considered a type of public subsidy. It has been proposed in support of a wide range of public benefits, from opera houses to nature conservation, but this guidance is concerned primarily with enabling development proposed to secure the future of heritage assets. “

It then offers guidelines for this type of development;

- The enabling development will not materially detract from the archaeological, architectural, historic, landscape or biodiversity interest of the asset, or materially harm its setting
- The proposal avoids detrimental fragmentation of management of the heritage asset
- The enabling development will secure the long term future of the heritage asset, and where applicable, its continued use for a sympathetic purpose
- The problem arises from the inherent needs of the heritage asset, rather than the circumstances of the present owner or the purchase price paid
- Sufficient financial assistance is not available from any other source
- It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset, and that its form minimises disbenefits
- The value or benefit of the survival or enhancement of the heritage asset outweighs the long-term cost to the community (i.e. the disbenefits) of providing the enabling development

PPG15 sets out general criteria for consideration of applications as;

The importance of the building, its intrinsic interest..... in national and local terms

Physical features that justify inclusion in the list

Setting and contribution to the local scene

Extent to which proposed works would bring substantial benefits to the community.

In this case the principal Listed Building is in poor condition, having suffered a fire and rebuilding in the 1930s, and then a long period of neglect through recent decades. Extensive reconstruction is required if the building is to be retained, though a considerable proportion of the material within in it will be modern rather than historic. The house is not exceptional in a national context, but clearly is a local feature, though its location is not a prominent one in visual terms. The two remaining outbuildings are of little intrinsic architectural or historic interest, being built in the last century from utilitarian brick in very simple form. Whilst restoration of the house is not particularly contentious and even desirable, the formation of two new dwellings in a location where new dwellings would not normally be approved is a contentious issue. It is a moot point whether, “The problem arises from the inherent needs of

the heritage asset, rather than the circumstances of the present owner or the purchase price paid”.

It has not been demonstrated that such development, “brings public benefits that have been demonstrated clearly to outweigh the harm that would be caused”. It brings private benefits to the owner in terms of meeting costs for the immediate reconstruction, though not the long term future, but this is not considered to be enough to set aside countryside policy, the requirements of which are discussed in the next section. It is also a moot point whether the introduction of two essentially new houses to the site is beneficial to the setting of the Listed house, or rather would detract from it.

2) The proposed development is located in the countryside beyond development limits where planning permission is not normally given for development unless the proposal relates to agriculture, forestry, appropriate outdoor recreational uses, or appropriate changes of use of suitable existing buildings compatible with a rural area. The pressure for new residential development is always highest on the immediate edge of existing settlements, and the location does not amount to a reason for an exception to be made to policy. The Council is also aware of the presence of a considerable number of land plots in the vicinity that have been sold in the hope of future development, and the issue of precedent must be considered.

PPS7 sets out the Government’s objectives for sustainable development in rural areas, and gives some support for the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. The issues then are whether this building is

Appropriately located – This is a location outside of the Development Limit of Swards End, and the boundary of the village has in fact contracted away from this site with the adoption of the Local Plan in January 2005. There is no nearby school, shop, or doctor and only limited public transport. This is not a location where a wholly new development would be considered acceptable, and must be seen as well down the hierarchy of the sequential test for residential development.

Suitably constructed – The supporting statement concludes these buildings are of permanent and substantial construction. This may not be the same as ‘suitably constructed’ however. The outbuildings have a date stone of 1911 and were suitably constructed to be farm outbuildings, consisting of ‘nine-inch’ fletton brickwork, but this is not suitably constructed to be a dwelling, since considerable work would be required to bring the structure up to the standard required by Building Regulations for residential occupation. The southern building is only standing in part, and planning policy offers no comfort for the reconstruction of a building that used to exist but is now only a ruin. The proposal effectively involves two new buildings as new dwellings, and this can only be viewed as contrary to countryside policy.

Would meet sustainable development objectives – There is guidance on this in both PPS1 and PPS7. The emphasis is on sustainable communities, which appears to mitigate against isolated development, preferring the development of land within or adjacent to settlements with a range of services before considering the development of other sites. Development which can only be serviced by use of the private car is not regarded as sustainably located. The recent reduction in the Development Limit of Swards End was a deliberate decision of the Council, to restrict further development here in a location that lacks services.

The alteration of such buildings from their current role as a subsidiary and subservient outbuildings related to a farm, to that of separate dwellings with no functional connection, and the introduction of their own activity and external paraphernalia of domestic occupation,

would change the character of the principal Listed Building, its setting and the character and appearance of the countryside.

3) The objection and recommendation of the highway authority is noted. The proposed access was an existing gateway, but was long disused before the sale of the house at auction in 2004. It is located close to a sharp bend on the very narrow Redgate Lane, and intensified use must be seen as a safety hazard.

4) There are not believed to be any Protected Species issues attached to the buildings or the site.

CONCLUSIONS: Although restoration of the principal Listed Building is a desirable objective, the proposed new dwellings raise significant policy problems. This is not a location where wholly new dwellings would be approved, and the 'conversion' involves a significant degree of reconstruction of buildings that have very little merit in themselves. The balance to be struck between restoration of the Listed house and the other associated development requires careful consideration. The advancement of the concept of enabling development in support of the proposals is noted, however the construction of two new dwellings in a location where new dwellings are so clearly contrary to planning policy does not appear to be a reasonable balance between building conservation objectives and countryside conservation objectives. The gain is not balanced by the harm to the countryside in the Council's view. Whilst the condition of the house and the costs of repair are noted and fully understood, this should have been reflected in the purchase price.

RECOMMENDATION: REFUSAL REASONS

1. The site is located within countryside beyond development limits as defined in the adopted Uttlesford Local Plan. The proposal is considered to be contrary to the aims of Planning Policy Statement 7, and Essex & Southend on Sea Replacement Structure Plan Policy C5 and Policy RE2 that aim to protect the countryside by the restriction of new uses to those appropriate to a rural area, and the strict control of new building in the countryside outside existing settlements to that required to support agriculture, forestry or other rural uses. It is considered that the criteria set out in Policy RE2 that the residential conversion of listed farm buildings and the re-use of other rural buildings for residential use on isolated sites within the countryside located well away from existing settlements will not be permitted, are not met.
2. The proposed development is considered unacceptable as it would involve the conversion of buildings for a primarily residential use contrary to the aims of policy, is not covered by any of the specified exceptions within the policy, and would detract from the open character of the countryside by virtue of increasing the presence of domestic development and activity on the site.
3. The proposed change of use and conversion to residential use is considered to be contrary to the principles set out in Planning Policy Statements 1 and 7 to promote more sustainable patterns of development, and is not considered to meet the aims of paragraph 17 of PPS7 for conversion of existing buildings. Similarly it is considered to be contrary to the principles of the Essex & Southend on Sea Replacement Structure Plan Policy CS2.
4. R.21.C. Inappropriate design affecting the preservation of the character of a listed building or its setting.
5. The proposals would intensify the use of a substandard access onto a classified highway where the aim function is that of carrying traffic freely and safely between centres of population. The existence of an access in this position is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of the conflict an interference which this proposal would engender would lead to a deterioration in the efficiency of the through road as a

carrier of traffic and be detrimental to highway safety. There is insufficient information on the expected traffic flows generated as a result of this application and subsequent traffic impact on the surrounding highway network in order to determine the application.

Background papers: see application file.

UTT/2134/03/OP – THAXTED

Variation to planning permission UTT/0372/98/OP (granted on appeal) to build 30 dwellings (12 additional units) with garages & studio/workshops. Construction of vehicular access Bellrope Meadow Sampford Road. GR/TL 611-316. Mr A Pyatt.

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 09/02/2004

ODPM classification: Major application

NOTATION: Within settlement boundary & subject to Thaxted local policy 2 (Land adjacent to Sampford Road - relating to provision of home working units). Trees along western edge of the site are subject to a TPO.

DESCRIPTION OF SITE: This site lies at the northern edge of Thaxted, has a frontage of 85 metres to the Sampford road, approximately 70 metres east of its junction with the Walden Road (B184), adjacent to which stands the Thaxted Hall hotel (formerly the Fox & Hounds/ The Four Seasons). To the east are open fields and to the south lies the residential cul-de-sac of Guelphs Lane. In the early 1990's a turning head into the site was formed and the adjacent part of the Sampford Road widened but apart from some earth moving little appears to have happened to the site for years. The site has an area of approximately 1.5 hectares.

DESCRIPTION OF PROPOSAL: This application is made at outline with all matters reserved except means of access and layout. A layout has been submitted showing thirty homeworking units accessed from a single access to the site. Unlike the extant outline permission it is no longer proposed to provide an office/communications hub to be shared between the units. The proposed homeworking units are envisaged to be dwellings with a dedicated area identified for business use. The business part of the homeworking units would be outside the residential part of each dwelling, for example in a room above the garage. The applicant also proposes the variation in conditions relating to the use of the work element of the building and the occupancy of the home element.

RELEVANT HISTORY: Outline permission for roads & sewers to serve industrial development 1981. Outline application for 31 house refused and appeal dismissed 1986. Outline permission for industrial development 1988. Permission for construction of new access for industrial development granted 1989. Detailed permission for industrial development granted in 1990. Outline application for 18 dwellings with garaging and studio/workshops refused & appeal allowed 1999. Permission for variation of time limit condition attached to 1999 permission to allow further three years for submission of reserved matters February 2003.

CONSULTATIONS: ECC Learning Services: Request educational contribution
ECC Archaeology: Request full programme prior to commencement.

PARISH COUNCIL COMMENTS: Objects. This site has always been recorded as a means of providing local employment by its use as an industrial site, and following ineffectual marketing, this purpose was addressed in a very small way in the previous permission, on appeal, for 18 houses with attached business facilities.

As there appears to have been so demand for such purposes, my Council fails to understand why there should be more appeal for 30 such premises. In any event, the Council is of the opinion that this concept has not been marketed widely or efficiently, and

without such demand the proposed properties would develop into large executive houses with games rooms, fifth bedrooms etc. etc.

No mention is made on the plans for the sewage disposal unit mentioned on the original application in 1999, and your Council will be aware that the sewage system in Thaxted is already overloaded without the addition of 30 extra large properties. There is also a problem with water run-off in this part of Thaxted, resulting in serious flooding during four of the past five winters.

When airport-related housing was allocated by the District Council in 1995, Thaxted was excluded from the allocation on the grounds of its being directly underneath the Stansted fly-path, and that new residential property was not advisable in those circumstances. Thaxted still has the same problem, with the prospect of greater air activity in the future, but no District Council policy to the contrary of that in 1995 has been announced.

No provision has been made in the application for 'affordable housing', which is the only type of housing which would seem to be needed in Thaxted.

REPRESENTATIONS: 1. Site notice expired 22.1.04.

Appears to resurrect the hoary old spectre of three-storey buildings along the Sampford Road, there is no precedent for buildings of such height in the corner of Thaxted. I seek reassurance that the landscaping shown includes retention of the ancient hedgerow extending on both sides of the intervening ditch.

I am informed that the sewers for foul water in Guelph's Lane were built without spare capacity, and know from thirty-five years of experience that the narrowing of underground pipework to 6" at Rochelle Close presently causes the intervening ditch to flood following heavy rain, without benefit of water being channeled into it more rapidly from tarmac.

Now that the Communications Centre has now been rendered obsolete by technological advance, how soon it will be before the workshops and homeworking facilities are rendered similarly redundant and absorbed into dwelling space,

PLANNING CONSIDERATIONS: The main issues are

- 1) **Whether the proposal is in accordance with local plan policy, particularly Thaxted Local Policy 2,**
- 2) **The relevance of the 1999 appeal decision,**
- 3) **Whether the indicative layout is acceptable,**
- 4) **Issues relating to nature conservation,**
- 5) **The provision of a affordable housing,**
- 6) **The making of an educational contribution and**
- 7) **Matters requiring archaeology investigation.**

1) Thaxted Local Policy 2 specifically relates to this named site and specifically permits its development for homeworking units. Consequently this policy permits the principle of this development.

2) Permission was granted on appeal in 1999 for the erection of 18 homeworking units, supported by a shared communications centre. At the time the site was allocated for commercial use only. The Inspector was confident that a suitable environment could be created for occupiers; that it was in a sufficiently sustainable location. The appeal decision was influential in forming Thaxted Local Policy 2 referred to above. The Inspector made no comment suggesting that 18 should be a maximum on the site or other comments that could

be interpreted as suggesting that the current proposed number of 30 would be unacceptable. Consequently other than accepting the principle of this type of development the impact of the appeal decision is neutral with regard to this application.

3) To explain the type of development that the applicant proposes the application originally included drawings showing elevations and floor plans of five designs of homeworking units. Although there was some variation in design they had the appearance of detached two storey houses with linked or detached double garages each of which are shown to have an office area above the garage. In discussion with the applicant these drawings have been withdrawn from the application. Revised elevation drawings were submitted showing three storey buildings but these too were thought to be inappropriate for this edge of village site. However the layout plan supports the view that 30 rather than 18 units could be satisfactorily accommodated on the site, along with parking turning facilities and landscaping. Drawing on the comparison with conventional housing, a suitable scheme should also include a range of size of units.

4) The applicant has engaged an environmental consultant to inspect the site and has concluded that there are no species that have statutory protection and that the detail of how to respond to wildlife should be covered by condition.

5) If considering the development of a site of this size for conventional housing, officers would seek to negotiate up to 40% affordable housing. This is not a conventional housing scheme although there are similarities between homeworking units and conventional dwellings. There is no specific requirement to provide affordable housing within a scheme for homeworking units. The housing officer has confirmed that there is no information to show that affordable housing has been provided as part of a homeworking development elsewhere. There are three options:

- i) Provide no affordable housing on the basis that this scheme is other than a conventional residential scheme where affordable housing is specifically required by the Development Plan and Government policy.
- ii) Require up to 40% of the homeworking units on this site to become affordable housing, either with or without requiring these to have the 'work' element. Officers have been unable to establish that there are registered social landlords that would be interested in operating affordable homeworking units. To allow the affordable units to be created without the 'work' element would undermine the principle of the livework development. Furthermore the appeal inspector stated that this site was not appropriate for a conventional residential scheme and the planning authority has been consistent over many years in maintaining the view that conventional residential development is not appropriate here.
- iii) The other option is to recognise that whilst the scheme is not the solely residential scheme to which the affordable housing policy (H9) is normally applied that it is sufficiently close to make it reasonable to require some contribution to be made for the provision of affordable housing.

It is this latter option that Officers believe is correct and have undertaken negotiations with the application on that basis. The applicant has submitted a unilateral undertaking (a voluntarily submitted but binding S106 agreement) to make a financial contribution towards a fund to help finance affordable housing locally. In calculating the value of the contribution the applicant has recognised that the outline permission for 18 homeworking units is extant and could allow him to build those 18 units without making any contribution towards affordable housing. Consequently the contribution has been based on the additional 12 units. The applicant is offering to make a financial contribution based on the value of 25% of those 12 units. This should provide a sum of £150,000 to be spent on affordable housing elsewhere. Whilst this is lower than the 40%, which the policy says the Council will seek to achieve,

Officers consider this to be acceptable given that it could be argued that the contribution to affordable housing by this homework scheme should be 0%.

6) The same unilateral undertaking referred to above also includes payment of monies to Essex County Council Learning Services to contribute to the cost of providing primary and secondary education for occupiers of the homeworking units. This is a normal requirement for residential schemes and would normally be required by S106 agreement. Consequently only the mechanism for providing the money is unusual, although this is satisfactory.

7) A condition requiring full excavation prior to commencement will be applied to a permission.

CONCLUSIONS: The reserved matters should not relate to the development shown on the indicative drawings as the drawings show a development of large, dominant buildings set close to the boundary.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.1.1. Requirement for submission for approval of the details.
2. C.1.2. Time limit for submission for approval of the details.
3. C.1.3. Time limit for implementation.
4. C.4.1. Submission of landscaping scheme.
5. C.4.2. Implementation of landscaping scheme.
6. No trees, hedges or shrubs shown to be retained in the approved landscape scheme shall be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Works)]. Details of all measures to be taken for the protection of retained trees, hedges and shrubs during construction shall be submitted to and approved in writing by the local planning authority, and shall be in place before any equipment, machinery or materials are brought onto the site for the purposes of the development. All measures approved shall be complied with until all equipment, machinery and surplus materials have been removed from the site.
REASON: To protect the character and appearance of the site.
7. A landscape management plan, including long term design objectives, management responsible and maintenance schedules for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
REASON: To protect the character and appearance of the site.
8. No dwelling shall be occupied until its associated office/studio accommodation has been built and made ready for occupation. Subsequently the office/studio accommodation identified as part of each homeworking unit shall be retained for uses within class B1 of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.
REASON: To ensure the implementation of a mixed-use development, in the interests of providing a range of employment opportunities in the area.
9. No office/studio unit shall be used or occupied other than by a person or persons occupying the associated dwelling or their employees.
REASON: In the interests of protecting residential amenity, and to avoid unnecessary addition traffic movements to the site.
10. No processes connected with any B1 business use on the site shall be carried out other than within a building, and there shall be no open storage in connection with the B1 business uses.
REASON: To protect the appearance of the area and amenity.

11. No development shall take place until details of the internal road layout (to include details of visibility splays and footpaths) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and the visibility splays shall thereafter be retained free from any obstruction.
REASON: In the interests of highway safety.
12. No development shall take place until details of the parking provision for the site have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and no garage or parking space shall thereafter, be used for any purpose other than for the parking of vehicles.
REASON: In the interests of highway safety.
13. No development shall take place until details of the arrangements for the disposal of sewage, and the related phasing of the development on the site, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
REASON: To ensure proper provisions of waste water disposal.
14. C.16.2. Full archaeological works.

Background papers: see application file.

UTT/1247/05/FUL - SAFFRON WALDEN

Proposed 27 bedroom extension and refurbishment works to existing nursing home Stanley Wilson Lodge, Four Acres. GR/TL 541-381. Excelcare Equities Ltd,
Case Officer: Mr S Kuschel 01799 510629
Expiry Date: 23/09/2005
ODPM Classification: Other

NOTATION: Within development limits.

DESCRIPTION OF SITE: The application site extends to 0.39 ha and is currently operated as a 37-bed nursing home and day centre for the elderly. The site is bounded on the southern side by the RA Butler County Primary and Infants School, and on the west side by the backs of houses that front onto South Road. There is also residential property to the north and west.

Access to the site is via two entrances from Four Acres, one new and one existing.

DESCRIPTION OF PROPOSAL: It is proposed to create a total of 27 additional bedrooms, 17 of which are within the proposed extensions and a further 10 created by way of rearranging the space within the existing building. The proposed extension consists of two wings, both two storeys. One wing will be to the rear within the gardens. The other will be to the rear/street side of the site.

It is proposed to extend the existing parking area to provide a total of 19 dedicated car parking spaces. There will also be a delivery bay and an ambulance waiting area. Covered cycle parking will also be provided. A new vehicular exit is to be formed on the western boundary of the site.

APPLICANT'S CASE: A statement in support of the application has been submitted. Excelcare specialise in the provision of care for the elderly, and has entered a partnership with Essex County Council. The need to appoint a private care company stems from the demographic pressures, which will result in the need for additional beds. The County Council predicts that by 2011 a further 460-600 additional beds will be required throughout the county.

RELEVANT HISTORY: An application to provide access off Four Acres, for use by day care staff and visitors was approved in July 2002. An application to upgrade the entrance lobby, provide disable ramp and new access and car parking for the day care centre and residential home was agreed in February 2002.

CONSULTATIONS: County Surveyor. To be reported.

TOWN COUNCIL COMMENTS: The Committee objects to this application due to the issue of lack of parking for workers and visitors and access for the emergency services.

REPRESENTATIONS: None. Notification period expired 23 August 2005.

COMMENTS ON REPRESENTATIONS: None.

PLANNING CONSIDERATIONS: The main issues are whether

- 1) the development is acceptable in principle. (ERSP CS1 and ULP Policy S1);

- 2) **the proposed development complies with design criteria (ULP Policy GEN2) and**
- 3) **the proposals make adequate provision for resident and visitors parking (ERSP Policy T12 & ULP Policy GEN8).**

1) Policy S1 states that development within the existing built up areas can be acceptable, if compatible with the character of the settlement. Due to the nature of the proposal to extend an existing, compatible land use, there is no potential conflict with surrounding land uses. The development is therefore acceptable in principle.

2) The proposed two storey extensions are in character with the existing building and the surrounding area. Materials will match those of the existing building. There will be no significant impact on the amenities of adjoining occupiers.

3) Parking and traffic surveys of similar nursing home developments have been undertaken by the applicants specialist advisors. The surveys demonstrate that the use generates few car trips and consequently, has a low parking requirement. Most of the staff will access the site by bus, by bicycle or on foot.

It is considered that the proposed development meets adopted car parking standards for on-site car parking in a residential care home. The maximum standard is 1 space per residential staff and 1 space per 3 bedrooms. There are no residential staff at the home.

It is therefore considered that the proposals make adequate provision for resident and visitors parking in accordance with planning policy.

CONCLUSIONS: The proposal development will not have any adverse impact on the surrounding area, and complies with planning policy. Conditional planning permission should therefore be granted.

RECOMMENDATION: APPROVAL WITH CONDITIONS

- 1. C.2.1. Time Limit for commencement of development.
- 2. C.3.1. To be implemented in accordance with approved plans.
- 3. C.5.1. Samples of materials to be submitted and agreed.
- 4. C.11.7.Highway requirements.
- 5. C.4.1. Scheme of landscaping to be submitted and agreed.
- 6. C.4.2. Implementation of landscaping.

Background papers: see application file.
